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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

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DEP14483

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

**ANDOUR** 

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> **EAGLE EXCAVATION, INC.** P.O. BOX 218 **KENN**A, WV 25248

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

304-926-0499

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## 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.
- 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



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CHUCK BOWMAN 304-558-2157

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RFQ COPY

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

#### Request for Quotation

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RFQ NUMBER

**DEP14483** 

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ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

TYPE NAME/ADDRESS HERE

EAGLE EXCAVATION, INC. P.O. BOX 218 **KENNA, WV 25248** 

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

304-926-0499

ADDRESS CHANGES TO BE NOTED ABOVE

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RFQ NUMBER

**DEP14483** 

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

CHUCK BOWMAN 304-558-2157

EAGLE EXCAVATION, INC. P.O. BOX 218 **KENNA, WV 25248** 

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

ADDRESS CORRESPONDENCE TO ATTENTION OF:

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 11/06/2008 BID OPENING DATE: 01/08/2009 BID OPENING TIME 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT 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. 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. ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY AL 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 THAIT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE. REV. 11/96 EXHIBIT 10 REQUISITION NO.: .DEP14483... ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NO. 'S: 

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

TELEPHONE

ADDRESS CHANGES TO BE NOTED ABOVE



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

#### Request for Quotation

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DEP14483

CHUCK BOWMAN 304-558-2157

ADDRESS CORRESPONDENCE TO ATTENTION OF:

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> EAGLE EXCAVATION, INC. P.O. BOX 218 **KENNA, WV 25248**

**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 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

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EAGLE EXCAVATION, INC. P.O. BOX 218 KENNA, WV 25248

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

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ADDRESS CHANGES TO BE NOTED ABOVE

#### RFQ# DEP14483

#### GLASGOW (DALPORTO) PORTAL & CLOGGED STREAM BID SHEET

The bidder agrees to furnish all labor, equipment, and other necessary services for the reclamation of the Glasgow (Dalporto) Portal & Clogged Stream project.

The quantity of work done will be paid at the contract lump sum price bid. Payment of said lump sum shall constitute full compensation for doing all the work outlined in the specifications and shown on the plan sheets in a workmanlike and acceptable manner, including the furnishings of all labor, materials, tools, equipment, supplies, and incidentals necessary to complete the work.

COMPANY: EAGLE EXCAVATION INC.

SIGNATURE: Meike D Freshour

DATE: 1-08-09

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

Signature Meile & Freshoutitle PRESIDENT

#### AML CONTRACTOR INFORMATION FORM

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

Contractor Name: <u>EAGLE EXCAVATION INC.</u> Address: <u>P.O. Box 218</u> City: <u>KENNA</u> State: <u>INV</u> Zip C. Fax No.: 372-4378 E-mail address:	C. Tax Payer ID No.: 55-0762758 Code: <u>26248</u> Phone: <u>372-4378</u> NONE
Part B: Legal Structure	
(Corporation () Sole Proprietorship () Other (please specify)	() Partnership () LLC
Part C: Certifying and updating information in the Approne of the following options, follow the instructions for	plicant/Violator System (AVS). Select only or that option, and sign below.
I, MEIKE D FRESHOUR, have the (print name)  Information on the attached Entity OFT from A date. If you select this option, you must attach Sign and date below and do not complete Part	AVS is accurate, complete, and upto-
Part of the information on the attached Entity of the information in AVS for my company must must attach an Entity OFT from AVS to this for corrected information. Sign and date below an	be updated. If you select this option, you orm. Use Part D to provide missing or

#### IMPORTANT!

Date

1-08-09

Part A: General Information

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

Our company currently has no information in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.

Part D.

