

VENDOR

State of West Virginia
Department of Administration
Purchasin Division
2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for

DEP13918

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

***709042248** 304-783-5484 TEN A COAL COMPANY RT 4 BOX 253

CLARKSBURG WV 26301 **ENVIRONMENTAL PROTECTION** DEPARTMENT OF **OFFICE OF AML&R** 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499

| DATE PE | RINTED | TER | IMS OF SAL | Ė | SHIP V | Ί A | F.O:B. | | FREIGHT TERMS |
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2008 2008 *709042248 304-783-5484 TEN A COAL COMPANY RT 4 BOX 253

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DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304
304-926-0499

ADDRESS CORRESPONDENCE TO ATTENTION OF

F.O.B. DATE PRINTED TERMS OF SALE SHIP VIA FREIGHT TERMS 07/22/2007 BID OPENING DATE: 08/14/2007 **BID OPENING TIME** 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT. RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SUCCESSIVE ONE (1) YEAR PERIODS. CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN. OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK). INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000. WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL. BID BOND IN THE AMOUNT OF \$5,000.00 BID BOND: SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE SIGNATURE DATE 304-783-5484 TITLE ADDRESS CHANGES TO BE NOTED ABOVE 55-05**T**-6915 PARTNER



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DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

| DATE PRINT | ED | TER | MS OF SALE | s | HIP VIA | | FOB. | FREIGHT TERMS |
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| TITLE DATE | RTNER | N Sal | FEIN 55- | 051-6915 | | | ADDRESS CHA | NGES TO BE NOTED ABOVE |



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RFQ NUMBER **DEP13918**

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FREIGHT TERMS FOB. SHIP VIA TERMS OF SALE DATE PRINTED 07/22/2007 01:30PM **BID OPENING DATE:** BID OPENING TIME 08/14/2007 AMOUNT UNIT PRICE ITEM NUMBER UOP QUANTITY LINE SIGNED: PARTNER TITLE: * CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00) NOTICE A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130 THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID CB-23 BUYER: **DEP13918** RFQ. NO.: SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE 8/10/07 TELEPHONE SIGNATURE 304-783-5484 ADDRESS CHANGES TO BE NOTED ABOVE TITLE 55-851-6915 PARTNER



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ENVIRONMENTAL PROTECTION

DEPARTMENT OF

OFFICE OF AML&R

601 57TH STREET SE

CHARLESTON, WV

25304

304-926-0499

| DATE PRINT | COCCONDUCTORS CONTRACTORS | TEF | MS OF SAL | E | | SHIP VIA | | | F.O.B. | | FREIGHTTERMS | |
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RFQ# DEP13918

