



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: 138517

Doc Description: Addendum 01 OSR Roblee U-2026-87 Reclamation

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2015-12-02	2015-12-23 13:30:00	CRFQ 0313 DEP1600000022	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

Bid Total: \$498,000.00

RFQ No: DEP 16 #22  
 Buyer: BC / 23  
 Bid Opening Date: 12-23-15  
 Bid Opening Time: 1:30 pm



*Opened to Determine Contents*

**FOR INFORMATION CONTACT THE BUYER**

Beth Collins  
 (304) 558-2157  
 beth.a.collins@wv.gov

Signature X *Chude R. Hill*

FEIN # 550627766001

DATE 12/23/2015

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

**ADDITIONAL INFORMATION:**

**CONSTRUCTION/RECLAMATION**

Addendum No. 01

This addendum is issued to modify the solicitation per the attached documentation and the following:

1. To provide answers to vendor submitted questions.
  2. To provide a copy of the mandatory pre-bid sign-in sheet.
  3. To provide copy of revised specifications and drawings.
  4. To modify bid opening date to December 23, 2015 at 1:30 PM, EST.
- No other changes.

**CRFQ**

THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FOR THE RESTORATION AND RECLAMATION AND REPAIR FOR THE OSR ROBLEE U-2026-87 RECLAMATION PROJECT, LOCATED IN BARBOUR COUNTY, WEST VIRGINIA, PER THE ATTACHED SPECIFICATIONS AND DOCUMENTATION.

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV 26416-9998 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Mobilization & Demobilization (Shall not exceed 3% of TOTAL)	1.00000	LS	\$14,000.00	\$14,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

Mobilization & Demobilization (Shall not exceed 3% of TOTAL)

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV 26416-9998 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
2	Construction Layout (Shall not exceed 1% of TOTAL)	1.00000	LS	\$4,000.00	\$4,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

Construction Layout (Shall not exceed 1% of TOTAL)

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV 26416-9998 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
3	Quality Control (Shall not exceed 1% of TOTAL)	1.00000	LS	\$2,000.00	\$2,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Quality Control (Shall not exceed 1% of TOTAL)

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV 26416-9998 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
4	Site Preparation (Shall not exceed 2% of TOTAL)	1.00000	LS	\$9,000.00	\$9,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Site Preparation (Shall not exceed 2% of TOTAL)

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV 26416-9998 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
5	Sediment Control- Silt Fence/Straw Wattles	4400.00000	LF	\$4.50	\$19,800.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

Sediment Control- Silt Fence/Straw Wattles

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV 26416-9998 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
6	Revegetation	12.00000	ACRE	\$1,850.00	\$22,200.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

Revegetation

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV26416 US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301 PHILIPPI WV 26416-9998 US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
7	Utilities Non Bid Item	0.00000	LS	\$0.00	\$0.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

Utilities Non Bid Item

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301	
PHILIPPI	WV26416	PHILIPPI	WV 26416-9998
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
8	Highwall Backfill/ Regrade	1.00000	LS	<b>\$75,000.00</b>	<b>\$75,000.00</b>

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Highwall Backfill/ Regrade

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301	
PHILIPPI	WV26416	PHILIPPI	WV 26416-9998
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
9	Road Rehabilitation	3250.00000	LF	<b>\$10.00</b>	<b>\$32,500.00</b>

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Road Rehabilitation

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301	
PHILIPPI	WV26416	PHILIPPI	WV 26416-9998
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
10	New Road Construction	1200.00000	LF	<b>\$20.00</b>	<b>\$24,000.00</b>

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
New Road Construction

INVOICE TO		SHIP TO	
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Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
11	1 foot V- Ditch	2500.00000	LF	\$20.00	\$50,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
1 foot V- Ditch

INVOICE TO		SHIP TO	
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Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
12	1 foot Trapezoidal- Ditch	3300.00000	LF	\$40.00	\$132,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
1 foot Trapezoidal- Ditch

