



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
DEP14912

PAGE
1

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

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ATC Associates Inc.
 3 Terri Lane, Suite #4
 Burlington, NJ 08016

SHIP TO

**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
02/16/2010				

BID OPENING DATE: **04/13/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
<p>RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES</p> <p>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 18-ACRE ABANDONED MINE PROJECT KNOWN AS THE "DAVIDSON HIGHWALL" PROJECT LOCATED IN MORGANTOWN, WEST VIRGINIA, (MONONGALIA CO.).</p> <p>A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 03/16/10 @ 10:00 AM. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND TH MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER. ALSO, PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER.</p> <p>AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS 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 DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN</p>						

RECEIVED
 2010 APR 15 AM 10:13
 WV PURCHASING DIVISION

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<p>ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR EMAIL ADDRESS AND FAX NUMBER.</p> <p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID, WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID, WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p> <p>DIRECTIONS TO PREBID: IN MORGANTOWN, TAKE RT. 119 NORTH TO THE STEWARTSTOWN ROAD. PROCEED ON THE STEWARTSTOWN ROAD TO THE CAMP RUN ROAD. TURN LEFT ON CAMP RUN ROAD AND TRAVEL TWO-TENTHS OF A MILE TO THE FIRST HOUSE ON THE RIGHT. PROCEED PAST HOUSE TO MOUNTAIN VISTA DRIVE. FOLLOW SIGNS TO PREBID LOCATION. THE PROBLEM AREA IS LOCATED IN THE FRONT OF AND BESIDE THIS HOUSE AND CONTINUES NORTH, BEHIND THE HOUSING DEVELOPMENT.</p> <p>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 FEE. PAYMENT MUST BE MADE BY CHECK OR MONEY ORDER. NO CASH WILL BE ACCEPTED.</p> <p>EXHIBIT 5</p> <p>WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICITATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED PURCHASING AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF</p>						

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<p>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.</p> <p>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.</p> <p>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.</p> <p>WAGE RATES: THE CONTRACTOR OR SUBCONTRACTOR SHALL PAY THE HIGHER OF THE U.S. DEPARTMENT OF LABOR MINIMUM WAGE RATES AS ESTABLISHED FOR MONONGALIA COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT.)</p> <p>ARBITRATION: ANY REFERENCES MADE TO ARBITRATION OR INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THIS CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED.</p> <p>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p>ALL OF THE ITEMS CHECKED BELOW WILL BE A REQUIREMENT OF THIS CONTRACT:</p>						

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SUBJECT

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<p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.</p> <p>() BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT.</p> <p>(XX) BONDS: FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR/MATERIAL BOND.</p> <p>() MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR.</p> <p>REV. 11/00</p> <p>*****</p> <p>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</p>						

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<p>CONTRACTOR. 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</p> <p>*****</p> <p>CONTRACTORS LICENSE</p> <p>WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS STATE MUST BE LICENSED. THE WEST VIRGINIA CONTRACTORS LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS LICENSE. APPLICATIONS FOR A CONTRACTORS LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR, CAPITOL COMPLEX, 1900 KANAWHA BLVD. E, BLDG. 6, RM 749-B, CHARLESTON, WV 25305, PH. 304-558-7890.</p> <p>WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID. BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME:..... ATC Associates Inc.</p> <p>CONTRACTORS LICENSE #:..... WV046583</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF A PURCHASE ORDER/CONTRACT.</p> <p>APPLICABLE LAW</p> <p>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</p>						

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<p>PROCUREMENT.</p> <p>ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT.</p> <p>(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.</p> <p>(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 FOR DEFECTS APPEARING WITHIN THE GUARANTEE PERIOD SHALL BE REMEDIATED AT THE EXPENSE OF THE CONTRACTOR UPON WRITTEN NOTICE. (B) 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</p>						