Northern Maintenance Bid Sheet

TEN-A-COAL COMPANY

3/22/2007

| ITEM | 1 | UNIT | DESCRIPTION | I INTER DRICE | A MOXIDITE |
|--------------|---------------------------------------|---------------|--|--------------------|--------------------------|
| NO. | QUANTITY | UNH | DESCRIPTION | UNIT PRICE | AMOUNT |
| 1 | 500 | mile | Mobilization & Demobilization** | \$5.00 | è2 500 00 |
| 1 | | 1. | | \$90.00 | \$2,500.00 \$9,000.00 |
| 2 | 100 | hour | D-3 Catepillar Dozer or equal | | |
| 3 | 100 | hour | D-6 Catepillar Dozer or equal | \$90.00 | \$9,000.00 |
| 4 | 100 | hour | John Deere 510 Backhoe/Loader or equal | \$80.00 | \$8,000.00 |
| 5 | 100 | hour | 215 Catepillar Excavator/Backhoe or equal | \$100.00 | \$10,000.00 |
| 7 | 20 | hour | Cat 303 mini excavator or equal | \$80.00 | \$1,600.00 |
| } | | hour | Skid Steerer (Bobcat) or equal | \$80.00 | \$1,600.00 |
| 8 | 70 | hour | Tandum Dump Truck (10 cy capacity)*1 | \$80.00 \$80.00 | \$5,600.00 |
| 9 | 20 | hour | Single Axel Dump (10 ton capacity) | \$110.00 | \$1,600.00 \$5,500.00 |
| 10 | 50 | hour | Sewer Cleaning Truck*2 | γ110.00 | 32,200.00 |
| 11 | 70 | cubic yard | Grout (1 part cement & 3 parts sand + water for consistancy | \$100.00 | \$7,000.00 |
| 12 | 20 | acre | Seed Mixture-per acre rate (15 lbs. Annual ryegrass-40 lbs. Orchard Grass-15 lbs. Birdsfoot Trefoil (Substitute 15 lbs. Crown Vetch in steep or slide prone areas) | \$100.00 | \$2,000.00 |
| 13 | 5,000 | square foot | Yard Mix Seed Mixture45 lb. Red Fescue90 lb. Kentucky Bluegrass70 lb. Merlon Bluegrass20 lb. Annual Rye*(use annual rye only in mixtures seeded after August 1 and before May 15). | \$0.10 | \$500.00 |
| 14 | 100 | ton | Agriculture Lime | \$40.00 | \$4,000.00 |
| 15 | 20 | ton | Fertilizer 10-20-10 | \$250.00 | \$5,000.00 |
| 16 | 20 | ton | Straw Mulch*** | \$100.00 | \$2,000.00 |
| 17 | 500 | lineal feet | Straw Bales | \$1.00 | \$500.00 |
| 18 | 10 | ton | Wood Cellulose Fiber Mulch | \$250.00 | \$2,500.00 |
| 19 | 200 | ton | Limestone Sand*** | \$30.00 | \$6,000.00 |
| 20 | 200 | ton | 18" RipRap (Sandstone or Limestone) | \$30.00 | \$6,000.00 |
| . 21 | 200 | ton | #57 River Gravel/Sandstone | \$30.00 | \$6,000.00 |
| 22 | 200 | ton | 1-1/2" Crusher Run Stone | \$20.00 | \$4,000.00 |
| 23 | 200 | linear foot | 8" ADS Pipe (Perforated or Solid) | \$1.00 | \$200.00 |
| 24 | | linear foot | 8" SDR 35 PVC Pipe | \$10.00 | \$2,000.00 |
| 25 | | linear foot | 12" SDR 35 PVC Pipe | \$20.00 | \$2,000.00 |
| 26 | | linear foot | 15" SDR 35 PVC Pipe | \$15.00 | \$1,500.00 |
| 27 | | linear foot | 18" Hancor HI-Q Sur-Lok pipe or equal | \$10.00 | \$5,000.00 |
| 28 | | linear foot | 24" Hancor Hi-Q Sur-Lok pipe or equal | \$15.00 | \$7,500.00 |
| 29 | | linear foot | 36" Hancor HI-Q Sur-Lok pipe or equal | \$25.00 | \$12,500.00 |
| 30 | | | Filter Fabric - Dupont Typar 3401 or equal | \$2.00 | \$400.00 |
| 31 | | linear foot | Permanent Fencing | \$10.00 | \$1,000.00 |
| | | | <u> </u> | | |
| 32 | 3 | each | Access Gate - 16 foot heavy guage round tubular farm gate Type "A" Manhole - As per DOH Standard Detail Ref Sheet | \$250.00 | \$750.00 |
| 33 | 6 | linear height | DR7-A. | \$500.00 | \$3,000.00 |
| | _ | | Type "G" Drop Inlet with grate - As per DOH Standard | | 40.000.00 |
| 34 | | | Detail Ref Sheet DR6-G. | \$3,000.00 | \$9,000.00 |
| 35 | · · · · · · · · · · · · · · · · · · · | | 8" SDR 35 PVC Pipe Clean-out | \$200.00 | \$1,000.00 |
| 36 | | each | 12" SDR 35 PVC Pipe Clean-out | \$300.00 | \$1,500.00 |
| 37 | 50 | 10UT | Vacuum Truck | \$100.00 | \$5,000.00 |

