



The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at wvOASIS.gov. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at WVPurchasing.gov with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

Header 1

List View

General Information | Contact | Default Values | Discount | Document Information | Clarification Request

Procurement Folder: 1014779

SO Doc Code: CEOI

Procurement Type: Central Purchase Order

SO Dept: 0313

Vendor ID: VS0000019973 

SO Doc ID: DEP2200000008

Legal Name: DIEFFENBAUCH & HRITZ LLC

Published Date: 4/8/22

Alias/DBA:

Close Date: 4/12/22

Total Bid: \$50,000.00

Close Time: 13:30

Response Date: 04/12/2022 

Status: Closed

Response Time: 11:25

Solicitation Description: AML/Sullivan Refuse and Clogged Stream

Responded By User ID: DandHLLC 

Total of Header Attachments: 1

First Name: Kerry

Total of All Attachments: 1

Last Name: Westfall

Email: kwestfall@dandengineers.i

Phone: 304-985-5555

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	EOI Engineering Design Services				50000.00

Comm Code	Manufacturer	Specification	Model #
81100000			

Commodity Line Comments:

Extended Description:

EOI Engineering Design Services

QUALIFICATIONS

for the

EOI – AML / SULLIVAN REFUSE AND CLOGGED STREAM (CEOI 0313 DEP2200000008)

Prepared for:

**DEPARTMENT OF ADMINISTRATION, PURCHASING DIVISION
2019 Washington Street East
Charleston, WV 25305-0130**



DIEFFENBAUCH & HRITZ

1095 Chaplin Road, Suite 200
Morgantown, West Virginia 26501

April 11, 2022

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 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.

Dieffenbauch & Hritz, LLC

Company



Authorized Signature

04/12/2022

Date

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



DIEFFENBAUCH & HRITZ

DIEFFENBAUCH & HRITZ, LLC
1095 Chaplin Road Suite 200
Morgantown, WV 26501
Office: 304-985-5555
Fax: 304-985-5557

April 11, 2022

Mr. Joseph E. Hager, III
Department of Administration, Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

**RE: EOI – AML / Sullivan Refuse and Clogged Stream
CEOI 0313 DEP2200000008**

Dear Mr. Hager:

Dieffenbach & Hritz is pleased to submit our qualification to perform design services in reference to the EOI – AML / Sullivan Refuse and Clogged Stream project. As outlined in our proposal, D&H and its personnel have completed work on several similar projects.

The project will be managed out of our Morgantown, West Virginia office. D&H has several design teams which is more than capable of handling these projects (teams consisting of CAD Professionals, Engineers, West Virginia registered engineers and West Virginia registered surveyors) in our office. D&H has several CAD Professionals and Engineers to help support the project in other offices if needed.

Our experienced team is led by Mr. Herbert L. Parsons, III, PE, PS. Mr. Parsons has more than 20 years of related engineering experience and has managed or supported numerous projects for the WVDEP. Mr. Parsons is a registered Professional Engineer and a registered Professional Surveyor in the State of West Virginia. He will be joined by Mr. Michael D. Hritz, PE also a registered Professional Engineer in the State of West Virginia. Mr. Hritz will serve as a project quality assurance and quality control manager and has managed and supported numerous projects for the WVDEP.

We greatly appreciate this opportunity to provide this proposal and look forward to answering any questions you may have. If you should require any additional information, please contact Mr. Parsons at (304) 985-5555.

Sincerely,

Herbert L. Parsons, III, PE, PS
Project Manager

ATTACHMENT A: CONSULTANT QUESTIONNAIRE

**WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AML CONSULTANT QUALIFICATION QUESTIONNAIRE**

Attachment "A"

PROJECT NAME AML/Sullivan Refuse and Clogged Stream	DATE (DAY, MONTH, YEAR) 12, June, 2022	FEIN 65-1257247
--	---	--------------------

1. FIRM NAME Dieffenbauch & Hritz, LLC	2. HOME OFFICE BUSINESS ADDRESS 1095 Chaplin Rd., Ste 200 Morgantown, WV 26501	3. FORMER FIRM NAME N/A
---	---	----------------------------

4. HOME OFFICE TELEPHONE 304-985-5555	5. ESTABLISHED (YEAR) 2005	6. TYPE OWNERSHIP Individual Corporation Partnership Joint-Venture	6a. WV REGISTERED DBE (Disadvantaged Business Enterprise) YES NO
--	-------------------------------	---	--

7. PRIMARY AML DESIGN OFFICE: ADDRESS/ TELEPHONE/ PERSON IN CHARGE/ NO. AML DESIGN PERSONNEL EACH OFFICE
1095 Chaplin Road, Suite 200 Morgantown, WV 26501 / 304-985-5555 / Herbert L. Parsons, III PE, PS / 6

8. NAMES OF PRINCIPAL OFFICERS OR MEMBERS OF FIRM Michael D. Hritz, PE - President John C. Dieffenbauch, PE - Vice President	8a. NAME, TITLE, & TELEPHONE NUMBER - OTHER PRINCIPALS Herbert L. Parsons, PE PS - Operations Manager - 304-985-5555 Roman C. Lawson, PE - Engineering Services Manager - 304-985-555
--	---

9. PERSONNEL BY DISCIPLINE

<u>3</u> ADMINISTRATIVE <u>2</u> ARCHITECTS <u>2</u> BIOLOGIST <u>9</u> CADD OPERATORS <u> </u> CHEMICAL ENGINEERS <u>16</u> CIVIL ENGINEERS <u>9</u> CONSTRUCTION INSPECTORS <u>7</u> DESIGNERS <u>6</u> DRAFTSMEN	<u>3</u> ECOLOGISTS <u> </u> ECONOMISTS <u>5</u> ELECTRICAL ENGINEERS <u>5</u> ENVIRONMENTALISTS <u> </u> ESTIMATORS <u> </u> GEOLOGISTS <u> </u> HISTORIANS <u>2</u> HYDROLOGISTS	<u>1</u> LANDSCAPE ARCHITECTS <u>1</u> MECHANICAL ENGINEERS <u>5</u> MINING ENGINEERS <u>3</u> PHOTOGRAMMETRISTS <u> </u> PLANNERS: URBAN/REGIONAL <u>3</u> SANITARY ENGINEERS <u> </u> SOILS ENGINEERS <u> </u> SPECIFICATION WRITERS	<u> </u> STRUCTURAL ENGINEERS <u>10</u> SURVEYORS <u>3</u> TRAFFIC ENGINEERS <u>2</u> OTHER <u>51</u> TOTAL PERSONNEL
---	--	---	---

TOTAL NUMBER OF WV REGISTERED PROFESSIONAL ENGINEERS IN PRIMARY OFFICE: 5
***RPEs other than Civil and Mining must provide supporting documentation that qualifies them to supervise and perform this type of work.**

10. HAS THIS JOINT-VENTURE WORKED TOGETHER BEFORE? YES NO

11. OUTSIDE KEY CONSULTANTS/SUB-CONSULTANTS ANTICIPATED TO BE USED. Attach "AML Consultant Qualification Questionnaire".

NAME AND ADDRESS: Novel Geo-Environmental, LLC (NGE) 650 MacCorkle Ave. St. Albans, WV 25108	SPECIALTY: Geotechnical Engineering	WORKED WITH BEFORE <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No
NAME AND ADDRESS:	SPECIALTY:	WORKED WITH BEFORE <input type="checkbox"/> Yes <input type="checkbox"/> No

12. A. Is your firm's personnel experienced in Abandoned Mine Lands Remediation/Mine Reclamation Engineering?

YES Description and Number of Projects: No active or recent projects, however several key personnel on this proposal have

AML experience and knowledge.

NO

B. Is your firm experienced in Soil Analysis?

YES Description and Number of Projects: Over 100 projects conducting soils analysis in support of water quality and design.

NO

C. Is your firm experienced in hydrology and hydraulics?

YES Description and Number of Projects: Over 100 projects storm water analysis, sediment and impoundment facilities and

selenium treatment facilities.

