

MCCOURT & SON CONSTRUCTION, INC. 2790 CENTRALIA ROAD SUTTON, WV 26601

VOICE: 304-765-5288

FAX: 304-765-5293

FAX TRANSMISSION

TO: State of WV-Purchasing Divison - Chuck	Bosman
FAX NUMBER: 304-558-3970 DATE: 10/22/09	
FROM: 10mmy McCourt	
NUMBER OF PAGES TO FOLLOW: 23	
REMARKS:	(Pun)
Sealed Bid Enclosed RFQ No. DEP 14639 Buyer: Chuck Bowman	
Bid Opening Date: 10/22/09 Bid Opening Time: 1.30	22 A
BA-II Toe	
Mail To:	
P O BOX 50130 CHARLESTON WV 25305-0130	

SUTTON WV



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

Request for BEONUMBER Quotation

DEP14639

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

304 765 5288 ×709052008 MCCOURT & SON CONSTRUCTION INC 2790 CENTRALIA ROAD

26601

FREIGHT TERMS SHIPVA TERMS OF SALE DATEPRINTED 08/27/2009 01:30PM BID OPENING TIME 10/15/2009 BID OPENING DATE: AMOUNT UNIT PRICE CAT NO ITEM NUMBER UOP QUANTITY LINE 962-73 JB \$62,370.00 0001 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPT. OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF 5-ACRE ABANDONED MINE PROJECT KNOWN AS THE "MCALPIN (VINCENT) DRAINAGE" PROJECT LOCATED AT MCALPIN, WEST VIRGINIA, (HARRISON CO.). A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 09/15/09 & 10:00 AM. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND TH MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF NO ONE PERSON MAY REPRESENT MORE THAN ONE THE BID. BIDDER. AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL BID-DERS TO COMPLETE! THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN THE DISQUALIFI-THE STATE WILL NOT ACCEPT ANY OTHER CATION OF THE BID. THE BIDDER IS DOCUMENTATION TO VERIFY ATTENDANCE. RESPONIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORM THE PURCHASING ATION REQUIRED ON THE ATTENDANCE SHEET. DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL ADDRESS AND PHONE NUMBER. THE REPERSON FOR THRUS AND CONDITIONS 10/22/09 304-765-5288

> 55-062-4840 President

ADDRESS CHANGES TO BE NOTED ABOVE



VENDOR

TITLE

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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CHUCK BOWMAN 304-558-2157

*709052008 304 765 5288
MCCOURT & SON CONSTRUCTION INC
2790 CENTRALIA ROAD
SUTTON WV 26601

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

FREIGHTTERMS FOB. SHIP VIA TEPMS OF SALE DATE PRINTED 08/27/2009 01:30PM BID OPENING TIME 10/15/2009 BID OPENING DATE: TAUDMA UNITPRICE CAT ITEM NUMBER UOP QUANTITY LÜVE ALL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE START-BIDDERS WHO ARRIVE LATE, BUT ING TIME FOR THE PRE-BID. PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE OF THE PRE-BID WILL BE PERMITTED TO SIGN-IN. BIDDERS WHO ARRIVE AFTER THE CONCLUSION OF THE TECHNICAL POR-TION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID, WILL NOT BE PERMITTED TO SIGN THE ATTEND-ANCE SHEET. PLANS & SPECIFICATIONS MAY BE OBTAINED FROM WVDEP, OF-FICE OF AML&R, 601 57TH STR., SE, CHARLESTON, WV 25304 PH. 304.926.0485 UPON PAYMENT OF \$10 NON-REFUNDABLE FEE. PAYMENT MUST BE MADE BY CHECK OR MONEY ORDER. CASH WILL BE EXCEPTED. EXHIBIT 5 WEST VIRGINIA CODE 21-10-5 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 THE ENCLOSED PURCHASING AFFIDAVIT MUST WITH THE BID. 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 SUBMIT THE SIGNED PURCHASING AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID. THIS CONTRACT IS TO BE PERFORMED NOTICE TO PROCEED: WITHIN 365 CALENDAR DAYS AFTER THE NOTICE TO PROCEED UNLESS OTHERWISE SPECIFIED, THE FULLY IS RECEIVED. EXECUTED PURCHASE ORDER WILL BE CONSIDERED NOTICE TO PROCEED. THE DIRECTOR OF PURCHASING RESERVES THE CANCELLATION: SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE TELEPHONE SIGNATURE ADDRESS CHANGES TO BE NOTED ABOVE FEIN



