



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 |
| DEP13016   |

|      |
|------|
| PAGE |
| 1    |

|  |
|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| CHUCK BOWMAN<br>304-558-2157           |

RODZNY

\*604150016      304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218

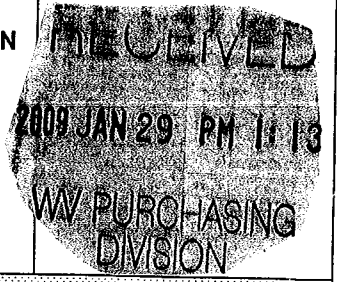
KENNA WV 25248

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304      304-926-0499

|   |               |          |        |               |
|---|---------------|----------|--------|---------------|
| DATE PRINTED<br><b>11/06/2008</b>                                   | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| BID OPENING DATE: <b>01/21/2009</b> BID OPENING TIME <b>01:30PM</b> |               |          |        |               |

| LINE   | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT     |
|--|----------|-----|----------|-------------|------------|------------|
| 0001   | 1        | JB  |          | 962-73      |            | \$ 508,000 |
| <p>RECLAMATION: RESTORATION OF LAND</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 BELLE CONTRACTING, INC, NOW UNDER REVOKED PERMIT NUMBER(S) S-6020-87. THIS SITE CONSISTS OF APPROXIMATELY 5 ACRES AND IS LOCATED NEAR BANCROFT, WV IN PUTNAM 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 11/19/2008 @ 10:00 AM. FAILURE TO ATTEND THE PREBI CONFERENCE WILL RESULT IN BID DISQUALIFICATION.</p> <p>DIRECTIONS TO PREBID: FROM NITRO EXIT OF I-64, TAKE RT 25N FOR APPROX .8 MILES UNTIL IT MERGES WITH RT 62N. CONTINUE ON RT 62 FOR APPROX 1.8 MILES INTO POCA. CROSS THE POCA RIVER AND TAKE FIRST RIGHT (HEIZER CREEK ROAD CR 27) AFTER CROSSING BRIDGE AND GO 1.5 MILES AND TURN LEFT ONTO MANILLA CREEK ROAD (CR5). TRAVEL 1.1 MILES, TURN RIGHT ACROSS SMALL BRIDGE TO MINE SITE.</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<br><i>Meike S. Freshour</i>   | TELEPHONE<br>372-4378 | DATE<br>1-21-09                   |  |
| TITLE<br>PRESIDENT  | FEIN<br>55-0762758    | ADDRESS CHANGES TO BE NOTED ABOVE |  |
| WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR' |                       |                                   |  |

## GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

---

### INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in case of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



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

# Request for Quotation

|            |
|------------|
| RFO NUMBER |
| DEP13016   |

|      |
|------|
| PAGE |
| 2    |

|   |
|---|
| ADDRESS CORRESPONDENCE TO ATTENTION OF: |
| CHUCK BOWMAN<br>304-558-2157            |

\*604150016 304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218

VENDOR

KENNA WV 25248

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304 304-926-0499

|                            |               |          |     |               |
|----------------------------|---------------|----------|-----|---------------|
| DATE PRINTED<br>11/06/2008 | TERMS OF SALE | SHIP VIA | FOB | FREIGHT TERMS |
|----------------------------|---------------|----------|-----|---------------|

BID OPENING DATE: 01/21/2009 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER   | UNIT PRICE | AMOUNT |  |
|------|----------|-----|----------|---|------------|--------|--|
|      |          |     |          |   |            |        |  |
|      |          |     |          | OF ENVIRONMENTAL PROTECTION AND PURCHASE ORDER ISSUED BY THE DEPARTMENT OF ADMINISTRATION, DIVISION OF PURCHASING.<br><br>EXHIBIT 5<br><br>WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED PURCHASING AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED PURCHASING AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.<br><br>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITH 365 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED.<br><br>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE MATERIALS OR WORKMANSHIP SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE THE BID AND CONTRACT HERE IN.<br><br>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR PUTNAM COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT) |            |        |  |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                                     |                       |                                   |
|-------------------------------------|-----------------------|-----------------------------------|
| SIGNATURE<br><i>Mike S Freshour</i> | TELEPHONE<br>372-4378 | DATE<br>1-21-09                   |
| TITLE<br>PRESIDENT                  | FEIN<br>55-0762758    | 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

# Request for Quotation

|            |
|------------|
| RFQ NUMBER |
| DEP13016   |

|      |
|------|
| PAGE |
| 3    |

|  |
|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| CHUCK BOWMAN<br>304-558-2157           |

VENDOR

\*604150016      304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218  
 KENNA WV 25248

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304      304-926-0499

|              |               |          |        |               |
|--------------|---------------|----------|--------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 11/06/2008   |               |          |        |               |

BID OPENING DATE: 01/21/2009      BID OPENING TIME 01:30PM

| LINE   | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|--------|-------------|------------|--------|
| <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>( ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE</p> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |                         |           |            |                                   |         |
|-----------|-------------------------|-----------|------------|-----------------------------------|---------|
| SIGNATURE | <i>Meike D Freshour</i> | TELEPHONE | 372-4378   | DATE                              | 1-21-09 |
| TITLE     | PRESIDENT               | FEIN      | 55-0762758 | 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

# Request for Quotation

RFQ NUMBER  
 DEP13016

PAGE  
 4

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

\*604150016      304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218

KENNA WV 25248

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304      304-926-0499

ROOFING

SHIP TO

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 11/06/2008   |               |          |        |               |