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ROCKY MOUNTAIN

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<p>GUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT ITS EXPENSE.</p> <p>(C) THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE CONSTRUED AS BEING AN EXTENSION OF THE PERFORMANCE TIME ALLOTTED FOR WORK UNDER THE CONTRACT.</p> <p>(D) GUARANTEES CONCERNING REVEGETATION MAY BE FURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN.</p> <p>(3) TERMINATION: (1) THIS CONTRACT MAY BE CANCELLED IN WHOLE OR IN PART IN WRITING BY THE DIRECTOR OF PURCHASING, WITHOUT PREJUDICE TO ANY OTHER RIGHT OR REMEDY IT MAY HAVE, PROVIDED THAT THE CONTRACTOR IS GIVEN NOT LESS THAN THIRTY CALENDAR DAYS WRITTEN NOTICE, (DELIVERED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED) OF INTENT TO TERMINATE.</p> <p>(4) IT SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL VENDOR TO: (A) OBTAIN ALL NECESSARY DIVISION OF HIGHWAYS PERMITS FOR ALL TRANSPORTATION OF EQUIPMENT AND MATERIALS TO AND FROM THE JOB SITE. (B) OBTAIN ANY AND ALL REQUIRED CONSTRUCTION PERMITS OR RELATED JOB PERMITS.</p> <p>(5) TECHNICAL SPECIFICATIONS: ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "DAVIDSON HIGHWALL" PROJECT. 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 31 DRAWINGS AS PREPARED BY MICHAEL BAKER JR., INC.</p>						

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<p>(6) 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 OF PAYMENT. IT IS THE DEP'S INTENT THAT THE PAYMENT TO THE CONTRACTOR BE MADE WITHIN 60 DAYS AFTER RECEIPT OF APPLICATION FOR PAYMENT.</p> <p>(7) 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.</p> <p>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.</p> <p>REV. 1/2005</p> <p>PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS</p> <p>1. EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES. AS USED IN THIS CONTRACT,</p> <p>A. "STATE CONTRACT PROJECT" MEANS ANY ERECTION OR CONSTRUCTION OF, OR ANY ADDITION TO, ALTERATION OF OR OTHER IMPROVEMENT TO ANY BUILDING OR</p>						

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				<p>STRUCTURE, INCLUDING, BUT NOT LIMITED TO, ROADS OR HIGHWAYS, OR THE INSTALLATION OF ANY HEATING OR COOLING OR VENTILATING PLANTS OR OTHER EQUIPMENT, OR THE SUPPLY OF AND MATERIALS FOR SUCH PROJECTS, PURSUANT TO A CONTRACT WITH THE STATE OF WEST VIRGINIA FOR WHICH BIDS WERE SOLICITED ON OR AFTER JUNE 6, 2001.</p> <p>B. "STEEL PRODUCTS" MEANS PRODUCTS ROLLED, FORMED, SHAPED, DRAWN, EXTRUDED, FORGED, CAST, FABRICATED OR OTHERWISE SIMILARLY PROCESSED, OR PROCESSED BY A COMBINATION OF TWO OR MORE OF SUCH OPERATIONS, FROM STEEL MADE BY THE OPEN HEARTH, BASIC OXYGEN, ELECTRIC FURNACE, BESSEMER OR OTHER STEEL MAKING PROCESS.</p> <p>C. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTAL OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES.</p> <p>2. THE DIRECTOR OF THE PURCHASING DEPARTMENT MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF:</p> <p>A. THE COST FOR EACH CONTRACT ITEM USED DOES NOT EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR,</p> <p>B. THE DIRECTOR OF THE PURCHASING DIVISION DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIENT</p>		

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<p>QUANTITY OR OTHERWISE ARE NOT REASONABLY AVAILABLE TO MEET CONTRACT REQUIREMENTS.</p> <p>3. 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.</p> <p>REV. 10/01/01</p> <p>EXHIBIT 7</p> <p>DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS</p> <p>IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, IN THE CASE OF STEEL ONLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT ONLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS.</p> <p>FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUND TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE PRODUCTS. IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

Request for Quotation

RFQ NUMBER
DEP14912

PAGE
11

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

PROPERTY

**RFQ COPY
 TYPE NAME/ADDRESS HERE**

ATC Associates Inc.
 3 Terri Lane, Suite #4
 Burlington, NJ 08016

SHIP TO

**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
02/16/2010				

BID OPENING DATE: **04/13/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS.</p> <p>IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID 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.</p> <p>REV. 3/88</p> <p>EXHIBIT 9</p> <p>NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA.</p> <p>THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES:</p> <p>(1) THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALS SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED.</p> <p>(2) THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia
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Request for Quotation

