



**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** 4-1-08

**FROM** NANCY

**PAGES CONTAINED INCLUDING COVER PAGE** 8

**COMMENTS**

RFQ BID FORMS FOR DEP 1414  
GLADE RUN MINING Co.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RECEIVED**  
2008 APR - 1 A 8:55  
PURCHASING DIVISION  
STATE OF WV



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:  
**DEP14146**

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**

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 105 S. RAILROAD STREET  
 PHILIPPI, WV  
**26416-9998 304-457-3219**

DATE PRINTED: <b>02/06/2008</b>	TERMS OF SALE:	SHIP VIA:	FOB:	FREIGHT TERMS:
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BID OPENING DATE: **04/01/2008** BID OPENING TIME: **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
<p><b>RECLAMATION: RESTORATION OF WATER</b></p> <p><b>SPECIAL RECLAMATION/BOND FORFEITURE PROJECT</b></p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS TO PERFORM RECLAMATION ON THE MINING OPERATION OF GLADE RUN MINING COMPANY, NOW UNDER REVOKED PERMIT NUMBER(S) 3-72. THIS SITE CONSISTS OF APPROXIMATELY 5 ACRES AND IS LOCATED NEAR MT. STORM, WV IN GRANT COUNTY.</p> <p>THE RECLAMATION SHALL BE PERFORMED UNDER THE GUIDANCE AND GENERAL SUPERVISION OF THE AGENT ASSIGNED TO THE PROJECT FOR THE STATE OF WEST VIRGINIA, DEPARTMENT OF ENVIRONMENTAL PROTECTION.</p> <p>A MANDATORY ON-SITE PREBID CONFERENCE SHALL BE HELD ON 02/27/2008 @ 10:00 AM. FAILURE TO ATTEND THE PREBID CONFERENCE WILL RESULT IN BID DISQUALIFICATION.</p> <p>DIRECTIONS TO PREBID: FROM MT. STORM, TRAVEL ON US ROUTE 50 EAST APPROX. 4.8 MILES. TURN RIGHT (SOUTH) ON CO. RT. 50/5 (ARNOLD MINE ROAD). TRAVEL APPROX. 0.9 MILE TO CO. RT. 50/9 (KITZMILLER MINE RD). TRAVEL APPROX. 0.1 MILE TO HAUL ROAD ON LEFT.</p> <p>ALL WORK MUST BE COMPLETED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY THE DEPARTMENT</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Nancy Somers</i>	TELEPHONE <b>304-745-3652</b>	DATE <b>4-1-08</b>
TITLE <b>PRESIDENT</b>	FEIN <b>33-1135400</b>	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  
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# Request for Quotation

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**9**

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02/06/2008				

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

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.						
ADDENDUM NOS.:						
NO. 1			X			
NO. 2						
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.						
VENDOR MUST CLEARLY 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.						
<i>Nancy Somers</i> ..... SIGNATURE MIDWAY RECLAMATION LLC ..... COMPANY 4-1-08 ..... DATE						
REV. 11/96						
NOTICE						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE	<i>Nancy Somers</i> ..... TITLE <b>PRESIDENT</b>			TELEPHONE	DATE	
				<b>304-745-3652</b>	<b>4-1-08</b>	
				<b>33-1135400</b>	ADDRESS CHANGES TO BE NOTED ABOVE	

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

Agency \_\_\_\_\_  
REQ.P.O# DEP14146

**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 Company  
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  
REQ # DEP14146 Glade Run Mining Company, Grant County - 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

1st day of April, 2008

Principal Corporate Seal

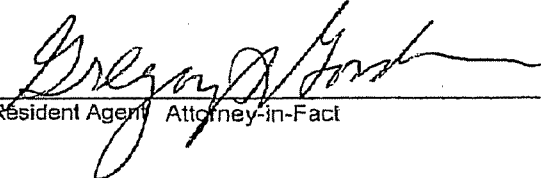
Midway Reclamation, LLC.  
(Name of Principal)

By \_\_\_\_\_  
(Must be President or  
Vice President)

Nancy S. Somers Managing Member  
(Title)

Surety Corporate Seal

United States Surety Company  
(Name of Surety)

By:   
Gregory T. Gordon, 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 COMPANY

## Power of Attorney Number 63334

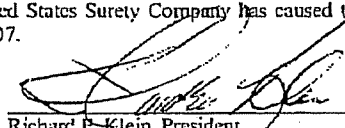
KNOWN ALL MEN BY THESE PRESENTS: That United States Surety Company (the "Company"), a corporation organized and existing under the laws of the State of Maryland, does hereby constitute and appoint: **Patricia Ann Fincke, Gregory T. Gordon, Larry D. Kerr, Allan L. McVey, Patricia A. Moye, Kimberly J.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

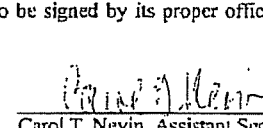
of the City of Charleston, State of West Virginia, its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in 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 Three Million Dollars (\$3,000,000).**

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 29<sup>th</sup> 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 28th day of June, 2007.