NO

D. Does your firm produce its own Aerial Photography and Develop Contour Mapping?

YES Description and Number of Projects: Over 200 projects that utilize aerial photography and contour mapping.

NO

E. Is your firm experienced in domestic waterline design? (Include any experience your firm has in evaluation of aquifer degradation as a result of mining.)

YES Description and Number of Projects: Ten projects in recent years associated with domestic waterline design.

NO

F. Is your firm experienced in Acid Mine Drainage Evaluation and Abatement Design?

YES Description and Number of Projects: No active or recent projects, however, several key personnel on this proposal have AMD experience and knowledge.

NO

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Hritz, Michael D. President	0	10+	25+

Brief Explanation of Responsibilities

Mr. Hritz is responsible for overseeing and assuring quality of all deliverables. As an assigned professional charge for engineering, Mr. Hritz provides independent reviews of each deliverable. This process assures unbiased results and quality deliverables. Mr. Hritz has gained valuable experience throughout his career with projects in transportation, environmental compliance, mining, water resources and commercial site development fields in North Carolina, Ohio, Pennsylvania, Virginia and West Virginia.

EDUCATION (Degree, Year, Specialization)

Bachelor's of Science, 1991, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

Gas and Oil Association of WV (GOWV)
Pennsylvania Independent Oil and Gas Association (PIOGA)

REGISTRATION (Type, Year, State)

Professional Engineer: 1997 PA / 1999 WV / 2013 NC

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Parsons, Herbert L. Operations Manager	5	10+	20+

Brief Explanation of Responsibilities

Mr. Parsons will serve as the project manager and professional charge. With over 20 years' of project management experience in civil engineering and survey, Mr. Parsons has developed a broad experience in the public and private sectors and has lead teams on complex projects that has required coordination of disciplines, technical studies environmental permitting, multiples agencies and stakeholders. Mr. Parsons technical competency include: water resources storm sewer system, storm water management, utility services, road design and survey expertise.

EDUCATION (Degree, Year, Specialization)

Bachelor's of Science, 1994, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

WV Society of Professional Surveyors
West Virginia Gas and Oil Association (GOWV)

REGISTRATION (Type, Year, State)

Professional Engineer: 1999 VA / 2002 WV / 2002 PA / 2020 OH
Professional Surveyor: 2007 VA / 2013 NC / 2015 PA / 2017 WV

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Lawson, Roman C. Senior Engineering Manager	0	10+	5+

Brief Explanation of Responsibilities

Mr. Lawson has 20 years experience in civil and environmental engineering. He has managed surface mining operations and construction services as well as performed structural design of highway bridges for the WV Division of Highways. Mr. Lawson has accumulated a broad range of experience with projects in the mining, transportation, environmental compliance, water resources, construction management and commercial site development fields in NC, OH, PA, VA and WV.

EDUCATION (Degree, Year, Specialization)

BS, 2007 Civil Engineering Technology
MS, 2011, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)

Professional Engineer: 2007 VA / 2009 WV / 2010 NC / 2017 PA

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Stewart, Eric N. Senior Engineering Manager	0	5	5+

Brief Explanation of Responsibilities

Mr. Stewart has 19 years' experience in civil and environmental engineering field with 16 years of project management experience. Mr. Stewart is assigned professional charge and is responsible for all aspects of engineering and design for the engineering department. He coordinates procedures as well as works closely with clients and regulatory agencies to ensure the Company is at the forefront design and regulatory adherence. Mr. Stewart has experience with projects in transportation, environmental compliance, mining and water resources in OH, PA and WV.

EDUCATION (Degree, Year, Specialization)

BS, 2003, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

West Virginia Gas and Oil Association (GOWV)
Pennsylvania Independent Oil and Gas Association (PIGOA)

REGISTRATION (Type, Year, State)

Professional Engineer: 2007 VA / 2009 WV / 2010 NC / 2019 OH

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Attardi, Vincent J. Environmental Services Manager	4	20+	5+

Brief Explanation of Responsibilities

Mr. Attardi has over 40 years' experience conducting environmental and ecological investigations. As the environmental services manager, Mr. Attardi has overseen more than 150 environmental investigations. Mr. Attardi is a leading expert in project permitting under Sections 404 and 401 of the Clean Water Act (CWA). He is proficient in wetland and stream services, endangered species habitat assessments, botanical surveys, soil assessments, aerial photo interpretation, NEPA documents and other natural resource investigations.

EDUCATION (Degree, Year, Specialization)

BS, 1981, Marine Science / Biology
MS, 1992, Biology

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

Society of Wetland Scientist
Pennsylvania Association of Sewage Enforcement Officers

REGISTRATION (Type, Year, State)

Sewage Enforcement Officer, 2015, Pennsylvania

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Smith, Robyn E Construction Services Manager	0	15+	5

Brief Explanation of Responsibilities

Mr. Smith has over 35 years' experience in the civil, mining and construction management fields. As the construction services manager, Mr. Smith is responsible for the management of construction services including construction compliance and inspection, construction management, construction sequencing and optimization, contractor management, project management and project completion of the construction phase for water resources, environmental, mining, transportation, geotechnical and commercial site development projects.

EDUCATION (Degree, Year, Specialization)

BS, 1984, Mining Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Martin, Jordan Project Manager	0	5+	5+

Brief Explanation of Responsibilities

With ten years of experience, Mr. Martin has gained valuable experience in civil, environmental and transportation engineering. Mr. Martin is one of the lead project design engineers and project managers. He has accumulated a broad range of experience in regulatory, planning, site construction and design. Throughout his career he has gained valuable experience in transportation, environmental compliance, water resources, geotechnical, and commercial site development fields in OH, PA and WV.

EDUCATION (Degree, Year, Specialization)

AS, 2010, Computerized Drafting and Design
BS, 2012, Civil Engineering Technology`

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)

Professional Engineer, 2020, WV

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:
Isabell, Mark W. Project Manager	0	10+	5+

Brief Explanation of Responsibilities

Mr. Isabell has accumulated more than 15 years experience in mine permitting and design. He has specialized in SMCRA and NPDES permitting, surface mining operations,. surface and underground mine reclamation and direction and oversight of environmental audits. Mr. Isabell serves as a project manager for several coal mining clients and manages permitting and environmental compliance.

EDUCATION (Degree, Year, Specialization)

AS, 2007, Civil Engineering Technology
BS, 2008, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.) Fry, Jeffrey D. Survey Project Manager	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE: 5+	YEARS OF AML RELATED DESIGN EXPERIENCE: 10+	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE: 5+

Brief Explanation of Responsibilities

Mr. Fry has over 30 years' of survey experience and has overseen over 200 survey projects in PA, OH, WV, KY, and VA. Mr. Fry is responsible for planning, conducting and directing work of all survey projects as well as managing project schedules. Throughout his career, he has gain valuable survey experience within the transportation, environmental, mining, oil and gas and land development projects.

