

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

# Request for

DEP14637

CHUCK BOWMAN 304-558-2157

RFQ COPY TYPE NAME/ADDRESS HERE ARA ENERGY INC 151 STEWART STREET WEILH WV 24801

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

DATE PRINTED TERMS OF SALE SHIP VIA 05/26/2009 BID OPENING DATE: 06/10/2009 BID OPENING TIME 01:30PM CAT. QUANTITY LINE UOP ITEM NUMBER UNIT PRICE AMOUNT ADDENDUM ISSUED FOR THE JACOB'S FORK COMPLEX PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEET AND THE Q/A RESULTING FROM THE 04/28/09 MANDATORY PRE-BID MEETING. BID DATE AND OPENING TIME ARE EXTENDED FROM 05/27/09 TO 06/10/2009, AT 1:30 PM. DNLY PAGE ONE OF THIS ADDENDUM IS BEING FAXED, THE ENTIRE ADDENDUM IS BEING MAILED. 2009 JUN 10 PM 12: 36 WV PURCHASING DIVISION 0001 JB 962-73 535,080,00 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES SEE REVERSE SIDE FOR TERMS AND CONDITIONS: 55-0700-131 ADDRESS CHANGES TO BE NOTED ABOVE

# 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, the State may deem this contract null and void, and terminate such contract 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

### PRINT LEGIBLY

05-27-09 Bid Date:\_\_\_\_ DEP14637 04-28-09 Pre-Bid Date: RFQ # : Project: Jacob's Fork Complex Name : Jerry Cook Name : <u>LES BOLEN</u> Company: Cook's Excavating, LCE Company: ASPEN CORPORATION Address: Po. Box 204 Address: 2400 RITTER DR. ROCK VIEW, WU 24880 PANIELS WY 25832 Phone#: (304) 732-7193 Phone #: 304-163-4573 Fax # : (304) 732-0035 Email: earthmovers 55 @ hotmall.com Fax # : 304-763-4591 Email: <u>Ibolen@aspen-golf.com</u> : Wes Addain Company: A-A ENERGY INC Name Name : DAVIO H. BOWARAN Company: 511 50th STREET Address: ISI STEWART ST Address: (has wu, 25304 WeicH WVA 24801 Phone#: 304-3203961 Phone #: 304-925-0253
Fax #: 304 925 9230 Fax # : 304 426 5111 Email: Wes @ HoTregil.com Email: Jody Maye AOL, Cum Name : John VI/14 & Tim Cort Name : DENNIS L'ELBON Company: E.I. Robinson Company: Cow GIRL HP INC Address: 5088 Washington Stwood
Cross Lanes uv 25313 Address: Po Box 245 SIMPSON, WU 265/35 Phone# : 304 2011/11/14 776-7473 Phone #: 304-739-4397 Fax # : 304-776-6426 Fax # : 304-739-4401 Email : DCE-COWGIRL UP CEARTHLINE, Email Company: Corplita Reclamation Company: Pinedile PAU, NCY EXC. INC Name : Ricky Carpenter Address: P.O. BOX 13015 PINEVIII- WV. 24814 Sissonville WV 25360 Phone# : 304 732-8383 Phone #: 304-984-1115
Fax # : 304-984-2770 Fax # : 304132 1855 Email Email :

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

#### PRINT LEGIBLY

RFQ # :		Bid	l Date:	05-27-09
	Jacob's Fork Complex	Pre-Bi	.d Date:_	04-28-09
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Company:	TEASTERN ARROW	Company:	BAINES	EXC. Inc
Address:	PO BOX 4108	Address:		x / 33 84
	CHARLES TUN WY			ville
	25364			360
	304-414-0255		304-98	4-1725
Fax # :	0256		304-98	4-0074
Email :		Email :	None	
	- 1/ /	Mg 466		•
Name :	Doug VINCENT			
. Company:	Doug Vincent Breakmay INC.		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Address:	1675 010 1.6 MD. HE 110	Address:		
	Suffer NV 26601			
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H*	Frank Moses III	Name : _		
Company:	Pocahontas Mining LLC	Company: _		
Address:	Abinston VA	Address: _		
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#### DEP14637 Jacob's Fork Complex Addendum # 1

Item 1: Section 6.2.11 of the specifications – The bat gate dimension should be  $57'' \times 38''$ , not  $57'' \times 83''$ .

Item 2: Bid Item 6.2 - The quantity for "Type II Ditch" should be 1768 LF, not 603 LF.

Item 3: Bid Item 6.3 – The quantity for "Type III Ditch" should be 328 LF, not 1493 LF.

Item 4: A revised bid schedule is included with this addendum.

Item 5: The "DEP14238" project number shown on the plan sheets should be "DEP14637".

Item 6: Q) is there any asbestos in the ruins, located at Site # 1, which needs to be addressed?

A) No asbestos is anticipated to be encountered in the ruins. The ruins consist mostly of concrete, masonry, and wooden structures.

Item 7: Q) Can we balance these sites within themselves?

A) Yes.