BID OPENING DATE: 01/21/2009      BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER   | UNIT PRICE | AMOUNT |
|------|----------|-----|--------|---|------------|--------|
|      |          |     |        | <p><b>BOND, OR LABOR AND MATERIAL BOND.</b></p> <p>( ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p><b>CONTRACTORS LICENSE</b></p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (304) 558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID.</p> <p>BIDDER TO COMPLETE:<br/>           CONTRACTORS NAME: .. <i>EAGLE EXCAVATION INC</i></p> <p>CONTRACTORS LICENSE NO.: .. <i>WV 032594</i> .....</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT.</p> <p><b>APPLICABLE LAW</b></p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN</p> |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                                      |                       |                                   |
|--------------------------------------|-----------------------|-----------------------------------|
| SIGNATURE<br><i>Meike S Freshour</i> | TELEPHONE<br>372-4378 | DATE<br>1-21-09                   |
| TITLE<br><i>PRESIDENT</i>            | FEIN<br>55-0762758    | 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

# Request for Quotation

|            |
|------------|
| RFQ NUMBER |
| DEP13016   |

|      |
|------|
| PAGE |
| 5    |

|  |
|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| CHUCK BOWMAN<br>304-558-2157           |

VENDOR

\*604150016      304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218  
  
 KENNA WV 25248

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304      304-926-0499

|              |               |          |        |               |
|--------------|---------------|----------|--------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 11/06/2008   |               |          |        |               |

BID OPENING DATE: **01/21/2009**      BID OPENING TIME **01:30PM**

| LINE  | QUANTITY | UQP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|-------------|------------|--------|
| <p>THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</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 IN THIS CONTRACT,</p> <p>A. "STATE CONTRACT PROJECT" MEANS ANY ERECTION OR CONSTRUCTION OF, OR ANY ADDITION TO, ALTERATION OF OR OTHER IMPROVEMENT TO ANY BUILDING OR STRUCTURE, INCLUDING, BUT NOT LIMITED TO, ROADS OR HIGHWAYS, OR THE INSTALLATION OF ANY HEATING OR COOLING OR VENTILATING PLANTS OR OTHER EQUIPMENT, OR THE SUPPLY OF AND MATERIALS FOR SUCH PROJECTS, PURSUANT TO A CONTRACT WITH THE STATE OF WEST VIRGINIA FOR WHICH BIDS WERE SOLICITED ON OR AFTER JUNE 6, 2001.</p> <p>B. "STEEL PRODUCTS" MEANS PRODUCTS ROLLED, FORMED</p> |          |     |          |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |                         |           |            |                                   |         |
|-----------|-------------------------|-----------|------------|-----------------------------------|---------|
| SIGNATURE | <i>Mike S. Freshour</i> | TELEPHONE | 372-4378   | DATE                              | 1-21-09 |
| TITLE     | PRESIDENT               | FEDIN     | 55-0762758 | 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

# Request for Quotation

|            |
|------------|
| RFQ NUMBER |
| DEP13016   |

|      |
|------|
| PAGE |
| 6    |

|  |
|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| CHUCK BOWMAN<br>304-558-2157           |

VENDOR

\*604150016      304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218  
 KENNA WV 25248

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304      304-926-0499

|              |               |          |        |               |
|--------------|---------------|----------|--------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 11/06/2008   |               |          |        |               |

BID OPENING DATE: 01/21/2009      BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER   | UNIT PRICE | AMOUNT |
|------|----------|-----|--------|---|------------|--------|
|      |          |     |        | SHAPED, DRAWN, EXTRUDED, FORGED, CAST, FABRICATED OR OTHERWISE SIMILARLY PROCESSED, OR PROCESSED BY A COMBINATION OF TWO OR MORE OF SUCH OPERATIONS, FROM STEEL MADE BY THE OPEN HEARTH, BASIC OXYGEN, ELECTRIC FURNACE, BESSEMER OR OTHER STEEL MAKING PROCESS.                                      |            |        |
|      |          |     |        | C. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTAL OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES.   |            |        |
|      |          |     |        | 2. THE DIRECTOR OF THE PURCHASING DIVISION MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF:   |            |        |
|      |          |     |        | A. THE COST FOR EACH CONTRACT ITEM USED DOES NOT EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR, |            |        |
|      |          |     |        | B. THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIENT QUANTITY OR OTHERWISE ARE NOT REASONABLY AVAILABLE TO MEET CONTRACT REQUIREMENTS.  |            |        |
|      |          |     |        | 3. A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES PURSUANT TO WV CODE SECTION 5A-3-56.   |            |        |
|      |          |     |        | REV. 10/01/01   |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                          |            |                                   |
|--------------------------|------------|-----------------------------------|
| SIGNATURE                | TELEPHONE  | DATE                              |
| <i>Meike S. Freshour</i> | 372-4378   | 1-21-09                           |
| TITLE                    | FEIN       | ADDRESS CHANGES TO BE NOTED ABOVE |
| <i>PRESIDENT</i>         | 55-0762758 |                                   |

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

# Request for Quotation

|            |
|------------|
| RFQ NUMBER |
| DEP13016   |

|      |
|------|
| PAGE |
| 7    |

|  |
|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| CHUCK BOWMAN<br>304-558-2157           |

VENDOR

\*604150016      304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218  
  
 KENNA WV 25248

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304                      304-926-0499

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 11/06/2008   |               |          |        |               |

BID OPENING DATE: **01/21/2009**                      BID OPENING TIME **01:30PM**

| LINE   | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|----------|-------------|------------|--------|
|  |          |     |          |             |            |        |
| <p><b>EXHIBIT 7</b></p> <p><b>DOMESTIC ALUMINUM, GLASS &amp; STEEL IN PUBLIC WORKS PROJECTS</b></p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID DOMESTIC PRODUCTS, THE SPENDING</p> |          |     |          |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                                      |                       |                                   |
|--------------------------------------|-----------------------|-----------------------------------|
| SIGNATURE<br><i>Mike S. Freshour</i> | TELEPHONE<br>372-4378 | DATE<br>1-21-09                   |
| TITLE<br><i>PRESIDENT</i>            | FEIN<br>55-0762758    | 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