EDUCATION (Degree, Year, Specialization)

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS WV Society of Professional Surveyors	REGISTRATION (Type, Year, State) Professional Surveyor, 2003, WV
--	---

13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES **RESPONSIBLE FOR AML PROJECT DESIGN** (Furnish complete data but keep to essentials)

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE		
	YEARS OF AML DESIGN EXPERIENCE:	YEARS OF AML RELATED DESIGN EXPERIENCE:	YEARS OF DOMESTIC WATERLINE DESIGN EXPERIENCE:

Brief Explanation of Responsibilities

EDUCATION (Degree, Year, Specialization)

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
--	----------------------------------

14. PROVIDE A LIST OF SOFTWARE AND EQUIPMENT AVAILABLE IN THE PRIMARY OFFICE WHICH WILL BE USED TO COMPLETE AML DESIGN SERVICES

Autodesk AEC Software (AutoCAD Map 2022, Civil 3D 2022)

Carlson Software

Microstation V8i Select Series 4

InRoads Select Series 2

HydroCAD

HY8

ESRI Arcmap 10.5

Trimble Business Center

Trimble Path Finder Office

Adobe Acrobat Standard

Microsoft Office

Pix4D

UGCS

Timble R-6, R-8 and R-10 GPS's

Trimble S5 and S6 Robotic Total Station

Nicon Total Station

Topcon Total Station

15. CURRENT ACTIVITIES ON WHICH YOUR FIRM IS THE DESIGNATED ENGINEER OF RECORD

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	NATURE OF YOUR FIRM'S RESPONSIBILITY	ESTIMATED CONSTRUCTION COST	PERCENT COMPLETE
RHL89 Well Pad Natural Gas Well Site Greene County, PA	CNX Gas Company, LLC 1000 CONSOL Energy Drive Canonsburg, PA 15317	Engineering Design, Permitting, Environmental & Surveying	\$700,000	95%
EQT WV Waterline System Waterline Project Marion & Wetzel Counties, WV	EQT Production 400 Woodcliff Drive Canonsburg, PA 15317	Engineering Design, Permitting & Survey	\$16 Million	75% Design
AGS and SGG Slip Repair Slip Repair Permitting Various Counties, WV	DT Midstream One Energy Plaza Detroit, MI 24226	Storm water permitting and environmental field investigations.	Unknown	Unknown
Falcon Land AML Project Nicholas County, WV	AJ Burk PO Box 118 Horner, WV 26372	Survey	Unknown	75%
Mashey Gap Quarry Stone Quarry Randolph County, WV	J.F. Allen Company PO Box 2049 Buchannon, WV 26201	Survey & UAV Mapping	Unknown	Unknown
Purdy Run Aggregates Stone Quarry Harrison County, WV	KCS Contracting, LLC PO Box 741 Kermit, WV 25674	Survey & UAV Mapping	Unknown	Unknown
NV13 Well Pad Slip Repair Greene County, PA	CNX Gas Company, LLC 1000 CONSOL Energy Drive Canonsburg, PA 15317	Engineering Design, Permitting, Environmental and Survey	\$700,000	95%
TOTAL NUMBER OF PROJECTS : Dieffenbach & Hritz is currently working on several projects in multiple states - For the purpose of this EOI only a sample of recent projects are listed.		TOTAL ESTIMATED CONSTRUCTION COSTS: \$		

16. CURRENT ACTIVITIES ON WHICH YOUR FIRM IS SERVING AS A SUB-CONSULTANT TO OTHERS

PROJECT NAME, TYPE AND LOCATION	NATURE OF FIRMS RESPONSIBILITY	NAME AND ADDRESS OF OWNER	ESTIMATED COMPLETION DATE	ESTIMATED CONSTRUCTION COST	
				ENTIRE PROJECT	YOUR FIRMS RESPONSIBILITY
CFX, WV16 to Mullens #1 / Transportation McDowell & Wyoming Counties, WV	Design Engineering and set control, property survey, boring stakeout and mapping services.	TRC Engineering 1 Kenton Drive, Ste 200 Charleston, WV 25311	Unknown	Unknown	\$800,000
Goodson Street Bridge Structure / Transportation Bristol, VA	Topographic Survey Bridge Survey Right of Way Survey	Whitman, Requardt & Associates 9030 Stony Point Pky #220 Richmond, VA 23235	Unknown	Unknown	\$36,000
Oak Street Structure / Transportation / Bristol, VA	Topographic Survey Bridge Survey Right of Way Survey	Whitman, Requardt & Associates 9030 Stony Point Pky #220 Richmond, VA 23235	Unknown	Unknown	\$36,000
Martin Luther King, Jr. Blvd. /Transportation / Bristol, VA	Engineering Design: Roadway and Traffic Plans Topographic and Bridge Survey	Whitman, Requardt & Associates 9030 Stony Point Pky #220 Richmond, VA 23235	Unknown	Unknown	\$60,000

17. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM WAS THE DESIGNATED ENGINEER OF RECORD				
PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST	YEAR	CONSTRUCTED (YES OR NO)
Humphrey Impoundment and Refuse Area Monongalia County, WV	LP Mineral, LLC 317 Cleveland Avenue Fairmont, WV 26554	\$10 Million	2018- 2021	Yes
Bailey Subsidence Stream Survey Greene County, PA	Consol Engery, Inc. 1000 Consol Energy Drive Cannonsburg, PA 15317	Unknown	2017	N/A
Grand Well Site Natural Gas Well Site Tyler County, WV	Antero Resources Corporation 5335 White Oak Blvd. Bridgeport, WV 29330	\$5 Million	2020	Yes
Roberts Hill Road Upgrade Road Improvement Project Tyler County, WV	Antero Resources Corporation 5335 White Oak Blvd. Bridgeport, WV 29330	Unknown	2020	Yes
Dry Ridge Compressor Pad Natural Gas Facility Marshall County, WV	CNX Midstream Operating 1000 Consol Energy Drive Cannonsburg, PA 15317	Unknown	2020	No
WDTN19 Well Site Natural Gas Well Site Monongalia County, WV	CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317	Unknown	2020	Yes
Uppers Decker's Creek Dam Rehabilitation Preston County, WV	Triton Construction, Inc. 47443 National Road, Suite 3 St. Clairsville, OH 43950	Unknown	2020	Yes
DT Midstream Slip Projects Various Counties, WV	DT Midstream 1000 Noble Energy Drive, 5th Floor Canonsburg, PA 15317	Unknown	2020-2021	Yes

17. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM WAS THE DESIGNATED ENGINEER OF RECORD				
PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST	YEAR	CONSTRUCTED (YES OR NO)
MOR29 Pipeline Pipeline Design Modification Greene County, Pennsylvania	CNX Midstream Operating 1000 Consol Energy Drive Canonsburg, PA 15317	Unknown	2020	Yes
Poland Run Road Public Road Improvements Greene County, PA	EQT Production Company 400 Woodcliff Drive Canonsburg, PA 15317	2.5 Million	2021	Under Construction
Loblolly Bay Subdivision Land Development New Hanover County, NC	Pompano Development Group 530 Causeway Drive, Ste D1 Wrightsville Beach, NC 28480	Unknown	2017-2019	Yes
Landslide Plans Williams Slip Repair Various Locations, WV	Williams Ohio Valley Midstream 200 Commerce Drive Pittsburgh, PA 15275	Unknown	2020-2021	Yes
Dytko Slip E&S Plans Slip Repair Wetzel County, WV	Williams Ohio Valley Midstream 200 Commerce Drive Pittsburgh, PA 15275	Unknown	2019	Yes
Premier Nissan Land Development Monongalia County, WV	Premier Nissan Automotive Group 5392 Univeristy Town Center Drive Morgantown, WV 26501	Unknown	2019-2020	Yes
Phase 2 Section 2 10" Mainline Replacement Natural Gas Pipeline Hampshire County, WV	Hampshire Gas Company 114 Hampshire Gas Drive Romney, WV 26757	Unknown	2019	Yes
Stockpile UAV Flights Flight Mapping Monongalia County, WV	Longview Power, LLC 1000 Fort Martin Industrial Park Road Maidsville, WV 26541	Unknown	2019-2022	N/A

18. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM HAS BEEN A SUB-CONSULTANT TO OTHER FIRMS (INDICATE PHASE OF WORK FOR WHICH YOUR FIRM WAS RESPONSIBLE)

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST OF YOUR FIRM'S PORTION	YEAR	CONSTRUCTED (YES OR NO)	FIRM ASSOCIATED WITH
Coalfields Expressway PIE Study / Transportation / McDowell & Wyoming Counties, WV	WV DOH	\$35,000	2019	No	TRC Engineering
Hampshire Gas Pipeline Replacement / Oil & Gas / Hampshire County, WV	Hampshire Gas Hampshire County, WV	\$54,000	2019	Yes	Ryan Environmental, LLC
Hampshire Gas Lift and Relay Oil and Gas Hampshire County, WV	Hampshire Gas Hampshire County, WV	\$113,000	2017	Yes	Ryan Environmental, LLC
Stuart Recreation Area Waterline Waterline Design & Permitting Randolph County, WV	USFS	\$17,000	2019-2021	Yes	AJ Burk
Barracksville Refuse Area and Surface Mine Marion County, WV	American Bituminous Power Partners, LP	\$10,000	2020	Yes	ARM Services, LLC
Grant Town Refuse Area and Power Plant Marion County, WV	American Bituminous Power Partners, LP	\$10,000	2020	Yes	ARM Services, LLC

19. Use this space to provide any additional information or description of resources supporting your firm's qualifications to perform work for the West Virginia Abandoned Mine Lands Program.