#### JACOB'S FORK COMPLEX

#### DEP#14637

#### Contractor's Bid Sheet

Vendors Name:	A	&A	ENERGY	INC

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

ITEM				
NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
		Mobilization & Demobilization (Lump Sum)		
		(Cannot exceed 10% of the Total Amount Bid)	LS	s 22,000.00
1.0	LS	<u> </u>		3 200,000,00
2.0	1.5	Construction Layout (Lump Sum)	LS	5 10 000 00
2.0	LS	(Cannot exceed 5% of the Total Amount Bid)	1/3	\$ 10,000,00
2.0		Quality Control (Lump Sum)	LS	\$ 6,000,00
3.0	LS	(Cannot exceed 3% of the Total Amount Bid)	L2	3 6,000,00
		Clearing and Grubbing (Lump Sum)	T C	\$ 15,000,00
4.1	LS	(Cannot exceed 5% of the Total Amount Bid)	LS	
4.2	140 TON	Road Restoration (Per Ton)	\$ 40,00	\$ 5.600.00
5.0	26,200 CY	Unclassified Excavation (Per Cubic Yard)	\$ 3,00	\$ 78,600,00
6.1	1020 LF	Type I Ditch (Per Linear Foot)	\$ 400	\$ 4,080,00
6.2	1768 LF	Type II Ditch (Per Linear Foot)	\$ 20,00	\$ 35,360,00
6.3	328 LF	Type III Ditch (Per Linear Foot)	s 40.00	\$ 13,120,00
6.4	1100 LF	Type IV Ditch (Per Linear Foot)		\$ 49,500,00
6.5	120 LF	Type V Ditch (Per Linear Foot)	s 46,00	\$ 5,520,00
6.6	320 LF	Type VI Ditch (Per Linear Foot)	\$ 120,00	s 22.400,00
6.7	100 LF	Underdrain (Per Linear Foot)	\$ 55.00	\$ 5,500,00
6.8	1 EA	Low Water Crossing (Per Each)	\$ 2,500,00	\$ 2,500,00
6.9	30 LF	18-Inch HDPE Culvert (Per Linear Foot)	\$ 70,00	s 2.100,00
6.10	6 EA	Wet Mine Seals (Per Each)	\$ 6,000,00	s 36,000,00
6.11	10 BAG	Acid Mine Drainage Treatment (Per 50 lb. Bag)	\$ 40.00	\$ 400,00
6.12	850 LF	Mine Seal and Underdrain Conveyance Pipe (Per Linear Foot)	\$ 22,00	\$ 18,700.00
6.13	6 EA	Splash Pad (Per Each)	\$ 500,00	
6.14	9 EA	Bat Gate Mine Seal ( Per Each)	\$ 7,000,00	
6.15	1 EA	Culvert Clean Out (Per Each	\$ 1,000.60	\$ 1,000,00
8.0	14ACRE	Soil Cover (Per Acre)	\$ 5,500,00	s 77,000,00
9.1	6500 LF	Sediment Control (Per Linear Foot)	\$ 2,00	\$ 13,000.00
9.2	3 EA	Stone Check Dams (Per Each)	\$ 500.00	\$ 1.500,00
9.3	4,200 SY	Erosion Control Matting (Per Square Yard)	\$ 1,00	s 4,200,00
10.0	20 ACRE	Revegetation (Per Acre)	\$ 2,000,00	\$ 40,000,00
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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 DEP14637

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CHUCK BOWMAN <del>804-558-2157</del>

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

25304 304-926-0499

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Charleston WM 8505 3450 Charleston, WV 25305-0130

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CHUCK BOWMAN 304-558-2157

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#### Request for Quotation

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CHUCK BOWMAN 304-558-2157

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

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CHUCK BOWMAN <del>904-558-2157</del>

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

BID OPENING DATE: 2009 OPENING TIME . 30PM QUANTITY UOP ITEM NUMBER AMOUNT: PERMITS OR RELATED JOB PERMITS. TECHNICAL SPECIFICATIONS: (5)ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "JACOB'S FORK COMPLEX" PROJECT. SALD PLANS & SPECS ARE INCORPORATED HERE IN BY REFERENCE AND ALL PROVISIONS, CLAUSES AND CONDITIONS THEREIN ARE MADE PROPERLY A PART OF THIS CONTRACT, AND CONSISTS OF 39 DRAWINGS AS PREPARED BY E. L. ROBINSON ENGINEERING FOR THE WV DEPARTMENT OF ENVIRONMENTAL PROTECTION. PAYMENTS AND COMPLETION: THE CONTRACTOR SHALL FURNISH TO DEP AN APPLICATION FOR PAYMENT WITH AN ITEMIZED SCHEDULE OF values as herein before requested. THE FORM INCLUDED IN THE SPECIFICATIONS SHALL BE USED FOR APPLICATIONS IT IS THE DEP'S INTENT THAT THE PAYMENT T DF PAYMENT. THE CONTRACTOR BE MADE WITHIN 60 DAYS AFTER RECEIPT OF APPLICATION FOR PAYMENT. APPLICATION FOR PARTIAL PAYMENT: THE CONTRACTOR MAY, ON A PERIODIC BASIS, SUBMIT FOR PARTIAL PAYMENT BASED ON THE AMOUNT OF WORK COMPLETED AT THE TIME OF THE SUBMITTAL. THE AMOUNT OF PAYMENT WILL BE DETERMINED FROM THE ACTUAL QUANTITY OF work completed if based upon unit measures or the PERCENT COMPLETED IF BASED UPON A LUMP SUM. IN THE EVENT THE VENDOR/CONTRACTOR FILES BANKRUPTCY: FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER. REV. 1/2005 SEE REVERSE SIDE FOR TERMS AND CONDITIONS -320-396 304 ADDRESS CHANGES TO BE NOTED ABOVE des 55-0700 13



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

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CHUCK BOWMAN 304-558-2157

ENVIRONMENTAL PROTECTION DEPARTMENT OF

OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

25304 304-926-0499

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CHUCK BOWMAN B04-558-2157

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

DATE PRINTED .... TERMS OF SALE SHIP VIA: FREIGHTTERMS BID OPENING BATE: <del>05/27/2009</del> OPENING TIME .30PM LINE QUANTITY COP **ITEM NUMBER** UNIT PRICE AMOUNT THE COST FOR EACH CONTRACT ITEN 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, THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIEN QUANTITY OR OTHERWISE ARE NOT REASONABLY AVAILABLE TO MEET CONTRACT REQUIREMENTS. A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES PURSUANT TO W. VA. CODE SECTION 5A-3-56. REV. 10/01/01 EXHIBIT 7 DOMESTIC ALUMINUM! GLASS & STEEL IN PUBLIC WORKS PROJECTS IN ACCORDANCE WITH WEST VIRGINIA CODE \$-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 CLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES.

