



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  
 DNR210008

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF  
 FRANK WHITTAKER  
 304-558-2316

PRODUCTIVITY

**ASPEN CORPORATION**  
**2400 RITTER DRIVE**  
**DANIELS, WV 25832**

SHIP TO

DIVISION OF NATURAL RESOURCES  
 CANAAN VALLEY RESORT  
 ATTN: PARK SUPERINTENDENT  
 ROUTE 1, BOX 320  
 DAVIS, WV  
 26260 866-4111

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
08/13/2009				

BID OPENING DATE: 09/17/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		968-42		
<p>CONSTRUCTION</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE DIVISION OF NATURAL RESOURCES IS SOLICITING BIDS FROM RESPONSIBLE VENDORS TO PROVIDE ALL LABOR, MATERIAL AND EQUIPMENT NECESSARY FOR THE CONSTRUCTION OF GOLF COURSE DRAINAGE IMPROVEMENTS AT CANAAN VALLEY STATE PARK, DAVIS, WV IN TUCKER COUNTY.</p> <p>MANDATORY PRE-BID</p> <p>A MANDATORY PRE-BID WILL BE HELD ON AUGUST 27, 2009 AT 11:00 AM AT THE PARK HEADQUARTERS. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</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 ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUD</p>						

RECEIVED  
 2009 SEP 22 A 10:20  
 PURCHASING DIVISION  
 STATE OF WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *Donnie Adkins* TELEPHONE: 304-763-4573 DATE: 9-21-09

TITLE: *President* FEIN: 55-0627766-001 ADDRESS CHANGES TO BE NOTED ABOVE

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



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<p>THEIR E-MAIL 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>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINS FOR TECHNICAL QUESTIONS IS 9/1/09 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</p> <p>REQUEST FOR QUOTATION MAY BE OBTAINED BY CONTACTING:</p> <p style="padding-left: 40px;">FRANK WHITTAKER, SENIOR BUYER        WV PURCHASING DIVISION        2019 WASHINGTON STREET, EAST        CHARLESTON, WV 25305        304-558-2316</p> <p>PLANS AND SPECIFICATIONS MAY BE OBTAINED BY CONTACTING:</p> <p style="padding-left: 40px;">DEBORAH DEMYAN        WVDNR, PARKS AND RECREATION SECTION        1200 HARRISON, AVENUE SUITE 222        ELKINS, WV 26241        304-637-0300</p> <p>NO FEE REQUIRED FOR BIDDING DOCUMENTS.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>Donnie Adkins</i>	TELEPHONE <b>304-763-4573</b>	DATE <b>9-21-09</b>	
TITLE <i>President</i>	FAX <b>55-062-7766-001</b>	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p><b>EXHIBIT 5</b></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 T SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE WITH THE BID. THE ENCLOSED DRUG-FREE WORKPLACE AFFIDAVIT MUST BE SIGNED AND SUBMITTED WITH THE BID AS EVIDENCE OF THE VENDOR'S COMPLIANCE WITH THE PROVISIONS OF ARTICLE 1D, CHAPTER 21 OF THE WEST VIRGINIA CODE. FAILURE TO SUBMIT THE SIGNED DRUG-FREE WORKPLACE AFFIDAVIT WIT THE BID SHALL RESULT IN DISQUALIFICATION OF SUCH BID.</p> <p>NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 120 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 HERE IN.</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 TUCKER 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</p>						

SIGNATURE <i>Donnie Adkins</i>		TELEPHONE <i>304-263-4573</i>	DATE <i>9-21-09</i>
TITLE <i>President</i>	FEIN <i>55-0627766-001</i>	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>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> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN 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 ACCEPCTABLE IN LIEU OF THE 5% BID BOND PERFORMANCE BOND, OR LABOR AND 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>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Donnie Adams</i>	304-763-4573	9-21-09
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
<i>President</i>	55-0627766-001	

