

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

# Request for Quotation

REQ NUMBER
DEP14661

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

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\*709060417 304-984-1115 CARPENTER RECLAMATION INC PO BOX 13015

SISSONVILLE WV 25360-0015

ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
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# GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

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

### **INSTRUCTIONS TO BIDDERS**

- 1. Use the quotation forms provided by the Purchasing Division.
- 2. SPECIFICATIONS: Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 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



**\*709060417** 

PO BOX 13015

SISSONVILLE WV

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

CARPENTER RECLAMATION INC

304-984-1115

25360-0015

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25304 304-926-0499

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 05/07/2009 BID OPENING DATE: 07/02/2009 BID OPENING TIME 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT AML CONTRACTOR INFORMATION FORM OMB #1029-0119 (EXPIRATION 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. 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 APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE 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: 101001728 CONTRACTORS LICENSE #: THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE ELEPHONE TITLE FEIN



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DATE PRINTED TERMS OF SALE: SHIP VIA F.O.B FREIGHT TERMS 05/07/2009 **BID OPENING DATE:** BID OPENING TIME 07/02/2009 01:30PM CAT QUANTITY LINE UOP ITEM NUMBER UNIT PRICE AMOUNT 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 NOTICE TO PROCEED IS RECEIVED. IN THE EVENT THAT A 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 BY CUSTOM OF THE RESPECTIVE TRADES. IN THE ABSENCE OF 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 OF THE WORK. NEITHER THE FINAL ACCEPTANCE NOR THE FINAL PAYMENT SHALL RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR NEGLIGENCE OR FAULTY MATERIALS, AND SEE REVERSE SIDE FOR TERMS AND CONDITIONS

ELEPHONE



\*709060417

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**\*709060417** 

PO BOX 13015

SISSONVILLE WV

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

CARPENTER RECLAMATION INC

304-984-1115

25360-0015

### Request for Quotation

DEP14661

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

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

CHARLESTON, WV 25304 304-926-0499

DATE PRINTED TERMS OF SALE SHIP VIA FOB FREIGHT TERMS 05/07/2009 BID OPENING DATE 07/02/2009 BID OPENING TIME 01:30PM CAT. LINE QUANTITY UOP AMOUNT. ITEM NUMBER UNIT PRICE FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS. IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID FOR DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL. REV. 3/88 EXHIBIT 9 NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA. THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES: (1)THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND SEE REVERSE SIDE FOR TERMS AND CONDITIONS: SIGNATURE TELEPHONE DATE KΛ TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE



**\*709060417** 

PO BOX 13015

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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

DEP14661

PAGE 1.2

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OFFICE OF AML&R
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CHARLESTON, WV
25304 304-926-0499

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 05/07/2009 BID OPENING DATE: 07/02/2009 BID OPENING TIME 01:30PM CAT. LINE QUANTITY UOP ITEM NUMBER UNIT PRICE AMOUNT NO. 2 ..... NO. 3 NO. NO. 5 I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS. VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING. REV. 11/96 NOTICE A SIGNED BID MUST BE SUBMITTED TO: DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATUR 377-984-1115 55-0693493 ADDRESS CHANGES TO BE NOTED ABOVE



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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

