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## Header 1

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

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Procurement Type: Central Purchase Order

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Responded By User ID: Potesta 

Total of Header Attachments: 1

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**State of West Virginia  
 Solicitation Response**

**Proc Folder:** 1014779  
**Solicitation Description:** AML/Sullivan Refuse and Clogged Stream  
**Proc Type:** Central Purchase Order

Solicitation Closes	Solicitation Response	Version
2022-04-12 13:30	SR 0313 ESR04122200000006264	1

**VENDOR**  
 000000173443  
 POTESA & ASSOCIATES INC

**Solicitation Number:** CEOI 0313 DEP2200000008  
**Total Bid:** 0  
**Response Date:** 2022-04-12  
**Response Time:** 12:52:32  
**Comments:**

**FOR INFORMATION CONTACT THE BUYER**

Joseph E Hager III  
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**Vendor Signature X** **FEIN#** **DATE**

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

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	EOI Engineering Design Services				0.00

Comm Code	Manufacturer	Specification	Model #
81100000			

**Commodity Line Comments:**

**Extended Description:**

EOI Engineering Design Services





# EXPRESSION OF INTEREST

Prepared for:

**West Virginia Department of  
Environmental Protection  
Division of Land Restoration  
Office of Abandoned Mine Lands and Reclamation**



## ***Sullivan Refuse and Clogged Stream Project CEOI 0313 DEP2200000008***



### **CHARLESTON**

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## **APPENDICES**

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# EXPRESSION OF INTEREST

## EXECUTIVE SUMMARY

Potesta & Associates, Inc. (POTESTA) is pleased with the opportunity to provide this Expression of Interest to the West Virginia Department of Environmental Protection, Division of Land Restoration, Office of Abandoned Mine Lands and Reclamation (WVDEP-DLR-AML).

POTESTA understands professional services for this project are to include, but not limited to:

- Mine Portal Reclamation
- Drainage Control Items
- Erosion and Sediment Control
- Coal Refuse Reclamation
- Slope Stabilization
- Stream Restoration
- Geotechnical Evaluation
- Hydrologic and Hydraulic Analysis

POTESTA is highly experienced in providing the services necessary to meet the project goals:

- Developing construction plans and technical specifications for all aspects to reclaim mine portals, drainage control, slope stabilization, coal refuse reclamation, stream restoration, and erosion and sediment control.
- Obtaining required permits.

POTESTA centers itself on understanding the client to achieve a successful project outcome. We believe POTESTA's current track record with AML, water and sewer, civil/site, and recreational projects demonstrates our ability, experience, and commitment for the Sullivan Refuse and Clogged Stream Project.

POTESTA has assembled a team that has historically served WVDEP, AML on numerous AML projects. In fact, our staff has worked on over 160 AML projects for WVDEP (and more in other states) on four different WVDEP, AML contracts dating back into the mid-1980s. We have an ongoing workload with WVDEP, AML.

POTESTA has completed projects involving geotechnical, civil, structural, geological, hydrological and reclamation engineering; land use and natural resource planning; soil science/agronomy; hydrology/geology; stream and water restoration; and post reclamation land uses. We also have open ended statewide contracts with various state agencies. In addition, we have the preeminent staff in West Virginia for addressing issues regarding geotechnical design and remediation. As a result, POTESTA will provide the required expertise to complete this AML project in a timely, economical, and efficient manner.

# EXPRESSION OF INTEREST

## CORPORATE PROFILE

### HISTORY

POTESTA was founded in 1997 as a full-service engineering and environmental consulting firm headquartered in Charleston, West Virginia. We have now expanded to a diverse staff of 74 experienced engineers, scientists, and support personnel with branch offices in Morgantown, West Virginia, and Winchester, Virginia. Our clients include local, state and federal agencies; mining, manufacturing and chemical companies; utility companies; waste management companies; K-12 schools/colleges/universities; land developers; attorneys; financial institutions; insurance companies; construction companies; and architects.



### SERVICES

- Air Permitting
- Biological and Toxicological
- CADD/GIS
- Civil Engineering and Design
- Construction Monitoring
- Environmental Site Assessment
- Geotechnical Engineering
- Groundwater
- Hydrology and Hydraulics
- Landfills and Solid Waste
- Litigation Support
- Mining
- Occupational Safety and Health
- Oil and Natural Gas Consulting
- Permitting
- Remediation
- Roadway Engineering
- Sampling
- Site Design
- Storage Tanks
- Surveying and Mapping
- Water and Wastewater
- Water Quality
- Wetlands

### LEADERSHIP

Our firm is managed by two principals driving POTESTA forward with their experience and emphasis on exceeding expectations. Ronald R. Potesta, President, has served as the Director and Deputy Director of West Virginia's Department of Natural Resources (WVDNR) which, during his tenure housed all of the environmental regulatory programs, had an annual budget of \$23 million and 700 full-time employees. The agency at that time encompassed state environmental regulatory programs, wildlife management, and law enforcement.



*Ronald R. Potesta*

Dana L. Burns, P.E., Vice President, has more than 40 years' experience with civil, geotechnical, mining and environmental engineering projects. Mr. Burns, P.S., P.E., has managed numerous multi-discipline projects, including numerous AML projects and understands the importance of client communication and the internal coordination of various disciplines on a project. The public service and experience of our principals has provided POTESTA with personal relationships with many of the regulatory staff members and in-depth program knowledge of West Virginia and surrounding state's regulatory programs. POTESTA builds our contact base, stays informed on current issues, and strengthens relationships with the regulatory community by contributing and serving on various boards and commissions.



*Dana L. Burns*

# EXPRESSION OF INTEREST

## TECHNICAL EXPERTISE

### ABANDONED MINE LANDS

The diversity of POTESTA's staff and their personal coal industry experience enable POTESTA to complete mining projects in all phases, from design to permitting. POTESTA's staff members belong to the Kanawha Valley Mining Institute, West Virginia Coal Association, Kentucky Coal Association, and groups that meet periodically to discuss technical, regulatory, environmental and other mining-related issues. Knowledge of potential changes in policies, regulations, etc. is vital to keep our companies informed and projects on the forefront of a constantly moving regulatory system. POTESTA understands that cost-effective designs and responsiveness are of the utmost importance in order to complete our clients' projects.

POTESTA has completed several AML projects and projects similar to a WVDEP, AML type project. These include design and permitting of landslides, refuse piles and slurry impoundments, evaluating mine drainage from pre-SMCRA sites, reclamation designs for WVDEP, sanitary and storm sewer design, landfill closure assistance program (LCAP) projects, stream monitoring, development of grading plans, mine reclamation liability assessments, watershed assessments including evaluation of impact from acid mine drainage (AMD) including AMD from pre-SMCRA sites, detention pond designs, wetland/stream studies, natural stream design, mine site design and permitting, and design of numerous storm water structures.

We have the preeminent staff in West Virginia for addressing issues regarding the abatement of problems associated with abandoned mine lands. POTESTA has assembled a successful team of employees that have 125+ years' experience working on WVDEP, AML projects and AML projects in other states. POTESTA has 20+ employees with experience on WVDEP, AML projects.

- Passive Acid Mine Drainage Treatment
- Assessment of Contamination (e.g., PCBs, asbestos)
- Demolition of Structures
- Diversion of Stormwater
- Identifying and Controlling Acid Mine Drainage
- Mine Fires
- Landslide Stabilization
- Reclamation of Refuse Piles
- Sealing Mine Portals
- Stream Relocations
- Subsidence Assessment and Remediation
- USCOE Permitting
- Water Line Design
- Water Supply Feasibility Studies and Design
- Inventory of Residential Water Supplies
- Wetland Assessments

**Appendix B** includes our AML and Related Project Experience Matrix. These documents provide information on the education, qualifications, and previous experience of our professionals and support staff. The AML and Related Project Experience Matrix especially shows the number of AML reclamation projects completed.



# EXPRESSION OF INTEREST

## TECHNICAL EXPERTISE

### CIVIL ENGINEERING/SITE PLANNING

POTESTA's engineering staff has a broad background related to the vast field of civil engineering, including utility/infrastructure design, roadway design, development of grading plans, and storm water management. Our diverse staff of engineers, geologists, and scientists is routinely involved in these types of projects and work to support the project teams assigned to these projects on a daily basis to achieve a completed project that meets the client's expectations.

Once a project has been determined feasible through the preliminary planning stages, POTESTA's design professionals work to complete preliminary and final design plans. Frequent communication is made with the client and other design professionals to review the completed activities and obtain input for the design process.

- Site Selection/Siting Studies
- Access Roadway Design and Layout
- Utility Design/Relocation
- Earthwork Optimization
- Site Development Grading and Drainage Plans
- Hydraulic Structure Design
- Earth Retaining Structures
- Stormwater Management Plans
- Erosion and Sediment Control Plans
- Geometric Site Layout
- Vehicular and Pedestrian Circulation
- Grading and Drainage Plans, Including Excavation and Fill Optimization
- Water and Sewer Design
- Slope Stability Analysis
- Subsurface Drainage System Design
- Construction Drawings, Specifications, and Contract Document Preparation

POTESTA has a significant body of work in site design for residential, commercial and industrial clients. We have assisted numerous developers and development agencies with the creation of business industrial parks throughout West Virginia, and have been part of design teams for elementary, secondary and collegiate projects primarily associated with new building construction.



# EXPRESSION OF INTEREST

## TECHNICAL EXPERTISE

### SURVEYING

POTESTA proposes to utilize our own survey crews for work on this project. POTESTA will perform all of the surveying required for this project using in-house personnel. Our surveyors are experienced in all aspects of surveying such as topographic mapping, boundary and property surveys, and construction surveys for layout of work, record drawings, and quantity measurements. Our surveyors have worked on numerous site development, roadway and bridge construction, utility construction, and landfill development.



POTESTA is equipped with modern surveying instruments allowing efficient data processing and accurate gathering of field information. Total station instruments equipped with data collectors are utilized for complete field to office automation allowing for high levels of productivity in the field. The latest versions of software are then used to process survey data and create drawings or required end products.

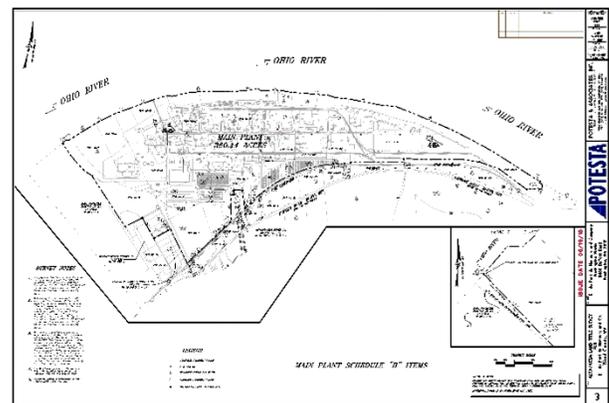
Small topographic mapping projects can be completed in-house using the aforementioned process. Larger projects are better suited for mapping using aerial photography. If necessary, POTESTA will provide the necessary surveying required for establishing ground control for aerial mapping in conjunction with our aerial mapping subcontractor. As a quality control measure, aerial mapping is field checked for accuracy by surveying cross sections or random points.

Surveys and mapping are completed to the standards as outlined by the National Map Standards as well as other applicable quality standards.