# Request for Quotation

RFQ NUMBER  
**DEP13016**

PAGE  
**8**

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

PROPERTY

\*604150016      304-372-4378  
**EAGLE EXCAVATING INC**  
**PO BOX 218**  
  
**KENNA WV 25248**

SHIP TO

**ENVIRONMENTAL PROTECTION**  
**DEPT. OF**  
**OFFICE OF SPECIAL RECLAMATION**  
**601 57TH STREET SE**  
**CHARLESTON, WV**  
**25304**      **304-926-0499**

|                                   |               |          |        |               |
|-----------------------------------|---------------|----------|--------|---------------|
| DATE PRINTED<br><b>11/06/2008</b> | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|-----------------------------------|---------------|----------|--------|---------------|

BID OPENING DATE: **01/21/2009**      BID OPENING TIME **01:30PM**

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER   | UNIT PRICE | AMOUNT |
|------|----------|-----|--------|---|------------|--------|
|      |          |     |        |   |            |        |
|      |          |     |        | <p>OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE &amp; ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALSO SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR TH</p> |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                                      |                              |                                   |
|--------------------------------------|------------------------------|-----------------------------------|
| SIGNATURE<br><i>Meile S. Furbush</i> | TELEPHONE<br><b>372-4378</b> | DATE<br><b>1-21-09</b>            |
| TITLE<br><b>PRESIDENT</b>            | FEIN<br><b>55-0762758</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  
 Charleston, WV 25305-0130

# Request for Quotation

|            |
|------------|
| RFQ NUMBER |
| DEP13016   |

|      |
|------|
| PAGE |
| 9    |

|  |
|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| CHUCK BOWMAN<br>304-558-2157           |

VENDOR

\*604150016      304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218  
 KENNA WV 25248

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304      304-926-0499

|              |               |          |        |               |
|--------------|---------------|----------|--------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 11/06/2008   |               |          |        |               |

BID OPENING DATE: 01/21/2009      BID OPENING TIME 01:30PM

| LINE   | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|--------|-------------|------------|--------|
| SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.<br>REV. 11/96<br>EXHIBIT 10<br>ADDENDUM ACKNOWLEDGEMENT<br>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.<br>ADDENDUM NOS. :<br>NO. 1      ..... ✓ .....<br>NO. 2      ..... ✓ .....<br>NO. 3      ..... ✓ .....<br>NO. 4      .....<br>NO. 5      .....<br>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE BIDS.<br>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. |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |                         |           |            |                                   |         |
|-----------|-------------------------|-----------|------------|-----------------------------------|---------|
| SIGNATURE | <i>Mike S. Freshour</i> | TELEPHONE | 372-4378   | DATE                              | 1-21-09 |
| TITLE     | PRESIDENT               | FEIN      | 55-0762758 | 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

# Request for Quotation

RFQ NUMBER  
**DEP13016**

PAGE  
**10**

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

PURCHASING

\*604150016            304-372-4378  
**EAGLE EXCAVATING INC**  
**PO BOX 218**  
  
**KENNA WV 25248**

SHIP TO

**ENVIRONMENTAL PROTECTION**  
**DEPT. OF**  
**OFFICE OF SPECIAL RECLAMATION**  
**601 57TH STREET SE**  
**CHARLESTON, WV**  
**25304**                                         **304-926-0499**

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 11/06/2008   |               |          |        |               |

BID OPENING DATE: **01/21/2009**                                         BID OPENING TIME **01:30PM**

| LINE  | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-------------|------------|--------|
| <p><i>..... Mike D. Freshour ..... SIGNATURE</i><br/> <i>..... EAGLE EXCAVATION INC ..... COMPANY</i><br/> <i>..... 1-21-09 ..... DATE</i></p> <p>REV. 11/96</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION<br/>           PURCHASING DIVISION<br/>           BUILDING 15<br/>           2019 WASHINGTON STREET, EAST<br/>           CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER:                                         CB-23</p> <p>REQ. NO.:                                         DEP13016</p> <p>BID OPENING DATE:                         01/21/2008</p> <p>BID OPENING TIME:                         1:30 P.M.</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> |          |     |        |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|           |                        |           |                   |                                   |                |
|-----------|------------------------|-----------|-------------------|-----------------------------------|----------------|
| SIGNATURE | <i>Mike D Freshour</i> | TELEPHONE | <i>372-4378</i>   | DATE                              | <i>1-21-09</i> |
| TITLE     | <i>PRESIDENT</i>       | FAX       | <i>55-0762758</i> | 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

# Request for Quotation

RFQ NUMBER  
**DEP13016**

PAGE  
**11**

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

**\*604150016 304-372-4378**  
**EAGLE EXCAVATING INC**  
**PO BOX 218**  
**KENNA WV 25248**

**ENVIRONMENTAL PROTECTION**  
**DEPT. OF**  
**OFFICE OF SPECIAL RECLAMATION**  
**601 57TH STREET SE**  
**CHARLESTON, WV**  
**25304 304-926-0499**

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 11/06/2008   |               |          |        |               |

BID OPENING DATE: **01/21/2009** BID OPENING TIME **01:30PM**

| LINE  | QUANTITY | UOP | CAT. NO. | ITEM NUMBER     | UNIT PRICE | AMOUNT                         |
|---|----------|-----|----------|-----------------|------------|--------------------------------|
|   |          |     |          | <b>372-4378</b> |            |                                |
| PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:<br><b>MEIKE D. FRESHOUR</b> |          |     |          |                 |            |                                |
| ***** THIS IS THE END OF RFQ DEP13016 ***** TOTAL:  |          |     |          |                 |            | <b>\$ 508,000<sup>00</sup></b> |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE **Meike St Freshour** TELEPHONE **372-4378** DATE **1-21-09**  
 TITLE **PRESIDENT** FEIN **55-0762758** ADDRESS CHANGES TO BE NOTED ABOVE

