### 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 PURC	Chasing Division
<b>FAX</b> #3	304-558-3970
DATE 4	- 3-0 <del>8</del>
	JANCY JOMERS
	ONTAINED INCLUDING COVER PAGE — 7
	•
COMMENTS	S MIHING BID FOR RFQ 13959
	ILL ACCESS AND WELL ROAD CONSTRUCTION

Nancy Somers

State of West Virginia

#### REQUEST FOR MERCHUMBER Quotation

DEP13959

304-745-3653

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p.2



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

Address Correspondence Rotate Ention of CHUCK BOWMAN 304-558-2157

RFQ COPY TYPE NAME/ADDRESS HERE

501151933

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

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

DATEPRI	INTED	ERMS OF SALE	SHIP VIA	FOB	FREIGHTTERMS
	/2008				
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0001	ROAD INSTAL	' 1	962-86		
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	AT DEP HEAD TON, WV 253 FAILURE TO RESULT IN T	QUARTERS LO 04. CALL 3 ATTEND THIS HE DISQUALI	BE HELD 03/12/2 CATED AT 601 57T 04.926.0499 FDR MANDATORY PRE-B FICATION OF THE	H ST SE, CHARLES DIRECTIONS. ID MEETING WILL VENDOR'S BID.	5-
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P.O. BOX 308

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MIDWAY RECLAMATION, LLC.

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** 

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.....ADDRESS:CORRESPONDENCE:TO ATTENTION OF CHUCK BOWMAN 304-558-2157

**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF WASTE MANAGEMENT 601 57TH STREET SE CHARLESTON, WY

25304 304-926-0499

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

Midway Reclamation LLC Attention: Nancy Somers

West Milford, WV 26451

PO Box 308

Request for Quotation

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PAGE

CHUCK BOWMAN 304-558-2157

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ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF WASTE MANAGEMENT
601 57TH STREET SE
CHARLESTON, WV

25304 304-926-0499

address:cornescondendendationation:of

DATE PRINTED TERMS OF SALE SHIP VIA FOB. 03/18/2008 IID OPENING DATE: 04/03/2008 BID OPENING TIME 01:30PM LINE QUANTITY UOP ITEM:NUMBER UNIT PRICE AMOUNT ADDENDUM NO. 1 \*\*\*\*\*\*\* \*\*\*\*\*\* ADDENDUM ISSUED FOR THE LANDFILL ACCESS AND WELL ROAD CONSTRUCTION PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS FROM THE 03/12/08 PRE-BID MEETING, AS WELL AS THE Q/A RESULTING FROM THAT MEETING AND THE REVISED CONTACT INFORMATION FOR REGION II. ALSO ATTACHED IS THE REVISED BID SHEETS AND ATTACHMENT "A". BID DATE AND OPENING TIME REMAIN UNCHANGED AS 04/03/08 AT 1:30 PM. \* NO OTHER CHANGES \*\*\*\*\*\*\*\*\*\*\*\* 001 JB 962-86 ROAD INSTALLATION SEE REVERSE SIDE FOR TERMS AND CONDITIONS 304-745-3652 4-3-08 33-1135400 PRUS IDENT ADDRESS CHANGES TO BE NOTED ABOVE

304-745-3653

p.5

# DEP13959 BID SHEET REVISED PER ADDM.#1

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

#### Landfill Road Installation Region One

Item No.	Description		<u>FT</u>	Unit Price	Amount
0001	Install new access or well road	5,300	LF	7/15.00 \$/LF	79,500.00
0002	Install diversion ditch	1,500	LF	<sup>#</sup> 15.00 \$/LF	22,500,00
0003	18 inch Culvert	160	LF	#35,00 \$/LF	5,600,00

Total Project Cost = 707, 600.00
Company Name MIDWAY RECLAMATION LLC
· • • • • • • • • • • • • • • • • • • •
Name (printed) NANCY SOMERS Title PRESIDENT
Signature Namy James 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.