RFQ NUMBER
 DEP14912

PAGE
 12

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

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

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 Burlington, NJ 08016

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 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
02/16/2010				

BID OPENING DATE: 04/13/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE.</p> <p>(3) ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN ADDENDUM DOCUMENT. THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE.</p> <p>REV. 11/96</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: .DEP14912..</p> <p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1 <i>Vibran S. Patel</i></p> <p>NO. 2 <i>Vibran S. Patel</i></p> <p>NO. 3</p> <p>NO. 4</p> <p>NO. 5</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE _____ TELEPHONE _____ DATE _____

TITLE _____ FEIN _____ ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia
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RFQ NUMBER
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13

ADDRESS CORRESPONDENCE TO ATTENTION OF
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RFQ COPY

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 CHARLESTON, WV
 25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
02/16/2010				

BID OPENING DATE: **04/13/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>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.</p> <p>..... <i>Vibran S. Patel</i> SIGNATURE</p> <p>..... ATC Associates Inc. COMPANY</p> <p>..... <i>4.9.10</i> DATE</p> <p>REV. 11/96</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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Request for Quotation

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CHUCK BOWMAN 304-558-2157

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TYPE NAME/ADDRESS HERE

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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
02/16/2010				

BID OPENING DATE: **04/13/2010** **BID OPENING TIME . 01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
SEALED BID						
BUYER:				CB-23		
RFQ. NO.:				DEP14912		
BID OPENING DATE:				04/13/2010		
BID OPENING TIME:				1:30 PM		
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						
(609) 386-7951						
VENDOR SHOULD SUBMIT WITH THEIR BID THE CURRENT REMIT-TO ADDRESS TO BE USED FOR PAYMENT PROCESSING:						
3 Terri Lane, Suite #4						
Burlington, NJ 08016						
PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:						
Vik Patel						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE	TELEPHONE	DATE
TITLE	FEN	ADDRESS CHANGES TO BE NOTED ABOVE

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

OMB #1029-0119
Expiration Date: 1/31/13

AML CONTRACTOR INFORMATION FORM

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

Part A: General Information

Business Name: ATC Associates Inc. Tax Payer ID No.: 46-0399408
Address: 3 Terri Lane, Suite #4
City: Burlington State: NJ Zip Code: 08016 Phone: (609) 386-8800
Fax No.: (609) 386-7951 E-mail address: vik.patel@atcassociates.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, Vikram S. Patel, have the express authority to certify that:
(print name)

1. Information on the attached Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. 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.
2. _____ Part of the information on the attached Entity OFT from AVS is missing or incorrect and must be updated. If you select this option, you must attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.
3. _____ Our business 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.

3.25.2010
Date

Vikram S. Patel
Signature

Vice President/Area Manager
Title

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 from the AVS website at <https://avss.osmre.gov>.



AVS OFT Report - 3/23/2010 11:39:35 AM

**All OFT's where the selected entity is listed as an entity or related entity
Entity Selected (247640) ATC Group Services Inc dba ATC Associates Inc**