### CADD

The CADD department utilizes the latest drafting/design software and computer hardware to maintain productivity at the high levels that clients demand and expect. We utilize Autodesk Civil 3D design software to prepare, revise, and manipulate drawings and engineering data efficiently. POTESTA's experienced and trained professionals allow clients' projects and assignments to be completed rapidly and at a reasonable cost.

- Surveying data manipulation including development of topographic mapping, cross sections, profiles, isopach drawings, etc.
- Site design including grading plans, drainage plans, utilities plans, right-of-way plans, etc.
- Roadway design
- Water, sanitary, sewer, electric, natural gas, and telecommunications design
- Permit drawings, maps, and exhibits
- Earthwork and planimetric quantity development
- Two- and three-dimensional graphics



# EXPRESSION OF INTEREST

## TECHNICAL EXPERTISE

### GEOTECHNICAL ENGINEERING

POTESTA's staff is very familiar with terrain ranging from plateaus to mountains. West Virginia and Virginia encompass rugged terrain, which presents unique challenges and hazards to mitigate threats. Our vast experience in our region has resulted in innovative approaches to the various challenges that the topography and geology present.

POTESTA can provide field engineers and geologists who are knowledgeable using the latest technologies subsurface explorations, monitoring well and piezometer installations, foundation design recommendations, slope stability analysis, retaining walls, and remedial designs as they relate to construction, mining, waste disposal, environmental remediation, and other projects. Our knowledge of the proper procedures and familiarity with local conditions allows office and field personnel to adjust the exploration plan if unanticipated field conditions are found.

### SUBSURFACE EXPLORATIONS

- Attend an initial meeting with the client
- Conduct preliminary site reconnaissance
- Develop a recommended exploration program



### SLOPE STABILITY ANALYSIS AND REMEDIAL DESIGN

- Utilize various methods to predict slope stability
- Analysis of existing or proposed soil embankments, rock fills, dam analysis and design, landfill design and operation, assessing the causation of slope failure, and designing remedial measures
- Analyses - circular or sliding block methods, interface friction angles, and estimate of the strength parameters of the soil or rock
- Develop preventive measures during initial project design or recommendations for to repair slope failures
- Consider various remedial measure - regarding the site to obtain more suitable conditions, management of groundwater, and design of retaining structures
- Familiar with wide variety of retaining structures - gabion baskets, soldier beam and lagging walls, sheet piles, reinforced concrete and reinforced earth slopes

### FOUNDATION DESIGN RECOMMENDATIONS

- Experience with various types of foundations and will recommend the appropriate type of foundation given the anticipated application and site conditions
- Foundations - spread and strip footings, steel piles, auger-cast concrete piles, drilled piers, and reinforced mats
- Preliminary foundation design recommendations and cost analyses
- Preliminary alternatives for final recommendation
- Construction documents
- Final recommendation - construction drawings, technical specifications, recommendations for allowable bearing capacity, engineer's construction cost estimate, and contractor's bid sheet

## TECHNICAL EXPERTISE

### PERMITTING

Acquiring environmental permits is a critical element for the success of every project. POTESTA offers its clients exceptional expertise and experience when it comes to the permitting process, including all phases of application preparation, negotiations, modifications, compliance, and renewal at all levels of government. POTESTA has prepared the required environmental documents for numerous roadways, cross country pipelines/high voltage power lines, and site developments. POTESTA has the experience and knowledge and the regulatory relationships to provide timely, cost-effective solutions to your permitting needs.

POTESTA has completed numerous projects including environmental assessments, environmental impact statements, categorical exclusions, cultural resource studies, endangered species assessments, environmental compliance with various federal and state regulations (Clean Water Act [CWA], NEPA, and Endangered Species Act), permitting, wetlands delineation/mitigation, sampling and remediation.

#### **Permits typically required for projects:**

- Environmental Site Assessments
- Environmental Impact Statements
- Stormwater Management Permits
- Air Quality Permits
- Wetland Delineation and Mitigation Permits
- National Pollutant Discharge Elimination System (NPDES) Permits
- Groundwater Protection Plans
- Spill Prevention, Control and Countermeasure Plans
- Floodplain Management Studies and Permits

# EXPRESSION OF INTEREST

## MANAGEMENT AND STAFFING

### STAFF PROFILE

#### Total Staff: 74

16	Civil Engineers	1	Fish & Wildlife Specialist
16	Construction Technicians	1	GIS Specialist
4	Geotechnical Engineers	1	Horticulturalist
1	Geologist	2	Environmental Scientists
6	CADD Operators/Draftsman	1	Toxicologist
6	Surveyors	1	Economist
1	Mechanical Engineer	1	Aquatic Culturist
2	Aquatic Biologists	1	Information Technologist
4	Biologists	10	Administrative Personnel
2	Chemical Engineers		



Included are 13 registered professional engineers (P.E.), 5 registered professional licensed land surveyors (P.S.), 5 Licensed Remediation Specialists (L.R.S.), 8 West Virginia Transportation Engineering Technicians, and one Ph.D. whose specialties include aquatic biology and water quality. POTESTA has assembled a team that has historically served WVDEP, AML on numerous AML projects. In fact, our staff has worked on over 160 AML projects for WVDEP (and more in other states) on four different WVDEP, AML contracts dating back into the mid-1980s.

### ABILITY OF STAFF

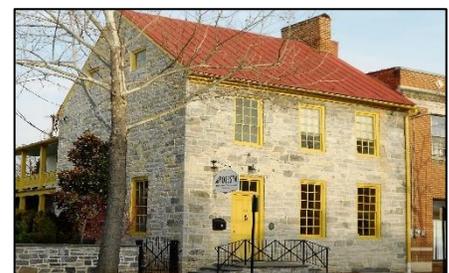
- POTESTA's current workload is such that we can immediately provide construction technicians, engineers, CADD designers, and survey crews to work on this project.
- Low turnover means interacting with the same POTESTA staff - 13 registered Professional Engineers on staff with combined experience over 370 years and are supported by a capable team of engineers, designers, and surveyors.
- We have ability to take project from planning through construction - we have successfully completed similar projects.
- We stand ready to commit the personnel and resources required to complete this project in a timely, technically sound, and cost-efficient manner.
- POTESTA's large staff size will allow us to work on this project on an accelerated schedule, if necessary.
- POTESTA carries a full line of insurance coverage, including general liability, errors and omissions, and workers' compensation.
- We also have and follow a stringent internal quality control system designed to provide our clients with quality products.
- POTESTA believes the quality of our work is best exemplified by approximately 85 percent of our workload coming from repeat clients.



*Charleston Office*



*Morgantown Office*



*Winchester Office*

# EXPRESSION OF INTEREST

## MANAGEMENT AND STAFFING

### KEY SENIOR PROJECT TEAM

Good communication is the key for successful project completion. POTESTA listens to our clients and works to specify products that meet your needs. POTESTA has experience in developing this type of project and moving them through the process from start to finish.

**Mr. Dana L. Burns, P.E., Vice President at POTESTA**, will serve as principal-in-charge for this project. As such, he will direct POTESTA's staff, answer questions, address problems encountered and review the project budget. Mr. Burns has over 41 years of experience with civil and environmental engineering projects, including water line extensions, sealing portals, regrading refuse, site assessments, mine fires, preliminary feasibility evaluations, detailed design, and preparation of construction drawings, specifications, and bid documents. Mr. Burns has served as project manager or principal-in-charge on three open end contracts for WVDEP, AML from 1986 through 1997 totaling over 65 projects. In addition, Mr. Burns has served as the principal-in-charge for numerous other WVDEP, AML projects since 2003.

**Mr. Mark Kiser, P.E., Chief Engineer**, will serve as the project manager for this project. Mr. Kiser has over 37 years of engineering experience and has worked on over 75 different AML projects for WVDEP. His AML experience includes abandoned surface and deep mine reclamation; mine portal and shaft closures; hydraulic and hydrologic design/evaluation; landslide investigation and stabilization; remining explorations; mine refuse fire abatement and extinguishing plans; subsidence explorations and stabilization plans; water feasibility studies and water system design; construction observation and management plans; natural stream restoration projects; geotechnical explorations; slope stability analyses; preparation of construction drawings, specifications and engineers estimates; and directing both pre-bid and pre-construction meetings. Mr. Kiser is familiar with management of subcontractors, as well as managing staff and equipment needs for the design team.

**Mr. Christopher Grose, L.R.S., Senior Engineering Associate**, has over 31 years of experience and will serve as geotechnical engineer for this project. His areas of expertise include geological/geotechnical explorations, surface/subsurface hydrology, hydrogeology, and landslide causation analysis/stability modeling/failed slope restoration. Mr. Grose's experience includes the design and evaluation of geotechnical explorations related to bridges, culverts, earth retention structures, slope stability and engineered fill construction. Mr. Grose currently oversees aspects of geotechnical work at POTESTA in their Charleston, West Virginia office and has worked on WVDEP, AML projects since 1990. Mr. Grose will evaluate slope stability issues with respect to regraded coal refuse, landslide abatement, or other steep slope applications.

**Mr. Terence C. Moran, P.E., Senior Engineer**, will serve as project advisor if needed. Mr. Moran has served as project manager/project engineer or assisted with over 60 AML projects in West Virginia and Virginia. Mr. Moran has 34 years of experience in civil and environmental engineering projects, including evaluation, design, preparation of plans and specifications, and construction administration. Mr. Moran has co-authored multiple papers, including one on the abatement of AMD at the Omega Mine site and another on evaluating AMD of AML sites during pre-acquisition site assessments. Messrs. Kiser and Moran have worked on AML projects that addressed such technical issues as AMD, sealing portals, regrading refuse, diverting stormwater, landslides, subsidence and water supply. Messrs. Kiser and Moran are both familiar with requirements of AML projects and will ensure that WVDEP is satisfied with POTESTA's work by ensuring that proper QA/QC and timeliness are adhered to.

# EXPRESSION OF INTEREST

## MANAGEMENT AND STAFFING

**Mr. Tim Rice, E.I.T., Senior Engineer**, will serve as the project engineer available for reclamation plan preparation and design. Mr. Rice has over 39 years of full-time experience and has worked on nearly 80 different AML projects for West Virginia, Maryland, Ohio, and Pennsylvania. His AML experience includes abandoned surface and deep mine reclamation; mine portal and shaft closures; hydraulic and hydrologic design/evaluation; remaining explorations; mine refuse and deep mine fire abatement and extinguishing plans; slope stability analyses; preparation of construction drawings, specifications and engineers estimates; and directing both pre-bid and pre-construction meetings. Mr. Rice is familiar with management of subcontractors, as well as managing staff and equipment needs for the design team.

**Mr. David B. Sharp, P.E.**, is the Branch Manager of POTESTA's Morgantown office. Mr. Sharp is a registered professional engineer in Maryland, West Virginia, Pennsylvania, Ohio, and Kentucky. Mr. Sharp has over 26 years of experience with engineering and environmental consulting projects throughout the region. Mr. Sharp obtained his bachelor's and master's degrees from West Virginia University and has spent a large part of his career involved with geotechnical engineering and construction observation/management projects. Mr. Sharp has worked on and managed numerous projects involving landslide investigation and repair projects, mine permitting, mine reclamation, acid mine drainage, hydrology, and many other components that would typically be encountered on an abandoned mine reclamation project. Many of these projects have included preliminary planning and assessments, as well as geotechnical engineering, assessments of potential treatment technologies, and preparation of bidding and construction documents.