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<p>ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID 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 &amp; 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 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Donnie Adkins* TELEPHONE **304-763-4573** DATE **9-21-09**  
 TITLE *President* FEIN **55-0627766-001** ADDRESS CHANGES TO BE NOTED ABOVE

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<p>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>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 NOS :</p> <p>✓ NO. 1 . . . . . <i>Received</i></p> <p>✓ NO. 2 . . . . . <i>Received</i></p> <p>NO. 3 . . . . .</p> <p>NO. 4 . . . . .</p> <p>NO. 5 . . . . .</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF TH ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF THE 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</p>						

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POSTING

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<p>INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p>.....<i>Donnie Adkins</i>.....SIGNATURE            .....<i>Aspen Corporation</i>.....COMPANY            .....<i>9-21-09</i>.....DATE</p> <p>REV. 11/96</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, BUILDING 3, ROOM 319, CHARLESTON, WV 25305. TELEPHONE: (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.</p> <p>BIDDER TO COMPLETE:</p> <p>CONTRACTORS NAME: .....<i>Aspen Corporation</i>.....            CONTRACTORS LICENSE NO.: .....<i>WV 000653</i>.....</p> <p>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIOR TO ISSUANCE OF</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS		
SIGNATURE <i>Donnie Adkins</i>	TELEPHONE <i>304 763-4573</i>	DATE <i>9-21-09</i>
TITLE <i>President</i>	FEIN <i>55-0627766-001</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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<p>A PURCHASE ORDER/CONTRACT</p> <p>APPLICABLE LAW</p> <p>THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES AND REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE PURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS 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>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>REV. 5/2009</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>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</p>						

SIGNATURE <i>Donnie Adkins</i>		TELEPHONE <i>304-763-4573</i>	DATE <i>9-21-09</i>
TITLE <i>President</i>	FEIN <i>55-0627766-001</i>	ADDRESS CHANGES TO BE NOTED ABOVE	

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ADDRESS CORRESPONDENCE TO ATTENTION OF  
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MESSAGE

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<p>THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:            SEALED BID            BUYER: 44            REQ. NO.: DNR210008            BID OPENING DATE: 09/17/2009            BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:  <i>304-763-4591</i></p> <p>PLEASE PRINT OR TYPE NAME OF PERSON TO CONTACT CONCERNING THIS QUOTE:  <i>Donnie Adkins</i></p> <p>***** THIS IS THE END OF RFQ DNR210008 ***** TOTAL: _____</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Donnie Adkins</i>	TELEPHONE <i>304-763-4573</i>	DATE <i>9-21-09</i>
TITLE <i>President</i>	FAX <i>55-0627766-001</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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**Canaan Valley State Park, Golf Course Drainage Improvements**  
**DIVISION OF NATURAL RESOURCES** **INFORMATION FOR BIDDERS-1**

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## **INFORMATION FOR BIDDERS**

### **1. Examination of Contract Documents and Site**

Each bidder must inform himself fully of the conditions relating to the construction of the project and the employment of labor thereon. Failure to do so will not relieve a successful bidder of his obligation to furnish all material and labor necessary to carry out the provisions of his contract. The bidder is required to examine carefully the Contract Documents and the site of the work contemplated.

The submission of a bid shall be considered prima facie evidence that the bidder has made such examination and has judged for and satisfied himself as to the character, quality, and quantity of work to be performed and material required to be furnished under the Contract.

### **2. Addenda and Interpretations**

No interpretation of the meaning of the plans, specifications, or other pre-bid documents will be made to any bidder orally.

Every request for such interpretations should be in writing addressed to the Engineer, Division of Natural Resources, Parks and Recreation Section, c/o Frank Whittaker, Senior Buyer, Purchasing Division, 2019 Washington Street, East, Charleston, West Virginia, 25305 and to be given consideration must be received at least fourteen (14) days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications which, if issued, will be mailed to all prospective bidders (at the respective addresses furnished for such purposes), not later than ten (10) days prior to the date fixed for the opening of bids. Failure of any bidder to receive any such addendum or interpretation shall not relieve such bidder from any obligation under his bid as submitted. All addenda so issued shall become part of the Contract Documents.