  
Richard E. Klein, President


  
Carol T. Nevin, Assistant Secretary

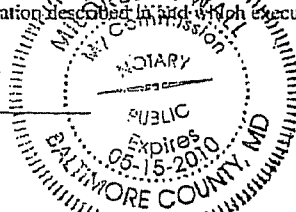


STATE OF MARYLAND  
BALTIMORE COUNTY

SS:

On this 28th day of June, 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.



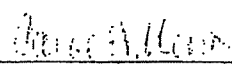
RESOLVED, that in connection with the surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to any Power of Attorney issued 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 29<sup>th</sup> 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 15<sup>th</sup> day of April, 2008.

  
Carol T. Nevin, Assistant Secretary





State of West Virginia  
Department of Administration  
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
<b>03/04/2008</b>				

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

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				***** ADDENDUM NO. 1 *****		
				ADDENDUM ISSUED FOR THE GLADE RUN MINING PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE ATTACHED Q/A AS A RESULT OF THAT 02/27/08 MANDATORY MEETING.		
				THE BID DATE AND OPENING TIME REMAIN UNCHANGED AS 04/01/08 AT 1:30 PM.		
				***** NO OTHER CHANGES *****		
<b>0001</b>	<b>1</b>	<b>JB</b>		<b>962-73</b>		
				<b>RECLAMATION: RESTORATION OF WATER</b>		

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 WEST MILFORD, WV 26451

BUYER CB-23	PAGE 13	REQ. OR PO NO. DEP 14146
SPENDING UNIT WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION/SPECIAL RECLAMATION		

WV-36a STATE OF WEST VIRGINIA  
 Rev. 9/13/07 PURCHASING CONTINUATION SHEET  
 VENDOR:

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
<b>BID SCHEDULE</b>				
PERMIT NAME: <u>GLADE RUN MINING CO.</u>				
PERMIT NUMBER(S): <u>3-72</u>				
The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable				
1.0	LUMP SUM	<u>MOBILIZATION/DEMobilIZATION/PROJECT SIGN</u> (5% Total Bid Maximum for this permit)	LUMP SUM	\$6,000. <sup>00</sup>
2.0	LUMP SUM	<u>SPILL CONTAINMENT AREA (S.C.A.)</u> (\$1,000.00 Maximum Bid for this permit)	LUMP SUM	\$50. <sup>00</sup>
3.0	1000 LF	<u>HAULROAD/ACCESS ROAD UPGRADE</u>	\$ 4.00 PER LF	\$4,000. <sup>00</sup>
4.0	LUMP SUM	<u>CLEAR AND GRUB</u>	LUMP SUM	\$6,500. <sup>00</sup>
5.0	500 LF	<u>HAYBALE DIKE</u> (Max. Bid \$5.00 Per LF)	\$ 5.00 PER LF	\$2,500. <sup>00</sup>
6.0	5 AC	<u>REGRAIDING AND TOPSOILING</u>	\$ 5,000. <sup>00</sup> PER ACRE	\$25,000. <sup>00</sup>
7.0		<u>REVEGETATION</u>		
7.1	5 AC	<u>AGRICULTURAL LIME</u>	\$ 800. <sup>00</sup> PER ACRE	\$4,000. <sup>00</sup>
7.2	5 AC	<u>FERTILIZER</u>	\$ 550. <sup>00</sup> PER ACRE	\$2,750. <sup>00</sup>
7.3	5 AC	<u>MULCH</u>	\$ 900. <sup>00</sup> PER ACRE	\$4,500. <sup>00</sup>
7.4	5 AC	<u>VEGETATIVE SPECIES</u>	\$ 375. <sup>00</sup> PER ACRE	\$1,875. <sup>00</sup>
8.0	LUMP SUM	<u>LIMESTONE BEDS AND SETTLING POND</u>	LUMP SUM	\$46,000. <sup>00</sup>

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BUYER CB-23	PAGE 010	REQ. OR PO NO. DEP 14146
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WV-36a STATE OF WEST VIRGINIA  
 Rev. 9/13/07 PURCHASING CONTINUATION SHEET  
 VENDOR:

9.0	<u>40 LF</u>	<u>TRAPAZOIDAL EXIT SPILLWAY CHANNEL</u>	\$ <u>55.00</u> PER LF	\$ <u>2,200.00</u>
10.0	<u>45 LF</u>	<u>BAFFLE CURTAIN</u>	\$ <u>27.00</u> PER LF	\$ <u>1,215.00</u>
11.0	<u>300 LF</u>	<u>SEEP CONVEYANCE DRAIN</u>	\$ <u>46.00</u> PER LF	\$ <u>13,800.00</u>
12.0	<u>800 LF</u>	<u>RIPRAP V-DITCH</u>	\$ <u>15.00</u> PER LF	\$ <u>12,000.00</u>
13.0	<u>40 LF</u>	<u>HDPE PIPE 12 INCH</u>	\$ <u>23.00</u> PER LF	\$ <u>920.00</u>
14.0	<u>240 LF</u>	<u>HDPE CULVERT - 12" DIAMETER</u>	\$ <u>17.00</u> PER LF	\$ <u>4080.00</u>
<b>TOTAL PERMIT <u>3-72</u></b>				\$ <u>137,390.00</u>