#### Contractor Name:

If the current entity and Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business affiliations. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- · Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name Address	Position/Title Telephone # % of Ownership Begin Date:				
Ending Date:	•				
Name Address	Position/Title Telephone # % of Ownership Begin Date:				
	Ending Date:				
Name	Position/Title				
Address	Telephone # % of Ownership				
Begin Date:	Ending Date:				
Name Address	Position/Title Telephone # % of OwnershipBegin Date:				
	Ending Date:				

#### PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to average 45 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Office, Office of Surface Mining Reclamation and Enforcement, Room 210 S1B, Constitution Ave., NW, Washington, D.C. 20240.

		Agency REQ.P.O#
	BID BOND	(VII)
KNOW ALL MEN BY THESE PRESENT	ΓS, That we, the undersigned,	
of	, as Prir	cipal, and
of	, a corporation organized	and existing under the laws of the State of
with its principal office in the C	ity of, as Sur	ety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of	(\$	) for the payment of which,
vell and truly to be made, we jointly and severally	y bind ourselves, our heirs, administrator	s, executors, successors and assigns.
The Condition of the above obligation is Department of Administration a certain bid or pro	such that whereas the Principal has sub posal, attached hereto and made a part	
NOW THEREFORE,  (a) If said bid shall be rejected, or		
(b) If said bid shall be accepted and the nereto and shall furnish any other bonds and instagreement created by the acceptance of said bid force and effect. It is expressly understood and a exceed the penal amount of this obligation as he	urance required by the bid or proposal, a d, then this obligation shall be null and vo agreed that the liability of the Surety for a prein stated.	id, otherwise this obligation shall remain in full
way impaired or affected by any extension of the waive notice of any such extension.	time within which the Obligee may acce	pt such bid, and said Surety does hereby
IN WITNESS WHEREOF, Principal and	I Surety have hereunto set their hands a	nd seals, and such of them as are corporations
nave caused their corporate seals to be affixed h		
day of, 20		, , ,
	·	
Principal Corporate Seal		(Name of Principal)
	_	( 2
	Ву	(Must be President or
		Vice President)
		(Title)
Surety Corporate Seal		(Name of Surety)
	·	Attorney-in-Fact

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed, a power of attorney must be attached.

018

AGENCY	(A)
RFO/RFP#	(B)

		<u>Bid </u>	
(A)	WV State Agency (Stated on Page 1 "Spending Unit")	KNOW ALL MEN BY THESE (C) of	PRESENTS, That we, the undersigned, (D) (E),
	Request for Quotation Number (upper	as Principal, and(F)	_ of (G)
	right corner of page #1)		n organized and existing under the laws
(C)	Your Company Name		its principal office in the City of
(D)	City, Location of your Company		e held and firmly bound unto The State
(E)	State, Location of your Company	of West Virginia, as Obligee, in the pena	l sum of(K)
(F)	Surety Corporate Name	(\$ (L) ) for the payr	nent of which, well and truly to be made,
(G)	City, Location of Surety	we jointly and severally bind ourselves,	our heirs, administrators, executors,
(H)	State, Location of Surety	successors and assigns.	·
(I)	State of Surety Incorporation		igation is such that whereas the Principal
(J)	City of Surety Incorporation	has submitted to the Purchasing Section	of the Department of Administration
(K)	Minimum amount of acceptable bid	a certain bid or proposal, attached hereto	and made a part hereof to enter into a
` ,	bond is 5% of total bid. You may state	contract in writing for	
	"5% of bid" or a specific amount on	(M)	
	this line in words.		
(L) .	Amount of bond in figures		
(M)	Brief Description of scope of work	NOW THEREFORE.	
(N)	Day of the month	(a) If said bid shall be rejected	
(O)	Month		d and the Principal shall enter into a
(P)	Year		oposal attached hereto and shall furnish
(Q)	Name of Corporation	any other bonds and insurance required	
(R)	Raised Corporate Seal of Principal	other respects perform the agreement cr	
(S)	Signature of President or Vice	force and effect. It is expressly understo	nerwise this obligation shall remain in full
(TM)	President	Surety for any and all claims hereunder	
(T)	Title of person signing	amount of this obligation as herein state	
(U)	Raised Corporate Seal of Surety Corporate Name of Surety		hereby stipulates and agrees that the
(V)	Signature of Attorney in Fact of the		hall be in no way impaired or affected by
(W)	Surety	any extension of time within which the	
NOTE:	Dated, Power of Attorney with Raised	Surety does hereby waive notice of any	
NOIL.	Surety Seal must accompany this bid		ncipal and Surety have hereunto set their
	bond.		corporations have caused their corporate
			ents to be signed by their proper officers,
		this (N) day of (O)	
		Principal Corporate Seal	(Q)
			(Name of Principal)
		(R)	By(S)
			(Must be President or
			Vice President)
		•	(T)
			Title
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		Surety Corporate Seal	(V)
			(Name of Surety)
			(W)
			Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised Corporate Seals must be affixed and a Power of Attorney must be attached.