20. The foregoing is a statement of facts.

Signature: 

Title: Operations Manager

Date: 04/12/2022

Printed Name: Herbert L. Parsons, III, PE PS

18. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM HAS BEEN A SUB-CONSULTANT TO OTHER FIRMS (INDICATE PHASE OF WORK FOR WHICH YOUR FIRM WAS RESPONSIBLE)

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST OF YOUR FIRM'S PORTION	YEAR	CONSTRUCTED (YES OR NO)	FIRM ASSOCIATED WITH
Gerald R Freeman Bridge, Geotechnical Investigation, Braxton Co, WV	WV Department of Highways Charleston, WV	\$5,000,000	2019	In Process	Mead and Hunt
Parkersburg Flood Wall and Levee, Geotechnical Investigation, Parkersburg, WV	City of Parkersburg	Unknown	2019	No	Mead and Hunt
Runway improvements Geotechnical Investigation, Wood County, WV	Mid-Ohio Valley Regional Airport	Unknown	2019	Yes	Michael Baker International
North Central WV Airport Development, Geotechnical Investigation, Bridgeport, WV	North Central WV Airport Bridgeport, WV	Unknown	2020	In Progress	The Thrasher Group
Water Tanks, Geotechnical Investigation St. Albans, WV	WV American Water Charleston, WV	\$2,000,000	2017	Yes	Chapman Technical Group
Owl Creek Highwall Geotechnical Investigation Monongalia Co, WV	WVDEP	Unknown	2021	No	The Thrasher Group

19. Use this space to provide any additional information or description of resources supporting your firm's qualifications to perform work for the West Virginia Abandoned Mine Lands Program.

20. The foregoing is a statement of facts.

Signature: John E. Nottingham

Title: President

Date: April 11, 2022

Printed Name: John E. Nottingham

**ATTACHMENT B: AML RELATED PROJECT
EXPERIENCE MATRIX**

Humphrey Impoundment and Refuse Area	C&P					X	X				X	X	X	X	X								M&P
Barrackville Refuse Area and Surface Mine	C&P					X	X		X		X	X	X	X	X								M&P
Grant Town Refuse Area and Power Plant	C&P					X	X		X		X	X	X	X	X								M&P
Farmington Refuse Area	C&P					X	X		X		X	X	X	X	X								M&P
Williams No. 2 Refuse Area	C&P					X	X		X		X	X	X	X	X								M&P

- * List whether project experience is corporate or personnel based or both.
- ** Use this area to provide specific sections or pages if needed for reference.
- *** List Primary Design personnel and their functional capacity for the projects listed.

Attachment "B"

Tuna Nut Subsidence investigation during longwall mining operations beneath well pad and access road.
Haymaker Subsidence investigation during longwall mining operations beneath well pad and access road.
Taco Cat Subsidence investigation during longwall mining operations beneath well pad and access road.

AML and RELATED PROJECT EXPERIENCE MATRIX - NGE, LLC

PROJECT	Exp. Basis C=Corp. P=Personnel	Additional Info Provided in Section (s) **	PROJECT EXPERIENCE REQUIREMENTS															PRIMARY STAFF PARTICIPATION/CAPACITY *** M=Management P=Professional					
			Abandoned Surface Mine Reclamation	Abandoned Deep Mine Reclamation	Portal/Shaft Closure	Hydrologic/Hydraulic Design/Eval.	Remining Evaluation	Mine/Refuse Fire Abatement	Subsidence Investigation Mitigation	Hazardous Waste Disposal	Project Specifications	Water Quality Evaluation/Nitigation/ Replacement	Construction Inspection/Managemen t	Water Treatment	Equipment/Structure Removal	Stream Restoration	Geotechnical/Stability	John Nottingham	Gene Brown	Noah Stevens	Mike Frame	Chuck Montgomery	Brandon Wallace
Mountain View Portals	P			x	x				x			x				x	M			P	P	P	
Werth Landslide	P			x					x								M			P	P	P	
Ivy Branch AML	P			x	x				x			x				x	M	P		P	P	P	
Owl Creek Highwall	P		x						x							x	M	P	P	P	P	P	
Ed Gower Highwall	P		x	x	x				x			x				x	PM	P	P	P	P	P	
Nutter Run Landslide	P		x						x							x	M	P	P	P	P	P	
Isaac Creek Landslide	P		x	x					x							x	M	P	P	P	P	P	
North Matewan Drilling	P		x						x							x		M		P	P	P	
Ridgeway Drive Landslide	P		x						x							x	M	M	P		P	P	
Sauls Run Bennet Slide	P		x						x							x		M			P	P	
Craigmoor Landslide	P		x						x							x		M		P	P	P	
Crooked Run	P		x						x							x		M			P	P	
Elkhurst Landslide	P		x						x							x		M			P	P	

* List whether project experience is corporate or personnel based or both.

** Use this area to provide specific sections or pages if needed for reference.

*** List Primary Design personnel and their functional capacity for the projects listed.

Attachment "B"

ATTACHMENT C: RESUMES



Mr. Hritz has over 28 years of experience in the civil and environmental engineering field. During that time, he has served as co-owner of Dieffenbach & Hritz, LLC; Regulatory, Construction and Water Resources Manager for Chief Oil & Gas LLC and Manager at Gannett Fleming, Inc. Mr. Hritz has accumulated a broad range of experience in the regulatory, planning, well permitting, location construction, drilling, completing and production phases of the oil & gas industry in the Marcellus Shale. Also through his career he has gained valuable experience with projects in the transportation, environmental compliance, mining, water resources and commercial site development fields in OH, PA, VA, and WV.

Company Role, Quality Assurance Quality Control:

Responsible for overseeing and assuring the quality of all deliverables and management practices of all disciplines. This includes overseeing critical events, attending client or stockholder meetings. As well as participating in kick-off and milestone meetings, preparing quality control plans and assuring project and client performance.

Project Role, Professional Charge: Mr. Hritz is assigned professional charge on many projects for the engineering and survey departments. A critical key to quality control includes redundant professional reviews. D&H has a Client Leader in charge of projects and a designated Professional will provide independent review of each deliverable. This process assures unbiased results and quality deliverables. Professional charge assignments include permitting, engineering and survey deliverables for a variety of projects.

Experience Prior to Dieffenbach & Hritz, LLC:

Chief Oil & Gas
2009– 2012
Title: Regulatory, Construction and Water Resources Manager

Dieffenbach & Hritz, LLC
2005 - 2009
Title: President/ Co-Owner

Manager, Gannett Fleming, Inc
1993 – 2005
Title: Project Engineer through Regional Office

**DETAILS AND
ACHIEVEMENTS**

Experience

Total: >28 years
With D&H: >14 years
(Founder 2005)

Education:

B.S., Civil Engineering,
The Pennsylvania State
University – 1991

**PROFESSIONAL
REGISTRATION(S):**

1997/PE, PA
1999/PE, WV
2013/PE, NC

**CORPORATE
AFFILIATIONS:**

Gas and Oil Association of
WV (GOWV)

Pennsylvania Independent
Oil and Gas Association
(PIOGA)

Mr. Parsons has accumulated more than 20 years of project management experience in civil engineering and surveying. As a Senior Project Manager, he has developed a broad experience base and extensive project development with public and private sector clients. He has lead teams on complex projects that require coordination of disciplines, technical studies, environmental permitting, and multiple agencies and stakeholders. Specific areas of engineering design and surveying include, renewable energy, conventional energy, road design, utilities, hydrologic and hydraulic studies, commercial and residential site planning, erosion and sediment control plans and permit documents.