p.6

Agency	
REQ.P.O# DEP	13959

#### **BID BOND**

	KNOW ALL ME	EN BY THESE PR	ESENTS, That	we, the undersigned	Midway Reclamation,	LLC.
	of West Milt	ord	, <u>wv</u>		, as Principal, and <u>Un</u>	ited States Surety
Compa	<u>in</u> of <u>Timonium</u>					nder the laws of the State of
		ls principal office i	n the City of <u>Tin</u>	nonium	, as Surety, are held a	and firmly bound unto the State
						) for the payment of which
well and	I truly to be made	e, we jointly and so	everally bind our	selves, our heirs, a	dministrators, executors, s	successors and assigns.
	The Condition	of the above obliga	ation is such tha	t whereas the Princi	nal has submitted to the F	Purchasing Section of the
Departm						r into a contract in writing for
					lans & Specifications	Thice a contract in withing for
	NOW THEREF	ORE.			•	
		hall be rejected, o	ır			
	(b) If said bid s	hall be accepted a	and the Principa	I shall enter into a co	ontract in accordance will	the bid or proposal attached
nereto al aureeme	nd shall turnish t ent created by th	any other ponds ar e acceptance of sa	nd insurance red aid bid, then this	uired by the bid or j obligation shall be	proposal, and shall in all c null and void, otherwise th	other respects perform the his obligation shall remain in full
force and	d effect. It is exp	ressly understood	I and agreed the	it the liability of the S	Surety for any and all clair	ns hereunder shall, in no event,
exceed 1	ne penai amoun	t of this obligation	as nerem stated			
	The Surety, for	the value received	, hereby stipulat	tes and agrees that	the obligations of said Su	refy and its bond shall be in no
way impa	aired or affected lice of any such	by any extension	of the time withi	n which the Obligee	may accept such bid, and	d said Surely does hereby
waive no	nuce of any such	extension.				
	IN WITNESS W	HEREOF, Principa	al and Surety ha	ve hereunto set the	r hands and seals, and s	uch of them as are corporations
have cau	sed their corpor	ate seals to be affi	xed hereunto ar	nd these presents to	be signed by their proper	r officers, this
3rd	day of	April	,	ь.		
7 - l - al - al	Corporate Seal				Midway Reclamation	. II C
-micipai	Corpurate Sear				(Nan	ne of Principal)
					By Name of Mus	
					(Mus	t be President or
			•		' Vice	President)
					Nancy S. Somers	Managing Member
						(Title)
Surety Co	orporate Seal			-	United States Surety	
					(Nam	ne of Surety)
						1
					By: Talyer	A. Maro
				Patricia A. Moye,	WV Resident Agent Atto	rney-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.

## TED STATES SURETY COMPANY Power of Attorney Number 72239

KNOWN A LEMEN BY THESE PRESENTS: That United States Surety Company (the "Company"), a corporation organized and existing under the laws of the State of Manyland, description 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 scal to be hereunto affixed this 16th day of July, 2007. Richard E. Klein, President STATE OF MARYLAND SS:

**BALTIMORE COUNTY** 

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

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 scal 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 intached.

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 anosted 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 affect and has not been revoked.

In testimony whereof, I have hereunto set my hand and the seal of United States Surety Company on this

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Nancy Somers

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

#### nequest for Quotation

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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF WASTE MANAGEMENT 601 57TH STREET SE CHARLESTON, WV 25304

304-558-2157

304-926-0499

RFQ COPY TYPE NAME/ADDRESS HERE 501151933

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

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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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	BOWMAN	
304-55	8-2157	

RFQ COPY TYPE NAME/ADDRESS HERE 501151933

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

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF WASTE MANAGEMENT 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499

