



2400 Ritter Drive  
Daniels, WV 25832  
PH: 304-763-4573  
Fax: 304-763-4591  
www.aspen-golf.com

**Aspen Corporation**

# Fax

**To:** Beth Collins  
WV Purchasing Division  
2019 Washington Street, East  
P.O. Box 50130  
Charleston, WV 25305-0130  
**From:** Brian Knight

**Fax:** 304-558-3970 **Pages:** 19 (counting cover)

**Phone:** 304-558-2157 **Date:** 7-22-2015

**Re:** DEP1500000093 FGM Energy **CC:** File

Urgent  For Review  Please Comment  Please Reply  Please Recycle

**e Comments:**

**Buyer:** Beth Collins  
**RFQ. NO.** DEP1500000093  
**Bid Opening Date:** July 22, 2015  
**Bid Opening Time:** 1:30 PM

07/22/15 10:59:21  
WV Purchasing Division

**IMPORTANT:** The information contained in this facsimile transmission is only for the use of the individual or entity named above and may contain information that is privileged, confidential or exempt or protected from disclosure under applicable law. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.



Purchasing Division  
2019 Washington Street East  
Post Office Box 50130  
Charleston, WV 25305-0130

State of West Virginia  
Request for Quotation  
32 - Reclamation

Proc Folder: 71902

Doc Description: Addendum 01 FGM Energy Inc. S-5023-88 OSR Project

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2015-07-01	2015-07-22 13:30:00	CRFQ 0313 DEP1500000093	2

**BID RECEIVING LOCATION**

BID CLERK

DEPARTMENT OF ADMINISTRATION

PURCHASING DIVISION

2019 WASHINGTON ST E

CHARLESTON

WV 25305

US

**VENDOR**

Vendor Name, Address and Telephone Number:

**Aspen Corporation**

2400 Ritter Drive

Daniels, WV 25832

304-763-4573

**Total Bid: \$168,492.00**

**FOR INFORMATION CONTACT THE BUYER**

Beth Collins

(304) 558-2157

beth.a.collins@wv.gov

Signature X

FEIN # 550627766001

DATE 7-22-2015

All offers subject to all terms and conditions contained in this solicitation

Page : 1

FORM ID : WV-PRC-CRFQ-001

RECEIVED TIME JUL 22. 10:53AM

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Mobilization & Demobilization (Shall not exceed 5% of Total)	1.00000	LS	\$7,000.00	\$7,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Mobilization & Demobilization (Shall not exceed 5% of Total).

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Spill Containment Area (\$1000.00 Max Bid for this permit)	1.00000	LS	\$1,000.00	\$1,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Spill Containment Area (\$1000.00 Max Bid for this permit)

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Storm Water Management (Maximum bid \$5.00 per linear foot)	1500.00000	LF	\$4.50	\$6,750.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Storm Water Management (Maximum bid \$5.00 per linear foot)

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
4	Main Access Road	1.00000	LS	\$12,700.00	\$12,700.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Main Access Road

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
5	Pond #3 Access Road	1.00000	LS	\$17,000.00	\$17,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Pond #3 Access Road

INVOICE TO:		SHIP TO:	
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
6	Construct Containment Cell #1	1.00000	EA	\$6,400.00	\$6,400.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Construct Containment Cell #1

INVOICE TO:		SHIP TO:	
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
7	Construct Containment Cell #2	1.00000	EA	\$1,400.00	\$1,400.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Construct Containment Cell #2

INVOICE TO:		SHIP TO:	
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
8	Pond #3 Elimination	1.00000	LS	\$15,000.00	\$15,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Pond #3 Elimination

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
9	Rock Borrow Area	1.00000	LS	\$10,000.00	\$10,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Rock Borrow Area

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
10	Construct Rip Rap Ditch #1	500.00000	LF	\$42.00	\$21,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Construct Rip Rap Ditch #1

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
11	Construct Rip Rap Ditch #2	300.00000	LF	\$31.00	\$9,300.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Construct Rip Rap Ditch #2

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
12	Regrading and Topsoiling	6.00000	ACRE	\$3,200.00	\$19,200.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Regrading and Topsoiling