### **3. Substitutions**

Requests for approval of substitutions must be addressed to and received by the Engineer, Division of Natural Resources, Parks and Recreation Section, c/o Frank Whittaker, Senior Buyer, Purchasing Division, 2019 Washington Street, East, Charleston, WV 25305, and to be given consideration must be received at least twenty one (21) days prior to the date fixed for the opening of bids.

Submission shall be made by prime Bidders; no consideration will be given to items submitted directly by manufactures, suppliers, distributors or subcontractors. Substitutions of materials, products or equipment for those items specified will be considered only when a written request, on Bidder's company letterhead, is accompanied by suitable documentation to demonstrate that the product is equal and appropriate for use in this particular installation. Suitable documentation shall include the following as well as other information:

**Canaan Valley State Park, Golf Course Drainage Improvements**  
**DIVISION OF NATURAL RESOURCES** **INFORMATION FOR BIDDERS-2**

---

- Detailed comparison of significant qualities of proposed substitution with those of the work specified. This comparison shall be specific to each feature of the original product. Submission of product literature alone, without a written item by item comparison of the significant qualities of each product will not be considered a complete submission.
- Product Data, including drawings and descriptions of products of and fabrication and installation procedures. All furnished data must be manufactures original product data information, no faxes or copies will be accepted.
- Samples, where applicable or requested.
- Lists of similar installations for completed projects with project names and addresses and names and addresses of Engineers and owners.
- Material test reports from a qualified testing agency indicating and interpreting test results for compliance with requirements indicated.
- Research /evaluation reports evidencing compliance with building code in effect for Project, from model code organization acceptable to authorities having jurisdiction if applicable.
- Bidder's certification that proposed substitution complies with requirements in the bidding documents and is appropriate for the applications indicated.
- Written request for approval of the substitution on company letter head transmitting the aforementioned information and addressing any item not included.

Burden of proof of merit of requested substitution is upon the submitter. Any request not including all of the required information will be considered incomplete. Incomplete requests shall be rejected. The Engineer has no obligation to request additional information in order to consider the request. Approved requests will be set forth in Addenda issued in accordance with these Instructions to Bidders. All addenda so issued shall become part of the Contract Documents.

**4. Contractor's Personnel Requirements**

The official title of person signing the bid should be shown.

If a firm is a partnership, the full partnership name should be shown, and the bid should be signed by a partner. If a firm is a single proprietorship, the full name should be shown and the bid should be signed by the sole OWNER. If the bid of a partnership or single proprietorship is signed by a person other than the partners and OWNERS, there should be attached a written, duly acknowledged power of attorney clearly giving and showing that the signer has power sufficient to bind the partners and OWNERS of the firm to the bid.

If the firm is a corporation, and the person signing the bid is neither the president nor vice president of the corporation, there should be attached a written, duly acknowledged power of attorney or corporate resolution giving and showing that

**Canaan Valley State Park, Golf Course Drainage Improvements**  
**DIVISION OF NATURAL RESOURCES** **INFORMATION FOR BIDDERS-3**

---

the signer has sufficient power to bind the corporation to the bid.

Sufficient evidence that the person signing the bid has the power to bind the offering company should be received by the Purchasing Division prior to the issuance of a contract.

Canaan Valley State Park, Golf Course Drainage Improvements  
 DIVISION OF NATURAL RESOURCES

FORM OF PROPOSAL-1

Name of Bidder:

Aspen Corporation

Address of Bidder:

2400 Ritter Drive  
 Daniels, WV 25832

Phone Number of Bidder:

304-763-4573

WV Contractors License No.

WV 000 653

We, the undersigned, having examined the site and being familiar with the local conditions affecting the cost of the work and also being familiar with the general conditions to bidders, drawings, and specifications, hereby proposes to furnish all materials, equipment, and labor to complete all work in a workmanlike manner, as described in the Bidding documents.