304-320-396 resident ADDRESS CHANGES TO BE NOTED ABOVE 55-0700-131

IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF



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CHUCK BOWMAN 304-558-2157

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

25304

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

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CHUCK BOWMAN 304-558-2157

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

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DATE PRINTED TERMS OF SALE SHIP VIA	F.O.B. FREIGHT TERMS
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(1) THE ARCHITECT/ENGINEER SHALL PREPARE	אתדירדואיזירו א בונזיוו בוכוא
AND A LIST OF ALL PARTIES THAT HAVE PR	DCURED DRAWINGS
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LIST SHALL BE FORWARDED TO THE BUYER IN PURCHASING DIVISION. THE ARCHITECT/ENG	
SEND A COPY OF THE ADDENDUM TO THE STAT	
WHICH THE CONTRACT IS ISSUED.	
(2) THE BUYER SHALL SEND THE ADDENDUM	
INTERESTED PARTIES AND, IF NECESSARY, POPENING DATE. ANY ADDENDUM SHOULD BE	
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CHUCK BOWMAN 304-558-2157

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

# Request for

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CHUCK	BOWMAN	

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

25304

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#### JACOB'S FORK COMPLEX

#### **DEP14637**

#### Contractor's Bid Sheet

		A/A	
Vendors Name:	•		

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

ITEM			7	
NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
NO.	QUARTITI	DESCRIPTION /	OTATTACE	AMOUNT
2000		<del></del>		
		Mobilization & Demobilization (Lump Sum)		
1.0	LS	(Cannot exceed 10% of the Total Amount Bid)	LS	\$
		Construction Layout (Lump Sum)		
2,0	<u>. LS</u>	(Cannot exceed 5% of the Total Amount Bid)	LS	\$
		Quality Control (Lump Sum)		
3.0	LS	(Cannot exceed 3% of the Total Amount Bid)	LS	\$
		Clearing and Grubbing (Lump Sum)		
4.1	LS	(Cannot exceed 5% of the Total Amount Bid)	LS !	\$
4.2	140 TON	Road Restoration (Per Ton)	\$	\$
5.0		Unclassified Excavation (Per Choic Yard)	\$	\$
6.1		Type I Ditch (Per Linear Foot)	\$	\$
6.2		Type II Ditch (Per Linear Foot)	\$	\$
6.3		Type III Ditch (Per Linear Foot)	\$	\$
6.4		Type IV Ditch (Per Linear Foot)	\$	\$
6.5		Type V Ditch (Per Linear Foot)	\$	\$
6.6		Type VI Ditch (Per Linear Foot)	\$	\$
6.7		Underdrain (Per Linear Foot)	\$	\$
6.8		Low Water Crossing (Per Each)	\$	\$
6.9		18-Inch HDPE Culvert (Per Linear Foot)	\$	\$
6.10		Wet Mine Seals (Per Each)	\$	\$ .
6.11		Acid Mine Drainage Treatment (Per 0 lb. Bag)	\$	\$
6.12	850 LF	Mine Seal and Underdrain Conveyance Pipe (Per Linear Fool	\$	\$
6.13		Splash Pad (Per Each)	\$	\$
6.14		Bat Gate Mine Seal ( Per Each)	\$	\$
6.15		Culvert Clean Out (Per Each	\$	\$
8.0		Soil Cover (Per Acre)	\$	\$
9.1		Sediment Control (Per Linear Foot)	\$	\$
9.2		Stone Check Dams (Per Each)	\$	\$
9.3		Erosion Control Matting (Per Square Yard)	\$	\$
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	,	TOTAL		\$

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

#### 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.

Part A: General Information
Contractor Name: A&A ENERGY TWC Tax Payer ID No.: 55-0700-131  Address: 151 STEWART ST  City: WEICH State: WVA Zip Code: 24801 Phone: 304-320-396  Fax No.: 304 436-5111 E-mail address: Wesaddair @ Hotmail.com
Part B: Legal Structure
() Corporation () Sole Proprietorship () Partnership () LLC () Other (please specify)
Part C: Certifying and updating information in the Applicant/Violator System (AVS). Select only one of the following options, follow the instructions for that option, and sign below.
I, James w Assair, have the express authority to certify that:
Information on the attached Entity OFT from AVS is accurate, complete, and uptodate. If you select this option, you must attach an Entity OFT from AVS to this form.  Sign and date below and do not complete Part D.
Part of the information on the attached Entity OFT from AVS is missing or incorrect and

Part of the information on the attached Entity OFT from AVS is missing or incorrect and the information in AVS for my company must be updated. If you select this option, you must attach an Entity OFT from AVS to this form. Use Part D to provide missing or corrected information. Sign and date below and complete Part D.

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.

Date 6 - 9 - 0 9

Signature Jan a all Title President

IMPORTANT!

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.

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	Position/Title
Address	Telephone #
	% of Ownership Begin Date:
Ending Date:	
Name	Position/Title
Address	Telephone #
	% of Ownership Begin Date:
	Ending Date:
Name	Position/Title
Address	Telephone #
	% of Ownership
Begin Date:	Ending Date:
Name	Position/Title
Address	Telephone #
	% of Ownership Begin 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 Officer, Office of Surface Mining Reclamation and Enforcement, Room 210 S1B, Constitution Ave., NW, Washington, D.C. 20240.