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Charleston, WV 25305-0130

SUTTON WY 26601

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

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Request for

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ADDHESS CORRESPONDENCE TO A HENTION OF

CHUCK BOWMAN 304-558-2157

ENVIRONMENTAL PROTECTION OI-P DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE

> CHARLESTON, WV 25304

304-926-0499

304 765 5288 ¥709052008 MCCOURT & SON CONSTRUCTION INC 2790 CENTRALIA ROAD SUTTON WV 26601

FREIGHTTERMS FQE SHIP VIA TERMS OF SALE DATE PRINTED 08/27/2009 01:30PM BID OPENING TIME 10/15/2009 BID OPENING DATE AMOUNT UNITARICE CAT NO ITEM NUMBER UOP QUANTITY SSLINE THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/ MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE A LETTER OF CREDIT SUBMITTED STATE OF WEST VIRGINIA. IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS PERSONAL OR BUSINESS CHECKS ARE NOT UNDER \$100,000. ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR/MATERIAL BOND.) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 AML CONTRACTOR INFORMATION FORM OMB #1029-0119 CEXPIRATION DATE: 01/31/2010) IS ATTACHED. YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA EVALUATION TO DETERMINE YOUR ELIGIBILITY AS AN AML THIS IS A REQUIREMENT UNDER 30 CFR 874.16. CONTRACTOR. IF THE ORIGINAL OMB #1029-0119 IS NOT ATTACHED TO THE BIDDING DOCUMENTS YOU CAN CONTACT THE AVS OFFICE AT 800-643-9748 OR WWW.AVS.OSMRE.GOV CONTRACTORS LICENSE WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE TELEPHONE SIGNATURE ADDRESS CHANGES TO BE NOTED ABOVE



Request for REGINGMEER Quotation

DEP14639

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CHUCK BOWMAN

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304 765 5288 *709052008 MCCOURT & SON CONSTRUCTION INC 2790 CENTRALIA ROAD

26601 SUTTON WV

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

FREIGHT TERMS FOB SHIP VIA TERMS OF SALE DATE PRINTED 08/27/2009 01:30PM BID OPENING TIME 10/15/2009 BID OPENING DATE: AMOUNT UNITPRICE ITEM NUMBER UOP. **CUANTITY** LINE APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE LICENSE. MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR, CAPITOL COMPLEX, 1900 KANAWHA BLVD. E, BLDG. 6, RM 749-B, CHARLESTON, WV 25305, PH. 304-558-7890. WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID. BIDDER TO COMPLETE: CONTRACTORS NAME: .. Mcdourt & Son Construction Inc. CONTRACTORS LICENSE #: WYD01913... THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT. APPLICABLE LAW THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES & REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT. ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT. (1) NOTICE TO PROCEED: THE CONSTRUCTION WORK SPECIFIED HEREIN IS TO BE COMPLETED WITHIN 365 CALENDAR DAYS AFTER THE OFFICIAL IN THE EVENT THAT A NOTICE TO PROCEED IS RECEIVED. SEE REVERSE SIDE FOR TERMS AND CONDITIONS 10/22/09 ~765-5288 SIGNATURE ADDRESS CHANGES TO BE NOTED ABOVE TITLE 55-062-4840 President

