

**MIDWAY RECLAMATION LLC
P.O.BOX 308
WEST MILFORD WV 26451**

**OFFICE 304-745-3652
FAX 304-745-3653
CELL 304-669-6916**

OWNER – NANCY S. SOMERS

TO PURCHASING DIVISION

FAX # 304-558-3970

DATE 4-3-08

FROM NANCY SOMERS

PAGES CONTAINED INCLUDING COVER PAGE 7

COMMENTS

SUBMITTING BID FOR RFQ 13959
LANDFILL ACCESS AND WELL ROAD CONSTRUCTION



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

request for Quotation

RFQ NUMBER
DEP13959

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
**CHUCK BOWMAN
304-558-2157**

RFQ COPY

TYPE NAME/ADDRESS HERE

501151933

**MIDWAY RECLAMATION, LLC.
P.O. BOX 308
WEST MILFORD, WV 26451**

SHIP TO

**ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF WASTE MANAGEMENT
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/27/2008				

BID OPENING DATE: **04/03/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-86		
ROAD INSTALLATION						
<p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S DIVISION OF LAND RESTORATION, SEEKS BIDS TO PROVIDE LANDFILL ACCESS AND WELL ROAD CONSTRUCTION AT TEN (10) FACILITIES AS OUTLINED ON THE ATTACHED SPECIFICATIONS, TERMS & CONDITIONS, AND SCOPE OF WORK.</p> <p>MANDATORY PRE-BID WILL BE HELD 03/12/2008 @ 10:00 AM, AT DEP HEADQUARTERS LOCATED AT 601 57TH ST SE, CHARLESTON, WV 25304. CALL 304.926.0499 FOR DIRECTIONS. FAILURE TO ATTEND THIS MANDATORY PRE-BID MEETING WILL RESULT IN THE DISQUALIFICATION OF THE VENDOR'S BID.</p> <p>IT IS THE AGENCY'S INTENT TO AWARD THIS CONTRACT IN WHOLE TO ONE CONTRACTOR; HOWEVER, THE AGENCY RESEVES THE RIGHT TO AWARD BASED ON REGION AND SPLIT THE AWARD IF IT IS IN THE BEST INTEREST OF THE AGENCY AND THE STATE TO DO SO.</p> <p>PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS</p> <p>1. EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES. AS USED USED IN THIS CONTRACT,</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Nancy Somers</i>	TELEPHONE 304-745-3652	DATE 4-3-08
TITLE PRESIDENT	FEIN 33-1135400	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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

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SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Nancy Somers* TELEPHONE **304-745-3652** DATE **4-3-08**

TITLE **PRESIDENT** FEIN **33-1135400** ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia
 Department of Administration
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 Charleston, WV 25305-0130

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 Attention: Nancy Somers
 PO Box 308
 West Milford, WV 26451

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF WASTE MANAGEMENT
 601 57TH STREET SE
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 25304 304-926-0499

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001		JB		962-86		
	1			ROAD INSTALLATION		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Nancy Somers</i>	TELEPHONE 304-745-3652	DATE 4-3-08	
TITLE President	FEIN 33-1135400	ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**DEP13959
BID SHEET
REVISED PER ADDM.#1**

Department of Environmental Protection
Office of Environmental Remediation
Landfill Closure Assistance Program

Landfill Road Installation Region One

<u>Item No.</u>	<u>Description</u>	<u>FT</u>	<u>Unit Price</u>	<u>Amount</u>
0001	Install new access or well road	5,300	LF # 15.00 \$/LF	79,500.00
0002	Install diversion ditch	1,500	LF # 15.00 \$/LF	22,500.00
0003	18 inch Culvert	160	LF # 35.00 \$/LF	5,600.00

Total Project Cost = ~~#~~ 107,600.00

Company Name MIDWAY RECLAMATION LLC

Address: P.O. BOX 308 WEST MILFORD, NJ 26451

Name (printed) NANCY SOMERS Title PRESIDENT

Signature *Nancy Somers* Date 4-3-08

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable, pursuant to Legislative Rule 148-CSR1, 6.4.2.

Agency _____
REQ.P.O# DEP 13959

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Midway Reclamation, LLC.
_____ of West Milford, WV, as Principal, and United States Surety
Compan of Timonium, MD, a corporation organized and existing under the laws of the State of _____
MD with its principal office in the City of Timonium, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percent of Amount Bid (\$ 5%) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for
DEP 13959 - Landfill Access & Well Road Installation - According to Plans & Specifications

NOW THEREFORE,

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

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

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this
3rd day of April, 2008

Principal Corporate Seal

Midway Reclamation, LLC.
(Name of Principal)

By: Nancy Somers
(Must be President or
Vice President)

Nancy S. Somers Managing Member
(Title)

Surety Corporate Seal

United States Surety Company
(Name of Surety)

By: Patricia A. Moye
Patricia A. Moye, WV Resident Agent Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Corporate seals must be affixed,
and a power of attorney must be attached.