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301	
PHILIPPI	WV26416	PHILIPPI	WV 26416-9998
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
13	Wet Seals	2.00000	EA	\$10,000.00	\$20,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Wet Seals

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301	
PHILIPPI	WV26416	PHILIPPI	WV 26416-9998
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
14	Dry Seals	2.00000	EA	\$4,000.00	\$8,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Dry Seals

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301	
PHILIPPI	WV26416	PHILIPPI	WV 26416-9998
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
15	12 inch x 20 foot HDPE Culvert	5.00000	EA	\$500.00	\$2,500.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

12 inch x 20 foot HDPE Culvert

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Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
16	Demolition	1.00000	LS	\$10,000.00	\$10,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

Demolition

INVOICE TO		SHIP TO	
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Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
17	AMD Seep Collector	150.00000	LF	\$50.00	\$7,500.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

AMD Seep Collector



INVOICE TO		SHIP TO	
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Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
18	Boreholes	36.00000	EA	\$1,250.00	\$45,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Boreholes

INVOICE TO		SHIP TO	
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Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
19	Incidental Stone	250.00000	TON	\$40.00	\$10,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
Incidental Stone

INVOICE TO		SHIP TO	
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301  PHILIPPI WV26416  US		ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301  PHILIPPI WV 26416-9998  US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
20	Fence	1000.00000	LF	\$8.00	\$8,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

Fence

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301  PHILIPPI WV26416  US	ENVIRONMENTAL PROTECTION OFFICE OF SPECIAL RECLAMATION 47 SCHOOL ST, STE 301  PHILIPPI WV 26416-9998  US

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
21	Gate	1.00000	EA	\$2,500.00	\$2,500.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

Gate

**SCHEDULE OF EVENTS**

Line	Event	Event Date
1	Mandatory Pre-Bid Meeting Confrence at 10:00 AM	EST
2	Tech Question Submittal Deadline at 5:00 PM	EST 11-02

	<b>Document Phase</b>	<b>Document Description</b>	<b>Page</b>
DEP160000022	Final	Addendum 01 OSR Roblee U-2026- 87 Reclamation	11 of 11

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

Agency Environmental Protection  
 REQ.P O# DEP 16022

### 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  
10002 Shelbyville Road,  
 of 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, Kentucky, 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

DEP 16022 - Roblee Coal

Barbour 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

23rd day of December, 2015

Principal Corporate Seal

Aspen Corporation

(Name of Principal)

By Claude R. Hill

(Must be President or  
Vice President)

VICE PRESIDENT

(Title)

Surety Corporate Seal

Lexon Insurance Company

(Name of Surety)

Bonnie J. Wortham

Bonnie J. Wortham, 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.

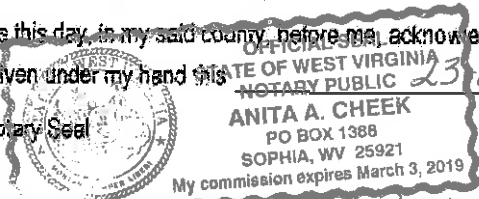
# ACKNOWLEDGMENTS

## 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 CLAUDE R. HILL  
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 23rd day of December 2015  
16. Notary Seal 17: Anita A. Cheek  
(Notary Public)  
18. My commission expires on the 3rd day of March 2019



## Acknowledgment by Surety

19. STATE OF Kentucky  
20. County of Jefferson to-wit:  
21. I, Jill Kemp, a Notary Public in and for the  
22. county and state aforesaid, do hereby certify that Bonnie J. Wortham  
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 23rd day of December 2015  
26. Notary Seal 27: Jill Kemp  
(Notary Public)  
28. My commission expires on the 29th day of November 2019

Sufficiency in Form and Manner  
of Execution Approved

Attorney General

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

By: \_\_\_\_\_

(Deputy Attorney General)

POWER OF ATTORNEY

LX-262038

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. Fusinetti, Mark A. Guidry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Jessica Nowlin, Theresa Pickerrell, Sheryon 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 \$5,000,000.00, Five 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 5th day of August, 2015.