**Messrs. Jeremi Stawovy, E.I.T., and Peter S. Potesta, Staff Engineers**, have over 20 years of combined experience in geotechnical engineering with an emphasis in landslide design, repair, and causation investigation. Other areas of expertise include civil and site development projects with an emphasis in geotechnical engineering and construction. Responsibilities have included geotechnical evaluations including management of subsurface explorations, settlement analysis, slope stability modeling, foundation analysis, well pad and horizontal directional drill construction, roadway improvements/repairs, and commercial/residential construction.

Mr. Burns' and Mr. Kiser's Registered Professional Engineer certificates are included on the following pages, along with an organizational chart.

### References:

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Reclamation and Enforcement,  
Charleston Field Office**

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Physical Scientist  
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**Huntington Sanitary Board**

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PO Box 7098  
Huntington, WV 25775  
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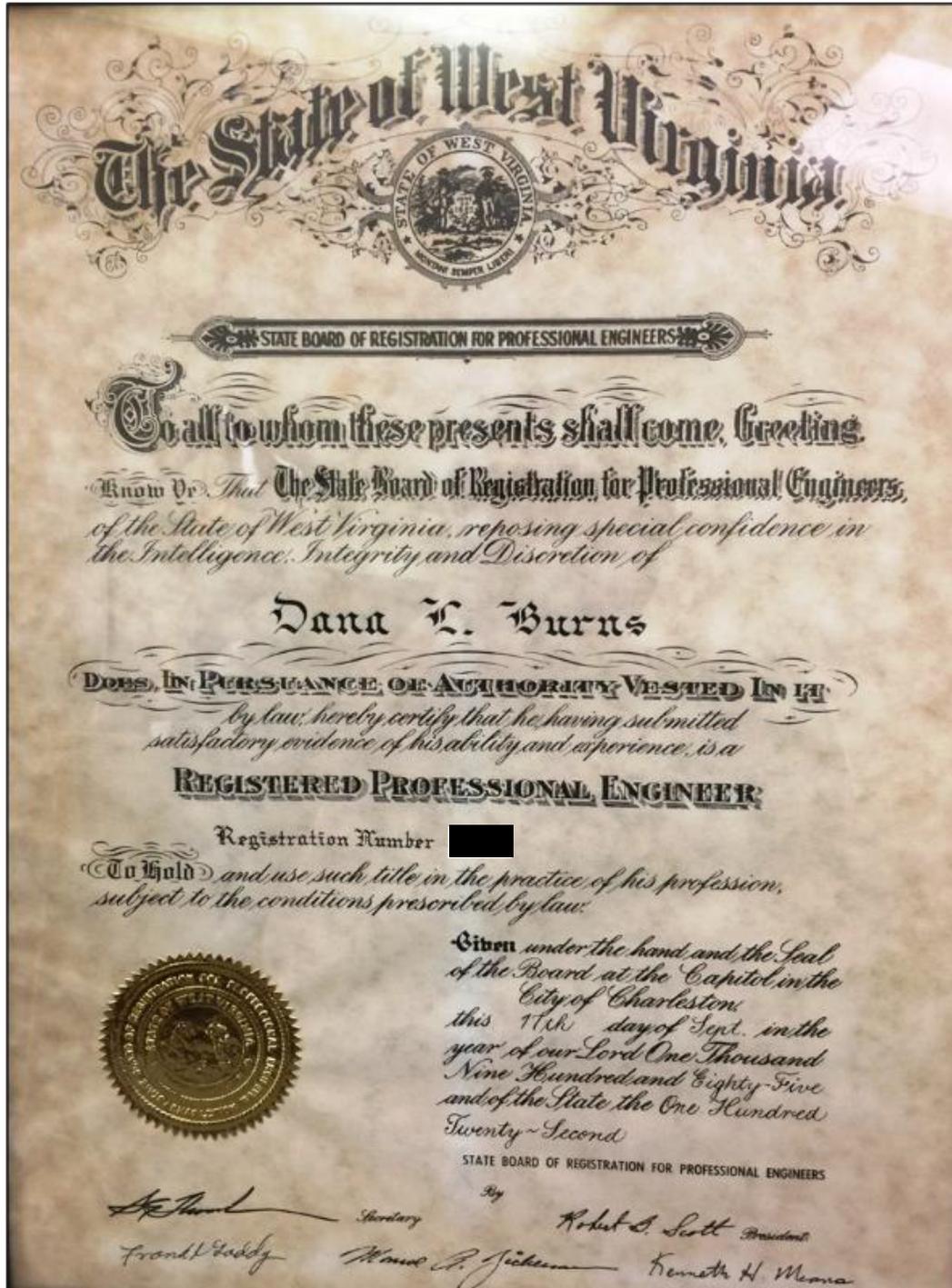
Our capabilities, qualifications and expertise in design of AML projects are further exemplified in the Prior Experience section.

# EXPRESSION OF INTEREST

## MANAGEMENT AND STAFFING

Primary Staff Professional Certifications

Principal-In-Charge



# EXPRESSION OF INTEREST

## MANAGEMENT AND STAFFING

### Primary Staff Professional Certifications

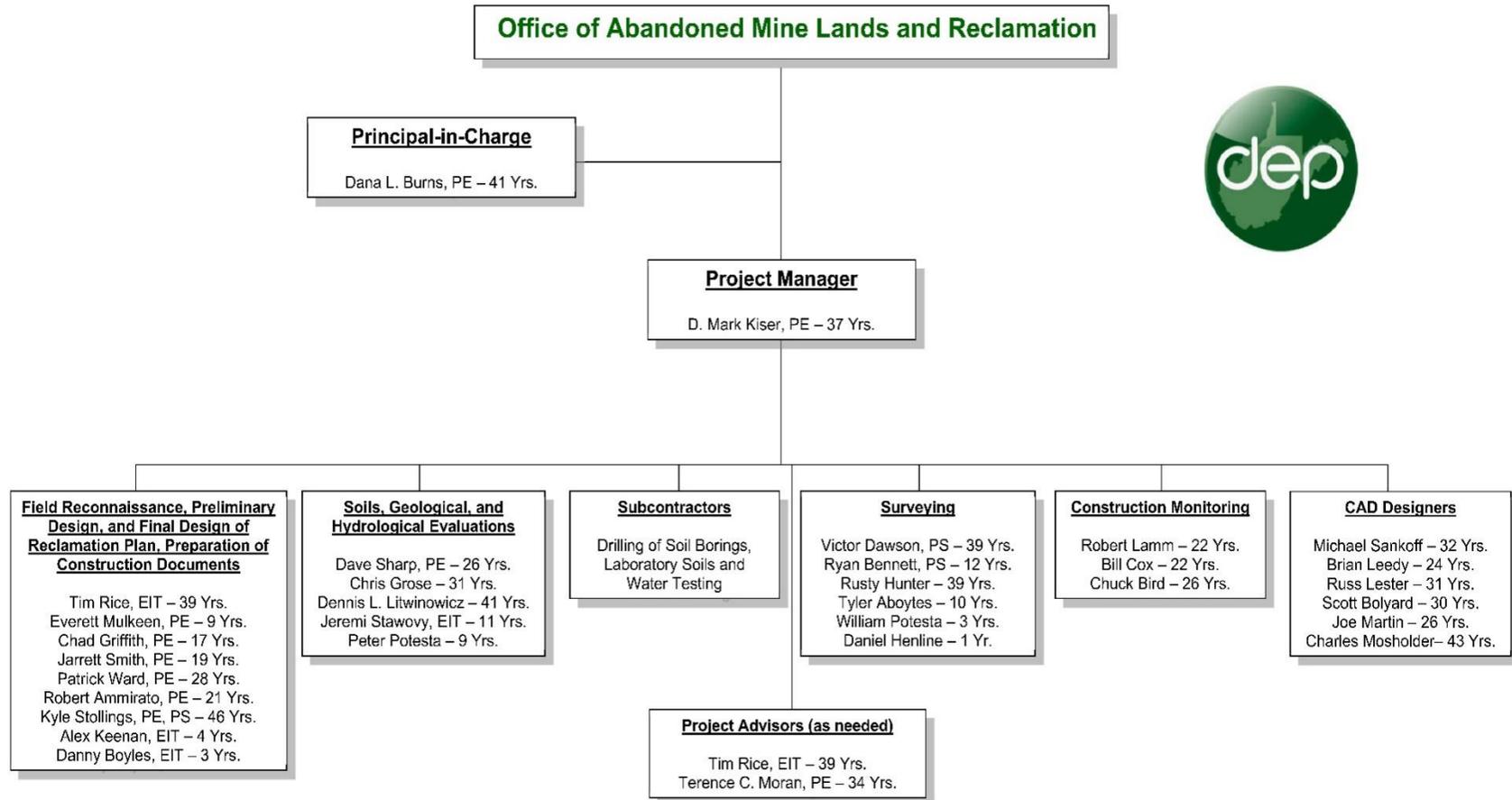
#### Chief Engineer



# EXPRESSION OF INTEREST

## MANAGEMENT AND STAFFING

5



# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### **SUNDIAL (HATFIELD) REFUSE PILES**

*West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands  
Raleigh County, West Virginia*

Potesta & Associates, Inc. (POTESTA) was retained by the West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands (WVDEP) to prepare a reclamation design for the Sundial Refuse Piles in Raleigh County, West Virginia. The site was a former mining complex and included four distinct refuse piles that lacked vegetation and were eroding, open mine portals, and abandoned structures such as hoist houses.



As part of this project, the following were completed:

- Ground survey.
- Geotechnical exploration.
- Preparation of construction drawings, technical specifications, bid form, and engineer's estimate of probable construction costs.



The reclamation design anticipated approximately 372,000 cubic yards of earthwork, 15,000 feet of drainage channel, 3,000 feet of underdrains, 26 mine seals, and demolition and removal of numerous structures, including historic mine cars.

The project was bid at a construction price of approximately \$3,700,000.

As part of the project, POTESTA assisted the WVDEP with contract administration and performed construction observation services during the construction phase of the project.

# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### MILL CREEK REFUSE PILE

*West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands  
Gary, West Virginia*

Potesta & Associates, Inc. (POTESTA) was retained by the West Virginia Department of Environmental Protection (WVDEP) to prepare and design plans and specifications to reclaim an abandoned mine land site located near Gary, West Virginia. Work to reclaim the site included the removal of debris, refuse relocation and compaction, 1-foot soil placement, tree removal, and regrading.

Development of engineering reports, construction plans, and specifications for the stabilization of the Mill Creek mine refuse site.



Provision of plans and specifications which include, but are not limited to, plan views, cross sections, maps, photographs, and drawings.

Final design is to meet the WVDEP standards.

# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### **KOPPERSTON – JOHN’S BRANCH REFUSE PILE EMERGENCY AML PROJECT**

*West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands and Reclamation  
Wyoming County, West Virginia*

Potesta & Associates, Inc. (POTESTA) was selected by the West Virginia Department of Environmental Protection, Office of Abandoned Mine Lands and Reclamation (WVDEP, AMLR) to design an emergency plan, prepare bidding and contract documents, and provide support to abate problems from an eroding coal refuse dam. Coal refuse, soil, and rock were eroding from the steeply sloped, uncovered portion of the coal refuse pile. Eroded coal refuse washed over two Norfolk Southern Railroad tracks suspending service to a coal loadout facility. POTESTA was requested to expedite engineering work in order that WVDEP, AMLR could bid the project and stabilize the eroding coal refuse so that the railroad could be placed back into service.