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
13	Access Road to Pond #3-Abandonment	4200.00000	LF	\$5.00	\$21,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Access Road to Pond #3-Abandonment

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
14	Structure and/or Debris Removal	1.00000	LS	\$7,800.00	\$7,800.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
Structure and/or Debris Removal

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
15	15.1 Agricultural Lime	6.00000	ACRE	\$423.00	\$2,538.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
15.1 Agricultural Lime



INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
16	15.2 Fertilizer	6.00000	ACRE	\$682.00	\$4,092.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
15.2 Fertilizer

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
17	15.3 Mulch	6.00000	ACRE	\$582.00	\$3,492.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
15.3 Mulch

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION DIVISION OF LAND RESTORATION 601 57TH ST SE CHARLESTON WV25304 US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
18	15.4 Vegetative Species	6.00000	ACRE	\$470.00	\$2,820.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
**15.4 Vegetative Species**

	Document Phase	Document Description	Page
DEP1500000093	Final	Addendum 01 FGM Energy Inc. S- 5023-88 OSR Project	10 of 10

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

Agency Environmental Protection  
REQ.P.O# DEP15\*93

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Aspen Corporation  
of 2400 Ritter Drive Daniels, WV 25832, as Principal, and Lexon Insurance Company  
of 10002 Shelbyville Road Suite 100 Louisville, KY 40223, a corporation organized and existing under the laws of the State of  
Texas with its principal office in the City of Louisville, KY, as Surety, are held and firmly bound unto the State  
of West Virginia, as Oblige, in the penal sum of Five Percent of Amount Bid (\$ 5% of Bid) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
DEP15\*93 - FGM Energy Inc. - Logan County, WV

**NOW THEREFORE,**

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Oblige may accept such bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this  
22nd day of July, 2015.

Principal Corporate Seal

Aspen Corporation  
(Name of Principal)

By *Aspen Adams*  
(Must be President or Vice President)

V.P.  
(Title)

Surety Corporate Seal

Lexon Insurance Company  
(Name of Surety)

*Bonnie J. Wodham*  
Bonnie J. Wodham, Attorney-in-Fact

**IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed, a power of attorney must be attached.**

# ACKNOWLEDGMENTS

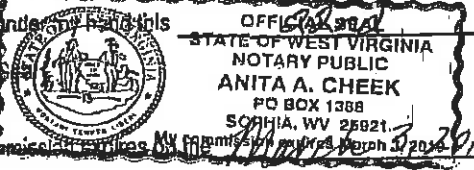
### Acknowledgment by Principal if Individual or Partnership

- 1. STATE OF \_\_\_\_\_
- 2. County of \_\_\_\_\_ to-wit: \_\_\_\_\_
- 3. I, \_\_\_\_\_, a Notary Public in and for the
- 4. county and state aforesaid, do hereby certify that \_\_\_\_\_ whose name is signed to the foregoing writing, has this day acknowledged the same before me in my said county.
- 5. Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_
- 6. Notary Seal \_\_\_\_\_ 7: \_\_\_\_\_ (Notary Public)
- 8. My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

### Acknowledgment by Principal if Corporation

- 9. STATE OF WEST VIRGINIA
- 10. County of RALEIGH to-wit: \_\_\_\_\_
- 11. I, ANITA A. CHEEK, a Notary Public in and for the
- 12. county and state aforesaid, do hereby certify that ASHLEY ADKINS
- 13. who as, VICE PRESIDENT signed the foregoing writing for
- 14. ASPEN CORPORATION a corporation,

has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.

- 15. Given under my hand this \_\_\_\_\_ day of July 20 15
- 16. Notary  17: Anita A. Cheek (Notary Public)
- 18. My commission expires on the 3rd day of March 20 16

### Acknowledgment by Surety

- 19. STATE OF Kentucky
- 20. County of Jefferson to-wit: \_\_\_\_\_
- 21. I, Barbara Duncan, a Notary Public in and for the
- 22. county and state aforesaid, do hereby certify that Bernie J. Werthen
- 23. who as, Attorney-in-Fact signed the foregoing writing for
- 24. Lexon Insurance Company a corporation,

has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.