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

NV-36a  
REV. 1/29/02  
VENDOR:

STATE OF WEST VIRGINIA  
PURCHASING CONTINUATION SHEET

| ITEM NO.  | QUANTITY      | DESCRIPTION   | UNIT PRICE               | AMOUNT           |
|---|---------------|---|--------------------------|------------------|
| <b>BID SCHEDULE</b>   |               |   |                          |                  |
| PERMIT NAME: <u>BELLE CONTRACTING, INC.</u>   |               |   |                          |                  |
| PERMIT NUMBER(S): <u>S-6020-87</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</u> (5% Total Bid Maximum for this permit)       | LUMP SUM                 | \$ <u>2,000</u>  |
| 2.0   | LUMP SUM      | <u>SPILL CONTAINMENT AREA (S.C.A.)</u> (\$1,000.00 Maximum Bid for this permit) | LUMP SUM                 | \$ <u>100</u>    |
| 3.0   | LUMP SUM      | <u>HAULROAD/ACCESS ROAD</u> (5% Total Bid Maximum for this permit)              | LUMP SUM                 | \$ <u>15,000</u> |
| 3.1   | LUMP SUM      | <u>REPAIR EXISTING BRIDGE AND APPROACHES</u>                                    | LUMP SUM                 | \$ <u>20,000</u> |
| 3.2   | LUMP SUM      | <u>TEMPORARY STREAM CROSSING</u>  | LUMP SUM                 | \$ <u>3,000</u>  |
| 4.0   | LUMP SUM      | <u>CONSTRUCTION STAKEOUT</u> (Limited to 5% Total Bid For This Permit)          | LUMP SUM                 | \$ <u>3,200</u>  |
| 5.0   | LUMP SUM      | <u>REGRADE AND TOPSOIL</u>  | LUMP SUM                 | \$ <u>1,000</u>  |
| <b><u>REVEGETATION</u></b>  |               |   |                          |                  |
| 6.1   | LUMP SUM      | <u>AGRICULTURAL LIME</u>  | LUMP SUM                 | \$ <u>1,000</u>  |
| 6.2   | LUMP SUM      | <u>FERTILIZER</u>   | LUMP SUM                 | \$ <u>2,200</u>  |
| 6.3   | LUMP SUM      | <u>MULCH</u>  | LUMP SUM                 | \$ <u>2,200</u>  |
| 6.4   | LUMP SUM      | <u>VEGETATIVE SPECIES</u>   | LUMP SUM                 | \$ <u>2,200</u>  |
| 7.0   | <u>500</u> LF | <u>HAYBALES</u> (Max. Bid \$5.00 Per LF)  | <u>4<sup>00</sup></u> LF | \$ <u>2,000</u>  |

WV-36a STATE OF WEST VIRGINIA  
 REV. 1/29/02 PURCHASING CONTINUATION SHEET  
 VENDOR:

| ITEM NO. | QUANTITY    | DESCRIPTION   | UNIT PRICE  | AMOUNT    |
|----------|-------------|---|-------------|-----------|
| 8.0      |             | <u>SANDSTONE RIP-RAP CHANNEL</u>                      |             |           |
| 8.1      | LUMP SUM    | <u>FRESH WATER GROUTED STREAM CHANNEL "AA"</u>        |             | \$ 45,000 |
| 8.2      | LUMP SUM    | <u>FRESH WATER STREAM CHANNEL "BB"</u>                |             | \$ 19,000 |
| 9.0      |             | <u>OPEN LIMESTONE CHANNEL</u>                         |             |           |
| 9.1      | LUMP SUM    | <u>TRAPIZOIDAL CHANNEL "A"</u>                        |             | \$ 47,000 |
| 9.2      | LUMP SUM    | <u>V-DITCH "B"</u>                                    |             | \$ 24,000 |
| 9.3      | LUMP SUM    | <u>V-DITCH "C"</u>                                    |             | \$ 18,000 |
| 9.4      | LUMP SUM    | <u>V-DITCH "D"</u>                                    |             | \$ 2,500  |
| 10.0     |             | <u>EXISTING SEDIMENT CONTROL STRUCTURES</u>           |             |           |
| 10.1     | LUMP SUM    | <u>REPAIR EXSITING POND ENTRANCE CHANNEL AND DIKE</u> |             | \$ 10,000 |
| 11.0     | LUMP SUM    | <u>STRUCTURE AND/OR DEBRIS REMOVAL</u>                |             | \$ 100    |
| 12.0     | NO BID ITEM | <u>UTILITIES</u>                                      | NO BID ITEM |           |
| 13.0     |             | <u>CONSTRUCTED WATER TREATMENT STRUCTURES</u>         |             |           |
| 13.1     | LUMP SUM    | <u>ALKALINITY CELL NO. 1</u>                          |             | \$ 17,500 |
| 13.2     | LUMP SUM    | <u>ALKALINITY CELL NO. 2</u>                          |             | \$ 19,500 |
| 13.3     | LUMP SUM    | <u>POND 1</u>   |             | \$ 9,000  |
| 13.4     | LUMP SUM    | <u>POND 2</u>   |             | \$ 10,000 |
| 13.5     | LUMP SUM    | <u>POND AND CELL HDPE DR 17 PIPING</u>                |             | \$ 7,000  |
| 13.6     | LUMP SUM    | <u>CONCRETE HEADWALL "A"</u>                          |             | \$ 1,000  |