POTESTA performed field reconnaissance, analyzed surface runoff flow patterns, and quantified surface runoff discharge rates from the approximately 40-acre refuse pile located at the bottom of a 160-acre watershed.



POTESTA provided a survey crew and engineer that selected and staked proposed drainage channels and culverts in the field. Utilizing the survey information, POTESTA prepared plan view drawings, channel and culvert profiles, and details depicting the proposed abatement measures to control surface water and minimize erosion.

The plan included 7,150 linear feet of riprap and grouted riprap channels to carry surface runoff over and around the steep coal refuse pile. The project included twin 72-inch reinforced concrete pipes installed beneath the railroad and a 5-foot by 10-foot concrete box culvert to carry runoff under WV Route 85 to the receiving stream. POTESTA obtained approvals from Norfolk Southern Railroad and the West Virginia Division of Highways so that construction could proceed.

# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### **JOHN'S BRANCH COAL REFUSE DAM AML RECLAMATION PROJECT**

*West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands and Reclamation  
Wyoming County, West Virginia*



Potesta & Associates, Inc. (POTESTA) was selected by the West Virginia Department of Environmental Protection, Office of Abandoned Mine Lands and Reclamation (WVDEP, AMLR) to design a reclamation plan and prepare bidding and contract documents for the John's Branch Coal Refuse Dam Project in Wyoming County. The site was an abandoned, unreclaimed coal refuse pile and impoundment, approximately 40 acres in size. A large portion of the coal refuse pile was poorly vegetated with steep slopes and severe erosion. Eroded coal refuse was eroding from the site and entering surface water receiving streams. The eroding coal refuse was also impacting the Norfolk Southern Railroad by filling railroad ditches, blocking cross culverts, and covering the railroad tracks. Rail service on the tracks was suspended due to the severe erosion.

POTESTA developed a reclamation design; prepared technical specifications, drawings, contractor's bid form, engineer's construction cost estimate and calculations brief; prepared a construction stormwater National Pollutant Discharge Elimination System (NPDES) application; and assisted WVDEP, AMLR with pre-bid and pre-construction meetings. POTESTA's reclamation design included regrading of the coal refuse pile to flatten steeply sloped portions of the refuse pile and to establish benches or terraces on the face of the coal refuse pile to control erosion and surface runoff. POTESTA designed a system of surface water drainage channels to control runoff. The reclamation plan included soil covering coal refuse and revegetation.



A portion of the top of the coal refuse pile was covered with wetland vegetation. Two natural gas wells also existing on the top of the refuse pile. POTESTA's reclamation plan preserved and protected these areas, avoiding negative impacts.

POTESTA identified soil and rock borrow areas for the contractor's use for obtaining soil cover material and rock riprap for surface water channel linings. POTESTA also coordinated with a natural gas producer to temporarily move natural gas production lines crossing the surface of the coal refuse pile so that reclamation could be completed.

# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### MEASLE FORK REFUSE

*West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands  
Wyoming County, West Virginia*

Potesta & Associates, Inc. (POTESTA) was retained by the West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands (WVDEP) to regrade/cover all refuse material with at least 12 inches of topsoil, remove all debris from the site, and to stabilize Measle Fork and the stream bank due to refuse encroaching the water way.

The Measle Fork Refuse area was a 25-acre site with 7 acres of steep slopes with exposed refuse to be regraded and covered. Approximately 2,600 feet of Measle Fork were stabilized to protect the stream and prevent further erosion of the stream bank and potential for refuse to enter the stream. The regrading and stream bank protection included three terraced planting areas. The site was also provided with 4,500 feet of drainage channels.

POTESTA prepared drawings, technical specifications, contractor's bid forms, engineer's construction cost estimate, and calculations brief for the project. POTESTA also attended the pre-bid and pre-construction conferences to assist WVDEP with the project.



# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### GEORGE'S CREEK (LUCAS) LANDSLIDE MAINTENANCE

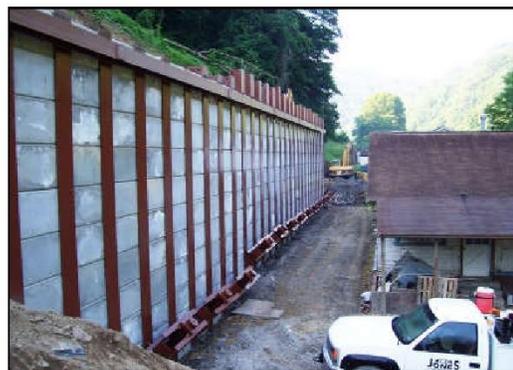
*West Virginia Department of Environmental  
Protection - Office of Abandoned Mine Lands  
Kanawha County, West Virginia*



Potesta & Associates, Inc. (POTESTA) was retained by the West Virginia Department of Environmental Protection - Office of Abandoned Mine Lands (WVDEP) to evaluate and perform geotechnical engineering services for a landslide related to historic mining activity which was threatening a nearby residential structure.

A portion of the existing hillside immediately adjacent to the rear of the residential structure was excavated prior to construction of the structure to a near vertical slope exposing weathered shale and a coal seam near the slope's base. The exposed coal seam was determined to be the No. 2 Gas seam which was reportedly mined in the 1950s. Some drainage was noted flowing from the coal seam and the resulting water was conveyed through a nearby culvert to Georges Creek. Attempts were made by WVDEP to excavate loose rock and soil from the hillside in an effort to improve stability of the slope. Following this initial work, the slope continued to slough with periodic small slides and slope movement believed to be caused by continued subsidence of the underground mine works.

POTESTA performed a subsurface exploration to assist in evaluating the landslide condition, including the type and condition of the rock located in the slope, as well as the attitude, thickness and condition of the underlying coal seam. POTESTA survey crews also completed a topographic survey of the affected area including the surrounding residential structure, drains and wooded hillside. The remedial measures to correct the landslide area included the design of a 25-foot high steel soldier beam and concrete lagging retaining wall with sloped, compacted backfill constructed from on-site materials. The retaining wall design required the application of a rock anchor tie-back system due to mine voids existing at the base of the hillside slope that were encountered during the subsurface exploration.



As part of the project, POTESTA assisted the WVDEP with contract administration and performed construction observation services during the construction phase.

# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### LAKE LYNN COMPLEX

*West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands  
Monongalia County, West Virginia*

Potesta & Associates, Inc. (POTESTA) was retained by the West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands (WVDEP) to evaluate the Lake Lynn Complex Project. This project consisted of three separate sites including 15 mine portals, three highwalls (totaling approximately 1,400 lineal feet), and the demolition/removal of miscellaneous areas of mining debris, garbage, and abandoned mine structures. Our services included:

- Drilling of the refuse piles, mine portals and potential soil borrow areas.
- Field survey to develop site mapping.
- Regrading of the refuse piles to stabilize the three highwalls that included 50,000 cubic yards of earthwork.
- Design of drainage control structures including limestone lined channels to reduce acid mine drainage.
- Design of nine wet mine seals and six dry mine seals, with seven of the wet seals and two of the dry seals including bat gate outlets.

POTESTA performed a subsurface exploration, prepared construction level drawings, technical specifications, bid documents, engineer's opinion of probable cost, and a calculations brief for the project. POTESTA also prepared permit applications for WVDEP stormwater and West Virginia Division of Highways project entrances. POTESTA also plans to attend pre-bid and pre-construction conferences with WVDEP.



*Site 2: Proposed Bat Gate Wet Mine Seal Location/Highwall Area*

# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### TAYLORVILLE (CANTRELL) DRAINAGE

*West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands  
Mingo County, West Virginia*

Potesta & Associates, Inc. (POTESTA) was retained by the West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands (WVDEP) to evaluate and develop a reclamation design for mine drainage impacting a community in Taylorville, Mingo County, West Virginia. POTESTA completed field reconnaissance and surveying to develop topographic mapping, and prepared construction bid documents for the reclamation design.



The Taylorville project included three different sites. The first site included mine drainage along the hillside behind a mobile home. The second site included mine drainage impacting a driveway and parking area. The third site included mine drainage above a house.



POTESTA designed underdrains to collect and convey drainage from the first two sites to the West Virginia Division of Highways (DOH) right-of-way. Approximately 1,100 feet of new corrugated plastic pipe with DOH Type G drop inlets were designed to convey mine drainage to Pigeon Creek, while also handling storm water from the DOH roadway. A standard wet mine seal was designed with riprap channels to handle the mine drainage at the third site.

POTESTA prepared drawings, technical specifications, contractor's bid forms, engineer's construction cost estimate, and calculations brief for the project. POTESTA also attended the pre-bid and pre-construction conferences to assist WVDEP with the project.

# STATEMENT OF QUALIFICATIONS

## PRIOR EXPERIENCE

### **LANDO (EDWARDS) DRAINAGE**

*West Virginia Department of Environmental Protection  
Office of Abandoned Mine Lands  
Lando, West Virginia*

Potesta & Associates, Inc. (POTESTA) was retained by the West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands (WVDEP) for a project that included the regrading of mine spoil that had been formerly disposed of in this area, as well as installation of mine portal seals and drainage improvements. The project consisted of three sites:

- A refuse pile graded to flattened slopes and topped with a soil cover.
- Channeling and diverting into nearby streams some drainage affecting nearby residences.
- Rehabilitating two existing mine seals and installing one new mine seal.



POTESTA's work on the project included surveying and development of mapping, as well as development of the repair, drainage and reclamation plans.

POTESTA prepared drawings, technical specifications, contractor's bid form, engineer's construction cost estimate, and calculations brief for the project. POTESTA also attended the pre-bid and pre-construction conferences to assist WVDEP with the project.

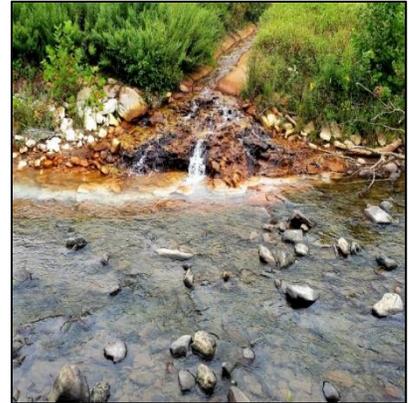
# STATEMENT OF QUALIFICATIONS

## PROJECT MANAGEMENT

### Management Plan

POTESTA's proposed project organization chart including key staff and subcontractors was presented on Page 13 of this EOI. Work will be performed at POTESTA's Charleston, West Virginia office or on site as may be required.

POTESTA's professional, technical, and support staff have extensive experience on WVDEP-AML including many AMD investigation and remediation projects as well as reclamation/drainage projects. We are well qualified to serve WVDEP on this project. We stand ready to commit the personnel and resources required to complete this project in a timely, technically sound, and cost-efficient manner. POTESTA's large staff size will allow us to work on this project on an accelerated schedule if necessary.