Quality Assurance Quality Control:

Mr. Parsons is responsible for overseeing and assuring the quality of all deliverables and management practices of all disciplines. This includes overseeing critical events, establishing program protocol's, attending client or stockholder meetings, participating in kick-off and milestone meetings, preparing project specific quality control plans and project execution plans. In addition Mr. Parsons is the Department Leader for the Survey Department and oversees its day to day operations as well as its overall responsible charge. Finally, Mr. Parsons has a QC role with the engineering department as an independent reviewer and has responsible charge and signature responsibilities for several clients and scopes of work in multiple states.

Technical Competency

- Water Resources (H & H Studies)
- Impoundment Design
- Storm Sewer System
- Storm Water Management
- Water Quality Control (BMP)
- Utility Systems
- Road Design
- Erosion and Sediment Control / NPDES
- Survey Expertise
 - Boundary Survey
 - ALTA/As-built Surveys
 - Aerial Control and Mapping
 - Obstruction Surveys
 - Construction Stakeout
 - Topographic Mapping

DETAILS AND ACHIEVEMENTS

Experience

Total: 25 years
With D&H: Nine Years

Education:

Virginia Military Institute
B.S. Civil Engineering 1994

Safety Training

Safeland (PEC)
OSHA 10
RigPass

PROFESSIONAL REGISTRATION(S):

Professional Surveyor

WV [REDACTED] (2017)
VA [REDACTED] (2007)
PA [REDACTED] (2015)
NC [REDACTED] (2013)

Professional Engineer

WV [REDACTED] (2002)
VA [REDACTED] (1999)
PA [REDACTED] (2003)
OH# [REDACTED] (2020)

CORPORATE AFFILIATIONS:

Gas and Oil Association of WV (GOWV)
Pennsylvania Independent Oil and Gas Association (PIOGA)

Engineering Manager

Eric N. Stewart, P.E.



DIEFFENBAUCH & HRITZ

Mr. Stewart has over 15 years of experience in the civil and environmental engineering field. During that time, he has served as Engineering Manager for Dieffenbach & Hritz, LLC; Roadway and Special Projects Construction Manager for Antero Resources and Project Manager at Williams. Mr. Stewart has accumulated a broad range of experience in the regulatory, planning, well permitting, location construction, pipeline, and midstream facility of the oil & gas industry in the Marcellus and Utica Shale. Also, through his career he has gained valuable experience with projects in the transportation, environmental compliance, mining, water resources and commercial site development fields in OH, PA, and WV.

Company Role, Engineering Manager:

Responsible for all aspects of engineering and design. He coordinates procedures as well as works closely with clients and regulatory agencies to ensure the company is at the forefront of design and regulatory adherence.

Project Role, Professional Charge: Mr. Stewart is assigned professional charge on many projects for the engineering and construction management departments. A critical key to quality control includes redundant professional reviews. D&H has a Client Leader in charge of projects and a designated Professional will provide independent review of each deliverable. This process assures unbiased results and quality deliverables. Professional charge assignments include permitting, engineering, survey and construction management deliverables for a variety of projects.

Experience Prior to Dieffenbach & Hritz, LLC:

Antero Resources Corporation
2016– 2018
Title: Special Projects & Roadway Construction Manager

Williams Companies, Inc.
2009– 2016
Title: Facilities Engineer/Project Manager/Permitting Manager

Dieffenbach & Hritz, LLC
2005 - 2009
Title: Project Manager

Gannett Fleming, Inc.
2003 – 2005
Title: Associate Engineer

DETAILS AND ACHIEVEMENTS

Experience

Total: 18 years
With D&H: 7 years

Education:

B.S., Civil Engineering,
West Virginia University

PROFESSIONAL REGISTRATION(S):

Professional Engineer
WV [REDACTED]
PA [REDACTED]
OH [REDACTED]

CORPORATE AFFILIATIONS:

Gas and Oil Associate of
WV (GOWV)

Pennsylvania Independent
Oil and Gas Association
(PIOGA)

Engineering Manager

Roman C. Lawson, P.E., M.S.



DIEFFENBAUCH & HRITZ

Mr. Lawson has over 18 years of experience in the civil and environmental engineering field. During that time, he has served as Engineering Manager for Dieffenbach & Hritz, managed surface mining operations and construction services for Alpha Natural Resources and performed structural design of highway bridges for the West Virginia Division of Highways. Mr. Lawson has accumulated a broad range of experience in the regulatory, planning, well permitting, location construction, site development and overall management phases of the oil & gas industry in the Marcellus and Utica Shale. Also, through his career he has gained valuable experience with projects in the transportation, environmental compliance, mining, water resources, construction management and commercial site development fields in OH, PA, VA, and WV.

Summary of Projects:

Coalfields Expressway, Hawksnest Section, Buchanan County, VA, VDOT. Engineering/Construction Manager in charge of the design and construction of the 2-mile, four lane, "Hawksnest" section of the Coalfields Expressway in Buchanan County, VA.

Coalfields Expressway Feasibility Study, Southwest Virginia, VDOT. Engineering/Construction Manager in charge for the preparation of a Feasibility Study for a 30-mile section of the 50-mile CFX corridor which included a detailed analysis of coal reserves located along the corridor.

Coalfields Expressway, Southwest Virginia, VDOT. Engineering/Construction Manager in charge of the Preliminary Design for the Pound Connector and Doe Branch sections of the 50-mile corridor, which included a detailed coal reserve analysis and material handling plan.

Coalfields Expressway, Southwest Virginia, VDOT. Engineering/Construction Manager in charge of the Preliminary Design for the 2-mile Kiwanis Park section of the 50-mile corridor, which included a detailed coal reserve analysis and material handling plan.

Breaks Regional Airport, Buchanan County, VA, Buchanan County Industrial Development Authority. Engineering/Construction Manager of a multi-phased Post Mining Land Use feasibility study for the development of an approximately 500 acre airport and relocation/widening of 5-miles of roadway.

DETAILS AND ACHIEVEMENTS

Experience

Total: 18 + years
With D&H: 9 Years

Education:

B.S., Civil Engineering
Technology, Bluefield State
College

M.S., Civil Engineering, Virginia
Tech.

PROFESSIONAL REGISTRATION(S):

Professional Engineer

Virginia - No. [REDACTED]
West Virginia - No. [REDACTED]
Pennsylvania - No. [REDACTED]
North Carolina - No. [REDACTED]

Virginia Class A Contractor



Environmental Services Leader

Vincent J. Attardi, M.S.

Mr. Attardi has over 40 years of experience conducting environmental and ecological investigations throughout the eastern United States. During the course of his career, he has held positions in the government, academic, and private sectors and has founded three ecological consulting firms. He is an aquatic ecologist by training and a leading expert in project permitting under Sections 404 and 401 of the Clean Water Act (CWA). He is proficient in wetland and stream services (delineation, mitigation, restoration, permitting), endangered species habitat assessments, botanical surveys, soil assessments, aerial photo interpretation, NEPA documents, natural resource management plans, and other natural resource investigations.

Project Role, Environmental Coordinator:

In his current position, Mr. Attardi is responsible for the development and management of program and personnel that comprises the entirety of Environmental Services offered to our clients and in support of our Engineering and Construction Service Sectors. Key roles include development and implementation of the quality assurance program, development of standard operating procedures, scheduling, technical expertise, technical mentoring, personnel management, budgeting, project management, and business development.

Summary of Projects:

Mr. Attardi has overseen the environmental investigation and permitting of approximately 150 projects during his time at Dieffenbach & Hritz. These investigations were primarily conducted in support of oil and gas projects.