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FREIGHT TERMS F.O.B. SHIP VIA TERMS OF SALE DATE PRINTED 08/27/2009 01:30PM BID OPENING TIME 10/15/2009 BID OPENING DATE: AMOUNT CAT UNITPRICE ITEM NUMBER UOP CHIMANO LINE PRE-CONSTRUCTION CONFERENCE IS REQUIRED, THE NOTICE TO PROCEED SHALL BE THE SPECIFIC DATE ESTABLISHED IN THE PRE-CONSTRUCTION CONFERENCE. (2) GUARANTEE AND MAINTENANCE: (A) THE MATERIALS AND WORKMANSHIP AFFECTED BY THE CONTRACTOR ARE SUBJECT TO THE GUARANTEE ESTABLISHED IN THE ABSENCE OF BY CUSTOM OF THE RESPECTIVE TRADES. A TRADE GUARANTEE CUSTOM OR A SPECIAL GUARANTEE PROVISION, THE WORK, BOTH AS TO THE MATERIALS AND WORKMANSHIP, SHALL UPON ACCEPTANCE OF FINAL PAYMENT BY THE CONTRACTOR BE CONSIDERED GUARANTEED BY THE CONTRACTOR FOR ONE YEAR FROM THE DATE OF THE ACCEPTANCE NEITHER THE FINAL ACCEPTANCE NOR THE OF THE WORK. FINAL PAYMENT SHALL RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR NEGLIGENCE OR FAULTY MATERIALS, AND FOR DEFECTS APPEARING WITHIN THE GUARANTEE PERIOD SHALL BE REMEDIED AT THE EXPENSE OF THE CONTRACTOR UPON WRITTEN NOTICE. DURING THE ONE-YEAR GUARANTEE PERIOD, THE CONTRACTOR WILL MAINTAIN THE PROJECT TO THE CONDITIONS EXISTING AT THE DATE OF THE ACCEPTANCE OF THE WORK. ANY FAILURES DUE TO THE NEGLIGENCE OR WORKMANSHIP OF CONTRACTOR IN ANY OF THE WORK THAT DEVELOPS DURING THE GUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT ITS EXPENSE. THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE (C) CONSTRUED AS BEING AN EXTENSION OF THE PERFORMANCE TIME ALLOTTED FOR WORK UNDER THE CONTRACT. GUARANTEES CONCERNING REVEGETATION MAY BE FURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN. TERMINATION: (3) (1) THIS CONTRACT MAY BE CANCELLED IN WHOLE OR IN PART IN WRITING BY THE DIRECTOR OF PURCHASING, SEE REVERSE SIDE FOR TERMS AND CONDITIONS FELEPHONE SIGNATURE

FEIN

TITLE

304 765 5288



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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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Request for

RFO NUMBER DEP14639

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

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

CHARLESTON, WV 25304

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304 765 5288 *709052008 MCCOURT & SON CONSTRUCTION INC 2790 CENTRALIA ROAD

26601 SUTTON WV

DATE PRINT		ISSUE SETTIN	IS OF SALE		SHIP.VIA		FOB	F	EIGHTTERMS
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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 304-926-0499 25304

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***709052008**



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

Request for Quotation

DEP14639

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

MCCOURT & SON CONSTRUCTION INC 2790 CENTRALIA ROAD SUTTON WV 26601

304 765 5288

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304 765 5288 ***709052008** MCCOURT & SON CONSTRUCTION INC 2790 CENTRALIA ROAD

26601 SUTTON WV

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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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PAGE 14

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CHUCK BOWMAN 304-558-2157

304 765 5288 ***709052008** MCCOURT & SON CONSTRUCTION INC 2790 CENTRALIA ROAD SUTTON WV 26601

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

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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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Request for Quotation

DEP14639

CHUCK BOWMAN 304-558-2157

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

FREIGHT TÉRMS TERMS OF SALE SHIP VIA DATE PRINTED 09/21/2009 01:30PM BID OPENING TIME BID OPENING DATE: 10/15/2009 AMOUNT UNIT PRICE ITEM NUMBER QUANTITY UOP. LINE ADDENDUM ISSUED FOR THE MACALPIN (VINCENT) DRAINAGE PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS, THE Q/A, AND THE REVISED BID SCHEDULE RESULTING FROM THE MANDATORY PRE-BID CONFERENCE ON 09/15/09. BID DATE & OPENING TIME REMAIN UNCHANGED AS 10/15/09 AT 1:30 PM. 962-73 JB 0001 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES DEP14639 ****** TOTAL: \$62,370.00 THIS IS THE END OF REQ **** VERSE SIDE FOR TERMS AND CONDITIONS 1504-765-5288 DATE 0/22/09 ADDRESS CHANGES TO BE NOTED ABOVE 55-062-4840 President