WV-36a STATE OF WEST VIRGINIA  
 REV. 1/29/02 PURCHASING CONTINUATION SHEET  
 VENDOR:

| QUANTITY      | DESCRIPTION  | UNIT PRICE | AMOUNT               |
|---------------|--|------------|----------------------|
| 14.0          | <u>SLUDGE DRYING CELLS</u>                           |            |                      |
| 14.1 LUMP SUM | <u>SLUDGE DRYING CELL #1</u>                         | LUMP SUM   | \$ <u>20,000</u> 00  |
| 14.2 LUMP SUM | <u>SLUDGE DRYING CELL #2</u>                         | LUMP SUM   | \$ <u>20,000</u> 00  |
| 14.3 LUMP SUM | <u>SLUDGE PUMP LINE ONE</u>                          | LUMP SUM   | \$ <u>4,000</u> 00   |
| 14.4 LUMP SUM | <u>SLUDGE PUMP LINE TWO</u>                          | LUMP SUM   | \$ <u>3,500</u> 00   |
| 14.5 LUMP SUM | <u>SLUDGE RETURN (DEWATERING) LINES</u>              | LUMP SUM   | \$ <u>5,500</u> 00   |
| 15.0 LUMP SUM | <u>CONSTRUCTED FENCE AND GATE</u>                    | LUMP SUM   | \$ <u>8,500</u> 00   |
| 16.0          | <u>CONSTRUCTED ACCESS ROADS</u>                      |            |                      |
| 16.1 LUMP SUM | <u>ALKALINITY AND SLUDGE CELL ROADS</u>              | LUMP SUM   | \$ <u>15,000</u> 00  |
| 17.0 LUMP SUM | <u>TWO DEEP MINE WET SEALS (Acid producing seam)</u> | LUMP SUM   | \$ <u>15,000</u> 00  |
| 18.0 LUMP SUM | <u>60 INCH STREAM CULVERT</u>                        | LUMP SUM   | \$ <u>125,000</u> 00 |
| 19.0 LUMP SUM | <u>CUT AND FILL FOR POND AREA</u>                    | LUMP SUM   | \$ <u>8,000</u> 00   |
|               | <b><u>TOTAL</u></b>                                  |            | \$ <u>508,000</u> 00 |

STATE OF WEST VIRGINIA  
Purchasing Division**PURCHASING AFFIDAVIT**

90

**VENDOR OWING A DEBT TO THE STATE:**

*West Virginia Code* §5A-3-10a provides that: 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.

**PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:**

*West Virginia Code* §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

**ANTITRUST:**

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

**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](http://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 is in compliance with the requirements as stated.

Vendor's Name: EAGLE EXCAVATION INC.Authorized Signature: Melita S. Freshour Date: 1-21-09





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  
**DEP13016**

PAGE  
**1**

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

**\*604150016      304-372-4378**  
**EAGLE EXCAVATING INC**  
**PO BOX 218**  
  
**KENNA WV 25248**

**ENVIRONMENTAL PROTECTION**  
**DEPT. OF**  
**OFFICE OF SPECIAL RECLAMATION**  
**601 57TH STREET SE**  
**CHARLESTON, WV**  
**25304      304-926-0499**

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 01/20/2009   |               |          |        |               |

BID OPENING DATE: **01/29/2009**      BID OPENING TIME **01:30PM**

| LINE   | QUANTITY | UOP | CAT. NO. | ITEM NUMBER                      | UNIT PRICE | AMOUNT                   |
|--|----------|-----|----------|----------------------------------|------------|--------------------------|
| <p>*****<b>ADDENDUM NO. 3</b>*****</p> <p>ADDENDUM ISSUED TO CLARIFY THE BID OPENING DATE FROM THE TYPO IN ADDENDUM NO. 2 ISSUED ON 01/20/09.</p> <p>THE BID OPENING DATE IS 01/29/2009 AT 1:30 PM, AS REFLECTED CORRECTLY IN THE BID OPENING DATE SECTION OF THIS FORM ABOVE.</p> <p>PLEASE NOTE THE INCLUDED DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT IS NOW MANDATORY WITH SUBMISSION OF THE BID.</p> <p>*****<b>NO OTHER CHANGES</b>*****</p> |          |     |          |                                  |            |                          |
| 0001   | 1        | JB  |          | 962-73                           |            | \$ 508,000 <sup>00</sup> |
|  |          |     |          | RECLAMATION: RESTORATION OF LAND |            |                          |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Mike S Freshour*      TELEPHONE: **372-4378**      DATE: **1-29-09**

TITLE: **PRESIDENT**      FEIN: **55-0762758**      ADDRESS CHANGES TO BE NOTED ABOVE

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



State of West Virginia  
DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT  
West Virginia Code §21-1D-5

STATE OF WEST VIRGINIA,  
COUNTY OF JACKSON, TO-WIT:

I, MIKE D. FRESHOUR, after being first duly sworn, depose and state as follows:

- 1. I am an employee of EAGLE EXCAVATION INC.; and,  
(Company Name)
- 2. I do hereby attest that EAGLE EXCAVATION INC.  
(Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D-5.**

The above statements are sworn to under the penalty of perjury.

EAGLE EXCAVATION INC.  
(Company Name)

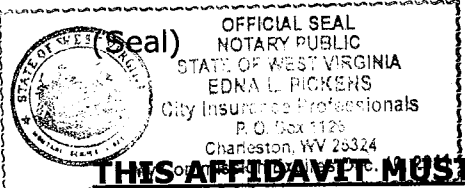
By: Mike D Freshour

Title: PRESIDENT

Date: 1-28-09

Taken, subscribed and sworn to before me this 28<sup>th</sup> day of January 2009

By Commission expires 12/10/2011



Edna L. Pickens  
(Notary Public)

**THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.**



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 |
| DEP13016   |

|      |
|------|
| PAGE |
| 1    |

|  |
|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| CHUCK BOWMAN<br>304-558-2157           |

|  |
|--|
| PROPERTY ADDRESS   |
| *604150016      304-372-4378<br>EAGLE EXCAVATING INC<br>PO BOX 218<br>KENNA WV 25248 |

|  |
|--|
| SHIP TO  |
| ENVIRONMENTAL PROTECTION<br>DEPT. OF<br>OFFICE OF SPECIAL RECLAMATION<br>601 57TH STREET SE<br>CHARLESTON, WV<br>25304      304-926-0499 |