RECEIVED

2008 APR 3 A 8:41

CURRICULUM DIVISION
OFFICE OF WV

UNITED STATES SURETY COMPANY

Power of Attorney Number

72239

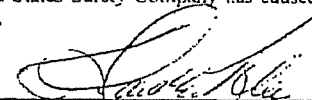
KNOWN ALL MEN BY THESE PRESENTS: That United States Surety Company (the "Company"), a corporation organized and existing under the laws of the State of Maryland, do hereby constitute and appoint: **Patricia Ann Fincke, Gregory T. Gordon, Larry D. Kerr, Allan L. McVey, Patricia Moye, Kimberly J. Wilkinson**

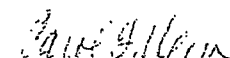
of the City of Charleston, State of West Virginia, its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof of the Company in its business of providing suretyship; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law, subject to the following limitations:

No single bond shall obligate the Company in excess of the sum of Five Million Dollars (\$5,000,000).

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of United States Surety Company on the 29th day of July, 1996.

IN WITNESS WHEREOF, United States Surety Company has caused these presents to be signed by its proper officers, and its corporate seal to be hereunto affixed this 16th day of July, 2007.


Richard E. Klein, President



Carol T. Nevin, Assistant Secretary

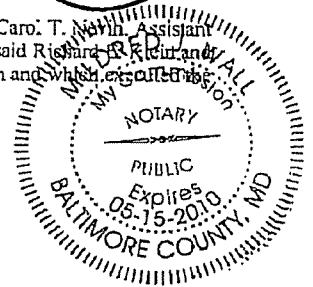


STATE OF MARYLAND
BALTIMORE COUNTY

SS:

On this 16th day of July, A. D. 2007, before me personally came Richard E. Klein, President of the United States Surety Company, and Carol T. Nevin, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said that they, the said Richard E. Klein and Carol T. Nevin were respectively the President and Assistant Secretary of the United States Surety Company, the corporation described in and which executed the foregoing Power of Attorney.

(Signed) 
NOTARY PUBLIC
My Commission expires the 15th day in May, 2010.



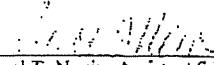
RESOLVED, that in connection with the surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to any Power of Attorney issued in accordance with these resolutions ("Powers of Attorney"). All Powers of Attorney for and on behalf of the Company shall be executed in the name and on behalf of the Company, either by the Chair, the President, a Vice President jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signatures of such officers and the seal of the Company may be also be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact, for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof. Subject to any limitations set forth therein and unless such Power of Attorney is subsequently revoked, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company, and any such Power of Attorney so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them and unless subsequently revoked, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by the Company's Chair, the President, a Vice President, and sealed and attested to by the Corporate Secretary or an Assistant Secretary.

I, Carol T. Nevin, Assistant Secretary of United States Surety Company, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on the 29th day of July, 1996, and that this Resolution is in full force and effect.

I, the undersigned Assistant Secretary of United States Surety Company, do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In testimony whereof, I have hereunto set my hand and the seal of United States Surety Company on this 3rd day of April, 2008.


Carol T. Nevin, Assistant Secretary





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

request for Quotation

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CHARLESTON, WV
25304 304-926-0499**

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<p>ROAD INSTALLATION</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S DIVISION OF LAND RESTORATION, SEEKS BIDS TO PROVIDE LANDFILL ACCESS AND WELL ROAD CONSTRUCTION AT TEN (10) FACILITIES AS OUTLINED ON THE ATTACHED SPECIFICATIONS, TERMS & CONDITIONS, AND SCOPE OF WORK.</p> <p>MANDATORY PRE-BID WILL BE HELD 03/12/2008 @ 10:00 AM, AT DEP HEADQUARTERS LOCATED AT 601 57TH ST SE, CHARLESTON, WV 25304. CALL 304.926.0499 FOR DIRECTIONS. FAILURE TO ATTEND THIS MANDATORY PRE-BID MEETING WILL RESULT IN THE DISQUALIFICATION OF THE VENDOR'S BID.</p> <p>IT IS THE AGENCY'S INTENT TO AWARD THIS CONTRACT IN WHOLE TO ONE CONTRACTOR; HOWEVER, THE AGENCY RESEVES THE RIGHT TO AWARD BASED ON REGION AND SPLIT THE AWARD IF IT IS IN THE BEST INTEREST OF THE AGENCY AND THE STATE TO DO SO.</p> <p>PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS</p> <p>1. EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES. AS USED USED IN THIS CONTRACT,</p>						

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SIGNATURE <i>Nancy Somers</i>	TELEPHONE 304-745-3652	DATE 4-3-08
TITLE PRESIDENT	FON 33-1135400	ADDRESS CHANGES TO BE NOTED ABOVE

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SUPPLIER

RFQ COPY
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EXHIBIT 10						
ADDENDUM ACKNOWLEDGEMENT						
I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NOS.:						
NO. 1		X		
NO. 2		X		
NO. 3		
NO. 4		
NO. 5		
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.						