		AgencyREQ.P.O#
BID	BOND	017
KNOW ALL MEN BY THESE PRESENTS, That we, the	undersigned,	
of		
of	corporation organized and exist	ing under the laws of the State of
with its principal office in the City of	, as Surety, are f	neld and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of	(\$	) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves,	our heirs, administrators, execu	tors, successors and assigns.
The Condition of the above obligation is such that where Department of Administration a certain bid or proposal, attached h	nereto and made a part hereof, to	
NOW THEREFORE,  (a) If said bid shall be rejected, or  (b) If said bid shall be accepted and the Principal shall be accepted and the Principal shall be accepted and insurance required be agreement created by the acceptance of said bid, then this obligation and agreed that the life exceed the penal amount of this obligation as herein stated.  The Surety, for the value received, hereby stipulates and way impaired or affected by any extension of the time within which waive notice of any such extension.  IN WITNESS WHEREOF, Principal and Surety have here have caused their corporate seals to be affixed hereunto and these day of, 20	by the bid or proposal, and shall tion shall be null and void, other ability of the Surety for any and a lagrees that the obligations of so the Obligee may accept such be seen to set their hands and seals,	in all other respects perform the wise this obligation shall remain in full all claims hereunder shall, in no event, aid Surety and its bond shall be in no old, and said Surety does hereby and such of them as are corporations
Principal Corporate Seal		(Name of Principal)
	Ву	(Must be President or Vice President)
	And the second s	(Title)
Surely Corporate Seal		(Name of Surety)
	amateurium un terretura en en en en en en en en en en en en en	Attomey-in-Fact

IMPORTANT – Surely executing bonds must be licensed in West Virginia to transact surely insurance. Raised corporate seals must be affixed, a power of attorney must be attached.

AGENCY\_ RFQ/RFP#\_

#### BID BOND PREPARATION INSTRUCTIONS

		The.	r manual
(A)	WV State Agency	KNOW ALL MEN BY THE	I Bond SE PRESENTS, That we, the undersigned,
(+1-)	(Stated on Page 1 "Spending Unit")	(C) of	(D) (E) ,
	Request for Quotation Number (upper	as Principal, and(F)	of (G)
	right comer of page #1)	(H) a corporati	ion organized and existing under the laws
(C)	Your Company Name	of the State of (I) w	ith its principal office in the City of
(C)			are held and firmly bound unto The State
(D) (	City, Location of your Company	of West Virginia, as Obligee, in the per	
(E)	State, Location of your Company	of West Viiginia, as Obligee, in the per	ment of which, well and truly to be made,
(F)	Surety Corporate Name	(5 (L) Tor the pay	ymen of which, wen and truly to be made,
(G)	City, Location of Surety	we jointly and severally bind ourselves	s, our news, administrators, executors,
(H)	State, Location of Surety	successors and assigns.	5 \$* 45 \$ 1 45
(I)	State of Surety Incorporation		bligation is such that whereas the Principal
(J) (K)	City of Surety Incorporation		n of the Department of Administration
(K)	Minimum amount of acceptable bid		to 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	<u> </u>	D
	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		ted and the Principal shall enter into a
(P)	Year		proposal attached hereto and shall furnish
(Q)	Name of Corporation		d by the bid or proposal, and shall in all
(R.)	Raised Corporate Seal of Principal		reated by the acceptance of said bid then
(S)	Signature of President or Vice		otherwise this obligation shall remain in full
	President		tood and agreed that the liability of the
(T)	Title of person signing	Surety for any and all claims hereunde	
(U)	Raised Corporate Seal of Surety	amount of this obligation as herein state	
(V)	Corporate Name of Surety		d, hereby stipulates and agrees that the
W)	Signature of Attorney in Fact of the		shall be in no way impaired or affected by
	Surety		Obligee may accept such bid; and said
OTE:	Dated, Power of Attorney with Raised	Surety does hereby waive notice of any	
	Surety Seal must accompany this bid		rincipal and Surety have hereunto set their
	bond.		re corporations have caused their corporate
			sents to be signed by their proper officers,
		this(N) day of(O	<u>) 20 (P) .</u>
		Pintal Commet Col	(0)
		Principal Corporate Seal	(O)
		Park	(Name of Principal)
		(R)	By (S)
			(Must be President or
			Vice President)
			<u> </u>
			Title
		<b>(U)</b>	
		Surety Corporate Seal	<u> </u>
			(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.



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

STAT	TEOF
coul	NTY OF, TO-WIT:
I,	as follows:
1.	I am an employee of; and, (Company Name)
2.	I do hereby attest that(Company Name)
	maintains a valid written drug free workplace policy and that such policy is in compliance with <b>West Virginia Code</b> §21-1D-5.
The a	bove statements are sworn to under the penalty of perjury.
	(Company Name)
	Ву:
	Title:
	Date:
Taker	n, subscribed and sworn to before me this day of
Ву Со	ommission expires
(Seal	)
	(Notary Public)
THIS	AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO

THE BID.

COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF Rev March 2009

RFQ No. PEP 14637

## STATE OF WEST VIRGINIA Purchasing Division

020

#### **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:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the **West Virginia Code**. The vendor **must** make said affirmation with its bid submission. Further, 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.

Under penalty of law for false swearing (**West Virginia Code** §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

Vendor's Name:	H&A	ENE	RG	1 In	<u> </u>				
Authorized Signature	e: )-		w	all	Date:	6-	9 -	09	
Purchasing Affidavit (Revi	and the same of th								

Agency C	EP	'
REQ.P.O#	14639	7

#### **BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we	e, the undersigned, A + A Energy, Inc.
of 151 Stewart St Welch	WY 24801 , as Principal, and Eric Insurance Conpany
	60, a corporation organized and existing under the laws of the State of
Pennsylvania with its principal office in the City of	, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of 5% of	Famount bid (\$5% of amount bid) for the payment of which,
well and truly to be made, we jointly and severally bind ours	elves, our heirs, administrators, executors, successors and assigns.
<del>"</del>	whereas the Principal has submitted to the Purchasing Section of the
	ched hereto and made a part hereof, to enter into a contract in writing for
DEP 14637 Jacob's Fork Comple	X
NOW THEREFORE,	
(a) If said bid shall be rejected, or	
	shall enter into a contract in accordance with the bid or proposal attached uired 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 exceed the penal amount of this obligation as herein stated.	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 stipulate	es 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 waive notice of any such extension.	which the Obligee may accept such bid, and said Surety does hereby
•	ve hereunto set their hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto an	d these presents to be signed by their proper officers, this
9th day of June , 2009.	
Drive single Comparate Soci	A & A Energy Inc
Principal Corporate Seal	(Name of Principal)
	By James C. Jahr
	(Must be President or
	Vice President)
	James W Addair, President (Title)
	· · ·
Surety Corporate Seal	Eric Insurance Company (Name of Surety)
	(Name of Surety)
	tate & Mctales
	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.