Parent Entity	Description	Related Entity	% Ownership	Begin Date	End Date
(247640) ATC Group Services Inc dba ATC As	Senior Vice President	(247651) Alan C Agadoni		2/1/2005	
(247641) ATC Group Holdings Inc	Owner	(247640) ATC Group Services Inc dba ATC As	100%	8/1/2005	
(247640) ATC Group Services Inc dba ATC As	Senior Vice President	(247650) Donald W Beck		2/1/1998	
(247640) ATC Group Services Inc dba ATC As	Assistant Secretary	(247648) Jeanne M Davison		1/1/2003	
(247640) ATC Group Services Inc dba ATC As	Assistant Treasurer	(247646) Christine Flot		1/1/2003	
(247640) ATC Group Services Inc dba ATC As	Chief Financial Officer	(247653) Paul J Grilio		6/1/1998	
(247640) ATC Group Services Inc dba ATC As	Executive Vice President	(247653) Paul J Grilio		6/1/1998	
(247640) ATC Group Services Inc dba ATC As	Treasurer	(247653) Paul J Grilio		6/1/1998	
(247640) ATC Group Services Inc dba ATC As	Senior Vice President	(247649) Wendell W Lantz		7/1/2003	
(247640) ATC Group Services Inc dba ATC As	Senior Vice President	(247652) Ellen B Miller		11/1/1998	
(247640) ATC Group Services Inc dba ATC As	Secretary	(247652) Ellen B Miller		11/1/1998	
(247640) ATC Group Services Inc dba ATC As	General Counsel	(247652) Ellen B Miller		11/1/1998	
(247640) ATC Group Services Inc dba ATC As	Assistant Treasurer	(247645) Mary Helen New		12/1/2005	
(247640) ATC Group Services Inc dba ATC As	Director	(247642) Andrew J Russell		6/1/2002	
(247640) ATC Group Services Inc dba ATC As	Director	(247644) Richard A Sebastiao		7/1/2002	
(247640) ATC Group Services Inc dba ATC As	President	(247654) Robert C Toups		7/1/2002	
(247640) ATC Group Services Inc dba ATC As	Chief Executive Officer	(247654) Robert C Toups		7/1/2002	
(247640) ATC Group Services Inc dba ATC As	Assistant Secretary	(247647) David L Warder		11/1/2002	
(247640) ATC Group Services Inc dba ATC As	Director	(247643) Daniel E Wolf		6/1/2002	

REVISED ADDENDUM #2
DAVIDSON HIGHWALL PROJECT
Requisition DEP14912
 Contractor's Bid Sheet

Company Name: ATC Associates Inc.

Address: 3 Terri Lane, Suite #4

Burlington, NJ 08016

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
1.0	1 L.S.	Mobilization and Demobilization (not to exceed 10% of total amount bid)	\$ 15,000.00	\$ 15,000.00
2.0	1 L.S.	Construction Layout Stakes (not to exceed 5% of total amount bid)	\$ 6,000.00	\$ 6,000.00
3.0	1 L.S.	Quality Control (not to exceed 3% of total amount bid)	\$ 6,000.00	\$ 6,000.00
4.1	1 L.S.	Site Preparation (not to exceed 10% of total amount bid)	\$ 40,000.00	\$ 40,000.00
4.2	2,330 L.F.	Aggregate Access Road	\$ 12.00	\$ 27,960.00
5.1	2,000 L.F.	Reinforced Sediment Barrier	\$ 3.25	\$ 6,500.00
5.2	7,000 L.F.	Silt Fence Sedirnent Barrier	\$ 1.30	\$ 9,100.00
6.0	18 Acres	Revegetation	\$ 2,100.00	\$ 37,800.00
7.1	2,350 L.F.	Type 1 Open Limestone Channel (1.5 ft deep)	\$ 30.00	\$ 70,500.00
7.2	820 L.F.	Type 2 Open Limestone Channel (2.0 ft deep)	\$ 42.00	\$ 34,440.00
7.3	40 L.F.	24-Inch HDPE Pipe Culvert	\$ 95.00	\$ 3,800.00
8.0	79,000 C.Y.	Unclassified Excavation	\$ 2.60	\$ 205,400.00
9.1	10 EA.	Typical Wet Seal	\$ 7,500.00	\$ 75,000.00
9.2	1 EA.	Modified Wet Seal	\$ 7,000.00	\$ 7,000.00
9.3	1,860 L.F.	12-Inch PVC Mine Water Conveyance Pipe	\$ 23.00	\$ 42,780.00
9.4	50 Fifty lb Bags	Soda Ash Briquettes	\$ 50.00	\$ 2,500.00
11.0	500 L.F.	Underdrain	\$ 33.00	\$ 16,500.00
12.0	104 V.L.F.	4' Diameter Manhole	\$ 220.00	\$ 22,880.00
13.1	270 Ton	Wearing I Asphalt	\$ 100.00	\$ 27,000.00
13.2	1,250 SY	Base Repair	\$ 33.00	\$ 41,250.00
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
TOTAL				\$ 697,410.00

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 1491Z
 Project: DAVIDSON H.W.