Base Bid: Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in numbers.

\$ 543,547 <sup>75</sup> -

Base Bid: Lump sum for all labor, materials, and equipment as stipulated in the Bidding Documents, written in words.

Five hundred forty three thousand five hundred forty seven dollars and seventy-five cents.

Canaan Valley State Park, Golf Course Drainage Improvements  
DIVISION OF NATURAL RESOURCES FORM OF PROPOSAL-2

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The bidder understands that to the extent allowed by the West Virginia Code, the Owner reserves the right to waive any informality or irregularity in any Bid, or Bids, and to reject any or all Bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the Bidding Documents; to reject any condition of the bid by the Bidder that is in any way inconsistent with the requirements, terms and conditions of the Bidding Documents; or to reject a bid that is in any way incomplete or irregular.

The Bidder, if successful and awarded the contract, agrees that all work is to be complete within 120 consecutive calendar days following receipt of the Owner's written Notice to Proceed. For each calendar day of delay in achieving completion, the Contractor shall be liable for, and shall pay the Owner liquidated damages in the amount of \$100 per day.

Any work performed or any materials contracted for prior to the receipt of the Owner's written Notice to Proceed, shall be at the Bidder's risk.

**PROGRESS PAYMENTS** - The CONTRACTOR will make current estimates in writing once each month on AIA Forms G702 and G703 on or before the date set by the OWNER at the time of starting the WORK. The progress payments shall be a true estimate of the materials complete in place and the amount of WORK performed in accordance with the CONTRACT during the preceding month and the value thereof figured at the CONTRACT unit prices or based on the approved schedule of value. Should there be any doubt of the OWNER as to the integrity of any part of the COMPLETED work, the estimates for that portion will not be allowed modified by the CONTRACTOR accordingly. CONTRACTOR shall submit evidence to document the extent of progress payments as required by the OWNER.

Progress payments will not be made when the total value of the WORK done since the last estimate amounts to less than Five Hundred Dollars (\$500.00). From the total of the amounts ascertained as payable, an amount equivalent to and in accordance with Article 9 of A201-1997 Supplementary Conditions of the State of West Virginia will be deducted and retained by the OWNER until completion of the entire CONTRACT in an acceptable manner. The balance, less all previous payments, will be certified for payment by the OWNER.

When the WORK under contract has been completed and its acceptance is recommended by the OWNER, the retainage shall be released and paid to the CONTRACTOR.

Canaan Valley State Park, Golf Course Drainage Improvements  
 DIVISION OF NATURAL RESOURCES FORM OF PROPOSAL-3

ADDENDUM ACKNOWLEDGEMENT

I hereby acknowledge receipt of the following checked addendum and have made the necessary revisions to my bid or proposal.

Addendum No.	Date
1	9-1-2009
2	9-10-2009
3	9-20-2009

I understand that failure to confirm the receipt of the Addendum is cause for rejection of my bid or proposal.

Respectfully submitted:

Date:

9-21-2009

WV Vendor  
Registration Number:

709052150

By: (signature in ink)

Donnie Adkins

Title:

President

Firm Name:

Aspen Corporation

Firm Address:

2400 Ritter Drive  
Daniels, WV 25832



CANAAN VALLEY RESORT STATE PARK  
GOLF COURSE DRAINAGE IMPROVEMENTS

BID SCHEDULE  
BASE BID  
LINES "A", "B" & "C"