#### **POWER OF ATTORNEY**

ERIE.
KNOW ALL MEN BY THESE PRESENTS: That the ERIE INSURANCE COMPANY, a corporation duly organized under the laws of the Commonwealth of Pennsylvania, does hereby make, constitute and appoint
Luther Ernest McFaddin, Jr,
individually, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed: any and all bonds and undertakings of suretyship,
in a penalty not to exceed the sum of five hundred thousand dollars (\$500,000.00).
And to bind the ERIE INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by the appropriate officer of the ERIE INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.
The Power of Attorney is granted under and by authority of the following Resolution adopted by the Board of Directors of ERIE INSURANCE COMPANY at a meeting held on May 8, 2002 at which a quorum was presented and said Resolution has not been amended or repealed:
"Resolved, that the President, or any Senior Vice President or Vice President shall have power and authority to: (a) Appoint Attorney(s)-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and, (b) To remove any such Attorney-in-Fact at any time and revoke the power and authority given to him; and
Resolved, that Attorney(s)-in-Fact shall have power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contract of indemnity and other writings obligatory in the nature thereof."
This Power of Attorney is signed and sealed by facsimiles under and by virtue of the following Resolution adopted by the Board of Directors of ERIE INSURANCE COMPANY at a meeting held on the 8th day of May, 2002, at which a quorum was present and said Resolution has not been amended or repealed:
"Resolved, that the signature of Jeffrey A. Ludrof, as President and Chief Executive Officer of the Company, and the Seal of the Company may be affixed by the following facsimiles on any Limited Power of Attorney for the execution of bonds, undertakings, recognizances, contracts and other writings in the nature thereof, and the signature of J. R. Van Gorder, as Secretary of the Company, and the Seal of the Company may also be affixed by the following facsimiles to any certificate of any such Limited Power of Attorney and only under such circumstances, shall said facsimiles be valid and binding on the Company."
MANCE
IN WITNESS WHEREOF, the ERIE INSURANCE COM- PANY has caused these presents to be signed by its President and Chief Executive Officer, and its corporate seal to be hereto affixed this 8th day of May, 2002.  STATE OF PENNSYLVANIA  SS.  SS.
STATE OF PENNSYLVANIA   SS.  COUNTY OF ERIE
 On this 8th day of May, A.D. 2002, before me personally came Jeffrey A. Ludrof, to me known, who being by me duly sworn, did depose and say: that he is President and Chief Executive Officer of ERIE INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the Seal of said corporation; that the Seal affixed to the said instrument is such corporate Seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.
CERTIFICATE
CERTIFICATE  I, J. R. Van Gorder, as Secretary of the ERIE INSURANCE COM- PANY, do hereby certify that the original POWER OF ATTOR- NEY, of which the foregoing is a full, true and correct copy, is still in full force and effect as of the date below.  In witness whereof, I have hereunto subscribed my name and affixed corporate Seal of the Company by facsimiles pursuant to the action of the Roard of Directors of the Company.  J. R. Van Gorder, Secretary
In witness whereof, I have hereunto subscribed my name and affixed corporate Seal of the Company by facsimiles pursuant to the action of the Roard of Directors of the Company.  J. R. Van Gorder, Secretary

this qth

day of June

20 09 .



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

COUNTY OF Mcdowell, TO-WIT:	
I, James W Addair, after being first duly sworn, depose and state as follows:	
1. I am an employee of ATTERGY TWE; and (Company Name)	,
2. I do hereby attest that A-A FNERGY TNC (Company Name)	<del>_</del>
maintains a valid written drug free workplace policy and that such policy is in compliance with <b>West Virginia Code</b> §21-1D-5.	
The above statements are sworn to under the penalty of perjury.	
A-A ENERGY INC (Company Name)	
OFFICIAL SEAL NOTARY PUBLIC STATE OF WEST VIRGINIA PATRICIA G. BIRCHFIELD HC 60 BOX 40 ISABAN, WV 24848 My commission expires August 6, 2018  Title: PVES: denT	
Date: 6-9-09	
Taken, subscribed and sworn to before me this $9$ day of $3$ une	•
By Commission expires Quest 6, 2018	
(Seal) Jaturia & Buchfield	
(Notary Fabric)	Ό.

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

Rev March 2009

#### **TELEFAX**

U.S. Department of the Interior Office of Surface Mining Applicant/Violator System Office 2679 Regency Road Lexington, Kentucky 40503

Telefax Number: (859) 260-8418 Toll Fee Telephone Number: 1-800-643-9748

	DATE:	6/9/07	
/ Number of Pages to Fo	ollow		
Sending to: Mr. Add	aii		>
Telefax Number: 3	04-436-	-5711	
From: Katie Ki	ihland		
Telephone Number: 85	-9-260-	393/	
Subject or Message:			
Hello. Attached	is the	. AVS	OFT
2 eport for A &	ed En	engy.	Inc.
		Than	h you

Parent Entity

(132480) A & A Energy Inc (132480) A & A Energy Inc (132480) A & A Energy Inc (132480) A & A Energy Inc (132480) A & A Energy Inc