Bid Date: 4/13/10
 Pre-Bid Date: 3/16/10

Name : Roger L. Collins Sr.
 Company: Collins Building Contracting Inc.
 Address: 3401 Coyle-Cramer Rd.
Flaunards, WV 26621

Phone #: 304-765-3521
 Fax #: 304-765-3521
 Email : Collins Building & Hughes, Inc.

Name : Joe Kubin
 Company: Aspen Corporation
 Address: 2400 Ritter Drive
Daniels WV 25832

Phone #: 304-763-4573
 Fax #: 304-763-4591
 Email : jkubin@aspencorp.com

Name : Kevin Harshberger
 Company: R.B. Jergens
 Address: 11418 N. Dixie Dr
Vandalia, OH 45377

Phone #: 937-669-9799
 Fax #: 937-669-5025
 Email : Kevin.harshberger@rbjergens.com

Name : Don Vincent
 Company: Breakaway Inc.
 Address: 1075 Old Turnpike Road
Sutton, WV 26601

Phone #: 304 765-5317
 Fax #: 304 765-5389
 Email : breakaway-inc@verizon.net

Name : Stewart Whitehair
 Company: Morgantown Excavators
 Address: 500 Hartman Run Road
Morgantown WV 26505

Phone #: 304-292-3489
 Fax #: 304-292-0746
 Email : swhitehair@mei.wv.com

Name : Rob Seese
 Company: Morgantown Excavators
 Address: 500 Hartman Run Road
Morgantown WV 26505

Phone #: 304-292-3489
 Fax #: 304-292-0746
 Email : rseese@mei.wv.com

Name : Chad Bilotta
 Company: Anderson Excavating LLC
 Address: 343 Williams Rd
Morgantown WV 26501

Phone #: 304-983-2296
 Fax #: 304-983-4755
 Email : cbilotta@AndersonExcavatingLLC.com

Name : Jimmy Rogers
 Company: Rogers Excavation
 Address: 183 Old Chest Rd
Mt. Vernon WV 26508

Phone #: 258-0504
 Fax #: 296-0661
 Email : LALARRY772@verizon.net

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 4912
 Project: DAVIDSON HIGHWAY

Bid Date: 4/13/10
 Pre-Bid Date: 3/16/10

Name : Robert L. Barnes
 Company: BARNSEXC. INC.
 Address: PO. BOX 13384
SISSONVILLE WVA.
25360
 Phone #: 304-984-1725
 Fax #: 304-984-0074
 Email : BARNSEXC@AOL.COM

Name : PAUL THOMPSON
 Company: REMAC AMERICA, INC.
 Address: 10860 SPRING KNOLL DR.
POTOMAC MD 20854
 Phone# : 800 600 9608
 Fax # : 301 299 5990
 Email : thompson@remac.com

Name : Randy Carpenter
 Company: Carpenter Reclamation
 Address: PO BOX 13015
SISSONVILLE, WV
25360
 Phone #: 304-984-1115
 Fax # : 984-2770
 Email : RCarpenter@03d.com

Name : Ann Wardenzell
 Company: EASTERN ARROW CORP
 Address: PO BOX 4108
CHARLESTON WV
25304
 Phone# : 304-414-0255
 Fax # : 0256
 Email : _____

Name : BARBIE F. FOSTER
 Company: EAGLE CONTRACTORS LLC
 Address: 1721 WINFIELD ROAD
WINFIELD WV 25213
 Phone #: 304-552-7781
 Fax # : 304-755-3150
 Email : _____

Name : STEVE SZARO
 Company: Pro Contracting, Inc
 Address: P.O. Box 2442
Clarksburg, WV 26302
 Phone# : 304 622-2400
 Fax # : 304 622-2410
 Email : procon.sjs@mar.net.com

Name : MIKE FURCONE
 Company: ATC ASSOC.
 Address: J TEAM BANK
BOWLING GREEN, NJ
 Phone #: 350-620-1232
 Fax # : 609-586-7951
 Email : MICHAEL.FURCONE@ATCASSOCIATES.COM

Name : Spencer C. Wooddell
 Company: Cowgirl Up Inc
 Address: PO Box 243
Simpson WVa 26435
 Phone# : 304 739 4397
 Fax # : 304 739 4401
 Email : SCW-cowgirlup@earthlink.net

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14912
 Project: DAVIDSON H.W.