DEP14661

PAGE 13

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

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### Mill Hollow Complex

Contractor's Bid Sheet

Vendors Name: Caupenter Reclamation 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		PRODING!	UNIT PRICE	AMOUNT
NO.	QUANTITY	DESCRIPTION	UNITIOE	AMOON
				0 (4 5 4 5 + 5
1.0	1 L.S.	Mobilization and Demobilization	10,000,00	\$ 10,000.00 \$ 5,000.00
<del></del>		(Cannot exceed 10% of the Total Amount Bid)		
2.0	1 L.S.	Construction Layout Stakes	3,000.00	\$ 3,000.00
		(Cannot exceed 5% of the Total Amount Bid)		
3.0	1 L.S.	Quality Control (Cannot exceed 3% of the Total Amount Bid)	3,000.00	\$ 3,000.00 \$ 10,000.00
4.0	1 L.S.	Site Preparation (Cannot exceed 10% of the Total Amount Bid)	10,000.00	\$ 10,000.00
5.0	500 L.F.	Sediment Control	4.00	\$ 2,000.00
6.0	2.7 Acres	Revegetation	3,000.00	\$ 8,100.00
7.0		Drainage Structures		
7.1	40 L.F.	Riprap Lined Channel - Type 1	30,00	
7.2	220 L.F.	Riprap Lined Channel - Type 2	40.00	\$ 8,800.00
7.3	8 Ea.	Riprap Apron		\$ 8,000.00
7.4	3 Ea.	Temporary Ford Crossing	1,000.00	\$3,000.00
9.0		Mine Seals		
9.1	3 Ea.	Wet Mine Seal	6,000.00	\$ 18,000.00
9.2	240 L.F.	12-Inch SDR35 PVC Conveyance Pipe	40.00	\$ 9,600.00
9.3	25 50 lb Bags	Soda Ash Briquettes	15.00	\$ 375.00
9.4	8 Ea.	Modified Bat Gate	10,000,00	\$ 80,000,00
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OMB #1029-0119 Expiration Date: Ol/31/2010

\_ Zip Code: **25360** Phone: <u>304-984-</u>///5

### AML CONTRACTOR INFORMATION FORM

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

Contractor Name Carpenter Keelamation Inc Tax Payer ID No.: 55-069 3493

State: WV

Part A: General Information

**IMPORTANT!** 

Fax No.: 304-984-2770 E-mail address: RCARPEN 103 @ AOC. 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.
one of the following options, follow the instructions for that option, and sign below.  I, kelly alpenter, have the express authority to certify that:  (print name) AVS is accurate complete, and upto-
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 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 7-2-09 Signature K. Carpenter Title President

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.

Part D.
Contractor Name: Carpenter Reclamation Inc.
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

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;

require.

- 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			
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### 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.



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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DEP14661

PAGE 1

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CHUCK BOWMAN 304-558-2157

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\*709060417 304-984-1115 CARPENTER RECLAMATION INC PO BOX 13015

SISSONVILLE WV 25360-0015

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

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

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, 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

### DEP14661 Mill Hollow Complex Addendum # 1

- Item 1: The contractor will have 90 days from the date of the Notice to Proceed to complete Construction activities on the project. The \$250 per day liquidated damage clause will be in effect after the 90 days. However, the total performance period will be 365 days from the date of the Notice to Proceed for invoicing purposes.
- Item 2: Q) Can we use a temporary bridge, rather than the proposed ford crossings?
  - A) The contractor must bid on the specific items listed on the bid sheet, including "Temporary Ford Crossing".
- Item 3: Q) Will all the bat gates be "modified" bat gates, or will some have "typical" bat gates?
  - A) All the bat gates will be the "modified" version. See Plan Sheet 8 for details. The detail for the "Typical Bat Gate" will not apply to this project.