Experience prior to Dieffenbach & Hritz LLC:

Principal, Wetland Services; Copperhead Environmental Consulting, Inc. [2013 – 2014]

Senior Associate; Stantec [2008 – 2012]

Senior Ecologist, Project Manager; FMSM [2005 – 2008]

Senior Ecologist, President; Ecological Planning Group, LLC [2002 – 2005]

Natural Resources Program Manager; Law Engineering and Environmental Services, Inc. [1999 – 2002]

Natural Resources Program Manager; Ogden Environmental and Energy Services, Inc. [1997 – 1999]

DETAILS AND ACHIEVEMENTS

Experience

Total: 40 years

With D&H: 7 Years

Education:

M.S., Biology, Rutgers University, 1992

B.S., Marine Science / Biology, University of Tampa, 1981

Safety Training

Safeland

OSHA 10

First Aid / CPR / Blood

Pathogen

PROFESSIONAL

CERTIFICATIONS:

Sewage Enforcement Officer

Pennsylvania – No. [REDACTED] (2015)

Certified Erosion Prevention & Sediment Control Inspector

South Carolina – No. [REDACTED] (2016)

CORPORATE AFFILIATIONS:

Society of Wetland Scientists

Pennsylvania Association of

Sewage Enforcement Officers

GOWV Environmental

Committee

Pennsylvania Independent Oil and Gas Association (PIOGA)

Construction Services Manager

Robyn E. Smith



DIEFFENBAUCH & HRITZ

Mr. Smith has over 35 years of experience in the civil, mining, and construction management fields. Mr. Smith has accumulated a broad range of experience in the regulatory, planning, location construction, drilling, geotechnical and construction management phases of the oil & gas industry in the Utica and Marcellus Shale. Also throughout his career he has gained valuable experience with projects in the transportation, environmental compliance, mining, water resources, geotechnical and commercial site development fields in KY, OH, PA, VA, and WV.

Project Role, Construction Services Manager:

Responsible for managing the design, permitting, construction management and certification activities associated with client's projects. Projects may include but are not limited to: oil & gas well pads, fresh and reuse water impoundments. Primary role includes; managing company operations, management of oil & gas development planning and regulatory reporting, management of construction services including construction compliance and inspection, construction management, construction sequencing and optimization, contractor management, project development and management and project completion, and planning, design, permitting, and construction phase services for water resources, environmental, mining, transportation, geotechnical and commercial site development projects.

Summary of Projects:

Oil & Gas Well Pad Projects: [2015 – present]

Over the past 5 years, Mr. Smith has managed hundreds of design, permitting, construction management, and certification for natural gas well sites, above ground storage facilities, centralized impoundments, pipelines, and metering facilities for various natural gas companies at locations throughout PA, OH and WV.

Experience prior to Dieffenbach & Hritz LLC:

Chief Engineer; Coal River Energy [2011 – 2015]

Senior Mining Engineer/Construction Manager; Callaway Natural Resources [2005 – 2011]

Project Engineer/Field Services Manager; Triad Engineering, Inc. [1998-2005]

Branch Manager; Triad Engineering, Inc. [1993-1998]

General Manager; GLX Development Corporation [1987-1993]

Mining Engineer; Stagg Engineering Services, Inc. [1985-1987]

DETAILS AND ACHIEVEMENTS

Experience:

Total: 36 years

With D&H: 6 years

Education:

BS, Mining Engineering,
West Virginia Institute of
Technology, 1984

Safety Training:

PEC Training

MSHA US Department of Labor
Certified Surface Mine

Instructor (Code IS)

MSHA US Department of Labor
Certified Underground Mine

Instructor (Code IU)

MSHA US Department of Labor
Certified Impoundment

Inspection Instructor.

WV Certified Surface Mine
Foreman

WV Certified Underground
Mine Foreman

CORPORATE AFFILIATIONS:

John E. Nottingham, P.E., P.S.



Mr. Nottingham currently serves President & Principal Engineer for NGE. In this capacity, he has served as lead Geotechnical Engineer on a variety of government and commercial design and construction projects. His responsibilities on these projects include direction and coordination of all geotechnical engineering activities. Duties on these projects have included foundation investigation report production, foundation and retaining wall design, fill embankment and cut slope design, slope stability analysis, pavement design, design of drainage systems, supervision of subsurface drilling programs, field activity coordination, laboratory data computation and processing, performance of field work, client relations, and supervision of technical and professional staff.

Fields of Competence

- Highway & Airport Geotechnical Design
- Bridge & Building Foundation Analysis
- Subsurface Investigations
- Site Development Earthwork Design
- Slope Stability Analysis
- Landslide Analysis & Remedial Design
- Retaining Wall Design
- Reinforced Soil Slope Design
- Mine Subsidence Investigations
- Forensic & Insurance Investigations
- Construction Monitoring
- Personnel Management
- Project Management (schedule and budget)
- Project Estimating

Education

- B.S., Civil Engineering, West Virginia University - 1987
- M.S., Civil Engineering, West Virginia University - 1995

Registration/Certifications

- Registered Professional Engineer in West Virginia, Pennsylvania, Maryland, Virginia, Kentucky, and Ohio.
- Registered Professional Surveyor in West Virginia.

Employment History

- 2016 – Present
President, Principal Engineer NGE, LLC
- 2002 – 2016
Branch Manager, Vice President, Principal Engineer NGE, LLC
- 1997 – 2002
Vice President & Geotechnical Services Manager Triad Engineering, Inc.
- 1996 – 1997
Senior Engineer - Triad Engineering, Inc.
- 1993 – 1996
Project Engineer - Triad Engineering, Inc.
- 1988 – 1993
Staff Engineer - Triad Engineering, Inc.

Gene Brown, P.E.



Mr. Brown has served as Project Engineer on numerous projects for clients in private industry as well as for state and federal agencies. He has performed a variety of roles in various projects from office management activities to coordination of field activities. Duties on these projects have included foundation investigation report production, foundation and retaining wall design, fill embankment and cut slope design, slope stability analysis, dam analysis, AutoCAD drafting, supervision of subsurface drilling programs, field activity coordination, environmental site assessments, operation and maintenance of groundwater extraction and remediation systems, structural inspections, GPS and conventional surveys, laboratory data computation and processing, performance of fieldwork, client relations, and supervision of technical and professional staff.

Fields of Competence

- Subsurface Investigations
- Slope Stability Analysis
- Bridge Foundation Analysis
- Retaining Wall Design
- Landslide Analysis & Remedial Design
- Site Development Earthwork Design
- Foundation Investigations
- Seismic Site Class evaluation, per International Building Code (IBC) 2000 edition.
- Construction Monitoring
- Personnel Management
- Project Management (schedule and budget)
- Project Estimating

Education

- BS, Civil Engineering Technology, Bluefield State College, 2000
- BS, Architectural Engineering Technology, Bluefield State College, 2000

Registration/Certifications

- Registered Professional Engineer, West Virginia
- Licensed Remediation Specialist (LRS), West Virginia
- OSHA 1910.120 40-hour HAZWOPER Training, 2005
- OSHA 10-hour Construction Safety and Health, 2013

Employment History

- 2018 – Present
Geotechnical Services Manager
NGE, LLC
- 2008 – 2018
Project Engineer
NGE, LLC
- 2006 – 2008
Staff Engineer
NGE, LLC
- 2001 – 2006
Staff Engineer, Terradon Corporation
- 2000 – 2001
Survey Technician, John E. Chance & Associates, Inc
- 1999
Engineer Intern, Burgess & Niple, Ltd.

Chuck Montgomery, P.G.



Mr. Montgomery is currently serving as Laboratory Services Manager, as well as Project Manager and/or Project Geologist on numerous projects for clients in private industry as well as for state and federal agencies. He has performed a variety of roles in various projects from office management activities to coordination of field activities. Duties on these projects have included foundation investigation report production, mine subsidence evaluation and assessment, supervision of subsurface drilling programs, field activity coordination, laboratory testing, data computation and processing, performance of fieldwork, client relations, and supervision of staff. Mr. Montgomery also coordinates and performs Crosshole Sonic Logging (CSL) testing, a non-destructive method of analyzing the integrity of concrete shafts.