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

# Request for Quotation

REP13959

PAGE

CHUCK BOWMAN
304-558-2157

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

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

DATE PRINTED TERMS OF SALE FOB FREIGHT TERMS 03/18/2008 ID OPENING DATE: 04/03/2008 BID OPENING TIME 01:30PM LINE QUANTITY UOP ITEM:NUMBER AMOUNT UNIT PRICE ADDENDUM NO. \*\*\*\*\*\* \*\*\*\*\*\*\* ADDENDUM ISSUED FOR THE LANDFILL ACCESS AND WELL ROAD CONSTRUCTION PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS FROM THE 03/12/08 PRE-BID MEETING, AS WELL AS THE Q/A RESULTING FROM THAT MEETING AND THE REVISED CONTACT INFORMATION FOR REGION II. ALSO ATTACHED IS THE REVISED BID SHEETS AND ATTACHMENT "A". BID DATE AND OPENING TIME REMAIN UNCHANGED AS 04/03/08 AT 1:30 PM. \* NO OTHER CHANGES \*\*\*\*\*\*\*\*\*\* 1001 JB 962-86 ROAD INSTALLATION SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE 304-745-3652 4-3-08 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

Item No.	Description		FT Unit Price Amount
0001	Install new access or well road	5,300	LF 7/5.00 \$/LF 79,5cc.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.°°
Company Name MIDWAY RECLAMATION LLC	C
Address: P.O.BOX 308 WEST MILFORD	WV 26451
	e President
	re 4-3-08
Signature / Carry Comer Dan	E <u>7-3-08</u>

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.

p.5

Agency	
REQ.P.O# DEP	13959

#### **BID BOND**

ŀ	KNOW ALL MEN	BY THESE PRE	SENTS, That we, t	the undersigned, Midway Reclamation, LLC.
	of West Milfo	rd	. <u>wv</u>	, as Principal, and <u>United States Surety</u>
Compan	of Timonium	, MD		_, a corporation organized and existing under the laws of the State of
MD	) with Its	principal office in	he City of Timoni	ium, as Surety, are held and firmly bound unto the State
of West V	irginia, as Oblig	ee, in the penal su	n of <u>Five Percent</u>	t of Amount Bid (\$ 5% ) for the payment of which,
well and ti	ruly to be made,	we jointly and sev	erally bind ourselv	ves, our heirs, administrators, executors, successors and assigns.
T	he Condition of	the above obligati	on is such that who	ereas the Principal has submitted to the Purchasing Section of the
Departme	nt of Administrat	ion a certain bid o	r proposal, atiache	ed hereto and made a part hereof, to enter into a contract in writing for
DEP 139	59 - Landfill A	ccess & Well Ro	ad Installation - A	According to Plans & Specifications
N	IOW THEREFO	RE,	•	
(l) hereto and agreemen force and	b) If said bid shall furnish ar I created by the effect. It is expr	y other bonds and acceptance of said	insurance require I bid, then this obli and agreed that the	all enter into a contract in accordance with the bid or proposal attached of by the bid or proposal, and shall in all other respects perform the igation shall be null and void, otherwise this obligation shall remain in full a liability of the Surety for any and all claims hereunder shall, in no event,
way impair	he Surely, for th red or affected b ce of any such e	y any extension of	nereby stipulates a the time within wh	and agrees that the obligations of said Surety and its bond shall be in no nich the Obligee may accept such bid, and said Surety does hereby
11	N WITNESS WH	EREOF, Principal	and Surety have h	nereunto set their hands and seals, and such of them as are corporations
				nese presents to be signed by their proper officers, this
3rd d	ay of	April	, 2008 .	
Principal C	Corporate Seal			Midway Reclamation, LLC.
				(Name of Principal)
				By Name Amena (Must be President or
				/ (Must be President or Vice President)
				Nancy S. Somers Managing Member (Title)
Surety Cor	porate Seal			United States Surety Company
<b>,</b> - <b>.</b> .				(Name of Surety)
				By: Tation A Mana
			P	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.

### UNITED STATES SURETY COMPAN

Power of Attorney Number

72239

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

of the City of Charleston, State of West Virginia, its true and lawful Atterney(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 Altorney 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 scal to be hereunto affixed this 16th day of July, 2007.

STATE OF MARYLAND BALTIMORE COUNTY SS:

Richard E. Klein, President

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

(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 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 attack the scal 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 affect and has not been revoked.

In testimony whereof, I have hereunto set my hand and the scal of United States Surety Company on this

\_\_ day of

**४००५** 

Carol T. Nevin, Assistant Secretary