Director

Secretary President Owner

Ticasurer

(132482) Kimberly K Addair (132481) James Wesley Addair

(132482) Kimberly K Addair

# AVS OFT Report - 6/9/2009 4:20:39 PM

# All OFT's where the selected entity is listed as an entity or related entity

Related Entity	Entity Selected (132480) A & A Energy Inc	
% Ownership		•

Related Entity

Description

(132481) James Wesley Addair (132481) James Wesley Addain

100%

9/9/1993

Begin Date End Date

9/1/1993 0661/1/8

9/1/1993



DOOR

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 DEP14637

PAGE 1

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

\*613132543 304-320-3961 A&A ENERGY INC 151 STEWART STREET WELCH WV 24801

0 I I

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

25304 304-926-0499

TERMS OF SALE DATE PRINTED SHIP VIA FOB FREIGHT TERMS 04/01/2009 BID OPENING DATE: 05/27/2009 BID OPENING TIME 01:30PM CAT. QUANTITY UOP UNIT PRICE LINE ITEM NUMBER AMOUNT 0001 JB 962-73 535,031,00 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF 20-ACRE ABANDONED MINE PROJECT KNOWN AS THE "JACOB'S FORK COMPLEX" PROJECT, LOACTED AT JACOB'S FORK, (MCDOWELL CO.), WEST VIRGINIA. A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 04/28/09 a 10:00 AM. FAILURE TO ATTEND THE PREBID CONFERENCE WILL RESULT IN BID DISQUALIFICATION. PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER. DIRECTIONS TO PREBID: RECEIVED FROM INTERSTATE 7/7, TAKE US 460 WEST TO EXIT 1, TAZWELL, VIRGINIA. TURN ONTO FAIRGROUND ROAD. 2009 MAY 27 PM 1: 09 PROCEED 1/2 MILE TO STATE ROUTE 16. TAKE A LEFT ONTO STATE ROUTE 1 NORTH. PROCEED APPROXIMATELY 10.8 ON STATE ROUTE 16. SITE IS ON THE RIGHT. WV PURCHASING nivision CONTACT & PHONE #: MARK PROCTOR, 304-465-1910 PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM WVDEP, OFFICE AML&R, 601 57TH ST., SE, CHARLESTON, WV 25304 PH. 304-926-0485 UPON PAYMENT OF \$25.00 NON-REFUNDABLE PAYMENT MUST BE MADE BY CHECK OR MONEY ORDER. SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE 304-320 3961 ADDRESS CHANGES TO BE NOTED ABOVE 55-0700131 WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



VENDOR

\*613132543

WELCH WV

**A&A ENERGY INC** 

151 STEWART STREET

24801

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

304-320-3961

Request for Quotation

RFO NUMBER
DEP14637

PAGE 2

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

SHIP TO

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

25304 304-926-0499

ADDRESS CHANGES TO BE NOTED ABOVE

DATE PRINTED TERMS OF SALE SHIP VIA FOB FREIGHT TERMS 04/01/2009 BID OPENING DATE: 05/27/2009 BID OPENING TIME 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE **AMOUNT** NO CASH WILL BE ACCEPTED. EXHIBIT 5 WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICI-TATION 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. NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 365 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. UNLESS OTHERWISE SPECIFIED, THE FULLY EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED. 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 BID AND CONTRACT HEREIN. WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAG RATES AS ESTABLISHED FOR MCDOWELL COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT.) ANY REFERENCES MADE TO ARBITRATION OR ARBITRATION: INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST SEE REVERSE SIDE FOR TERMS AND CONDITIONS. 304-320-3961 5-26-29

55-0700 131



HODOR

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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DEP14637

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

ADDRESS CHANGES TO BE NOTED ABOVE

CHUCK BOWMAN 304-558-2157

\*613132543 304-320-3961 A&A ENERGY INC 151 STEWART STREET

WELCH WV 24801

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

Request for Quotation

**DEP14637** 

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

304-320-3961 \*613132543 **A&A ENERGY INC** 151 STEWART STREET

WELCH WV 24801 **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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Post Office Box 50130 Charleston, WV 25305-0130

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WELCH WV

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151 STEWART STREET

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

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**A&A ENERGY INC** 

151 STEWART STREET

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State of West Virginia
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304-320-3961

# Request for Quotation

DEP14637

ADDRESS CORRESPONDENCE TO ATTENTION OF CHUCK BOWMAN

304-558-2157

**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

## Request for Quotation

RFQ NUMBER DEP14637

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304-320-3961 \*613132543 **A&A ENERGY INC** 151 STEWART STREET WELCH WV 24801

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WELCH WV

**A&A ENERGY INC** 

151 STEWART STREET

24801

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

304-320-3961

# Request for Quotation

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WELCH WV

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RFQ NUMBER **DEP14637**  10

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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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WELCH WV

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\*613132543

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

### Request for Quotation

DEP14637

PAGE 13

ADDR	ESS CORRESPONDENCE TO ATTENTION OF
CHUCK B	OWMAN
304-558	3-2157

ADDRESS CHANGES TO BE NOTED ABOVE

ر−n

304-320-3961

A&A ENERGY INC 151 STEWART STREET

WELCH WV 24801

\*613132543

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

DATE PRINTED TERMS OF SALE: SHIP VIA F.O.B. FREIGHT TERMS 04/01/2009 BID OPENING DATE: 05/27/2009 BID OPENING TIME 01:30PM LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT NO. DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130 THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: SEALED BID BUYER: CB-23 RFQ. NO.: DEP14637 BID OPENING DATE: 05/27/2009 BID OPENING TIME: 1:30 PM PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE: James W Addair SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE <u>320-3961</u>

55-0700 131

### JACOB'S FORK COMPLEX

#### **DEP14637**

### Contractor's Bid Sheet

Vendors Name:	A-A	INERGY	INC
TOROUTS INARIUS	<u>,, , , , , , , , , , , , , , , , , , ,</u>		