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2790 CENTRALIA ROAD



State of West Virginia
Department of Administration

Request 101

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

MCCOURT & SON CONSTRUCTION INC

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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R

601 57TH STREET SE CHARLESTON, WV

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McAlpin (Vincent) Drainage DEP#14234

REVISED Contractor's Bid Sheet

Vendors Name:	McCourt	&	Son	Construction	Inc.	
venuors manie.			·····	· · · · · · · · · · · · · · · · · · ·		

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

TEM	OUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
NO.	-COARTIII			
<u> </u>	<u> enternalistation</u> L	Mobilization & Demobilization (Lump Sum)		
1.0	LS	(Cannot exceed 10% of the Total Amount Bid)	LS	\$4,700.00
		Construction Layout (Lump Sum)		
2.0	LS	(Cannot exceed 5% of the Total Amount Bid)	LS	\$ 2,300.00
٠٠٠٠		Quality Control (Lump Sum)		
3.0	LS	(Cannot exceed 3% of the Total Amount Bid)	LS	\$1,400.00
		Clearing and Grubbing (Lump Sum)		_
4.1	LS	(Cannot exceed 5% of the Total Amount Bid)	LS	\$2,300.00
4.2	275 Tons	Road Restoration Stone	\$38.00	\$10,450.00
5.1	1 EA	Wet Mine Seals (Per Each)	\$7900.00	\$7,900.00
5.2	1 EA	Dry Mine Seals (Per Each)	\$ 5800_00_	\$5,800.00
5.3	10 Bags	Soda Ash Briquettes (Per 50 lb. Bag)	\$ 25.00	\$ 250.00
6.1	140 LF	Type I Ditch (Per Linear Foot)	\$50.00	\$7,000.00
7.1	174 LF	Sediment Control (Per Linear Foot)	\$ 5.00	\$ 870.00
8.0	2 ACRE	Revegetation (Per Acre)	\$1800.00	\$3,600.00
9.0	LS	Temporary and Permanent Fence	LS	\$1.800.00
10.0	100 LF	Mine Subsidence Holes	\$140.00	\$14,000.00
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			<u> </u>	
*****				\$ 62,370.00
*****		TOTAL	_p	04-021010

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

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: Genera	d Information
----------------	---------------

Contractor NameMcCourt &	Son Constru	ction Tax Payer ID N	0.: 55-062-4840
<u> Address: 2790 Centralia</u>	Road State: <u>wv</u> Z		one: 304-765-5288
Part B: Legal Structure			,
(x) Corporation () Sole I () Other (please specify)	Proprietorship	() Partnership	()LLC
Part C: Certifying and updating one of the following options, fo	information in th llow the instruction	e Applicant/Violator Syons for that option, and	rstem (AVS). Select only sign below
		ve the express authority	

, have the express authority to certify I Tommy McCourt

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. Х 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 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 10/22/09

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 www.avs.osmre.~ov on the Internet.

Date: 7-Jul-2006

Applicant Violator System
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(139788) MCCOURT & SON CONSTR INC

			Total Number:	6
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139790 139790	MCCOURT, LYDIA MCCOURT, LYDIA S	SH	14-Feb-1996 14-Feb-1996 14-Feb-1996	50%