Bid Date: 4/13/10
 Pre-Bid Date: 3/16/10

Name : GEORGE FRESHOUR
 Company: EAGLE EXCAVATION INC
 Address: P.O. BOX 218
KENNA WV
25248
 Phone #: (304) 372-4378
 Fax #: (304) 372-4378
 Email : none

Name : Matt Adams
 Company: Kelli Corp
 Address: 3075 Point Marion Rd
MORRANTOWN WV 26505
 Phone# : 304 292 8102
 Fax # : 304 292-8608
 Email : adamsmka@comcast.net

Name : David H. Bowman
 Company: Green Mountain Co
 Address: 511 50th Street
Chas WV 25304

Name : Mike Jarrett
 Company: Mt. Haus Properties Inc.
 Address: 305 39th St
Charleston WV 25304

Phone #: 304 925 0253
 Fax #: 925 4643
 Email : Jody MayeACL.com

Phone# : 304-545-0408
 Fax # : 304-925-4032
 Email : mikejarrett1805@yahoo.com

Name : Steve Jurasko
 Company: Polino Contracting
 Address: Po Box 230 Elkins
WV 26241

Name : JAMES ALLEN
 Company: JF ALLEN CO
 Address: P. O BOX 2049
Buckhannon WV 26201

Phone #: 304 636 3886
 Fax #: 304 636 5108
 Email : JBrown@polino.com

Phone# : 304 472 8890
 Fax # : 304 472 8897
 Email : JAMES.ALLEN@JFAllenco.com

Name : GARY LONG
 Company: M Court & Son Const.
 Address: 2790 Centralia Rd
Sutton WV 26601

Name : Greg Hynes
 Company: Baker
 Address: 4301 Patch Ridge Rd
Benner PA 15005

Phone #: 304 765-5288
 Fax #: 304 765-5293
 Email :

Phone# : 778-495-7273
 Fax # :
 Email : GARYS@mbakercorp.com

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 14912
Project: DAVIDSON HW

Bid Date: 4/13/10
Pre-Bid Date: 3/16/10

Name : Greg Thomas
Company: Amic Contracting LLC
Address: PO Box 3416
Briston Mills WV 26525

Phone #: 304-379-2639
Fax #: 304-379-3845
Email : Uthvine26@aol.com

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

Name : Jeffrey S. LAURITA
Company: SCJL Co-Leasing Corp
Address: R Hunter Zane Rd
FAIRMONT WV 26554

Phone #: 304 290 4608
Fax # : 304 296 8252
Email : JSLAURITA@yahoo.com

Phone# : _____
Fax # : _____
Email : _____

Name : ~~Chris Mc. Wolf~~ Chris Mc. Wolf
Company: Conq Bus Co. LLC
Address: P.O. Box 164
NEEDYSBURG WV 26405

Phone #: 304 669-1722
Fax # : 457-1662
Email : Chris Wolf T2@yahoo.com

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

Name : _____
Company: _____
Address: _____

Name : _____
Company: _____
Address: _____

Phone #: _____
Fax # : _____
Email : _____

Phone# : _____
Fax # : _____
Email : _____

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

6/1/2010

DATE (MM/DD/YYYY)

6/1/2009

PRODUCER LOCKTON COMPANIES, LLC
5847 SAN FELIPE, SUITE 320
HOUSTON TX 77057
866-260-3538

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURED ATC Group Services Inc.
1300228 ATC Associates Inc.
Three Terri Lane
Burlington NJ 08016

INSURER A: Commerce and Industry Insurance Company	19410
INSURER B: The Insurance Company of the State of Pennsylvania	19429
INSURER C: American International Specialty Lines Insurance Company	26883
INSURER D: New Hampshire Insurance Company	23841
INSURER E:	

THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER AND THE CERTIFICATE HOLDER.