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

ITEM				
NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
		Mobilization & Demobilization (Lump Sum)		
1.0	LS	(Cannot exceed 10% of the Total Amount Bid)	LS	\$ 22,000,00 \$ 10,000,00
		Construction Layout (Lump Sum)		
2.0	LS	(Cannot exceed 5% of the Total Amount Bid)	LS	\$ 10,000,00
		Quality Control (Lump Sum)		
3.0	LS	(Cannot exceed 3% of the Total Amount Bid)	LS	\$ 6.000.00
		Clearing and Grubbing (Lump Sum)		
4.1	LS	(Cannot exceed 5% of the Total Amount Bid)	LS ·	\$ 15,000,00
4.2	140 TON	Road Restoration (Per Ton)	\$ 40,00	\$ 5.60000
5.0		Unclassified Excavation (Per Cubic Yard)	\$ 3.00	\$ 78.600.00
6.1	1020 LF	Type I Ditch (Per Linear Foot)		\$ 4,080,00
6.2	603 LF	Type II Ditch (Per Linear Foot)	\$ 4.00	\$ 12.060.00
6.3	1493 LF	Type III Ditch (Per Linear Foot)	\$ 27.00	\$ 40,311,00
6.4	1100 LF	Type IV Ditch (Per Linear Foot)	\$ 46,00	\$ 44,000.00
6.5	120 LF	Type V Ditch (Per Linear Foot)	\$.55,00	\$ 6,600,00
6.6	320 LF	Type V1 Ditch (Per Linear Foot)	\$ 69.00	\$ 22,080,00
6.7	100 LF	Underdrain (Per Linear Foot)	\$ 55.00	\$ 5500,00
6.8	1 EA	Low Water Crossing (Per Each)	\$ 2,000.00	\$ 2,000,00
6.9	30 LF	18-Inch HDPE Culvert (Per Linear Foot)	\$ 100,00	\$ 3,000,00
6.10	6 EA	Wet Mine Seals (Per Each)	\$ 6,000.00	\$ 36.000.00
6.11	10 BAG	Acid Mine Drainage Treatment (Per 50 lb. Bag)	\$ 40.00	\$ 400.00
6.12	850 LF	Mine Seal and Underdrain Conveyance Pipe (Per Linear Foot)	\$ 20.00	\$ 17.000.00
6.13	6 EA	Splash Pad (Per Each)	\$ 500,00	\$ 3,000.00
6.14	9 EA	Bat Gate Mine Seal ( Per Each)	\$ 7,000,00	\$ 63,000.00
6.15	1 EA	Culvert Clean Out (Per Each	\$ 1,000,00	
8.0	14ACRE	Soil Cover (Per Acre)		\$ 77.000.00
9.1	6500 LF	Sediment Control (Per Linear Foot)	\$ 2.00	\$ 13,000,00
9.2	3 EA	Stone Check Dams (Per Each)	\$ 500,00	\$ 1,500,00
9.3	4,200 SY	Erosion Control Matting (Per Square Yard)	\$ 2.50	\$ 6,300
10.0	20 ACRE	Revegetation (Per Acre)	\$ 2.000.00	\$ 40,000,00
				/25==3/
		TOTAL		\$ <i>535,031,0</i> 0

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

#### 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.

Part A: Ger	neral Information		
	Name: A-A ENERGY TO 151 STEWART ST VOICH State: WVA 204-436-5111 E-mail address		No.: 550700 131 Phone: 304-320-396 Photomail.com
	gal Structure	•	
( ) Corpora ( ) Other (p	ation () Sole Proprietorship please specify)	() Partnership	()LLC
one of the single in the singl	rtifying and updating information in the following options, follow the instruction of the following options, follow the instruction of the attached Entity OFT te. If you select this option, you must go and date below and do not complete	ions for that option, an ave the express authori from AVS is accurate, attach an Entity OFT for	ty to certify that:  complete, and upto-
the mu	rt of the information on the attached E e information in AVS for my company ast attach an Entity OFT from AVS to rrected information. Sign and date bel	must be updated. If you this form. Use Part D	to provide missing or
Our pro	r company currently has no information or idea all information required in Part I	on in AVS. If you selec D. Sign and date below	et this option, you must and complete Part D.

IMPORTANT!

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.

ENTITY OFT

Page 1 of 1



#### U.S. Department of the Interior Office of Surface Mining Applicant/Violator System

liz.cox (KY) | Logout

Click for the Office of Surface Mining website

### Home ▶ ENTITY ▶ APPLICATION ▶ PERMIT ▶ VIOLATION ▶ REPORTS ▶

HOME > ENTITY OFT

#### Return To Entity Page

Show Ended Relationships

Show Ended Relationships

OFT for Entity: 132480 A & A Energy Inc

OFT for Entity: 132480 A & A Energy Inc

132480 A & A Energy Inc

132480 A & A Energy Inc

132480 A & A Energy Inc Officers(5)

132481 James Wesley Addair - (DIR) Director 132481 James Wesley Addair - (OWN) Owner 132481 James Wesley Addair - (PRS) President 132482 Kimberly K. Addair - (SEC) Secretary 132482 Kimberly K. Addair - (TRS) Treasurer 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	Position/Title
Address	Telephone #
	% of Ownership Begin Date:
Ending Date:	
Name	Position/Title
Address	Telephone #
21001000	% of Ownership Begin Date:
	Ending Date:
Name	Position/Title
Address	Telephone #
71442000	% of Ownership
Begin Date:	Ending Date:
\$7	Position/Title
Name	Telephone #
Address	% of Ownership Begin 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 Officer, Office of Surface Mining Reclamation and Enforcement, Room 210 S1B, Constitution Ave., NW, Washington, D.C. 20240.

Agency	D	E	>			
REQ.P.	O#	14	16	3	7	 _

#### BID BOND

		undersigned, A & A Energy, Inc.
		24801 as Principal, and Erie Insurance Company
of 100 Eric Ins Pla	<u>ice, Erie, PA 16530,</u> a	corporation organized and existing under the laws of the State of
	-	, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the	penal sum of 5% amou	nt bid (\$ 5% anount bid) for the payment of which,
well and truly to be made, we jointly	and severally bind ourselves,	our heirs, administrators, executors, successors and assigns.
	-	as the Principal has submitted to the Purchasing Section of the
•	tain bid or proposal, attached h	ereto and made a part hereof, to enter into a contract in writing for
NOW THEREFORE,		
hereto and shall furnish any other b	cepted and the Principal shall e onds and insurance required b	enter into a contract in accordance with the bid or proposal attached by the bid or proposal, and shall in all other respects perform the
	lerstood and agreed that the lia	tion shall be null and void, otherwise this obligation shall remain in full ability of the Surety for any and all claims hereunder shall, in no event,
	tension of the time within which	agrees that the obligations of said Surety and its bond shall be in no the Obligee may accept such bid, and said Surety does hereby
IN WITNESS WHEREOF.	Principal and Surety have here	eunto set their hands and seals, and such of them as are corporations
	,	e presents to be signed by their proper officers, this
	, 20 <u><b>09</b></u> .	a processor as a cognitive processor, and
Principal Corporate Seal		A & A Energy, Inc.
Figitipal Corporate Seal		(Name of Principal)
		By Some Sola
		(Must be President or Vice President)
		James W Addair, President (Title)
Surety Corporate Seal		Erie Insurance Company (Name of Surety)
		1+11200
		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.