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

### PLEASE PRINT LEGIBLY

Name: Brad William Complex  Name: Company: Wishaw Excavation Company: Grim Aluminical Company: Wishaw Excavation Address: SII Seth STICEST Chas wu 2530 2555 Fax #: 304 586-3736 Phone #: 304 586-3736	Req. # :	-DEP14661	Pre-Bid Date:	6/2/2009
Name: Brad Wilson Name: Company: Wissin V EXCAVATING Address: RT I Box I QU Crberty Address: 511 55th 57CCCT  25124 Chus W 255CCS Phone #: 304 58 6-3736 Phone #: 304 9250255 Fax #: 364 58 6-7736 Fax #: 304 9250255 Fax #: 565 Fax #: 566 Fax #: 566 Fax #: 566 Fax		Mill Hollow Complex	Bid Opening Date	e: 7/2/2009
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Address:    RT   Box   190   Loberty   Address:   511   5th   5t   Ceft	Name:	Brad Wismon	Name:	DAUID H. BEWALAN
Address: RTI BOX 1901 LIBERTY Address: 511 55th STLCET Chus wo 2830  25124  Phone #: 304586-3736  Fax #: 304586-3736  Email: SOUNT ACTIONS  Address: PARE CONTRACTONS  Address: 1721 WINTECO RUND  Address: 1721 WINTECO RUND  Address: PARE TO TOST Phone #: 304-984-1728  Phone #: 304-552-7781  Phone #: 304-552-7781  Phone #: 304-984-1728  Email: Email: Email: Standard Outerfring Company: Bober Financial Mame: Company: Address: All Box 5380  Address: 3606 Cor Reg Peress Rol Address: All Box 5380  Phone #: 501-76-3571  Phone #: 301-739-4397  Phone #: 301-739-4397  Phone #: 504-76-76-76  Fax #: 504-76-76  Fax #: 504-76  Fax #: 504-	Company:	WISEMAN EXCAVATING	Company:	GRIDU MOUNIMINGO
Phone #: 304 586-3736 Phone #: 304 925 9230  Fax #: 304 586-3736 Fax #: 304 925 9230  Email: Scaythey cfot. (c)  Name: BARRIE FOSTER Name: Robert Barnes  Company: FACIE CONTRACTORS  Address: 1721 WINFIELD RUN  Address: 1721 WINFIELD RUN  Address: 104-755-3150 Fax #: 304-184-1725  Fax #: 104-755-3150 Fax #: 304-184-1725  Email: Email:  Name: Alice Republication of Company: Robert Established Republication of Company: Address: RI 130x 3930  Address: 36406 Corkey Actes Rol Address: RI 130x 3930  Phone #: 304-765-3521 Phone #: 304-783-1491  Fax #: SAIME  Email: 61100 Building Control Republication of Company: Robert Republication of Company: Company: Company: Republication of Company: Republication of Company: Robert Republication of Republ	•		Address:	511 Soth STICCET
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Name: BARRIE F. TOSTER Name: Robert BANNES  Company: EACLE CONTRACIONS  Address: 1721 WINFIELD RUND  Address: P.O. BOX/3384  WINFIELD WYSCII  Phone #: 304-552-7781 Phone #: 304-984-0074  Email:  Name: C.T. TRANDON Name: DIK- Probert  Company: Collion Building Contracting Company: Bobert Exhausting Mc  Address: 28406 Corkey Crees Rol Address: RI 122x 393.B  Fax #: DAME. Fax #: 3001-783-4491  Address: P.O. ROX 943  SYMPSON, D.V. 26435  Phone #: 301-739-4397  Phone #: 304-739-4397  Phone #: 304-739-3528  Email: beyon, if Reserved Towns Andrews  Email: beyon	Email:		Email:	scayMaychoe. Co.
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Fax#: 304-755-3150  Email:  Email:  Name: First Rendow Name: Mike Richard Email:  Company: Collien Buildings Contenting Company: Boday Executing Address: BI 180x. 393.B.  Address: Strolo Corkey Cares Rol Address: BI 180x. 393.B.  Fax the sends UN 26621  Phone #: 304-765-35.21  Phone #: Goulding Contenting Company: Goulding Contenting Results  Email: Colling Building Contenting Company: Contenting Company: Contenting Contenting Results  Por Rox 243  Phone #: 304-739-4397  Phone #: 504-760-760	•	MINIFIELD WY25213		
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Name: REIAN BERNATOWICZ  Company: Coure-IRL UP INT  Address: P.O. ROX 943  Phone #: 301-739-4397  Fax #: Fax #: (304) 984-3528  Email: DRAN BERNATOWICZ  Name: DASIL CARPENTER & SASIL CARPENTER				(304) 71.11
Name: BRIAN BERNATOWICZ  Company: Company: BASIL CARPENTAR & BASIL	Email: (	61 Libr Bul DING CO, AJUG ME) NE		Experience of the state of the
Company: Courtel UP TUT  Address: Company: BASIL CARPENTAR & Address: 333 A CAII RD  STAPSON, NV, 26435  Phone #: 304-739-4397  Phone #: (304) 984-3528  Email: DRAN SERVICENT CYNACION Email:	Name:	ROMAL REPNIATOWICE ?	Name:	DASIL CARPLATER
Address: P.O. ROX 943  STARPSON, NV, 26435  Phone #: 304-739-4397  Phone #: (304) 984-3528  Email: DRAN FRUITCERT RYPHOSICAL Email:		1	Company:	BASIL CARPENTER EX
Fax#:  Email:    STAMPSON, N.U., 26435   Chas Ww 253/2     Phone #: 304   FRANTOCTUZ (Lynhauch Email:	, ,		Address:	333 A Call RD
Phone #: 304-739-4397 Phone #: (304) 984-360 Fax #: (304) 984-3528  Email: 62741 6684 TOUTE CYTACAM Email:	, (40) 633.	20		Chas Wev 25312
Fax#: Fax#: (304) 984-3528  Email: DRAN BERNATOUTE OF HYPHOS.COM Email:	Phone #*	•	Phone #:	(304) 904 546-166
Email: DEZANI DERUGICA (VII) Email:			Fax #:	(304) 984-3528
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### MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