LINE "A"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	12" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	455 L.F.	<u>\$32<sup>65</sup></u>	<u>\$14,855.75</u>
2.	12" Solid HDPE pipe, including furnishing, trenching, bedding, laying, backfill	589 L.F.	<u>\$26<sup>50</sup></u>	<u>\$15,608<sup>50</sup></u>
3.	6" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	1089 L.F.	<u>\$29<sup>50</sup></u>	<u>\$32,125<sup>50</sup></u>
4.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	5121 L.F.	<u>\$26<sup>40</sup></u>	<u>\$135,194<sup>40</sup></u>
5.	24" Drain Basin, including furnishing, excavation, installation and backfill	4 Each	<u>\$650<sup>00</sup></u>	<u>\$2,600<sup>00</sup></u>
6.	15" In Line Drain including furnishing, excavation, installation and backfill	6 Each	<u>\$475<sup>00</sup></u>	<u>\$2,850<sup>00</sup></u>

TOTAL LINE "A" BID IN NUMBERS (ITEM 1-6) \$ 203,234<sup>15</sup>

TOTAL LINE "A" BID IN WORDS (ITEMS 1-6)

Two hundred three thousand two hundred thirty four DOLLARS  
and fifteen — — — CENTS

CANAAN VALLEY RESORT STATE PARK  
 GOLF COURSE DRAINAGE IMPROVEMENTS  
 BID SCHEDULE  
 BASE BID  
 LINES "A", "B" & "C"

LINE "B"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	12" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	265 L.F.	<u>\$32<sup>65</sup></u>	<u>\$8652<sup>25</sup></u>
2.	12" Solid HDPE pipe, including furnishing, trenching, bedding, laying, backfill	310 L.F.	<u>\$26<sup>50</sup></u>	<u>\$8,215<sup>00</sup></u>
3.	8" Solid HDPE pipe, including furnishing, trenching, bedding, laying, backfill	375 L.F.	<u>\$24<sup>50</sup></u>	<u>\$9,187<sup>50</sup></u>
4.	8" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	430 L.F.	<u>\$31<sup>50</sup></u>	<u>\$13,545<sup>00</sup></u>
5.	6" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	228 L.F.	<u>\$29<sup>50</sup></u>	<u>\$6,726<sup>00</sup></u>
6.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	3920 L.F.	<u>\$26<sup>40</sup></u>	<u>\$103,488<sup>00</sup></u>
7.	24" Drain Basin, including furnishing, excavation, installation and backfill	5 Each	<u>\$650<sup>00</sup></u>	<u>\$3,250<sup>00</sup></u>
8.	15" In Line Drain including furnishing, excavation, installation and backfill	1 Each	<u>\$475<sup>00</sup></u>	<u>\$475<sup>00</sup></u>

CANAAN VALLEY RESORT STATE PARK  
GOLF COURSE DRAINAGE IMPROVEMENTS  
BID SCHEDULE  
BASE BID  
LINES "A", "B" & "C"

LINE "B"

TOTAL LINE "B" BID IN NUMBERS (ITEM 1-8) \$ 153,538<sup>75</sup>

TOTAL LINE "B" BID IN WORDS (ITEMS 1-8)  
One hundred fifty three thousand five hundred thirty eight DOLLARS  
Seventy five CENTS

CANAAN VALLEY RESORT STATE PARK  
 GOLF COURSE DRAINAGE IMPROVEMENTS  
 BID SCHEDULE

BASE BID  
 LINES "A", "B" & "C"

LINE "C"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	12" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	427 L.F.	\$ <u>32<sup>65</sup></u>	\$ <u>13,941<sup>55</sup></u>
2.	10" Solid HDPE pipe, including furnishing, trenching, bedding, laying, backfill	286 L.F.	\$ <u>27<sup>50</sup></u>	\$ <u>7,865<sup>00</sup></u>
3.	6" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	437 L.F.	\$ <u>29<sup>50</sup></u>	\$ <u>12,891<sup>50</sup></u>
4.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	5662 L.F.	\$ <u>26<sup>40</sup></u>	\$ <u>149,476<sup>80</sup></u>
5.	24" Drain Basin, including furnishing, excavation, installation and backfill	4 Each	\$ <u>650<sup>00</sup></u>	\$ <u>2,600<sup>00</sup></u>

TOTAL LINE "C" BID IN NUMBERS (ITEM 1-5) \$ 186,774<sup>85</sup>

TOTAL LINE "C" BID IN WORDS (ITEMS 1-5)