COVERAGES ATCNJ01 AM

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY	417-87-02	6/1/2009	6/1/2010	EACH OCCURRENCE	\$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$ 10,000
		<input checked="" type="checkbox"/> XCU INCLUDED				PERSONAL & ADV INJURY	\$ 1,000,000
		<input checked="" type="checkbox"/> ISO CG 00011207				GENERAL AGGREGATE	\$ 2,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG	\$ 2,000,000
		<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
A D		AUTOMOBILE LIABILITY	CA 7571753 (AOS) CA 7571754 (MA)	6/1/2009	6/1/2010	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
		<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$ XXXXXXXX
		<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$ XXXXXXXX
		<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$ XXXXXXXX
<input checked="" type="checkbox"/> HIRED AUTOS							
<input checked="" type="checkbox"/> NON-OWNED AUTOS							
<input checked="" type="checkbox"/> MCS 90							
		GARAGE LIABILITY	NOT APPLICABLE			AUTO ONLY - EA ACCIDENT	\$ XXXXXXXX
		<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	\$ XXXXXXXX
						AGG	\$ XXXXXXXX
C		EXCESS/UMBRELLA LIABILITY	UMB 7075998	6/1/2009	6/1/2010	EACH OCCURRENCE	\$ 5,000,000
		<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	\$ 5,000,000
		<input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> UMBRELLA FORM					\$ XXXXXXXX
		<input type="checkbox"/> RETENTION \$					\$ XXXXXXXX
D B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	9915136 (AOS) 9915137 (CA)	6/1/2009	6/1/2010	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? NO				E.L. EACH ACCIDENT	\$ 1,000,000
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
						E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
C		OTHER	1956718	6/1/2009	6/1/2010	\$1,000,000 EACH CLAIM \$1,000,000 AGGREGATE	
		PROFESSIONAL/POLLUTION LIABILITY - CM					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
BLANKET WAIVER OF SUBROGATION IS GRANTED IN FAVOR OF CERTIFICATE HOLDER ON ALL POLICIES EXCEPT PROFESSIONAL LIABILITY WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT EXCEPT WHERE PROHIBITED BY LAW. CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED ON ALL POLICIES ON A PRIMARY, NON-CONTRIBUTORY BASIS (EXCEPT FOR WORKERS' COMP/EL AND PROFESSIONAL LIABILITY) WITH RESPECT TO LIABILITY ARISING OUT OF OPERATIONS PERFORMED BY OR ON BEHALF OF NAMED INSURED WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT. UMBRELLA LIMITS ARE EXCESS OF GENERAL, AUTOMOBILE AND EMPLOYER'S LIABILITY.

CERTIFICATE HOLDER

10555133
FOR BID PURPOSES ONLY
C/O ATC GROUP SERVICES, INC.
ATC ASSOCIATES, INC.

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



2008

**WEST VIRGINIA
STATE TAX DEPARTMENT**

2010

**BUSINESS REGISTRATION
CERTIFICATE**

ISSUED TO:
**ATC GROUP SERVICES INC
DBA ATC ASSOCIATES INC
600 CUMMINGS PARK STE 5500
WOBURN, MA 01801**

BUSINESS REGISTRATION ACCOUNT NUMBER: 1030-2066

This certificate is issued for the registration period beginning: **July 1, 2008**

This certificate is valid until: **June 30, 2010**

*This business registration certificate is issued by
the West Virginia State Tax Commissioner
in accordance with Chapter 11, Article 12 of the West Virginia Code.*

*The person or organization identified on this certificate is registered
to conduct business in the State of West Virginia at the location above.*

This certificate is not transferrable and must be displayed at the location for which issued.

**ENGAGING IN BUSINESS WITHOUT CONSPICUOUSLY POSTING A WEST VIRGINIA BUSINESS
REGISTRATION CERTIFICATE IN THE PLACE OF BUSINESS IS A CRIME AND MAY SUBJECT YOU
TO FINES PER W. VA. CODE § 11-9.**

**TRAVELING/STREET VENDORS: Must carry a copy of this certificate in every vehicle operated by them.
CONTRACTORS, DRILLING OPERATORS, TIMBER/LOGGING OPERATIONS: Must have a copy of
this certificate displayed at every job site within West Virginia.**

Agency Lockton Companies, LLC
REQ.P.O# DEP14912

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, ATC Associates, Inc.
of 3 Terri Lane Suite No. 4, Burlington, NJ 08016, as Principal, and The Insurance Company of the State of Pennsylvania
of 175 Water Street, New York, NY 10038, a corporation organized and existing under the laws of the State of PA
with its principal office in the City of New York, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percent of Total Amount (\$ 5% TAB) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for
Davidson Highway; Requisition #DEP14912

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this
30th day of March, 2010

Principal Corporate Seal

ATC Associates, Inc.