- 25. Given under my hand this 22nd day of July 20 15
- 26. Notary Seal \_\_\_\_\_ 27: Barbara Duncan (Notary Public)
- 28. My commission expires on the 28th day of June 20 16

Sufficiency in Form and Manner of Execution Approved

Attorney General

This \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

By: \_\_\_\_\_ (Deputy Attorney General)

POWER OF ATTORNEY

LX-249298

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinalli, Mark A. Guldry, Jill Kemp, Jackie C. Kossel, Lynette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Shervon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of May, 2015.

LEXON INSURANCE COMPANY



BY [Signature]  
David E. Campbell  
President

ACKNOWLEDGEMENT

On this 21st day of May, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR  
Notary Public - State of Tennessee  
Davidson County  
My Commission Expires 01-09-18

BY [Signature]  
Amy L. Taylor  
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee, this 22<sup>nd</sup> Day of July, 2015.



BY [Signature]  
Andrew Smith  
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files an application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

RFQ No. DEP15\*93

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

**MANDATE:** Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

**DEFINITIONS:**

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: Aspen Corporation

Authorized Signature: *Robley Dal...* Date: 7-22-2015

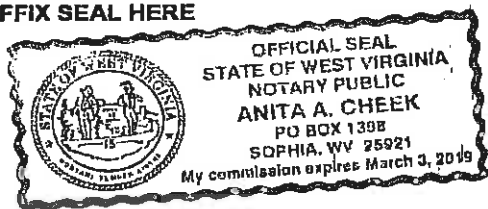
State of West Virginia

County of Raleigh, to-wit:

Taken, subscribed, and sworn to before me this 22 day of July, 20 15.

My Commission expires March 3, 20 19

**AFFIX SEAL HERE**



NOTARY PUBLIC

*Anita A. Cheek*

Purchasing Affidavit (Revised 07/01/2012)

**ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)**

1. **CONTRACTOR'S LICENSE:** West Virginia Code § 21-11-2 requires that all persons desiring to perform contracting work in this state be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Applications for a contractor's license may be made by contacting the West Virginia Division of Labor. West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: Aspen Corporation

Contractor's License No. WV000653

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a Award Document.

2. **DRUG-FREE WORKPLACE AFFIDAVIT:** W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit at the same time an affidavit that the Vendor has a written plan for a drug-free workplace policy. To comply with this law, Vendor must either complete the enclosed drug-free workplace affidavit and submit the same with its bid or complete a similar affidavit that fulfills all of the requirements of the applicable code. Failure to submit the signed and notarized drug-free workplace affidavit or a similar affidavit that fully complies with the requirements of the applicable code, with the bid shall result in disqualification of Vendor's bid. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

2.1 **DRUG-FREE WORKPLACE POLICY:** Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article. The awarding public authority shall cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority, or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

3. **DRUG FREE WORKPLACE REPORT:** Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the

Revised 04/13/2015



WV-73  
Rev. 08/2013



**State of West Virginia  
DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT  
West Virginia Code §21-1D-5**

**STATE OF WEST VIRGINIA,  
COUNTY OF Raleigh, TO-WIT:**

I, Ashley Adkins, after being first duly sworn, depose and state as follows:

- 1. I am an employee of Aspen Corporation; and,  
(Company Name)
- 2. I do hereby attest that Aspen Corporation  
(Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D**.

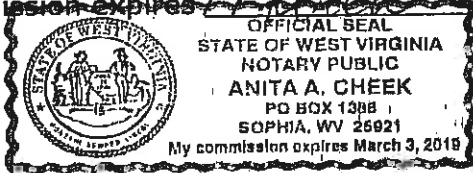
The above statements are sworn to under the penalty of perjury.

By: *Ashley Adkins*  
 Title: Vice President  
 Company Name: Aspen Corporation  
 Date: 7-22-2015

Taken, subscribed and sworn to before me this 22 day of July, 2015.

By Commission expires March 3, 2019

(Seal)



*Anita A. Cheek*  
 (Notary Public)

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**

Rev. August 2013

**CERTIFICATION AND SIGNATURE PAGE**

By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

**Aspen Corporation**

(Company)

*Ashley Allkins VP*

(Authorized Signature) (Representative Name, Title)

304-763-4573 304-763-4591 7-22-2015

(Phone Number) (Fax Number) (Date)

Revised 04/13/2015