One hundred eighty six thousand Seven hundred Seventy four DOLLARS  
eighty five CENTS

TOTAL BASE BID, LINES "A", "B", & "C" IN NUMBERS \$ 543,547<sup>75</sup>

TOTAL BASE BID, LINES "A", "B", & "C" IN WORDS

Five hundred forty three thousand five hundred forty seven DOLLARS  
Seventy - five CENTS

CANAAN VALLEY RESORT STATE PARK  
GOLF COURSE DRAINAGE IMPROVEMENTS  
BID SCHEDULE  
ADDITIVE ALTERNATIVE NO. 1

LINE "D"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	8" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	429 L.F.	\$ <u>31<sup>50</sup></u>	\$ <u>13,513<sup>50</sup></u>
2.	6" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	751 L.F.	\$ <u>29<sup>50</sup></u>	\$ <u>22,154<sup>50</sup></u>
3.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	2900 L.F.	\$ <u>26<sup>40</sup></u>	\$ <u>76,560<sup>00</sup></u>

TOTAL ADDITIVE ALTERNATIVE NO. 1

TOTAL LINE "D" BID IN NUMBERS (ITEM 1-3) \$ 112,228<sup>00</sup>

TOTAL LINE "D" BID IN WORDS (ITEMS 1-3)

One hundred twelve thousand two hundred twenty eight DOLLARS

no CENTS

CANAAN VALLEY RESORT STATE PARK  
GOLF COURSE DRAINAGE IMPROVEMENTS  
BID SCHEDULE  
ADDITIVE ALTERNATIVE NO. 2

LINE "E"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	6" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	915 L.F.	\$ <u>29<sup>50</sup></u>	\$ <u>26,992<sup>50</sup></u>
2.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	3928 L.F.	\$ <u>26<sup>40</sup></u>	\$ <u>103,699<sup>20</sup></u>

TOTAL ADDITIVE ALTERNATIVE NO. 2

TOTAL LINE "E" BID IN NUMBERS (ITEM 1-2) \$ 130,691<sup>70</sup>

TOTAL LINE "E" BID IN WORDS (ITEMS 1-2)

One hundred thirty thousand six hundred ninety one DOLLARS  
Seventy CENTS

CANAAN VALLEY RESORT STATE PARK  
GOLF COURSE DRAINAGE IMPROVEMENTS  
BID SCHEDULE  
ADDITIVE ALTERNATIVE NO. 3

LINES "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R" & "S"

ITEM NO.	DESCRIPTION	ESTMATED QUANTITES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	8408 L.F.	\$ <u>26<sup>40</sup></u>	\$ <u>221,971.<sup>20</sup></u>

TOTAL ADDITIVE ALTERNATIVE NO. 3

TOTAL LINES "F" THROUGH "S" BID IN NUMBERS (ITEM 1)

\$ 221,971.<sup>20</sup>

TOTAL LINES "F" THROUGH "S" BID IN WORDS (ITEMS 1)

Two hundred twenty one thousand nine hundred seventy one DOLLARS  
twenty CENTS



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  
 DNR210008

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF  
 FRANK WHITTAKER  
 304-558-2316

RFQ COPY  
 TYPE NAME/ADDRESS HERE  
 ASPEN CORPORATION  
 2400 RITTER DRIVE  
 DANIELS, WV 25832

DIVISION OF NATURAL RESOURCES  
 CANAAN VALLEY RESORT  
 ATTN: PARK SUPERINTENDENT  
 ROUTE 1, BOX 320  
 DAVIS, WV  
 26260 866-4111