LEXON INSURANCE COMPANY



BY [Signature] David E. Campbell President

ACKNOWLEDGEMENT

On this 5th day of August, 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 TAYLOR Notary Public- State of Tennessee Davidson County Mv Commission Expires 07-08-19

BY [Signature] Amy 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 23rd Day of December, 2015.



BY [Signature] Andrew Smith Assistant Secretary

“WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and 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.”

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: *Charles R. Hill* Date: 12/23/2015

State of West Virginia

County of Raleigh, to-wit:

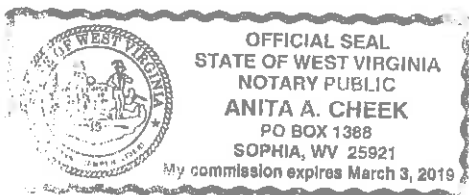
Taken, subscribed, and sworn to before me this 23<sup>rd</sup> day of December, 2015

My Commission expires March 3, 2019.

**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





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, Claude R. Hill, after being first duly sworn, depose and state as follows:

- I am an employee of Aspen Corporation; and,  
(Company Name)
- 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.

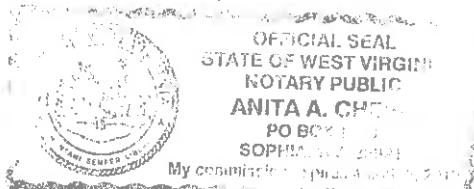
The above statements are sworn to under the penalty of perjury.

By: Claude R. Hill  
 Title: Vice President  
 Company Name: Aspen Corporation  
 Date: 12/23/2015

Taken, subscribed and sworn to before me this 23<sup>rd</sup> day of December, 2015.

By Commission expires March 3, 2019

(Seal)



Anita A. Chubb  
 (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.**

**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)



**Claude R. Hill, Vice President**

(Authorized Signature) (Representative Name, Title)

304-763-4573 / 304-763-4591 / 12-23-2015

(Phone Number) (Fax Number) (Date)

**ADDENDUM ACKNOWLEDGEMENT FORM  
SOLICITATION NO.:**

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |                                     |                |                          |                 |
|-------------------------------------|----------------|--------------------------|-----------------|
| <input checked="" type="checkbox"/> | Addendum No. 1 | <input type="checkbox"/> | Addendum No. 6  |
| <input type="checkbox"/>            | Addendum No. 2 | <input type="checkbox"/> | Addendum No. 7  |
| <input type="checkbox"/>            | Addendum No. 3 | <input type="checkbox"/> | Addendum No. 8  |
| <input type="checkbox"/>            | Addendum No. 4 | <input type="checkbox"/> | Addendum No. 9  |
| <input type="checkbox"/>            | Addendum No. 5 | <input type="checkbox"/> | Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Aspen Corporation  
Company

*Claude R. Hill*  
Authorized Signature

12-23-2015  
Date

**NOTE:** This addendum acknowledgment should be submitted with the bid to expedite document processing.

2400 Ritter Drive  
Daniels, WV 25832  
304-763-4573  
304-763-4591 Fax



**VIA MAIL**

December 23, 2015

Ms. Beth Collins  
Department of Administration  
Purchasing Division, Building #15  
2019 Washington Street, East  
P.O. Box 50130  
Charleston, WV 25305-0130

**RE: DEP16022 Roblee  
DEP16026 Energy Marketing**

Dear Ms. Collins:

Enclosed are the original bid documents for DEP16022 and DEP16026. These documents were faxed to you on 12-23-2015, for bid opening at 1:30 PM.

If you have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read 'BK', with a horizontal line extending to the right.

**Brian Knight**  
Project Administrator  
Reclamation and Environmental Division

Encs.