POTESTA's principal-in-charge will be responsible for contract management (administration) and shall coordinate and direct all aspects of the project. The principal-in-charge will review the proposed project, work with the project manager to assemble a project team and appoint key staff to develop a proposed scope of work. The principal-in-charge and project manager will visit the site with WVDEP, AML to review site conditions and the proposed services to be completed and guide the preparation of a detailed proposal and cost estimate. A written proposal including a detailed scope of work and an associated manhour and cost estimate will then be prepared and submitted to WVDEP, AML for review. The project manager will review the proposal with the WVDEP, AML including a task-by-task discussion of work items and the related costs. Upon WVDEP, AML's approval of the proposal, the project manager will arrange for the start of project activities. The principal-in-charge will provide the project manager the required staff and resources necessary to complete the project activities, will review the project budget and schedule during performance of the project, and will provide a final QA/QC review of the

documents prior to submittal to the WVDEP, AML. Mr. Dana Burns, P.E. will serve as the principal-in-charge on this project. Day-to-day project activities for this project will be performed under the direction of our project manager, Mr. Mark Kiser. The project manager will develop a detailed step by step project work plan so that the project activities are completed in a correct manner, on budget, and on time. They will also review work products at intermediate points and prior to project completion. They will conduct project status reports which may include weekly meetings, memos, or telephone calls with the WVDEP, AML project manager as required. The project manager will supervise the day-to-day work in progress, will coordinate with POTESTA's subcontractors to provide necessary services, and review work products at intermediate points and prior to submittal to the WVDEP, AML.



# STATEMENT OF QUALIFICATIONS

## PROJECT MANAGEMENT



POTESTA will utilize the appropriate classification of staff to conduct activities required for the project. Our large, experienced staff allows us to respond quickly, provides flexibility, and will provide for the opportunity of high-level input from in house experts on complex multi-disciplinary projects. Our normal method of staffing projects is to assign a small project team with total responsibility for completion of the work to the client's satisfaction and budget. Where necessary, the team can draw on the expertise available within POTESTA's large staff. POTESTA offers a large staff with the efficiency and rates normally associated with a small firm.

WVDEP, AML has indicated that preliminary design documents will be due 60 calendar days from the issuance of the Purchase Order to the awarded vendor for the Sullivan Refuse and Clogged Stream Project. If selected, POTESTA stands ready to meet your timeframe.

### **Project Budget Control**

The project manager will be responsible for monitoring the project budget and keeping the principal in charge informed of its status. POTESTA's staff enters time into POTESTA's InFocus computer system on a daily and/or weekly basis. POTESTA's project managers can access InFocus at any time, thus allowing "real time" control of project costs. In addition, field representatives routinely keep track of subcontractor costs on a daily basis. Thus, we can, in effect, keep track of the total project costs on a weekly basis. Our subcontractors commonly invoice at monthly intervals and there is seldom a discrepancy between our field representative's pay items and our subcontractor's invoice.

### **Schedule Control**

Direct responsibility for schedule control lies with the project manager. Initially, the project manager will review schedule requirements (understood to be 60 days for submittal of preliminary design documents) to see how they can be achieved given the anticipated scope of work. As the project progresses, the project manager will monitor progress and compare it with the established schedule on a weekly basis keeping the principal in charge aware of the schedule's status. In this manner, the principal-in-charge can make staff adjustments to allow the project manager to maintain the project schedule. If circumstances develop that make it impossible to maintain the project schedule, the project manager will contact the WVDEP project manager to develop a mutually acceptable adjustment to the schedule and/or work plan.

### **Location of Facilities**

POTESTA will complete the work under this contract in our Charleston, West Virginia office. Our subcontractors are located in the Charleston area or other strategic locations and are quite familiar with the location of the subject site.

### **Quality Assurance/Quality Control**

Submittals to the WVDEP will be reviewed and commented on by the project manager and the principal-in-charge prior to submittal to the WVDEP. Both the project managers and the principal in charge have worked on numerous WVDEP, AML projects, and thus understand the level of detail and expectations for WVDEP, AML projects. POTESTA utilizes standardized Quality Assurance/Quality Control (QA/QC) practices such as consistency checks, color coding of checked copies/calculations, and review of method of measurements versus quantity tallies to meet QA/QC expectations.

# STATEMENT OF QUALIFICATIONS

## PROJECT MANAGEMENT

### Certificate of Liability Insurance

POTESTA carries a full line of insurance coverage including general liability, errors and omissions, and workers' compensation.

		POTE&AS-01	NGONZALEZ
<b>CERTIFICATE OF LIABILITY INSURANCE</b>		DATE (MM/DD/YYYY) 3/8/2022	
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.			
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).			
PRODUCER <b>Ames &amp; Gough</b> 8300 Greensboro Drive Suite 980 McLean, VA 22102		CONTACT NAME: PHONE (A/C, No, Ext): (703) 827-2277 FAX (A/C, No): (703) 827-2279 EMAIL ADDRESS: admin@amesgough.com	
INSURED		INSURER(S) AFFORDING COVERAGE	
Potesta & Associates, Inc. 7012 MacCorkle Avenue, SE Charleston, WV 25304		INSURER A : <b>Valley Forge Insurance Company A(XV)</b> NAIC # 20508 INSURER B : <b>Continental Insurance Company A(XV)</b> 35289 INSURER C : <b>National Fire Insurance Company of Hartford A(XV)</b> 20478 INSURER D : <b>Evanston Insurance Company</b> 35378 INSURER E : INSURER F :	

INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Contractual Liab.  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		6057035330	3/7/2022	3/7/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		6057035327	3/7/2022	3/7/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTIONS 10,000		6057035358	3/7/2022	3/7/2023	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000
C	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	6057035344	3/7/2022	3/7/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	<input checked="" type="checkbox"/> Professional Liab.		MKLV7PL0005188	3/7/2022	3/7/2023	Per Claim/Aggregate 5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 Pollution Liability is included in the Professional Liability policy and shares the limits per the policy terms and conditions.

CERTIFICATE HOLDER  EVIDENCE OF COVERAGE	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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ACORD 25 (2016/03)

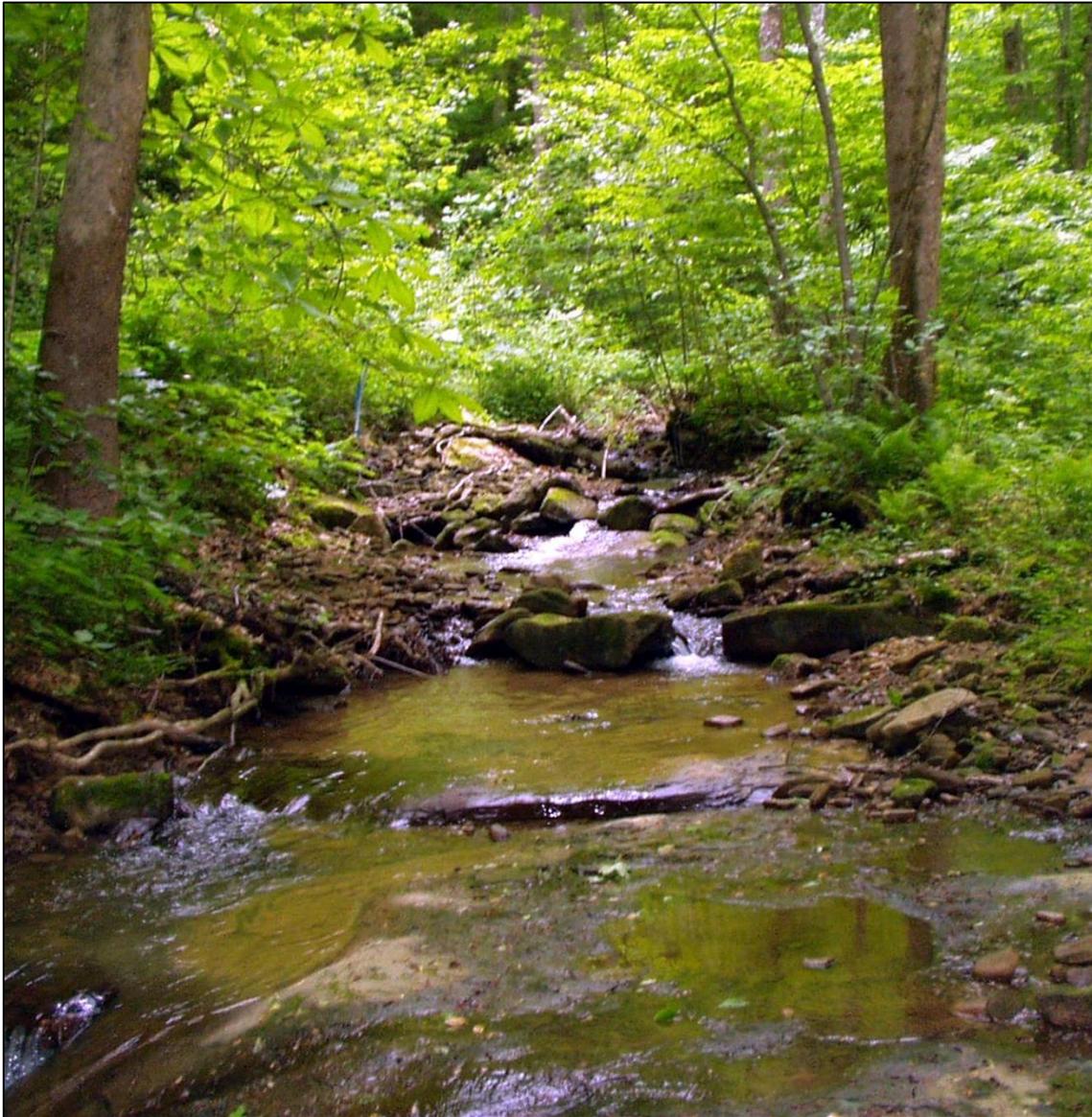
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# STATEMENT OF QUALIFICATIONS

## CLOSING

We look forward to continuing to serve WVDEP, AML on the Sullivan Refuse and Clogged Stream Project and bring it to completion. Our staff has an abundance of experience with AMD and drainage improvement projects throughout the region and will make our experienced personnel immediately available for this project. Our commitment is to provide quality service, rapid response, project completion, and to exceed your expectations for services performed under this project. We believe the track record of our professionals demonstrates our abilities and we look forward to once again serving WVDEP AML and our great Mountain State.