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 01/20/2009   |               |          |        |               |

BID OPENING DATE: 01/28/2009      BID OPENING TIME 01:30PM

| LINE  | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|-------------|------------|--------|
| ***** ADDENDUM NO. 2 *****  |          |     |          |             |            |        |
| ADDENDUM ISSUED FOR THE BELL CONTRACTING PROJECT TO<br>DISTRIBUTE THE CHANGES IN SCOPE OF WORK AND THE TYPICAL<br>DRAWING AS DESCRIBED IN THE ATTACHED MEMO FROM THE<br>AGENCY. |          |     |          |             |            |        |
| BID DATE & OPENING TIME ARE THEREFORE EXTENDED FROM<br>01/21/2009 TO 01/29/2009 AT 1:30 PM.   |          |     |          |             |            |        |
| ***** NO OTHER CHANGES *****  |          |     |          |             |            |        |
| 0001  | 1        | JB  |          | 962-73      |            |        |
| RECLAMATION: RESTORATION OF LAND  |          |     |          |             |            |        |
| ***** THIS IS THE END OF RFQ DEP13016 ***** TOTAL:  |          |     |          |             |            |        |

|   |            |                                   |  |
|---|------------|-----------------------------------|--|
| SEE REVERSE SIDE FOR TERMS AND CONDITIONS |            |                                   |  |
| SIGNATURE                                 | TELEPHONE  | DATE                              |  |
| <i>Maika S. Frushon</i>                   | 372-4378   | 1-29-09                           |  |
| TITLE                                     | FEIN       | ADDRESS CHANGES TO BE NOTED ABOVE |  |
| PRESIDENT                                 | 55-0762758 |                                   |  |

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



west virginia department of environmental protection

Office of Special Reclamation  
601 57<sup>th</sup> St. SE  
Charleston, WV 25304  
Ph. (304)926-0499

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

**MEMORANDUM**

**To:** Chuck Bowman, Senior Buyer  
**From:** Charlie Stover *CJS 1/16/09*  
**Date:** January 16, 2009  
**Subject:** Addendum to DEP 13016 Belle Contracting S-6020-87

The following are corrections to the "Scope of Work" and notes on typical.

- 1. Item 22 now reads:

Construct approximately three hundred feet (300 LF) of open limestone rip-rap channel "C" from pond "2" to existing pond "3". The cost of the limestone and construction of this ditch shall be incidental to the cost of "V-ditch C" (See attached design specifications.)

Item 22 should read:

Construct approximately three hundred feet (300 LF) of open *grouted* limestone rip-rap channel "C" from pond "2" to existing pond "3". The cost of the *grout*, limestone, and construction of this ditch shall be incidental to the cost of "V-ditch C". (See attached design specifications.)

- 2. The note under the Typical "V-ditch" drawing (page 64) now reads:

Ditch "B, & C" shall be lined to prevent leaking.

Should read:

Ditch "B" shall be lined to prevent leaking.

*Ditch "C" shall be grouted with 100% grout penetration to fill all voids.*



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

# Request for Quotation

|            |
|------------|
| RFO NUMBER |
| DEP13016   |

|      |
|------|
| PAGE |
| 1    |

|  |
|--|
| ADDRESS CORRESPONDENCE TO ATTENTION OF |
| CHUCK BOWMAN<br>304-558-2157           |

VENDOR

\*604150016      304-372-4378  
 EAGLE EXCAVATING INC  
 PO BOX 218  
 KENNA WV 25248

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPT. OF  
 OFFICE OF SPECIAL RECLAMATION  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304      304-926-0499

|              |               |          |        |               |
|--------------|---------------|----------|--------|---------------|
| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| 12/02/2008   |               |          |        |               |

BID OPENING DATE: **01/21/2009**      BID OPENING TIME **01:30PM**

| LINE  | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|-------------|------------|--------|
| 0001  | 1        | JB  |          | 962-73      |            |        |
| <p>***** ADDENDUM NO. 1 *****</p> <p>ADDENDUM ISSUED FOR THE BELLE CONTRACTING PROJECT TO<br/>           DISTRIBUTE THE SIGN-IN SHEETS, SCOPE OF WORK REVISIONS,<br/>           AND THE Q/A RESULTING FROM THE MANDATORY PRE-BID CON-<br/>           FERENCE DATED 11/19/2008.</p> <p>BID DATE AND OPENING TIME REMAIN 01/21/2009 AT 1:30 PM.</p> <p>***** NO OTHER CHANGES *****</p> <p>RECLAMATION: RESTORATION OF LAND</p> <p>***** THIS IS THE END OF RFQ DEP13016 ***** TOTAL:</p> |          |     |          |             |            |        |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

|                        |            |                                   |
|------------------------|------------|-----------------------------------|
| SIGNATURE              | TELEPHONE  | DATE                              |
| <i>Meike S. Fishom</i> | 372-4378   | 1-21-09                           |
| TITLE                  | FEIN       | ADDRESS CHANGES TO BE NOTED ABOVE |
| <i>PRESIDENT</i>       | 55-0762758 |                                   |

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

# MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 13016

Bid Date: 1/21/09

Project: Belle Contracting S-6020-87

Pre-Bid Date: 11/19/08

Name : GEORGE FRESHOUR  
 Company: EAGLE EXCAVATION, INC  
 Address: P.O. BOX 218  
KENNA, WV  
25248  
 Phone #: (304) 372-4378  
 Fax #: (304) 372-4378  
 Email : Blank