### PLEASE PRINT LEGIBLY

Project: Mill Hollow Complex	Pre-Bid Date:         6/2/2009           Bid Opening Date:         7/2/2009	
		1
Name: Jay R Wardwell	Name: Allen Mack	es
Company: Eastern Arrow	Company: GARCILR-MAS	Verd
Address: Charleston WV	Address: 1119 Jefferson	RY
	Sp. Chos-W. ?	7531
Phone #: 304 414 0255	Phone #: 744 DSAD	<del>,</del>
Fax #:	Fax#: 746 S203	<del></del>
Email:	Email: Or Markerions &	Tasl
The state of the s	Dominion of the second of the	<u></u>
Name: Randy (morester	Name: Muk Mage	6
Company: Carpenter Reclaration	Company: FC and Some	Exce
Address: Po Bx 13015	Address: Po Box 28 Calld	ull
SYSSOM silley WU	wd 24925	<u> </u>
Phone #: 304-984-1115	Phone #: 301-645-539	3_
Fax #:	Fax#: <u>304-645-53</u>	26
Email:	Email:	
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Name: Drug Viweent	Name: (BIB Patter)	
Company: BreakAway Inc.	Company: ASPENCEDET	<del></del>
Address: 1075 Old Tampite Rd	Address: ZHOZ RITTERD	B
Satter, WY ZGGOI	ponials NUDS	ZE'32
Phone #: 765-5317	Phone #: 304-763-48	<u> </u>
Fax#: 765-5389	Fax#: 304-763-459	<u></u>
Email:	Email: 1bolen@aspen-g	elf co
CAMPAGE, COLORES A CAMPAGE AND CONTRACTOR OF CONTRACTOR SAME AND	<ul> <li>The control of the cont</li></ul>	· 0
Name: GARY Gra	Name:	
Company: Mi Court & Soir Const.	Company:	_
Address: 3790 Centralia Rd	Address:	******
Sitton W Zlokal		
Phone #: 364 765-5288	Phone #:	-
Fax#: 304765-5293	Fax #:	
Email:	Email:	