# APPENDIX A

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

Attachment "A"

PROJECT NAME <b>AML/Sullivan Refuse and Clogged Stream</b>		DATE (DAY, MONTH, YEAR) <b>12, April, 2022</b>	FEIN <b>311509066</b>
FIRM NAME <b>Potesta &amp; Associates, Inc.</b>		2. HOME OFFICE BUSINESS ADDRESS <b>7012 MacCorkle Avenue, SE Charleston, West Virginia 25304</b>	3. FORMER FIRM NAME <b>N/A</b>
4. HOME OFFICE TELEPHONE <b>(304) 342-1400</b>	5. ESTABLISHED (YEAR) <b>1997</b>	6. TYPE OWNERSHIP <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Joint-Venture	6a. WV REGISTERED DBE (Disadvantaged Business Enterprise) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
7. PRIMARY AML DESIGN OFFICE: ADDRESS/ TELEPHONE/ PERSON IN CHARGE/ NO. AML DESIGN PERSONNEL EACH OFFICE <b>7012 MacCorkle Avenue, SE, Charleston, West Virginia 25304 / (304) 342-1400 / Dana L. Burns, Vice President Charleston - 9 / Morgantown - 3 / Winchester - 1</b>			
8. NAMES OF PRINCIPAL OFFICERS OR MEMBERS OF FIRM <b>Ronald Potesta, President Dana L. Burns, Vice President</b>		8a. NAME, TITLE, & TELEPHONE NUMBER - OTHER PRINCIPALS <b>N/A</b>	
9. PERSONNEL BY DISCIPLINE			
<u>10</u> ADMINISTRATIVE	<u>2</u> ECOLOGISTS	<u>   </u> LANDSCAPE ARCHITECTS	<u>   </u> STRUCTURAL ENGINEERS
<u>   </u> ARCHITECTS	<u>1</u> ECONOMISTS	<u>1</u> MECHANICAL ENGINEERS	<u>6</u> <b>SURVEYORS</b>
<u>4</u> <b>BIOLOGISTS</b>	<u>   </u> ELECTRICAL ENGINEERS	<u>1</u> <b>MINING ENGINEERS</b>	<u>   </u> TRAFFIC ENGINEERS
<u>6</u> <b>CADD OPERATORS</b>	<u>2</u> ENVIRONMENTALISTS	<u>   </u> PHOTOGRAMMETRISTS	<u>1</u> HORTICULTURALIST
<u>2</u> CHEMICAL ENGINEERS	<u>   </u> ESTIMATORS	<u>   </u> PLANNERS: URBAN/REGIONAL	<u>4</u> <b>GEOTECHNICAL ENGINEERS</b>
<u>16</u> <b>CIVIL ENGINEERS</b>	<u>1</u> <b>GEOLOGISTS</b>	<u>   </u> SANITARY ENGINEERS	<u>1</u> FISH & WILDLIFE SPECIALISTS
<u>13</u> CONSTRUCTION INSPECTORS	<u>   </u> HISTORIANS	<u>   </u> SOILS ENGINEERS	<u>1</u> GIS SPECIALIST
<u>   </u> DESIGNERS	<u>   </u> HYDROLOGISTS	<u>   </u> SPECIFICATION	<u>1</u> AQUA CULTURALIST
<u>1</u> DRAFTSMEN		<u>   </u> WRITERS	<u>1</u> INFORMATION TECHNOLOGIST
			<u>   </u> CHEMIST
			<u>   </u> OTHER
			<u>74</u> TOTAL PERSONNEL
TOTAL NUMBER OF WV REGISTERED PROFESSIONAL ENGINEERS IN PRIMARY OFFICE: <u>9</u>			
*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? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> <b>N/A</b>			

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

<p>NAME AND ADDRESS:</p> <p>Keddal Aerial Mapping 1121 Boyce Road, Suite 3100 Pittsburgh, Pennsylvania 15241</p>	<p>SPECIALTY:</p> <p>Aerial Photography and Mapping</p>	<p>WORKED WITH BEFORE</p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
<p>NAME AND ADDRESS:</p> <p>GeoMechanics, Inc. 600 Munir Drive P.O. Box 386 Elizabeth, PA 15037</p>	<p>SPECIALTY:</p> <p>Environmental and Coal Related Laboratory</p>	<p>WORKED WITH BEFORE</p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
<p>NAME AND ADDRESS:</p> <p>Test Boring Services 140 Mong Road Scenery Hill, Pennsylvania 15360</p>	<p>SPECIALTY:</p> <p>Soils and Rock Boring</p>	<p>WORKED WITH BEFORE</p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
<p>NAME AND ADDRESS:</p> <p>GeoMechanics, Inc. 600 Munir Drive P.O. Box 386 Elizabeth, PA 15037</p>	<p>SPECIALTY:</p> <p>Soils and Concrete Testing</p>	<p>WORKED WITH BEFORE</p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
<p>NAME AND ADDRESS:</p> <p>Pace Analytical 5 Weatheridge Drive Hurricane, WV 25526</p>	<p>SPECIALTY:</p> <p>Water Analytical</p>	<p>WORKED WITH BEFORE</p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
<p>NAME AND ADDRESS:</p>	<p>SPECIALTY:</p>	<p>WORKED WITH BEFORE</p> <p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
<p>NAME AND ADDRESS:</p>	<p>SPECIALTY:</p>	<p>WORKED WITH BEFORE</p> <p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
<p>NAME AND ADDRESS:</p>	<p>SPECIALTY:</p>	<p>WORKED WITH BEFORE</p> <p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>

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

YES  NO

Description and Number of Projects: POTEESTA's principal-in-charge, Dana L. Burns, P.E. and project managers, Messrs. Mark Kiser, P.E., Terence Moran, P.E., and Tim Rice, EIT, have each worked on over 70 AML projects dating back to 1986, including landslide exploration and abatement, mine subsidence stabilization projects, acid mine drainage treatment, refuse piles, mine drainage, mine portal seal, and water supply projects. POTEESTA has 15 staff with experience on AML projects. POTEESTA's principal engineers extensive experience with preparing design plans for refuse piles. Many of the previous AML projects won reclamation awards including: Bear Run Refuse; Kimball Refuse Piles; Owings Mine Complex; Pine Creek (Omar) Refuse; Turner-Douglas Complex; and Grass Run Refuse. These projects were completed by Dana Burns, Mark Kiser, and Terry Moran.

B. Is your firm experienced in Soil Analysis?

YES  NO

Description and Number of Projects: POTEESTA's staff is experienced in all aspects of soil analysis, including geotechnical and environmental soil analysis. POTEESTA's staff has worked on 30+ AML projects involving soil science, including slope stability and revegetation. POTEESTA is experienced in soil analysis as it relates to this project. POTEESTA's principal engineers have developed and implemented plans for nutrient and lime requirements testing to determine revegetation requirements, acid-base accounting of rock samples to evaluate the potential of excavated materials to generate acidity, and analysis of coal refuse to determine the potential for reprocessing.

C. Is your firm experienced in hydrology and hydraulics?

YES  NO

Description and Number of Projects: POTEESTA's staff is experienced in hydrology and hydraulics as it relates to AML projects in West Virginia. POTEESTA's staff has worked on over 70 AML projects that involved sizing channels, culverts, and waterlines. POTEESTA has developed well over 100 storm water management plans for mines, industrial facilities, and new site development projects throughout West Virginia.

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

YES  NO

Description and Number of Projects: POTEESTA's staff routinely develop contour mapping for use with design. We subcontract aerial mapping development but complete the ground control necessary for developing mapping. On smaller projects, we perform the topographic survey work and subsequently develop the contour mapping. POTEESTA has completed 200+ mapping development projects in the last five years.

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  NO

Description and Number of Projects: POTEESTA's staff is exceptionally experienced at domestic waterline design. POTEESTA's staff has worked on waterline designs and water treatment plant designs for municipalities, WVDEP AML, and private utilities. POTEESTA's staff includes one project manager, Terence C. Moran, P.E., who has managed design of numerous AML waterlines, including 20+ mile Cow Creek-Sarah Ann Extension and 30+ mile/2,800 GPM Water Treatment Plant Mill Creek Regional Water Supply project. We are also exceptionally well qualified to evaluate aquifer degradation, including aquifer degradation by AML sites. Our staff has worked on 80+ evaluations of aquifer degradation. POTEESTA has performed over 40 water line design projects totaling several hundred miles of installed water line.

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

YES  NO

Description and Number of Projects: POTEESTA has completed numerous projects addressing acid mine drainage evaluation and abatement design. POTEESTA's staff has worked on 30+ projects involving AMD evaluation and 10+ projects involving AMD abatement design. In both cases, many of the projects involved AML sites. We have worked extensively with Anker Energy, Dominion Generation, and the WVDOH, among others with acid-base accounting evaluations and the subsequent development of plans to prevent/abate AMD generation. Additionally, we worked extensively with Elk Run Coal Company to devise a plan to limit AMD generation and to treat the remaining AMD.

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:
Burns, Dana L. Vice President	28	37	26

Brief Explanation of Responsibilities

Mr. Burns will serve as principal-in-charge for this project with his significant experience with AML type projects. Mr. Burns has served as the project manager or principal-in-charge on three open end contracts for WVDEP, AML from 1986 through 1997, totaling over 60 projects. He will ensure the personnel required to efficiently complete this project will be identified. He will coordinate contract issues with the State of West Virginia.

EDUCATION (Degree, Year, Specialization)

MS, 1979, Civil Engineering with Environmental Engineering Emphasis  
BS, 1978, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
West Virginia Coal Association American Society of Civil Engineers West Virginia Association of Consulting Engineers American Consulting Engineering Council - Trans Committee	PE, 1985, WV PS, 1995, 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:
Kiser, D. Mark Senior Engineer	34	38	26

Brief Explanation of Responsibilities

Mr. Kiser will serve as Project Manager for this project. As primary contact, Mr. Kiser will communicate between WVDEP and the design teams, subcontractors, and project advisors for this project. His 33 years of AML experience include projects in West Virginia, Maryland, Ohio, and Pennsylvania and various types of projects will provide the technical knowledge and experience to complete this AML project.

EDUCATION (Degree, Year, Specialization)

BS, 1984, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
	PE, 1990, WV Licensed Remediation Specialist, 1998, 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:
Sharp, David B. Morgantown Branch Manager	26	26	26

Brief Explanation of Responsibilities

Mr. Sharp will serve as technical review contact for this project with his significant experience with AML type projects throughout the region. Mr. Sharp has served as the Branch Manager in Morgantown for 12 years. He will ensure the personnel required to efficiently complete this project will be identified. He will coordinate contract issues with the State of West Virginia. Mr. Sharp has worked on and managed AML projects and has spent most of his career involved in geotechnical engineering and construction management projects.

EDUCATION (Degree, Year, Specialization)

MS, 1995, Civil Engineering with Geo-environmental Engineering Emphasis  
 BS, 1993, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
West Virginia Coal Association American Society of Civil Engineers West Virginia Association of Consulting Engineers American Consulting Engineering Council - Trans Committee	PE, 1999, WV      PE, 2001, KY PE, 1999, MD      PE, 2001, OH PE, 2000, 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:
Grose, Christopher A. Senior Engineering Associate	22	26	18

Brief Explanation of Responsibilities

Mr. Grose will coordinate the drilling and geotechnical analysis for slope stability design, identification of borrow sites for soil cover, and investigation and design of solutions for subsurface hydrogeology within the deep mines and recommendations for mine seals.

EDUCATION (Degree, Year, Specialization)

MS, 1990, Geological Engineering  
 BS, 1988, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
American Society of Civil Engineering Association of Engineering Geology Society of American Military Engineers	Licensed Remediation Specialist, 1998, 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:
Rice, Timothy M. Senior Engineer	33	39	33

Brief Explanation of Responsibilities

Mr. Rice has significant experience in coal refuse stabilization design and mine portal closures and drainage channelization, and has served as a project manager on many similar projects. Mr. Rice will also provide constructability reviews and QA/QC for the various draft submissions and final construction documents.

EDUCATION (Degree, Year, Specialization)

BS, 1982, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)

EI, 2005, 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:
Potesta, Ronald R. President			

Brief Explanation of Responsibilities

As President, Mr. Potesta directs the full resources of the firm to meet the complete requirements of this project for WVDEP.