Agency Purchasing Division REQ P 0#_DEP 14639

BID BOKO	
MIOW ALL MEN BY THESE PRESENTS, That wa, the undereign of 1154 Sutton Lane, Sutton, WV 26601	as Principal, Res
at 2100 Flatt Drive Des Moines, jowa 50321 , a comporati	ion organized and existing under the 1846 of the State of
the Company of the Manager	SIGIO DALLO DALLO DALLO DE PER CARRO SE
Five Percent of the An	nount dia (2%)) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our hairs	s, administrators, executors, successors and assigns
The Condenn of the above obligation is such that whereas the Pri	incipal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, affected hereto an	d made a part hereof, to enter into a contract in writing for
DEP 14639 - McAlpin (Vincent) Drainage	
NOW THEREFORE,	
(a) If said bid shall be rejected, or (b) If said bid shall be accepted and the Principal shall enter into the said shall familiah any other bonds and insurance required by the pareament created by the acceptance of said bid, then this obligation shall force and effect. It is expressly understood and agreed that the liability of exceed the penal amount of this obligation as herein stated.	il be null and vold, othervise this obligation shall remain in full the Surety for any and all daims hereunder shall, in no event,
The Surety, for the value received, hereby slipulates and agress way impalred or affected by any extension of the time within which the Obwaive notice of any such extension.	ngas may acceptance of the control o
IN WITNESS WHEREOF, Principal and Surety have nereunto se	el their hands and seels, and such of them as are compositions
have caused their corporate seals to be affixed transmitto and these press	nte to be signed by their proper officers, this
15th day of October 20 09	
	McCourt & Son Construction, Inc.
Principal Corporate Seal	(Nema of Principal)
	(Must be President or Vice President)
•	President (THe)
Surety Corporate Seal	Merchants Bonding Company (Name of Surely)
	Charles C Martin Attomey-in-Fact Charles C Mertin

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



Know All Persons By These Presents, that the MERCHANTS BONDING COMPANY (MUTUAL), a corporation duly organized under the laws of the State of Iowa, and having its principal office in the City of Des Moines, County of Polk, State of Iowa, hath made, constituted and appointed, and does by these presents make, constitute and appoint

Charles C. Martin, James F. Oakes, Lavonne Sherrod, Karen Hutson

of Knoxville and State of Tennessee Its true and lawful Attomey-in-Fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

TWO MILLION FIVE HUNDRED THOUSAND (\$2,500,000.00) DOLLARS

and to bind the MERCHANTS BONDING COMPANY (MUTUAL) thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the MERCHANTS BONDING COMPANY (MUTUAL), and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following Amended Substituted and Restated By-Laws adopted by the Board of Directors of the MERCHANTS BONDING COMPANY (MUTUAL) on November 16, 2002.

ARTICLE II, SECTION 8 - The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

ARTICLE II, SECTION 9 - The signature of any authorized officer and the Seal of the Company may be affixed by facsimile to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed.

In Witness Whereof, MERCHANTS BONDING COMPANY (MUTUAL) has caused these presents to be signed by its President and its corporate seal to be hereto affixed, this 17th day of July , 2009.



MERCHANTS BONDING COMPANY (MUTUAL)

/ Drapidant

STATE OF IOWA COUNTY OF POLK 32.

On this 17th day of July , 2009, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL), the corporation described in the foregoing instrument, and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



Notary Public, Polk County, lowa

STATE OF IOWA COUNTY OF POLK 55.

J. Wrilliam Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL), do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said MERCHANTS BONDING COMPANY (MUTUAL), which is still in full force and effect and has not been amended or revoked.

n tull force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Company on this 15th day of October, 2009,



William Hurser So.

Jan 2009

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

STATE OF WEST VIRGINIA,
COUNTY OF Braxton TO-WIT:
I, Tommy McCourt , after being first duly sworn, depose and state as follows:
1. I am an employee of McCourt & Son Construction Inc.; and, (Company Name)
2. I do hereby attest that McCourt & Son Construction Inc. (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.
The above statements are sworn to under the penalty of perjury. McCourt & Son Constitution Inc.
(Company Name)
By: President Date: 10/22/09
Taken, subscribed and sworn to before me this 22 day of October 2009. By Commission expires
Official Seal Notary Public, State of West Virginia Bernadette Gaddy Rt 1 Box 30 Framedown, WV 26623 THE AFETDAVITY PUBLISHED BEISUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS, FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF

RFQ No. __DEP 14234

STATE OF WEST VIRGINIA **Purchasing Division**

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.

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.

and the same of th		22		
Vendor's Name: McCourt & Sc	on Constrution			
Authorized Signature:		Date	: 10/22/09	
Purchasing Affidavit (Revised 01/01/09)	Comment			