RFQ No. DEP1	4483
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### STATE OF WEST VIRGINIA Purchasing Division

19

#### PURCHASING AFFIDAVIT

#### 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 <a href="https://www.state.wv.us/admin/purchase/privacy">www.state.wv.us/admin/purchase/privacy</a> 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 1	INC		
Authorized Signature:	Meile	5) Freshow	Date:	1-08-09	



VENDOR

DATE PRINTED

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

TERMS OF SALE

Request for Quotation

SHIP VIA

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

KENNA WV 25248

ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
T 601 57TH STREET SE
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\//L	IEN DESD	ONDING	TO REC	INSEE	T NAME AND ADDRESS	IN SPACE ABOVE LAE	RELED 'VENDOR'

Req # DEP 14483 Glasgow (Dalporto) Portal and Clogged Stream Addendum #1

#### **QUESTIONS AND ANSWERS**

Q: Is the Contractor allowed to burn on site?

A: According to Special Provisions, Section VIII of the construction specifications the Contractor may burn on site. The contractor will be responsible for obtaining a burning permit.

Q: What kind of stone will be used?

A: According to Section 7.2.1 of the construction specifications the rock for the splash pad shall consist of hard durable sandstone or limestone. According to Section 9.2.1 of the construction specifications the bulkhead stone for the mine seal shall consist of No. 4 non-calcareous crushed stone or river gravel. Non-calcareous means limestone shall not be used.

Q: Do we expect the existing pipe to need cleaning? How long is the pipe?

A: According to Section 7.3.2 the cleanout of the pipe is part of the contract. The pipe could become plugged during construction activities or a storm event. According to the drawings, the pipe is approximately 100 feet long.

Q: Do we (the Contractor) have to backfill the portal to the top tree?

A: No, the portal needs to be backfilled above the collapsed rock about half way between the top of the hole and the tree.

Q: Does the bulkhead stone have to be graded stone?

A: Yes, according to Specification 9.2.1 the bulkhead stone shall consist of No. 4 non-calcareous crushed stone or river gravel.

Q: Does the big poplar tree have to be taken down?

A: No, the intent is not to take down the big trees.

Q: There are no mandatory marked trees to cut out?

A: No.

Q: Does the grass ditch go all the way up to the splash pad?

A: Yes.

Q: How much rock has to come out of the mine void?

A: The loose fallen rock and debris shall be removed to accommodate proper construction of the mine seal.

#### MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

#### PRINT LEGIBLY

Bid Date: 1/8/09

Pre-Bid Date: 12/4/08 RFQ # : DEP 14483 Project: Glusgow (Oulforto) Portal and clogged stream Name : Mick frags Name : BEMARYIN REYNOLDS Company: Ranget Coust Company: DIRTHORES DEVELOPMENTLY Address: PO box 9046 Address: 4529 BLANKENSHIP P.D. Beneut W/25030 HUNTINGTON WU 25701 Phone #: 304-548-7004 Phone# : 736 3719 Fax # : 309 - 548 - 7/33 Fax # : 736-8242 Email : Count Court Que lander : Birtworks 9'79@ netzero.ner Email Name : Egene A-McKenie : Pobert Brown Name Company: The MCXC 218 Co. Company: McCourt x Sun Address: 3/5-74 5+ Address: 2790 chtiral Rode RAINEILE MA 25967 Sutton WY26601 Phone #: 304-438-5215 Phone# : 765 5288 Fax # : 50m & Fax # Email: Email : Any WARDWELL Name : DAVIDH, BOWMAN Name Company: GLER MOUNTAIN C Company: EASTERN ALZOW Address: 4108 70.35x Address: 511 50th STEEL CHUS 1911 52361 CITACITSTON UNSSOF Phone #: 304 - 414 - 0255 Phone#: 304 925 0255 Fax #: 4043 Email: Jody Maye Hol. Cun Fax # : 301 - 414 0256 Email : easternarrow e hotmal : BASIL CARPENTER Name : Bernie MCCount Name Company: Basil Commented Ex Two Company: Marktian March Address: 216 South Maine Ave Address: 333 A Call RO Chas WU 25312 Phone #: /-304-269-2449 Phone# : 546-1661 304 Fax # Fax # : 984-0388 (164) Email Email

#### MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

#### PRINT LEGIBLY

RFQ # : DEP14483	Bid Date: 1/8/09
Project: 6 (algan (Outpurts) Parts	Pre-Bid Date: 12/4/af
and clugged stream	, , , ,
Name : Rober BAINES	Name : Dale Thuster
Company: BAINGS EXC. INC.	Company: Thanka Const Co Inc
Address: <u>P.O.Box 13384</u>	Address: POBox 13279 Charleston
5,350NUILLE	W/ 25350
WV25360	·
Phone #: 984-1725	Phone# : 304 984 2299
Fax # : 984-0074	Fax # : 304 984 2334
Email : <u>none</u>	Email :
Name: Roser Smithson Company: Congrel 40 Inc.	Name : LEDNOIS GILKERSON
Company: Coward up Inc.	Company: CJJ CONTRACTING
Address: P. U Box 243	Address: Po Box 37
Simpsun W. V 26435	CRUM WU 25669
Phone #: 304-739.4397	Phone# : 504 393 4907
Fax # :	Fax # : 304 393. 4908
Email :	Email : CII CONTRACTIVE @ YAHOO, Com
Name : Clyde K Raynes	Name : GFORGE FRESHOUN
Company: Raynes + Stas Great itall	(Company: EAGLE EXCAVATION INC
Address: Rt62 P.O. Box 438	Address: P.O. Box 219
Eleanor, W.V. 25070	KENNA. WU
	25248
Phone #: (304) 545-3778	Phone#: (304) 372-4378
Fax # : (304) 58.6-2535	Fax # : <u>304) 372-43&gt;8</u>
Email:	Email: Work
Name: Randy Carpy 4	Name: Allen Marker
Company: Confront of the dank of n	Company: (Sarche R. Market Som
Address: PC Bx 13015 Successible w	Address: 1119 Jefferson KN
25760	20. 2 LAD AAA 9 220 1
Phone #: 984-1115	Phone# : 744 0590
Fax # : <u> </u>	Fax # : 746 5203
Email :	Email :

#### MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

#### PRINT LEGIBLY

Project: Glusgow (Dalparta) Portal and Clogged Stream	Bid Date: 1/8/09 Pre-Bid Date: 12/4/05
Name: EcdiE SORAH  Company: EASTERN TANK  Address: 145 KRIT LANE  PRINCETON WV. 24740	Name : Company: Address:
Phone #: 304 324 2692 Fax # : 304 324 8692 Email : EnsteantankerRentienner. Net	Phone# : Fax # : Email :
Name: David Resc. Company: AML Address: Cosc Hill	Name :
Phone #: 304.465-1911  Fax # : 304-465-0159  Email :	Phone# : Fax # : Email :
Name : Company: Address:	Name : Company: Address:
Phone #: Fax # : Email :	Phone# : Fax # : Email :
Name : Company: Address:	Name :
Phone #: Fax # : Email :	Phone# : Fax # : Email :