(Name of Principal)

By 

Robert Toups (Must be President or Vice President)

President/CEO
(Title)

Surety Corporate Seal

The Insurance Company of the State of Pennsylvania

(Name of Surety)


Shona D. Holmes, 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

The Insurance Company of the State of Pennsylvania
Principal Bond Office: 175 Water Street, New York, NY 10038

Power No. 6170

No. 09-B-77913

KNOW ALL MEN BY THESE PRESENTS:

That The Insurance company of the State of Pennsylvania, a Pennsylvania corporation, does hereby appoint:

---Angela P. Hyle, Mary Pierson, Robert F. Bobo, Jr., Timothy F. Kelly,
John A. Martinez, Maria Cantu, Shona D. Holmes, Florence McClellan, of Houston, Texas---

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business; and to bind the respective company thereby.

IN WITNESS WHEREOF, The Insurance Company of the State of Pennsylvania has executed these presents

this 24th day of September, 2008



Anthony Romano

Anthony Romano, Vice President

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.

Juliana E. Hallenbeck

On this 24th day of September, 2008, before me came the above named officer of The Insurance Company of the State of Pennsylvania, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seals of said corporation thereto by authority of his office.

JULIANA E. HALLENBECK
NOTARY PUBLIC, STATE OF NEW YORK
No. 011A6125671
QUALIFIED IN BRONX COUNTY
MY COMMISSION EXPIRES APRIL 18, 2009

CERTIFICATE

Exerpts of Resolutions adopted by the Boards of Directors of The Insurance Company of the State of Pennsylvania, on May 18, 1976:

"RESOLVED, that the Chairman of the Board, the President, or any Vice President be, and hereby is, authorized to appoint Attorneys-in-Fact to represent and act for and on behalf of the Company to execute bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, and to attach thereto the corporate seal of the Company, in the transaction of its surety business;

"RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed with respect to any bond, undertaking, recognizance and other contract of indemnity and writing obligatory in the nature thereof;

"RESOLVED, that any such Attorney-in-Fact delivering a secretarial certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact."

I, Elizabeth M. Tuck, Secretary of The Insurance Company of the State of Pennsylvania, do hereby certify that the foregoing exerpts of Resolutions adopted by the Boards of Directors of this corporation, and the Power of Attorney issued pursuant thereto, are true and correct, and that both the Resolutions and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of the corporation

this 30th day of March 2010.



Elizabeth M. Tuck

Elizabeth M. Tuck, Secretary



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

STATE OF New Jersey

COUNTY OF Burlington, TO-WIT:

I, Vikram S. Patel, after being first duly sworn, depose and state as follows:

- 1. I am an employee of ATC Group Services Inc dba ATC Associates Inc.; and,
(Company Name)
- 2. I do hereby attest that ATC Group Services Inc dba ATC Associates 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.

ATC Group Services Inc dba ATC Associates Inc.
(Company Name)

Vikram S. Patel

By: Vikram S. Patel

Title: Vice-President / Area Manager

Date: 3.25.2010

Taken, subscribed and sworn to before me this 25th day of March.

By Commission expires 3/27/10

(Seal)

Donna L. Hay

(Notary Public)

DONNA L. HAY
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 3/27/2010

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

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: 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.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

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.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: ATC Group Services Inc. dba ATC Associates Inc.

Authorized Signature: *Vikram S. Patel* Date: 3.25.2010

State of New Jersey

County of Burlington, to-wit:

Taken, subscribed, and sworn to before me this 25th day of March, 2010.

My Commission expires 3/27, 2010.

AFFIX SEAL HERE

NOTARY PUBLIC *Donna L Hay*

DONNA L. HAY
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 3/27/2010