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				NO OTHER CHANGES		
1001	1	JB		962-86		
				ROAD INSTALLATION		

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TITLE President	FEIN 33-1135400	ADDRESS CHANGES TO BE NOTED ABOVE

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**DEP13959
BID SHEET
REVISED PER ADDM.#1**

Department of Environmental Protection
Office of Environmental Remediation
Landfill Closure Assistance Program

Landfill Road Installation Region One

<u>Item No.</u>	<u>Description</u>	<u>FT</u>	<u>Unit Price</u>	<u>Amount</u>
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0003	18 inch Culvert	160	LF # 35.00 \$ / LF	5,600.00

Total Project Cost = ~~#~~ 107,600.00

Company Name MIDWAY RECLAMATION LLC

Address: P.O. BOX 308 WEST MILFORD, WV 26451

Name (printed) NANCY SOMERS Title PRESIDENT

Signature *Nancy Somers* Date 4-3-08

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable, pursuant to Legislative Rule 148-CSR1, 6.4.2.

Agency _____
REQ.P.O# DEP 13959

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Midway Reclamation, LLC.
_____ of West Milford, WV, as Principal, and United States Surety
Compan of Timonium, MD, a corporation organized and existing under the laws of the State of _____
MD with its principal office in the City of Timonium, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, In the penal sum of Five Percent of Amount Bid (\$ 5%) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
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DEP 13959 - Landfill Access & Well Road Installation - According to Plans & Specifications

NOW THEREFORE,

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have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this
3rd day of April, 2008.

Principal Corporate Seal

Midway Reclamation, LLC.
(Name of Principal)

By: Nancy Somers
(Must be President or
Vice President)

Nancy S. Somers Managing Member
(Title)

Surety Corporate Seal

United States Surety Company
(Name of Surety)

By: Patricia A. Moye
Patricia A. Moye, WV Resident Agent Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Corporate seals must be affixed,
and a power of attorney must be attached.

RECEIVED
2008 APR -3 A 8:28
PURCHASING DIVISION
STATE OF MD

UNITED STATES SURETY COMPANY

Power of Attorney Number

72239

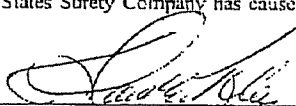
KNOWN ALL MEN BY THESE PRESENTS: That United States Surety Company (the "Company"), a corporation organized and existing under the laws of the State of Maryland, does hereby constitute and appoint: **Patricia Ann Fincks, Gregory T. Gordon, Larry D. Kerr, Allan L. McVey, Patricia A. Moye, Kimberly J. Wilkinson**

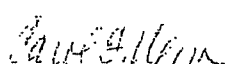
of the City of Charleston, State of West Virginia, its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof of the Company in its business of providing suretyship; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law, subject to the following limitations:

No single bond shall obligate the Company in excess of the sum of Five Million Dollars (\$5,000,000).

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of United States Surety Company on the 29th day of July, 1996.

IN WITNESS WHEREOF, United States Surety Company has caused these presents to be signed by its proper officers, and its corporate seal to be hereunto affixed this 16th day of July, 2007.


Richard E. Klein, President

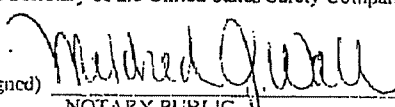

Carol T. Nevin, Assistant Secretary

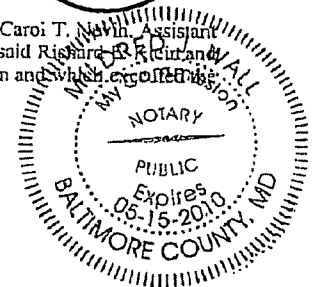


STATE OF MARYLAND
BALTIMORE COUNTY

SS:

On this 15th day of July, A. D. 2007, before me personally came Richard E. Klein, President of the United States Surety Company, and Carol T. Nevin, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said Richard E. Klein and Carol T. Nevin were respectively the President and Assistant Secretary of the United States Surety Company, the corporation described in and which executed the foregoing Power of Attorney.

(Signed) 
NOTARY PUBLIC
My Commission expires the 15th day in May, 2010.



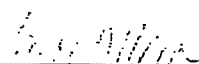
RESOLVED, that in connection with the surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to any Power of Attorney issued in accordance with these resolutions ("Powers of Attorney"). All Powers of Attorney for and on behalf of the Company shall be executed in the name and on behalf of the Company, either by the Chair, the President, a Vice President jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signatures of such officers and the seal of the Company may be also be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact, for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof. Subject to any limitations set forth therein and unless such Power of Attorney is subsequently revoked, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company, and any such Power of Attorney so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them and unless subsequently revoked, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by the Company's Chair, the President, a Vice President, and sealed and attested to by the Corporate Secretary or an Assistant Secretary.

I, Carol T. Nevin, Assistant Secretary of United States Surety Company, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on the 29th day of July, 1996, and that this Resolution is in full force and effect.

I, the undersigned Assistant Secretary of United States Surety Company, do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In testimony whereof, I have hereunto set my hand and the seal of United States Surety Company on this 3rd day of April, 2008.


Carol T. Nevin, Assistant Secretary