Name : ANN WARDWELL  
 Company: EASTERN ARROW CO. INC  
 Address: PO BOX 4108  
CHAS, WV 25364  
 Phone#: 304-414-0255  
 Fax # : 0256  
 Email : easternarrow@hotmail.com

Name : GARY LONG  
 Company: M'Court & Son Const.  
 Address: 2790 Centralia Rd  
Sutton WV 26601  
 Phone #: 304 765-5288  
 Fax # : 304 765-5293  
 Email : \_\_\_\_\_

Name : MICK JONES  
 Company: BARNETT CONST.  
 Address: P.O. Box 9066  
Bowling WV. 25030  
 Phone#: 304.548-7104  
 Fax # : 304-548-7133  
 Email : Barnett Const. on yellow.com

Name : ROBERT BARNES  
 Company: BARNES EXC. INC.  
 Address: P.O. BOX 13384  
Sissonville WV 25380  
 Phone #: 984-1225  
 Fax # : 984-0074  
 Email : none

Name : DANNY SULLIVAN  
 Company: Danny Sullivan Excavating  
 Address: 801 LANT ST  
Coal Brook Ohio 44638  
 Phone#: 740 237 0251  
 Fax # : 740 533 2813  
 Email : DANCO 416@yahoo.com

Name : BASIL CARPENTER  
 Company: BASIL A CARPENTER EX INC  
 Address: 333A CAIL RD CHS, WVA  
 Phone #: (304) 546-1801  
 Fax # : " 984-3528  
 Email : \_\_\_\_\_

Name : DAVID H. BOWMAN  
 Company: GREEN MOUNTAIN CO  
 Address: 511 50th STREET  
CHARLESTON WV  
25304  
 Phone#: 304 925 0253  
 Fax # : 925 4043  
 Email : Jody Merycaul, cum

# MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 13016  
 Project: Balk Contracting 5-6022-87

Bid Date: 1/21/09  
 Pre-Bid Date: 11/19/08

Name : Doug Vincent  
 Company: Breakaway Inc.  
 Address: 1075 Old Turnpike Rd  
Sutton, WV 26601  
 Phone #: 765-5317  
 Fax #: 765-5389  
 Email : -

Name : Randy Carpenter  
 Company: Carpenter's Reconstruction  
 Address: PO Box 17615  
Sissonville, WV  
 Phone #: 984 1115  
 Fax #: 984-2770  
 Email :

Name : Clyde R. Raynes  
 Company: Raynes & Sons Excavating  
 Address: PO Box 438  
Eleanor, W.V. 25070  
 Phone #: (304) 545-3778  
 Fax #: (304) 586-2535  
 Email :

Name :  
 Company:  
 Address:  
 Phone# :  
 Fax # :  
 Email :

Name : DAVID JACKSON  
 Company: TRI STATE PIPELINE  
 Address: 912 Solida Rd  
South Point, OH  
 Phone #: 740-377-2208  
 Fax #: 740-377-9435  
 Email : DAVID.JACKSON@TRI-STATE.PIPELINE

Name :  
 Company:  
 Address:  
 Phone# :  
 Fax # :  
 Email :

Name :  
 Company:  
 Address:  
 Phone #:  
 Fax # :  
 Email :

Name :  
 Company:  
 Address:  
 Phone# :  
 Fax # :  
 Email :



0014

---

west virginia department of environmental protection

---

Office of Special Reclamation  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
(304) 926-0499 fax (304) 926-0458

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

### MEMORANDUM

**To:** Chuck Bowman, Senior Buyer

**From:** Charlie Stover

**Date:** November 20, 2008

**Subject:** Addendum to DEP 13016 Belle Contracting Pre-bid Conference Corrections, Questions & Answers

The following are corrections to the 'Scope of Work' and notes on typicals.

1. Item 6 – Add the following paragraph to the description:  
The permanent access bridge that crosses Manilla Creek needs repaired by adding reinforced wingwalls to all four corners of the abutments and reinforced concrete approach aprons added to both ends of the bridge deck. The cost of the concrete, expansion joints, and reinforcing steel shall be incidental to "repair existing bridge and approaches." (See attached plans and/or specifications)
2. Item 11 now reads:  
Construct approximately six hundred twenty five feet (625 LF) of limestone rip-rap trapezoidal channel "A" to collect and convey bench and wet seal discharge drainage to the "alkalinity cell no. One (1)". This ditch shall be keyed into the base of the "backstack" and shall be lined on the bottom and outslope with HDPE "poly-flex" sixty (60) mil. or equivalent liner with seams fused on site so it will not leak. The cost of the limestone, liner, and excavation and placement shall be incidental to the cost of "trapezoidal channel "A". (See attached design specifications.)

Item 11 should read:

Construct approximately six hundred twenty five feet (625 LF) of limestone rip-rap trapezoidal channel "A" to collect and convey bench and wet seal discharge drainage to the "alkalinity cell no. One (1)". . This ditch shall be keyed into the base of the "backstack" and shall be lined on the bottom and outslope with HDPE "poly-flex" sixty (60) mil. or equivalent liner with seams fused on site so it will not leak. *A six inch (6") layer of one and a half inch (1 ½") crusher run limestone will be placed on the liner to protect it from damage prior to placement of riprap.* The cost of the limestone, liner, and excavation and placement shall be incidental to the cost of "trapezoidal channel "A". (See attached design specifications.)



## 3. Item 13 now reads:

Construct approximately three hundred feet (300 LF) of limestone rip-rap "V" ditch "B" from the alkalinity cell "1" to the headwall "A" of pond "1" this ditch shall be lined with a "poly-flex" sixty (60) mil or equivalent liner with seams fused on site so that it will not leak. The cost of the limestone, liner, excavation and placement shall be incidental to the cost of "V-ditch "B". (See attached design specifications.)