Fields of Competence

- Foundation Investigations
- Landslide Analysis
- Mine Subsidence Investigations
- Seismic Site Class evaluation, per International Building Code (IBC) 2000 edition.
- Forensic & Insurance Investigations
- Crosshole Sonic Logging (CSL)
- Personnel Management
- Project Management (schedule and budget)
- Project Estimating

Education

- B.S., Geology, Marshall University – 1991
- OSHA 1910.120 40-hour HAZWOPER Training

Registration/Certifications

- Registered Professional Geologist in Kentucky. Registration No. KY-██████ (since 1999)
- Certified Monitoring Well Driller in West Virginia
- OSHA 1910.120 40-hour HAZWOPER Training

Employment History

- February 2004 – Present
Project Manager, NGE, LLC
- 1996 – February 2004
Project Geologist, Triad Engineering, Inc.
- 1992 – 1996
Staff Geologist, Triad Engineering, Inc.



Mr. Stevens has worked on numerous projects for clients in private industry as well as for state and federal agencies. He has performed a variety of roles in various projects from office management activities to coordination of field activities. Duties on these projects have included foundation investigation report production, foundation and retaining wall design, slope stability analysis, fill embankment and cut slope design, AutoCAD drafting, supervision of drilling programs, field activity coordination, operation and maintenance of groundwater extraction and remediation systems, laboratory data computation and processing, performance of fieldwork, client relations, and supervision of technical staff.

Fields of Competence

- Subsurface Investigations
- Slope Stability Analysis
- Bridge & Building Foundation Analysis
- Retaining Wall Design
- Landslide Analysis and Remedial Design
- Site Development Earthwork Design
- Foundation Investigations
- Seismic Site Class evaluation, per International Building Code (IBC) 2000 edition
- Personnel Management
- Project Estimating
- Construction Monitoring

Education

- BS, Civil Engineering Technology, West Virginia University Institute of Technology, 2011

Registration/Certifications

- Registered Professional Engineer, West Virginia
- OSHA 1910.120 40-hour HAZWOPER Training, 2011
- Certified WVDOT-DOH Compaction Inspector
- OSHA 10 Hour Construction Industry Outreach Training, 2012

Employment History

- June 2018 – Present
Project Engineer, NGE, LLC
- May 2011 – June 2018
Staff Engineer, NGE, LLC
- Summers of 2009 & 2010
Resurfacing Inspector Intern, WVDOH

Michael D. Frame



Mr. Frame has worked on numerous projects for clients in private industry as well as for state and federal agencies. He has performed a variety of roles in various projects from office management activities to coordination of field activities. Duties on these projects have included foundation investigation report production, slope stability analysis, AutoCAD drafting, supervision of subsurface drilling programs, field portion of environmental site assessments, structural inspections, GPS and conventional surveys, laboratory data computation and processing, performance of fieldwork, and client relations.

Fields of Competence

- Foundation Investigations
- Construction Monitoring
- Personnel Management
- Project Management (schedule and budget)
- Project Estimating

Education

- BS, Civil Engineering Technology, West Virginia University Institute of Technology, 2010

Registration/Certifications

- OSHA 1910.120 40-hour HAZWOPER Training, 2010

Employment History

- January 2015 – Present
Drilling Services Manager, NGE, LLC
- December 2010 – January 2015
Staff Engineer, NGE, LLC
- March 2010 – December 2010
Engineering Intern, NGE, LLC
- 2004 – Present
Structural Journeyman, Civil Engineering Squadron
West Virginia Air National Guard
- 2009
Resurfacing Inspector Intern, WVDOH

Brandon Wallace



Mr. Wallace has worked on numerous projects over the past 20 years as a drill crew chief, providing drilling services for geotechnical, environmental, and construction projects. He has worked for clients in private industry as well as for state and federal agencies. He has applied intensive and diversified knowledge of geotechnical drilling principles and practices to various assignments and field tasks. He has the knowledge to correspond with team members to make decisions on geotechnical drilling issues and methods encountered in the field. He has provided training, supervision, and guidance to numerous driller assistants in their development to become drillers.

Fields of Competence

- Responsible for performing and documenting drilling project tasks (drilling logs).
- Responsible for loading and mobilizing equipment to the project site.
- Complies with NGE's daily Tailgate Safety Plan, as provided by the Geotechnical Drilling Manager.
- Performs preventative maintenance of drill rigs and associated equipment.
- Remains up to date with current industry and governmental specifications and standards affecting geotechnical drilling.
- Communicates well with on-site engineering consultants in a professional manor.
- Trains and develops junior operators/assistants.

Registration/Certifications

- NHI-SSI-132079 Certified
- Ohio Class A CDL
- Safeland Training PEC - 2013
- OSHA 10-Hour Construction Industry Outreach Training, 2012

Employment History

- August 2014 – Present
Drill Crew Chief, NGE
- July 2009 – August 2014
Lead Driller, F. Moore Drilling Service
- September 2008 – July 2009
Driller, H.C. Nutting Company
- February 2001 – September 2008
Driller, Central Star Drilling

ATTACHMENT D: PROJECT DESCRIPTIONS



DIEFFENBAUCH & HRITZ

Engineering | Surveying | Environmental

1095 Chaplin Road
Suite 200
Morgantown, WV 26501

T: 304.985.5555
F: 304.985.5557

dandhengineers.com

Project Descriptions for Abandoned Mine Lands Related Projects

Dieffenbach & Hritz (D&H) has provided engineering and related services to over 100 projects similar to AML projects following the guidelines and standard to the West Virginia Department of Protection. Below is a sampling of projects that have been completed.

Project: EQT Waterline System
Client: EQT Production
Location: Marion & Wetzel Counties, WV

D&H was retained by EQT Production to provide engineering design and permitting and survey services for approximately 87,911 LF of waterlines to supply water for hydraulic fracturing on natural gas well pads. Developed site design included stream and wetland crossings, proposed driveways and waterline road crossing and stormwater discharge. Based upon route development data, survey crews and engineering teams were able to finalize the waterline routes and all necessary permits were obtained for the proposed construction.

Project: RHL89 Well Pad
Client: CNX Gas Company, LLC
Location: Greene County, PA

D&H was retained by CNX Gas Company to provide engineering design and permitting, environmental services and survey services for a new Oil and Gas well pad located in Greene County, PA. The project consisted of D&H field staff designing an approximately 203' long graveled access road to the area where a pad will be constructed for the purpose of drilling unconventional gas wells. During the design and investigation process of this project D&H retained NGE, LLC to provide geotechnical work that were needed.

Project: NV13 Well Pad Slip Repair
Client: CNX Gas Company, LLC
Location: Greene County, PA

D&H was retained by CNX Gas Company to provide engineering design and permitting, environmental services and survey for a slip repair for an existing oil and gas well pad located in Greene County, PA. This project consisted of D&H staff designing the remediation and restoration of a slide area caused by an infiltration berm. Reclaiming the infiltration berm area and re-routing impervious runoff to a new PCSM BMP. A second slip was fix on an existing infiltration basin and converting that infiltration basin to a wet pond. The designed slip repair involved an environmental assessment of the site and survey of the construction stakeout and producing a full as-built of the site once completed. During the slip repair design of this project, D&H retained NGE, LLC to provide a geotechnical assessment.

Project: Hampshire Gas Pipeline Replacement
Client: Hampshire Gas: A Washington Gas Company
Locations: Hampshire County, WV

D&H was retained by Hampshire Gas to provide as-built survey and mapping services for the replacement of approximately 13,600 LF of gas pipeline located in Hampshire County, WV. This project consisted of the D&H field staff to survey the as-built pipeline and recording attribute information. Mapping deliverables consisted of line work generation, full plan set consisting of plan view over profiles and data tables with the attribute information that was collected in the field and amount of cover over pipeline once installed into the ground.

Project: Falcon Land AML
Client: AJ Burk
Location: Nicholas County, WV

D&H was retained by AJ Burk to provide construction and as-built survey and UAV mapping services for an AML project located in Nicholas County, WV. This project consisted of D&H field staff to survey the construction stakeout of modifications of existing ponds, emergency spillways, ditches, manholes, pipes, culverts, sump and construction of a new Limestone Facility. After the site was completed, D&H returned to provide a full site as-built of all work completed and provide an aerial imagery and a finished plan set.