### **POWER OF ATTORNEY**

ERIE		
KNOW ALL MEN BY THESE PRESENTS: That the ERIE INSU Commonwealth of Pennsylvania, does hereby make, const	itute and appoint	
Luther Ern	est McFaddin, Jr,	
individually, its true and lawful Attorney-in-Fact, to make deed: any and all bonds and undertakings of suretyship, in a penalty not to exceed the sum of five	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	- ~~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~
And to bind the ERIE INSURANCE COMPANY thereby and other writings obligatory in the nature thereof were signally and sealed and attested by one other of such officer Fact may do in pursuance hereof.	as fully and to the same ex aned by the appropriate off	tent as if such bonds and undertakings icer of the ERIE INSURANCE COM-
The Power of Attorney is granted under and by authority of ERIE INSURANCE COMPANY at a meeting held on May not been amended or repealed:	of the following Resolution 8, 2002 at which a quorum	a adopted by the Board of Directors of was presented and said Resolution has
"Resolved, that the President, or any Senior Vice President Attorney(s)-in-Fact and to authorize them to execute on beha of indemnity and other writings obligatory in the nature the revoke the power and authority given to him; and	olf of the Company, bonds and treof, and, (b) To remove any	undertakings, recognizances, contracts such Attorney-in-Fact at any time and
Resolved, that Attorney(s)-in-Fact shall have power and autissued to them, to execute and deliver on behalf of the Compand other writings obligatory in the nature thereof. The corporage, recognizances, contract of indemnity and other writing.	pany, bonds and undertakings orate seal is not necessary for	, recognizances, contracts of indemnity the validity of any bonds and undertak-
This Power of Attorney is signed and sealed by facsimiles Board of Directors of ERIE INSURANCE COMPANY at a present and said Resolution has not been amended or repe	ı meeting held on the 8th da	
"Resolved, that the signature of Jeffrey A. Ludrof, as Preside Company may be affixed by the following facsimiles on any recognizances, contracts and other writings in the nature the pany, and the Seal of the Company may also be affixed by the Attorney and only under such circumstances, shall said facsi	Limited Power of Attorney foreof, and the signature of J. R to following facsimiles to any compiles be valid and hinding on	or the execution of bonds, undertakings, . Van Gorder, as Secretary of the Com- ertificate of any such Limited Power of
	MANCE	
IN WITNESS WHEREOF, the ERIE INSURANCE COM- PANY has caused these presents to be signed by its President and Chief Executive Officer, and its corporate seal to be hereto affixed this 8th day of May, 2002.	1972 ANCE PARE PARE COMPONENTS OF THE PARE PARE PARE PARE PARE PARE PARE PAR	Jeffrey A. Ludrof President and Chief Executive Officer
STATE OF PENNSYLVANIA SS. COUNTY OF ERIE	Manusanan Manusan Manusanan nusanan Manusanan Manusanan Manusanan Manusanan Manusan	
On this 8th day of May, A.D. 2002, before me personally came Jeffrey A. Ludrof, to me known, who being by me duly sworn, did depose and say: that he is President and Chief Executive Officer of ERIE INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the Seal of said corporation; that the Seal affixed to the said instrument is such corporate Seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.	M MONWEATH OF THE STATE OF THE	My commission expires June 27, 2008 Notary Public
CERTIFICATE		
I, J. R. Van Gorder, as Secretary of the ERIE INSURANCE COM- PANY, do hereby certify that the original POWER OF ATTOR- NEY, of which the foregoing is a full, true and correct copy, is still in full force and effect as of the date below.	1972 ARE PA	100/
In witness whereof, I have hereunto subscribed my name and affixed corporate Seal of the Company by facsimiles pursuant to the action of the Board of Directors of the Company	HILL PA	J. R. Van Gorder, Secretary

2009.

this 26th day of May



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

STATE OF WEST VITSINIA						
COUNTY OF Medowell TO-WIT:						
I, <u>James W Adda: r</u> , after being first duly sworn, depose and state as follows:						
1. I am an employee of A-A ENERGY TNC; and, (Company Name)						
2. I do hereby attest that AAFWERGY Two (Company Name)						
maintains a valid written drug free workplace policy and that such policy is in compliance with <b>West Virginia Code</b> §21-1D-5.						
The above statements are sworn to under the penalty of perjury.						
A-A ENERGY TUC (Company Name)						
(Company Name)						
By: James w Olds						
Title President						
Date: 5-27-09						
Taken, subscribed and sworn to before me this 27 day of May '09						
By commission expires 6/27/2011						
NOTARY PUBLIC  STATE OF WEST VIRGINIA  211 FEDERAL ST.  BLUEFIELD, WY 24701  My commission applies Jure 27, 2011						

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.

Rev March 2009

RFQ	No.	

### STATE OF WEST VIRGINIA Purchasing Division

020

### **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:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code*. The vendor must make said affirmation with its bid submission. Further, 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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.

Under penalty of law for false swearing (**West Virginia Code** §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

Vendor's Name:	11-1	FNERGY	INC		
Authorized Signature	: <u>A</u>	w often	Date:	5-26-00	í
Purchasing Affidavit (Revis	sed 01/01/09)				,