Item 13 should read:

Construct approximately three hundred feet (300 LF) of limestone rip-rap "V" ditch "B" from the alkalinity cell "1" to the headwall "A" of pond "1" this ditch shall be lined with a "poly-flex" sixty (60) mil or equivalent liner with seams fused on site so that it will not leak. ***A six inch (6") layer of one and a half inch (1 1/2") crusher run limestone will be placed on the liner to protect it from damage prior to placement of riprap.*** The cost of the limestone, liner, excavation and placement shall be incidental to the cost of "V-ditch "B". (See attached design specifications.)

## 4. The note at the bottom of drawing "Belle Contracting bridge repair", page 45, now reads:

Concrete reinforced walls shall be six inches thick with one mat of No. 4 rebar on six inch centers. The poured concrete approach aprons shall be reinforced with No. 4 rebar on six inch centers.

Should read:

Concrete reinforcing walls shall be six inches thick with one mat of No. 4 rebar on six inch centers. ***Horizontal reinforcing steel will be doweled into the existing concrete.*** The poured concrete approach aprons shall be reinforced with a mat of No. 4 rebar on six inch centers.

5. The drawing "Stainless steel trash rack typical attachment" on page 48 needs to have all references to stainless removed. A carbon steel trash rack will be acceptable.
6. The note on page 61, Sludge pump line attachment Ponds 1 & 2, now reads"

With stainless steel cam-lock connection

Should read:

***With stainless steel cam-lock connection with cap***

The following questions were asked during the Pre-bid conference held on November 19, 2008, @ 10:00 am. The responses to these questions are also provided.

Q. Does re-graveling access road have its own pay item?

A. No, it is covered under Item #3 haulroad & access road.

Q. What about these tires around the barn?

A. Shouldn't be in the way, we are only skirting around the barn anyway.

Q. Do we have to take anything off site?

A. No.

Q. What about access road from temporary crossing to work site?

A. That will be on the contractor. It is only a pasture to drive across and shouldn't need much work.

Q. What about permits for the temporary crossing?

A. Contractor may have to obtain a Public Lands Corps permit but that will be his/her responsibility.

Q. Are you going to have a typical for the bridge work?

A. Yes, drawings are already in the package. The work was not listed in the scope though.

Q. Are you not supposed to support the ridge underneath?

A. No, the bridge is very sturdy with large steel beams but the approaches are in need of repair.

Q. Are pumps to pump the water back up included any place?

A. No the pumping will be done at a later day after utilizing the system and developing sludge.

Q. What is that over against that hill, a pipe?

A. No, that's only a different fence post. There aren't any pipelines in this area.

Q. The 1300 cy fill is only to backfill over the 60" pipe?

A. No, the 1300 cy should be all you need to move to backfill pipe and for pond development.

Q. Does that fence need to be re-established?

A. We'll talk to the property owner, but we don't think that it is used anymore. Our fence would close that area anyway.

Q. Are we going to have to clean up area beneath 60" pipe or excavate down to place it?

A. No, as long as we have 12" of bedding beneath it we can place it in existing grade and cover it.

Q. You don't have any wingwalls designed for that 60" pipe anywhere?

A. Yes, a headwall with trash rack goes at upper end and wingwalls at lower end as per the plans & specs.

Q. Where does the dredged material go from pond 3?

A. We can use the material for fill to build ponds or cover the pipe, just can't place it around water flow areas.

Q. Do the sides of the pond get worked or excavated any?

A. No, they should be ok. We only need to dredge to establish original capacity.

- Q. Do you have a water depth that you want after dredging pond 3?
- A. It's listed in the drawing, but we think it is four or six feet. We have that on lower end of pond, but we need to dredge this upper end to get that depth, probably about a third of the way out into the pond. Plans call for 4 feet with 2 additional feet of freeboard.

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Eagle Excavation, Inc.  
of Kenna, WV, as Principal, and Ohio Farmers Insurance Company  
of Westfield Center, OH, a corporation organized and existing under the laws of the State of \_\_\_\_\_  
OH with its principal office in the City of Westfield Center, 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 # DEP 13010 Kanawha County 10.0 Acres at Mammoth, WV - According to Plans and 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

6th day of January, 2009

Principal Corporate Seal

Eagle Excavation, Inc.

(Name of Principal)

By: Meike D Freshour

(Must be President or  
Vice President)

Meike Freshour President

(Title)

Surety Corporate Seal

Ohio Farmers Insurance Company

(Name of Surety)

By: Gregory T. Gordon

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.

General  
Power  
of Attorney

**Westfield Insurance Co.  
Westfield National Insurance Co.  
Ohio Farmers Insurance Co.**  
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint **LARRY D. KERR, GREGORY T. GORDON, STEPHEN B. STOGDEN, PATRICIA A. MOYE, ALLAN L. MC VEY, KIMBERLY J. WILKINSON, JOINTLY OR SEVERALLY**

of CHARLESTON and State of WV its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

**LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.**

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Senior Executive and their corporate seals to be hereto affixed this 25th day of JUNE A.D., 2008 .

WESTFIELD INSURANCE COMPANY  
WESTFIELD NATIONAL INSURANCE COMPANY  
OHIO FARMERS INSURANCE COMPANY

*Richard L. Kinnaird, Jr.*  
By: **Richard L. Kinnaird, Jr., Senior Executive**

Corporate  
Seals  
Affixed



State of Ohio  
County of Medina ss.:

On this 25th day of JUNE A.D., 2008 , before me personally came **Richard L. Kinnaird, Jr.** to me known, who, being by me duly sworn, did depose and say, that he resides in **Medina, Ohio**; that he is **Senior Executive** of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial  
Seal  
Affixed



*William J. Kahelin*  
**William J. Kahelin, Attorney at Law, Notary Public**  
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio  
County of Medina ss.:

I, **Frank A. Carrino**, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 10th day of January A.D., 2009 .



*Frank A. Carrino*  
**Frank A. Carrino, Secretary**