		Williaming Supposition on
E	BID BOND	017
KNOW ALL MEN BY THESE PRESENTS, That we, the	he undersigned,	
of		and
of		
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	(\$	) for the payment of which,
well and truly to be made, we jointly and severally bind ourselv	es, our heirs, administrators, exec	utors, successors and assigns.
The Condition of the above obligation is such that who	ereas the Principal has submitted t	to the Purchasing Section of the
Department of Administration a certain bid or proposal, attache	ed hereto and made a part hereof,	to enter into a contract in writing for
NOW THEREFORE,		
(a) If said bid shall be rejected, or (b) If said bid shall be accepted and the Principal shall be accepted and shall furnish any other bonds and insurance require agreement created by the acceptance of said bid, then this obligation and agreed that the exceed the penal amount of this obligation as herein stated.	ed by the bid or proposal, and shal ligation shall be null and void, othe e liability of the Surety for any and	I in all other respects perform the wise this obligation shall remain in full all claims hereunder shall, in no event,
The Surety, for the value received, hereby stipulates a way impaired or affected by any extension of the time within what waive notice of any such extension.	and agrees that the obligations of hich the Obligee may accept such	said Surety and its bond shall be in no bid, and said Surety does hereby
IN WITNESS WHEREOF, Principal and Surety have	hereunto set their hands and seals	s, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and to, 20	hese presents to be signed by the	ir proper officers, this
Principal Corporate Seal	1	(Name of Principal)
Surety Corporate Seal	Ву	(Must be President or Vice President)
Sel!	######################################	(Title)
Surety Corporate Seal		(Name of Surety)
		Attornov in Food

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.

AGENCY	(A)
RFO/RFP#	(B)

				id Bond	
(A)	WV State Agency	KNOW A	LL MEN BY THE	ESE PRESENT	S, That we, the undersigned,
` '	(Stated on Page 1 "Spending Unit")		of	<u>(D)</u>	
	Request for Quotation Number (upper	as Principal, and		of	( <u>G)</u> ,
	right comer of page #1)				and existing under the laws
(C)	Your Company Name				al office in the City of
(D)	City, Location of your Company				firmly bound unto The State
È)	State, Location of your Company	of West Virginia, as			
(F)	Surety Corporate Name	(\$(L)	) for the p	ayment of which	ch, well and truly to be made,
(Ġ)	City, Location of Surety	we jointly and seve	rally bind ourselv	es, our heirs, a	dministrators, executors,
(H)	State, Location of Surety	successors and assi			·
(I)	State of Surety Incorporation				uch that whereas the Principal
(J)	City of Surety Incorporation				artment of Administration
(K)	Minimum amount of acceptable bid	a certain bid or proj	posal, attached he	reto and made	a part hereof to enter into a
.()	bond is 5% of total bid. You may state	contract in writing	for		
	"5% of bid" or a specific amount on		(	M)	
	this line in words.		<u></u>		
(L)	Amount of bond in figures				
(M)	Brief Description of scope of work		EREFORE.		
(N)	Day of the month	(a) If said	l bid shall be rejec	cted, or	
(O)	Month	(b) If said	l bid shall be acce	pted and the P	rincipal shall enter into a
(P)	Year				ched hereto and shall furnish
(Q)	Name of Corporation				or proposal, and shall in all
(R)	Raised Corporate Seal of Principal				e acceptance of said bid then
(S)	Signature of President or Vice				s obligation shall remain in ful
` '	President				eed that the liability of the
(T)	Title of person signing				event, exceed the penal
Ùή	Raised Corporate Seal of Surety	amount of this obli			
(V)	Corporate Name of Surety				oulates and agrees that the
. (W)	Signature of Attorney in Fact of the				o way impaired or affected by
` '	Surety				y accept such bid: and said
NOTE:	Dated, Power of Attorney with Raised	Surety does hereby			
	Surety Seal must accompany this bid				Surety have hereunto set their
	bond.				ns have caused their corporate
					igned by their proper officers,
		this(N)	iay of(	<u>(O)</u> , 20	<u>(P)</u>
		Principal Corporate	e Seal	***************************************	(Q)
		_			(Name of Principal)
		(	R)	Ву	(S)
					(Must be President or
					Vice President)
					(I)
					Title
			U)		
		Surety Corporate S	eal		(V)
					(Name of Surety)

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.