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
09/01/2009				

BID OPENING DATE: 09/17/2009 BID OPENING TIME: 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED MANDATORY PRE-BID SIGN IN SHEET, AND TO CHANGE THE NOTICE TO PROCEED LANGUAGE TO READ AS FOLLOWS:						
NOTICE TO PROCEED: THIS CONTRACT IS TO BE PERFORMED WITHIN 180 CALENDAR DAYS AFTER THE NOTICE TO PROCEED IS RECEIVED. THE AGENCY WILL ISSUE THE NOTICE TO PROCEED IN WRITING.						
0001	1	LS		968-42		
CONSTRUCTION						
***** THIS IS THE END OF RFQ DNR210008 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Donnie Atkins</i>	TELEPHONE 304-763-4573	DATE 9-21-09
TITLE <i>President</i>	FERN 55-0627766-001	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**

REQ NUMBER
DNR210008

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
FRANK WHITTAKER 304-558-2316

VENDOR

\*709052150      304-763-4573  
 ASPEN CORPORATION  
~~PO BOX 737~~ 2400 Ritter Drive  
 DANIELS WV 25832-0737

SHIP TO

DIVISION OF NATURAL RESOURCES  
 CANAAN VALLEY RESORT  
 ATTN: PARK SUPERINTENDENT  
 ROUTE 1, BOX 320  
 DAVIS, WV  
 26260      866-4111

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
09/10/2009				

BID OPENING DATE: 09/22/2009      BID OPENING TIME: 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED VENDOR TECHNICAL QUESTIONS & AGENCY RESPONSES AND TO EXTEND THE BID OPENING DATE.						
THE BID OPENING DATE IS CHANGED TO 09/22/09 AT 1:30 PM.						
0001	1	LS		968-42		
				CONSTRUCTION		
***** THIS IS THE END OF RFQ DNR210008 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	<i>Donnie Adkins</i>	TELEPHONE	304-763-4573	DATE	9-21-09
TITLE	President	FEIN	55-0627766-001	ADDRESS CHANGES TO BE NOTED ABOVE	

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

CANAAN VALLEY STATE PARK  
GOLF COURSE DRAINAGE IMPROVEMENTS DNR 210008  
ADDENDUM NO. 1

1. Could you please confirm that the materials for the project will be exempt from sales tax? Item 9 of the General Terms & Conditions listed on the reverse side of the RFQ states that "The State of West Virginia is exempt from federal and state taxes..." and 3.6.1 of the AIA Document A201-1997 states that "The Contractor shall pay sales, consumer, use and similar taxes...". – Answer -For official interpretation of bidding requirements contact State Purchasing at 304-558-2316.
2. The Form of Proposal-3 (page 16), Addendum Acknowledgement, states to enter the WV Vendor Registration Number. Is this the same as the WV Contractors Licenses Number? – Answer - For official interpretation of bidding requirements contact State Purchasing at 304-558-2316.
3. Could you please confirm that the bid total to be entered on Form of Proposal-1 (page 14) is the same as total entered on page 20? – Answer - For official interpretation of bidding requirements contact State Purchasing at 304-558-2316.
4. Do we need to submit the Purchasing Affidavit on page 28 with our bid? – Answer - For official interpretation of bidding requirements contact State Purchasing at 304-558-2316.
5. Could you please confirm that, per page 3 of the Supplementary Conditions, 75% of our labor will have to be local to the area? And if so, is this referring to union labor? – Answer -For official interpretation of bidding requirements contact State Purchasing at 304-558-2316.
6. Could you please confirm that the pipe for the project will be corrugated exterior and interior single wall pipe and not corrugated exterior, smooth interior double wall pipe? – Answer - Corrugated exterior and interior single wall pipe as manufactured by Advanced Drainage Systems, Inc.
7. Could you please confirm that the following methods of construction are correct?
  - a. Fairway Perforated Drainage – Sod removed & disposed of, gravel to grade - Answer -yes
  - b. Fairway Solid Drainage – Sod removed and relayed - Answer -yes
  - c. Rough Perforated Drainage – Sod removed & disposed of, gravel to grade - Answer -yes, no need to used sod cutter in rough areas with perforated drainage.
  - d. Rough Solid Drainage – Sod removed & dispose of, seed & mulch - Answer -no**For Rough Solid Drainage – Remove sod with sod cutter and relay.**
8. Is it acceptable to hydroseed the trenches in the rough areas? – Answer -No
9. All work for fairways will be conducted off of plywood. Are we required to work off plywood for rough areas as well or will side casting of material directly on the ground be permitted? – Answer - No sidecasting of excavated material is permitted anywhere.
10. Could you please confirm that all perforated pipe in fairways will have the gravel exposed? – Answer -yes
11. The detail for 6" to 12" perforated pipe denotes only 1" on each side of the pipe. Is it permissible to use 3" on each side of the pipe? There will be a greater chance of settling with only 1" on each side for it will be difficult to get stone completely around the pipe. – Answer -Trench widths are to be as plan details – No exceptions.
12. Could you please confirm that there are no designated wetlands on the site? – Answer -There are no designated wetlands with the construction limits.