Project: Purdy Run Quarry UAV Mapping
Client: KCS Contracting, LLC
Location: Harrison County, WV

KCS Contracting retained D&H to provide UAV mapping services for the Purdy Run Quarry located in Harrison County, WV. This project consisted of D&H field staff to survey aerial targets and perform a UAV flight to capture aerial imagery to show the progression of the active mining at the quarry and to provide volumes of all stockpiles on site. D&H provided contours of one foot interval, plan sets of the mapping, a Google Earth file of the flight and a report that provided volumes of each stockpile in cubic yards.

Project: Mashey Gap Quarry UAV Mapping
Client: J.F. Allen Company
Location: Randolph County, WV

J.F. Allen Company retained D&H to provide UAV mapping for the Mashey Gap Quarry located in Randolph County, WV. This project consisted of D&H field staff to survey aerial targets and perform a UAV flight to capture aerial imagery to show the progression of the active mining at the quarry. D&H provided aerial mapping, contours of one foot interval, plan set of the mapping and a Google Earth file of the flight.

Abandoned Mine Lands & Reclamation Projects



NGE has provided drilling and engineering services on over 100 AML related projects, both for the West Virginia Department of Environmental Protection and private engineering firms working for the WVDEP. The following is a sampling of some of the projects NGE has completed in the past five years.

Project: *Mountain View Portals*
Client: *Michael Baker International*
Location: *Preston County, West Virginia*

NGE provided complete drilling services for the client to provide subsurface data necessary for remedial designs. Borings were drilled in a soil borrow area, in a refuse area to determine refuse thickness, and above a series of collapsed mine portals. PVC piezometers were installed in the borings which intercepted mine workings to allow for the monitoring of mine pool levels.

Project: *Werth Landslide*
Client: *E.L. Robinson Engineering*
Location: *Nicholas County, West Virginia*

NGE provided drilling and engineering services for the client to aid in the abatement of landslide caused by long-term soil saturation from abandoned mine drainage.

Project: *Ivy Branch AML*
Client: *Thrasher Engineering*
Location: *Lincoln County, West Virginia*

NGE provided complete drilling services for the client to provide subsurface data necessary for remedial designs. Borings were drilled in a soil borrow area, in a refuse area to determine refuse thickness, and above a series of collapsed mine portals. PVC piezometers were installed in the borings which intercepted mine workings to allow for the monitoring of mine pool levels.

Project: *Owl Creek Highwall*
Client: *Thrasher Engineering*
Location: *Monongalia County, West Virginia*

NGE provided complete drilling services for the client to provide subsurface data necessary for remedial designs. Borings were drilled around the high wall and an engineering analysis was performed for the slope stability and backfill around the high wall.

Project: *Isaac Creek Landslide*
Client: *Thrasher Engineering*
Location: *Harrison County, West Virginia*

NGE drilled a series of test borings at the project site to provide subsurface data necessary for use in design of remedial measures for a landslide. The results of the field investigation and laboratory testing was used to analyze the slide and develop typical cross-sections which illustrated our recommended method of repair for stabilization.

Project: *Nutter Run (Romano) Landslide*
Client: *Thrasher Engineering*
Location: *Harrison County, West Virginia*

The client required subsurface data to assist in the design of a remedial measure for a landslide at the project site. NGE drilled a series of borings and provided the design for two retaining walls at the base of the slides.

ATTACHMENT E: OTHER INFORMATION

ABANDONED MINE LANDS (AML) CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an eligibility evaluation from the Office of Surface Mining Reclamation and Enforcement (OSMRE) to determine if you are eligible to receive an AML contract. This requirement can be found under OSMRE's regulations at 30 CFR 874.16. **NOTE:** This form must be signed and **dated within 30 days** of submission to be considered for a current bid.

Part A: General Information

Business Name: Dieffenbauch & Hritz, LLC
 Tax ID #: 65-1257247
 Address: 1095 Chaplin Road, Suite 200
 City, State, & Zip: Morgantown, WV 26501
 Phone Number: 304-985-5555
 Email Address: info@dandhengineers.com

Part B: Obtain an Organizational Family Tree (OFT) from the Applicant Violator System (AVS)

If you plan to certify the existing AVS information or submit updates under Part C, you must include an OFT. Instructions for downloading an OFT from the AVS can be found at:

<https://www.osmre.gov/resources/forms/OMB1029-0119instructions.pdf>

If you require assistance you may contact the AVS Office by phone at: 800-643-9748, or by email at:

avshelp@osmre.gov.

Part C: Certifying and updating information in the AVS

Select one of the options, follow the instructions for the selected option, sign, and date below.

I, Herbert L. Parsons, III PE, PS, have express authority to certify that:
 (Print Name)

1. Our business is listed in the AVS. The information is accurate, complete, and up to date. (If you select this option, you must attach an Entity OFT from the AVS to this form). Do not complete Part D.
2. Our business is in the AVS. The information needs to be updated. (If you select this option, you must attach an Entity OFT from the AVS to this form). Complete Part D to provide the missing or corrected information.
3. Our business is not listed in the AVS. The information needs to be added. Complete Part D to provide the information.

04/12/2022

Date



Signature

Operations Manager

Title

Part D: OFT InformationContractor's Business Name: Dieffenbauch & Hritz, LLC

If the current Entity OFT information for your business is incomplete in the AVS, or if there is no information in the AVS for your business, you must provide all of the following information as it applies to your business. Please include additional copies of this page if the space below is not sufficient to capture all information.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors, Partners, and Members;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.
- **Please list an end date for any person who is no longer with your business.**

Name: Michael D. Hritz, PE
 Address: 256 McKee Road
 City, State, Zip: Washington, PA 15301
 Begin Date: 08/2005
 End Date: N/A
 % Ownership: 48.6
 Position/Title: President / Member
 Phone Number: 304-985-5555

Name: John C. Dieffenbauch, PE
 Address: 6321 Shinne Creek Lane
 City, State, Zip: Wilmington, NC 28409
 Begin Date: 08/2005
 End Date: N/A
 % Ownership: 48.6
 Position/Title: Vice President / Member
 Phone Number: 304-985-5555

Name: Herbert L. Parsons, III, PE, PS
 Address: 436 Overlook Drive
 City, State, Zip: Mount Clare, WV 26408
 Begin Date: 02/2012
 End Date: N/A
 % Ownership: 1.4
 Position/Title: Operations Manager
 Phone Number: 304-985-5555

Name: Roman C. Lawson, PE
 Address: 422 Patrick Drive
 City, State, Zip: Lebanon, VA 24266
 Begin Date: 04/2012
 End Date: N/A
 % Ownership: 1.4
 Position/Title: Senior Engineering Manager
 Phone Number: 304-985-5555

PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a current valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to range from 15 minutes to one hour, with an average of 30 minutes per response, including time for reviewing instructions, gather and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, 1849 C Street, NW, Room 4559, Washington, DC 20240.

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.



Operations Manager

(Name, Title)

Herbert L Parsons / Operations Manager

(Printed Name and Title)

1095 Chaplin Road, Suite 200 Morgantown, WV 26501

(Address)

304-985-5555 / 304-985-5557

(Phone Number) / (Fax Number)

hparsons@dandhengineers.com

(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that: I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated 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.

By signing below, I further certify that I understand this Contract is subject to the provisions of West Virginia Code § 5A-3-62, which automatically voids certain contract clauses that violate State law.

Dieffenbauch & Hritz, LLC

(Company)



(Authorized Signature) (Representative Name, Title)

Herbert L Parsons / Operations Manager

(Printed Name and Title of Authorized Representative)

04/12/2022

(Date)

304-985-5555 / 304-985-5557

(Phone Number) (Fax Number)

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

CONSTRUCTION CONTRACTS: Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

ALL CONTRACTS: 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: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, 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: Dieffenbauch & Hritz, LLC

Authorized Signature: [Signature] Date: 4-11-2022

State of West Virginia

County of Preston, to-wit:

Taken, subscribed, and sworn to before me this 11 day of April, 2022.

My Commission expires December 20, 2025.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