Attorney-in-Fact



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

STATE OF West Virginia
COUNTY OF Kanawka, TO-WIT:
I, kelley aspenter, after being first duly sworn, depose and state as follows:
1. I am an employee of appenter keclamation Inc; and, (Company Name)
2. I do hereby attest that appender Kealamation Unc. (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.  Aupenter Keclametion Inc.  (Company Name)  By: Kelley Caspenter  Title: Resident  Date: 7-2-09
Taken, subscribed and sworn to before me this 2 day of June, 2009
Seal Notary Public, State Of West Virginia NICHOLE BEARY P.O. Box 13194 Sissonville, WV 25369 My Commission Expires June 4, 2017 (Notary Public)
V

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

### 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.

### 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: (hupanter, Keclamation)	nc.		
Authorized Signature: K. / aspentes	Date:	7-2-09	
Purchasing Affidavit (Revised 01/01/09)			

Page 1 of 1

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	Entity	Selected (140618) (	Entity Selected (140618) Carpenter Reclamation Inc	i Inc			
Parent Entity	Description	Related Entity	Entity	% Ownership	Begin Date End Date	End Da	
(140618) Carpenter Reclamation Inc	President	(140616)]	(140616) Kelley Carpenter		10/1/1989		
(140618) Carpenter Reclamation Inc	Shareholder	(140616)	(140616) Kelley Carpenter	20%	10/1/4989		······································
(140618) Carpenter Reclamation Inc	Shareholder	(140617)	(140617) Mary Curpenter	50%	10/1/1989		
(140618) Camenter Reclamation Inc	Vice President	(140617)	(140617) Mary Carpenter		10/1/1989		····
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Agency DEP	
REQ.P.O# 14661	-

### **BID BOND**

KNOW ALL MEN BY T	HESE PRESENTS, That we, the under	rsigned, <u>Carpenter Reclamation</u> , Inc
of PO Box 13015 S	Sissonville, WV 25360	, as Principal, and Western Surety Company
of U.S. Steel Tower, 600	Grant Street, Suite 500, Pittsburgh, PA . a corp	oration organized and existing under the laws of the State of
South Dakota with its princi	pal office in the City of Sioux Falls	, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in	the penal sum of <u>Five Percent</u>	(\$ 5%) for the payment of which,
well and truly to be made, we jo	intly and severally bind ourselves, our h	neirs, administrators, executors, successors and assigns.
The Condition of the a	bove obligation is such that whereas the	e Principal has submitted to the Purchasing Section of the
	certain bid or proposal, attached hereto mplex in Kanawha County WV , acc	and made a part hereof, to enter into a contract in writing for cording to plans and specifications.
NOW THEREFORE,		
hereto and shall furnish any oth agreement created by the accept	accepted and the Principal shall enter i er bonds and insurance required by the ptance of said bid, then this obligation sl understood and agreed that the liability	into a contract in accordance with the bid or proposal attached bid or proposal, and shall in all other respects perform the hall be null and void, otherwise this obligation shall remain in full of the Surety for any and all claims hereunder shall, in no event,
	extension of the time within which the	es that the obligations of said Surety and its bond shall be in no Obligee may accept such bid, and said Surety does hereby
IN WITNESS WHERE	DF, Principal and Surety have hereunto	set their hands and seals, and such of them as are corporations
		sents to be signed by their proper officers, this
24th day of June	, 20 <u>09</u> .	, , , , , , , , , , , , , , , , , , , ,
Principal Corporate Seal		Carpenter Reclamation  (Name of Principal)  By Kelley Carpente Must be President or Vice President)
Surety Corporate Seal		President (Title)  Western Surety Company (Name of Surety)
		Ross E. Johnson Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Corporate seals must be affixed, and a power of attorney must be attached.

# Western Surety Company

### POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Ross E Johnson, Beverly A Holstine, Kathryn K Arthur, Sheila Mc Cormick, Individually

of Charleston, WV, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

#### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 25th day of April, 2008.

WESTERN SURETY COMPANY

State of South Dakota
County of Minnehaha

On this 25th day of April, 2008, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY 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 pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012

D. KRELL

OFAL SOUTH DAKOTA

D. Krell, Notary P

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 24th day of June 2009



WESTERN SURETY COMPANY

J. Relson, Assistant Secretary

### Authorizing By-Law

### ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.