EDUCATION (Degree, Year, Specialization)

MS, 1975, Economics with a Concentration in Mineral Economics, Econometrics, and Micro Economics  
BS, 1971, Business Administration

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

Commissioner, Ohio River Valley Water Sanitation Commission; Board of Directors, WV Chapter of the Nature Conservancy; National Institute for Chemical Studies; WV Environmental Institute; WV Manufacturers Association

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:
Peter S. Potesta Staff Engineer	3	3	5

Brief Explanation of Responsibilities

Mr. Peter Potesta, Staff Engineer, has over 8 years of experience and will serve as a geotechnical engineer for this project. His areas of expertise include geotechnical engineering with an emphasis in landslide repair design, natural gas production well pads and access roads, retaining wall design and analysis, foundation recommendations, slope stability analysis, civil/site design, and landslide causation investigation.

EDUCATION (Degree, Year, Specialization)

BS, 2011, Civil Engineering  
BA, 2007, Environmental Geosciences

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:
Jeremi J. Stawovy, E.I.T. Staff Engineer	8	8	11

Brief Explanation of Responsibilities

Mr. Jeremi Stawovy, Staff Engineer, has over 10 years of experience and will serve as a geotechnical engineer for this project. His areas of expertise include geotechnical engineering with an emphasis in landslide repair design, geotechnical evaluations including management of subsurface explorations, settlement analysis, slope stability modeling, foundation analysis, well pad construction, roadway improvements/repairs, and commercial/residential construction.

EDUCATION (Degree, Year, Specialization)

MS, 2011, Civil/Environmental Engineering  
BS, 2009, Civil/Environmental Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
	Engineer Intern, 2009, 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:
Moran, Terence C. Senior Engineer	24	27	27

Brief Explanation of Responsibilities

Mr. Moran will serve as project manager coordinating interaction between the WVDEP, design team members, and subconsultants. Mr. Moran has served as a project engineer/project manager for over 60 AML projects in West Virginia between 1989 and 1999. More recently, he has served as principal engineer and project manager for WVDEP-AML projects including water studies and reclamation plans. He will set the schedule and ensure it is met on a weekly basis. He will also serve as one of the principal designers of the reclamation design solution.

EDUCATION (Degree, Year, Specialization)

MS, 1989, Civil Engineering  
BS, 1987, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
American Society of Civil Engineers	PE, 1996, WV PE, 1998, VA

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:
Griffith, Chad Staff Engineer	7	9	12

Brief Explanation of Responsibilities

Mr. Griffith has extensive experience with surface mine application Article 3 (coal) and Article 4 (quarry) permitting, mining related NPDES permits, mining related bonding phase releases, prospecting permits, residential and commercial site layout, road design, geotechnical engineering, civil/site design, stormwater management, stormwater/NPDES permitting, construction monitoring, hydrology, and other areas of civil engineering.

EDUCATION (Degree, Year, Specialization)

BS, 2004, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
	PE, 2008, 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:
Litwinowicz, Dennis L. Senior Scientist		41	

Brief Explanation of Responsibilities

Mr. Litwinowicz will serve as a project geologist, including observation of subsurface exploration activities and assistance on evaluation of other geologic activities.

EDUCATION (Degree, Year, Specialization)

BS, 1980, Geology and Mineralogy

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

American Association of Petroleum Geologists

REGISTRATION (Type, Year, State)

Certified Petroleum Geologist, 1984

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:
Dawson, Victor M. Survey Supervisor	16	34	18

Brief Explanation of Responsibilities

Mr. Dawson will coordinate required surveying for aerial mapping control, if needed, establish construction benchmarks, topographic surveys, boundary surveys and/or property and deed research, survey of boring locations and profiling significant existing drainage courses not clearly defined in the aerial mapping. Mr. Dawson will reduce survey data and create topographic mapping for AML projects.

EDUCATION (Degree, Year, Specialization)

AS, 1983, Surveying

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

American Congress Surveying and Mapping  
West Virginia Association of Land Surveyors  
North Carolina Society of Surveyors  
South Carolina Society of Surveyors

REGISTRATION (Type, Year, State)

PS, 1988, NC  
PS, 1989, SC  
PS, 1993, 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:
Sankoff, Michael B. CADD Designer/Supervisor	16	29	18

Brief Explanation of Responsibilities

Mr. Sankoff will provide the CADD support in preparation of construction drawings for the project. He will reduce survey data to provide sufficient mapping to complete the design.

EDUCATION (Degree, Year, Specialization)

BS, 1987, Industrial Management  
 AS, 1986, Drafting and Design Engineering Technology  
 AS, 1986, Mechanical Engineering Technology

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:
Ammirato, Robert J. Engineer	10	13	13

Brief Explanation of Responsibilities

Mr. Ammirato will serve as a project engineer for the project. His responsibilities will include hydraulic calculations, layout, drawing preparation, design, technical specifications, bid forms, cost estimates, and field work. He has extensive experience in water supply and wastewater system design, permitting, and regulations. Mr. Ammirato was the project engineer on our Borderland (Matney) Portals project.

EDUCATION (Degree, Year, Specialization)

BS, 1999, Mechanical Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

REGISTRATION (Type, Year, State)

PE, 2010, 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:
Smith, Jarrett M. Senior Engineer	11	13	13

Brief Explanation of Responsibilities

Mr. Smith has been involved extensively with development of hydrologic and hydraulic calculations including preparation of NPDES stormwater construction permits. He also has significant expertise in the development of site grading plans and quantity/cost estimates. Mr. Smith was the project engineer on our Taylorville (Cantrell) Drainage AML project.

EDUCATION (Degree, Year, Specialization)

BS, 2002, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
National Society of Professional Engineers	PE, 2008, 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:
Ward, Patrick E. Senior Engineer	12	10	10

Brief Explanation of Responsibilities

Mr. Ward will serve as a project engineer and has extensive experience on WVDEP, AML projects, having served as a project engineer on refuse piles, mine drainage, and subsidence projects in the early to mid-1990's.

EDUCATION (Degree, Year, Specialization)

MS, 1992, Civil Engineering (Geotechnical)  
BS, 1990, Civil Engineering

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)
	PE, 1997, WV



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
Sardis (Saas) Landslide	WVDEP Abandoned Mine Lands 101 Cambridge Place Bridgeport, WV 26330	Surveying, subsurface exploration, design, and construction phase services for landslide remediation, wet mine seals and/or seep collectors, and drainage channels to convey mine water.	\$800,000 (Pre-Design Engineer's Estimate)	0%
West Virginia University Rockfall Mitigation, Morgantown, WV	West Virginia University Division of Facilities, Design & Construction 979 Rawley Lane Morgantown, WV 26506	Review of Rockfall Hazards, Coordination with Repair Contractor, and Owner Representative during Construction.	\$2,900,000	95%
Upper Grave Creek Dam Landslide Evaluation, Cameron, WV	Northern Panhandle Conservation District 1 Ball Park Drive McMechen, WV 26040	Surveying, Subsurface Exploration, and Design of Landslide Remediation.	\$350,000	50%
Wheeling Creek Dam #7 Landslide Evaluation, Ohio County, WV	Northern Panhandle Conservation District 1 Ball Park Drive McMechen, WV 26040	Surveying, Subsurface Exploration, and Design of Landslide Remediation.	\$800,000	20%
Armory Lot Retaining Wall Replacement	City of Morgantown Parking Authority 300 Spruce Street Morgantown, WV 26505	Design of Failed Retaining Wall.	\$200,000	90%
Kinetic Park Landslide Remediation	Huntington Municipal Development Authority 800 5 <sup>th</sup> Avenue Huntington, WV 25701	Design of Landslide Repair.	\$3,900,000	98%
Friends of Cheat, Cheat River Rail Trail Landslide & Drainage Evaluation	Friends of the Cheat 1343 N. Preston Highway Kingwood, WV 26537	Field Review of the Existing Trail and Recommendations for Landslide abatement and drainage improvements.	TBD	80%
Herring Sub Area 1 & 3 Water Line Extension Preston County, WV  <i>Project entirely funded by WVDEP, AML</i>	Preston County PSD #2 c/o Kingwood Water Works 313 Tunnelton Street Kingwood, WV 26537	Design and construction management of water line extension, including 9 miles of line.	\$2,190,000	10%

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
Kingwood Landfill, Landfill Closure Design Kingwood, WV	WVDEP 601 57 <sup>th</sup> Street, SE Charleston, WV 25304	Preparation of construction drawings, technical specifications, engineer's construction cost estimate, and calculations brief for closure of landfill.	\$6,000,000	98%
Howesville Area Water Line Extension Preston County, WV  <i>Project mostly funded by WVDEP, AML</i>	Preston County PSD #2 c/o Kingwood Water Works 313 Tunnelton Street Kingwood, WV 26537	Design and construction management of water line extension, including 12 miles of line and one 60,000-gallon tank.	\$2,801,344	98%
Boone County PSD Wastewater Treatment Plant Upgrade Boone County, WV	Boone County PSD PO Box 287 Danville, WV 25053	Final design of wastewater treatment plant upgrade.	\$4,000,000	75%
Town of Mill Creek Water System Improvements Mill Creek, WV	Town of Mill Creek High Street Mill Creek, WV 26280	Design of water line replacement including construction documents.	\$2,650,000	95%
Cowen PSD, Erbacon Water Line Extension	Cowen PSD 7017 Webster Road Cowen, WV 26206	Design of 8-mile water line extension including construction documents.	\$6,500,000	90%
West Virginia American Water Master Services Agreement	West Virginia American Water PO Box 1906 Charleston, WV 25327	Design of Olcott water line extension, construction monitoring of various water line construction projects, and river water study.	\$5,000,000	30%
South Charleston Park Place Development (Retail Shopping Center)	South Charleston Development Authority PO Box 8597 South Charleston, WV 25303	Civil/site, geotechnical design, construction monitoring to close, fill, and develop 80-acre shopping center over a waste impoundment.	\$30,000,000	60%
Verner (Grimmett) Hollow Emergency Landslide Remediation and Drainage Improvements	WVDEP Office of AML 1159 Nick Rahall Greenway Fayetteville, WV 25840	Construction drawings, technical specifications, and engineer's opinion of probable construction cost for removal of step slope, landslide, and design of drainage collection system for Emergency AML Program.	\$325,000	80%

TOTAL NUMBER OF PROJECTS:

**13 (POTESTA has completed well over 1000 projects.)**

TOTAL ESTIMATED CONSTRUCTION COSTS:

**\$68,461,344**

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
Buzz Food Service Appalachian Abattoir (AML Pilot Grant)	Civil/site design, geotechnical, and stormwater management design.	Buzz Food Service 4818 Kanawha Blvd. E Charleston, WV 25306	September 2020	\$4,000,000	\$500,000
Walker Express Nitro Facility Expansion	Civil/site design, permitting, and utility design.	Walker Express 3 Park Road Nitro, WV 25143	November 2020	\$800,000	\$600,000
Phase I, Morgantown Municipal Airport Runway 18-36 Extension	Permitting, AMD treatment, and coal removal.	Michael Baker International, LLC Airside Business Park 100 Airside Drive Morgantown, WV 26505	2021	\$5,700,000	\$150,000

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)
North Edgemont Landslide Remediation	Huntington Sanitary Board 555 Seventh Ave. Huntington, WV 25701	\$750,000	2019	Yes
South Charleston Landfill, Landfill Closure Design South Charleston, WV	WVDEP 601 57 <sup>th</sup> Street, SE Charleston, WV 25304	\$2,500,000	2017	Yes
Cheyenne Coal Sales	WVDEP Office of Special Reclamation 47 School Street, Suite 301 Philippi, WV 26416	\$2,500,000	2017	YES
Chicopee Coal Company	WVDEP Office of Special Reclamation 47 School Street, Suite 301 Philippi, WV 26416	\$6,000,000	2018	Yes
Lake Lynn Complex Monongalia County, WV	WVDEP 101 Cambridge Place Bridgeport, WV 26330	\$700,000	2017	Yes
WVDOT/DOH - Geotechnical Services, WVSR 4 Repair and Stabilization, Kanawha/Clay Counties, WV	WVDOT/DOH-Dist. 4 PO Box 4220 Clarksburg, WV 26302	Emergency Project, Budget not Available	2016	Yes
Marshall Portal Landslide Repair	MEPCO, LLC 966 Crafts Run Road Maidsville, WV 26541	\$200,000	2018	Yes
Crany Mine Dump Wyoming County, WV	WVDEP 601 57 <sup>th</sup> Street, SE Charleston, WV 25304	\$2,200,000	2016	Yes
Nixon Ridge Landslide Remediation	K&N Contracting 2976 Wills Creek Road Elkview, WV 25701	\$2,400,000	2020	Yes



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.