Agency	
REQ.P.O#_DEP14483	

#### **BID BOND**

KNOW A	ALL MEN BY THESE PI	RESENTS, That we,	the undersigned, E	agle Excavation,	Inc.
of <u>Ke</u> ı	nna	, <u>WV</u>		_, as Principal, and	Ohio Farmers Insurance Company
of <u>We</u>	stfield Center , OH		_, a corporation o	rganized and existing	g under the laws of the State of
OH	with its principal office	in the City of Westf	ield Center	_, as Surety, are he	ld and firmly bound unto the State
of West Virginia,	as Obligee, in the penal	sum of Five Percen	t of Amount Bid	(\$5%	) for the payment of which,
well and truly to b	e made, we jointly and	severally bind ourselv	ves, our heirs, adn	ninistrators, executor	s, successors and assigns.
The Con	dition of the above obliq	gation is such that wh	ereas the Principa	al has submitted to th	ne Purchasing Section of the
•					nter into a contract in writing for
REQ # DEP 14	483 Kanawha County	y Glasgow (Dalpor	to) Portal and C	logged Stream - A	ccording to Plans and
Specifications					
NOW TH	JEDELODE				
	HEREFORE, aid bid shall be rejected,				
(b) If sa hereto and shall fi agreement create force and effect.	aid bid shall be accepted urnish any other bonds and by the acceptance of	I and the Principal sh and insurance require said bid, then this ob od and agreed that th	ed by the bid or pr ligation shall be nu	oposal, and shall in a ıll and void, otherwis	with the bid or proposal attached all other respects perform the e this obligation shall remain in full claims hereunder shall, in no event,
way impaired or a waive notice of ar	iffected by any extension ny such extension.	n of the time within w	hich the Obligee n	nay accept such bid,	Surety and its bond shall be in no and said Surety does hereby  d such of them as are corporations
		•			
	corporate seals to be a		nese presents to t	be signed by their pro	oper onicers, tris
8th day of	January				· · · · · · · · · · · · · · · · · · ·
Principal Corporal	te Seál			Eagle Excavation	ı, Inc. Name of Principal)
				(1	S Freshous  Must be President or  Vice President)
				Meike Freshour	President (Title)
Surety Corporate	Seal				surance Company Name of Surety)
				BY: Megn	2 Inh
			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.

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 06/25/08, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4752152 06

General Power of Attorney

#### CERTIFIED COPY

#### Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co.

Westfield Center, Ohio

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

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

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

Corporate Seals Affixed State of Ohio County of Medina

WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Richard L. Kinnaird, Jr., Senior Executive

A.D., 2008, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly On this 25th day of JUNE 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

State of Ohio County of Medina

ss.:



William J. Kahelin, Attorney at Law, Notary Public

My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

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 🔀 day of 4 A.D., 2009.



# leps://avss.osmre.gov/entity.aspx

# Office of Surface Mining

Welcome Linda Keene

Logout Help MAINTENANCE Lock OFT Entity OFT VIOLATION Delete Entity **Entity Page** PERMIT Evaluate **APPLICATION** Update Entity New Entity Applicant Violator System ENTITY Back to Search HOME

Entity Number 150896 Entity Name	e Eagle Excavation Inc e					
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New Relationship	ghip					
Parei	Parent Entity	Sub-Entity	Description	Description % Ownership	Begin Date	End Date
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Select 1508	150896 Eagle Excavation Inc	139730 Freshour Meike D	President	0	5/29/2001	
Select 1508	150896 Eagle Excavation Inc	157116 Roush Leslie Ann	Director	0	5/29/2001	

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