RFQ# DEP13918 Northern Maintenance Bid Sheet Continuation

TEN-A-COAL COMPANY

| 38 | 10 | each | Gabions (3'x3'x6' zinc-coated basket) | \$150.00 | \$1,500.00 |
|-----|------------------------------|-------------|--|------------|---|
| 39 | 1 | each | Concrete Mine Seal Box | \$3,000.00 | \$3,000.00 |
| 40 | 10 | cubic yard | 3000 psi Structural Concrete | \$200.00 | \$2,000.00 |
| 41 | 10 | bag | Soda Ash Briquette 50# bags | \$20.00 | \$200.00 |
| 42 | 20 | hour | 2" Water Pump | \$20.00 | \$400.00 |
| 43 | 20 | hour | Chain Saw (20" bar) | \$20.00 | \$400.00 |
| 44 | 20 | hour | Weed Eater with Brush Blade | \$20.00 | \$400.00 |
| 45 | 5 | gallon | Roundup Vegetation Killer | \$50.00 | \$250.00 |
| 46 | 50 | square yard | Asphalt Wearing Course Material | \$25.00 | \$1,250.00 |
| 47 | 20 | hour | Hydraulic Excavator Hammer (4000#) | \$100.00 | \$2,000,00 |
| 48 | 20 | hour | Laborer I**** | \$50.00 | \$1.000.00 |
| 49 | 20 | hour | Laborer II**** | \$50.00 | \$1,000.00 |
| 50 | 20 | hour | Laborer III***** | \$50.00 | \$1,000.00 |
| 51 | | | SOIL ANALYSIS TESTING**** | | 1 |
| 51A | 5 | each | Acid Base Count | \$100.00 | \$500.00 |
| 51B | 10 | each | Nutrients | \$100.00 | \$1,000.00 |
| 51C | 10 | each | pH (field) | \$50.00 | \$500.00 |
| 51D | 10 | each | pH (lab) | \$100.00 | \$1,000.00 |
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| | | | | | and the second second |
| | | | TOTAL | | \$169,650.00 |

Part A: General Information

OMB #1029-0119 Expiration Date: 01/31/2010

AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an AML eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This eligibility requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16.

| | | | | | • | • |
|---|--|---|------------------------------|-------------------------------------|---------------------------------|----------------------------|
| Contractor Name: | Ten-A-Coa | 1 Company | Tax | Payer ID | No.: 55-0 | 51-6915 |
| Address Rt. 4, | Box 253 | | | - | | |
| City Clarksbu | rg S | tate: WV | Zip Code 26 | 301 | Phone: 304 | -783-5484 |
| Contractor Name: Address: Rt. 4, City: Clarksbu Fax No.: 304- | 783-5514 | E-mail addre | ess: | | | |
| Part B: Legal St. | ructure | | | | | - |
| () Corporation () Other (please | () Sole P specify) | roprietorship | (X) Part | nership | ()LL | · |
| Part C: Certifyin Select only one of | g and updating the following | g information options, follow | in the Appl the instructi | icant/Vio | lator System at option, an | m (AVS). nd sign below. |
| | H. Cunning | ham, h | ive the expre | sś authori | ty to certify | that: |
| X Information | n on the attac | hed Entity OF | I from AVS | is accurat | e, complete, | and up- |
| to-date. I | f you select thi | is option, you 1 | nust attach a | n Entity (| OFT from A | VS to this |
| | | v and do not co | | | | , |
| Part of the | information o formation in A attach an Entit | n the attached VS for my con y OFT from A Sign and date | Entity OFT apany must b | from AVS se updated rm. Use F | l. If you seld Part D to pro | ect this option, |
| | | as no informat equired in Part | | | | |
| 8-10-07 | | Patrice Sig | H. Curre | ngham | Partn | er |
| Date | | Sig | gnature | 0 | | Title |
| IMPORTANT! | | • | | | | |

In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or request it from www.ays.osmre.gov on the Internet.

RFQ No. DEP 13918

STATE OF WEST VIRGINIA **Purchasing Division**

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: 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 the debt owed is an amount greater than one thousand dollars in the aggregate

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.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "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 exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this 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.

LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/ purchase/privacy for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

| Vendor's Name: | TEN-A-COAL | COMPANY | | | | |
|--------------------------|------------|-----------|-------|---------|---------|--|
| Authorized Signatur | re: Patrie | & A Cunne | ndam) | Date: _ | 8-10-07 | |
| Companies Afficient (Dec | | | | | | |



010051

Aug. 10, 2007

PAY TO THE ORDER OF State of West Virginia

5,000.00

THE PARKSONES IN THE PROPERTY CTS

DOLLARS

REMITTER Bid Bond Dep 13918 CASHIER'S CHECK

AUTHORIZED SIGNATURE