Potesta & Associates, Inc.'s (POTESTA) "Expression of Interest for Professional Engineering Design Services and Construction Monitoring Services for the Belle (Sneed) Drainage" project supports this questionnaire in providing POTESTA's qualifications and resources for serving the West Virginia Department of Environmental Protection, Office of Abandoned Mine Lands and Reclamation on this project. In summary, POTESTA:

1. Has assembled a team of in-house personnel and subcontractors who have historically worked on AML projects. POTESTA's in-house staff includes 13 Professional Engineers including 9 in the primary office, 3 in Morgantown, and 1 in Winchester. Our staff has worked on over 160 AML projects for WVDEP on four different WVDEP AML contracts dating back to the mid-1980s.
2. Has a large local staff with a unique multidiscipline technical emphasis (including civil engineering, structural engineering, geological engineering, hydrological engineering, mine land reclamation, with a strong emphasis on water quality and aquatic life and toxicity).
3. Has 15+ employees with experience on WVDEP AML projects. POTESTA employees have worked on and have experience in the following type of WVDEP AML projects:
  - Passive Acid Mine Drainage Treatment
  - Assessment of Contamination (e.g., PCBs, asbestos)
  - Demolition of Structures
  - Diversion Structures
  - Identifying Acid Mine Drainage
  - Inventory of Residential Water Supplies
  - Water Supply Feasibility Studies and Design
  - Mine Fires
  - Landslides
  - Reclamation of Refuse Piles
  - Sealing Mine Portals
  - Stream Relocations
  - Subsidence Assessment and Remediation
  - USCOE Permitting
  - Wetland Assessments
4. Can handle a substantial AML workload (more than our competitors) since POTESTA has three Professional Engineer (P.E.) Project Managers each with experience on 75+ AML projects.
5. Offices located in Charleston, WV near WVDEP's Charleston office, primary office in Morgantown, WV close to WVDEP Bridgeport office, and support office in Winchester, Virginia.
6. Staff has had a positive relationship with WVDEP, AML in the past, which we would like to continue.

20. The foregoing is a statement of facts.

Signature: 

Title: Vice President

Date: April 12, 2022

Printed Name: Dana L. Burns, PE

# APPENDIX B















# APPENDIX C



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

**State of West Virginia**  
**Centralized Expression of Interest**

<b>Proc Folder:</b> 1014779			<b>Reason for Modification:</b> Addendum #1 issued to publish agency responses to all vendor submitted questions.
<b>Doc Description:</b> AML/Sullivan Refuse and Clogged Stream			
<b>Proc Type:</b> Central Purchase Order			
<b>Date Issued</b>	<b>Solicitation Closes</b>	<b>Solicitation No</b>	<b>Version</b>
2022-04-08	2022-04-12 13:30	CEOI 0313 DEP2200000008	2

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

**VENDOR**

**Vendor Customer Code:** 000000173443  
**Vendor Name :** Potesta & Associates, Inc.  
**Address :**  
**Street :** 7012 MacCorkle Avenue, SE  
**City :** Charleston  
**State :** West Virginia **Country :** USA **Zip :** 25304  
**Principal Contact :** Dana L. Burns  
**Vendor Contact Phone:** (304) 342-1400 **Extension:** 1127

**FOR INFORMATION CONTACT THE BUYER**

Joseph E Hager III  
 (304) 558-2306  
 joseph.e.hageriii@wv.gov

**Vendor Signature X**  **FEIN#** 31-1509066 **DATE** April 12, 2022

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

**ADDITIONAL INFORMATION**

The Acquisitions and Contract Administration Section of the Purchasing Division is soliciting an Expression of Interest for West Virginia Department of Environmental Protection, Division of Land Restoration, Office of Abandoned Mine Lands and Reclamation , from qualified firms to provide architectural/engineering services per the specifications and terms and conditions. The mission or purpose of the project for which bids are being solicited is to provide the following design services for the Sullivan Refuse and Clogged Stream project.

- .Mine portal reclamation
- .Drainage control items
- .Erosion and sediment control
- .Coal refuse reclamation
- .Slope stabilization
- .Stream restoration
- .Geotechnical evaluation
- .Hydrologic and hydraulic analysis

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US	ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US

Line	Comm Ln Desc	Qty	Unit Issue
1	EOI Engineering Design Services		

Comm Code	Manufacturer	Specification	Model #
81100000			

**Extended Description:**  
EOI Engineering Design Services

**SCHEDULE OF EVENTS**

<u>Line</u>	<u>Event</u>	<u>Event Date</u>
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	Document Phase	Document Description	Page
DEP2200000008	Final	AML/Sullivan Refuse and Clogged Stream	3

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: CEOI DEP22\*08**

**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.

\_\_\_\_\_  
Potesta & Associates, Inc.

Company

\_\_\_\_\_  


Authorized Signature

\_\_\_\_\_  
April 12, 2022

Date

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

Revised 6/8/2012



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

**State of West Virginia**  
**Centralized Expression of Interest**

<b>Proc Folder:</b> 1014779			<b>Reason for Modification:</b>
<b>Doc Description:</b> AML/Sullivan Refuse and Clogged Stream			
<b>Proc Type:</b> Central Purchase Order			
<b>Date Issued</b>	<b>Solicitation Closes</b>	<b>Solicitation No</b>	<b>Version</b>
2022-03-21	2022-04-12 13:30	CEOI 0313 DEP2200000008	1

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

**VENDOR**

**Vendor Customer Code:** 000000173443

**Vendor Name :** Potesta & Associates, Inc.

**Address :**

**Street :** 7012 MacCorkle Avenue, SE

**City :** Charleston

**State :** West Virginia **Country :** USA **Zip :** 25304

**Principal Contact :** Dana L. Burns

**Vendor Contact Phone:** (304) 342-1400 **Extension:** 1127

**FOR INFORMATION CONTACT THE BUYER**

Joseph E Hager III  
 (304) 558-2306  
 joseph.e.hageriii@wv.gov

**Vendor Signature X**  **FEIN#** 31-1509066 **DATE** April 12, 2022

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

**ADDITIONAL INFORMATION**

The Acquisitions and Contract Administration Section of the Purchasing Division is soliciting an Expression of Interest for West Virginia Department of Environmental Protection, Division of Land Restoration, Office of Abandoned Mine Lands and Reclamation , from qualified firms to provide architectural/engineering services per the specifications and terms and conditions. The mission or purpose of the project for which bids are being solicited is to provide the following design services for the Sullivan Refuse and Clogged Stream project.

- .Mine portal reclamation
- .Drainage control items
- .Erosion and sediment control
- .Coal refuse reclamation
- .Slope stabilization
- .Stream restoration
- .Geotechnical evaluation
- .Hydrologic and hydraulic analysis

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Line	Comm Ln Desc	Qty	Unit Issue
1	EOI Engineering Design Services		

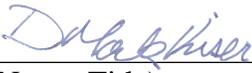
Comm Code	Manufacturer	Specification	Model #
81100000			

**Extended Description:**  
EOI Engineering Design Services

**SCHEDULE OF EVENTS**

<u>Line</u>	<u>Event</u>	<u>Event Date</u>
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**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.

 Chief Engineer  
\_\_\_\_\_  
(Name, Title)  
D. Mark Kiser, Chief Engineer  
\_\_\_\_\_  
(Printed Name and Title)  
7012 MacCorkle Avenue, SE, Charleston, WV 25304  
\_\_\_\_\_  
(Address)  
(304) 342-1400 / (304) 343-9031  
\_\_\_\_\_  
(Phone Number) / (Fax Number)  
dmkiser@potesta.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.

Potesta & Associates, Inc.  
\_\_\_\_\_  
(Company)

 Vice President  
\_\_\_\_\_  
(Authorized Signature) (Representative Name, Title)

Dana L. Burns, P.E., P.S., Vice President  
\_\_\_\_\_  
(Printed Name and Title of Authorized Representative)

April 12, 2022  
\_\_\_\_\_  
(Date)

(304) 342-1400 / (304) 343-9031  
\_\_\_\_\_  
(Phone Number) (Fax Number)

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: Potesta & Associates, Inc.  
 Tax ID #: 31-1509066  
 Address: 7012 MacCorkle Avenue, SE  
 City, State, & Zip: Charleston, West Virginia 25304  
 Phone Number: (304) 342-1400  
 Email Address: dlburns@potesta.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](mailto: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, Dana L. Burns, 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

Vice President

Title



U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
Applicant/Violator System

**Search Criteria:** Primary ▾ Show E ▾ **Entity Name:**  🔍 **Mail To:**  Send

▾ Load Report

**AVS OFT Report - 4/11/2022 10:03:30 AM**

**All OFT's where the selected entity is listed as an entity or related entity**

**Entity Selected (247598) Potesta & Associates Inc**

Parent Entity	Relationship	Description	Related Entity	% Ownership	Begin Date	End Date
(247598) Potesta & Associates Inc	Vice President		████████ Dana L Burns		3/7/1997	
(247598) Potesta & Associates Inc	Shareholder		████████ Dana L Burns	20%	3/7/1997	
(247598) Potesta & Associates Inc	Shareholder		████████ Peter Potesta	10%	1/1/2021	
(247598) Potesta & Associates Inc	President		████████ Ronald R Potesta		3/7/1997	
(247598) Potesta & Associates Inc	Shareholder		████████ Ronald R Potesta	65%	3/7/1997	
(247598) Potesta & Associates Inc	Vice President		████████ Laidley Eli McCoy		6/7/1997	12/31/2014

1 of 1

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: Potesta & Associates, Inc.

Authorized Signature: *Dana L. Burns* Date: April 12, 2022

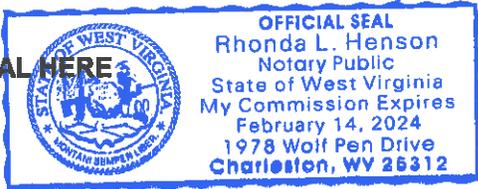
State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 12 day of April, 2022

My Commission expires February 14, 2024.

AFFIX SEAL HERE



NOTARY PUBLIC

*Rhonda L. Henson*