ASPEN CORPORATION  
2400 RITTER DRIVE  
DANIELS, WV 25832

CANAAN VALLEY STATE PARK  
GOLF COURSE DRAINAGE IMPROVEMENTS DNR 210008  
ADDENDUM NO. 1

13. Are there any special treatments to be installed on the outfalls of the pipe (flared end sections, stone/rip-rap, animal guards, etc.) or will we simply daylight as noted? – Answer -Animal guards are required.
14. Will the 4" perforated lines that tie into the main lines be connected with tees and reducers or will a clay adapter be acceptable? For example, will a 4" perforated line connecting to a 12" line utilize a 12" tee with a 12" x 4" reducer or will we be permitted to cut a 4" hole in the 12" and insert a clay adapter to connect the 4"? –Answer -Cut a 4" hole in the 12" and insert a clay adapter to connect the 4".
15. Should the riser pipe for the Nyloplast InLine Drains be solid or perforated? – Answer – Solid
16. Should the backfill for cart path crossing be 1-1/2" crusher run per the technical specifications or 3/4" per the detail drawing? – Answer -3/4" as per the detail drawing.
17. Are we to use "Building" or "Heavy Highway" prevailing wage rates? Do you have a website link to access the wage rates? – Answer -For official interpretation of bidding requirements contact State Purchasing at 304-558-2316.
18. How should we handle the cost associated with NPDES and Army Corp. permits that the DEP and the FEDS. will surely want done. The permits will not be in place before the bid openings and having dealt with these folks, along with the location we're working, these cost could be rather high. – Answer – Calculations of trench widths have been conducted and disturbed area is less than one acre. No additional permit requirements beyond the General NPDES Permit are required.
19. Specifications for the piping a Canaan Valley golf course call for a single wall corrugated piping, my question is, are you expecting smooth bore single wall with the outer part being corrugated, or should we price straight corrugated pipe with no wall. – Answer - Corrugated exterior and interior single wall pipe as manufactured by Advanced Drainage Systems, Inc.
20. Replace Technical Specification Section B, Paragraph 6, Sentence 1 "Where excavation occurs within fairway areas plus 15 feet either side, an approved sodcutter must be used to remove the top 2" of topsoil at trenches." And replaced with" Where excavation occurs within fairway areas plus 15 feet either side and **all other areas excavated for solid pipe**, an approved sodcutter must be used to remove the top 2" of topsoil at trenches."
21. The bidder if successful and awarded the contract, agrees that all work is to be complete within 180 consecutive calendar days following receipt of the Owner's written Notice to Proceed. For each calendar day of delay in achieving completion, the Contractor shall be liable for and shall pay the Owner liquidated damages in the amount of \$100 per day.

ASPEN CORPORATION  
2400 RITTER DRIVE  
DANIELS, WV 25832



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  
 DNR210008

PAGE  
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF  
 FRANK WHITTAKER  
 804-558-2316

VENDOR

\*709052150 304-763-4573  
 ASPEN CORPORATION  
~~PO BOX 737~~ 2400 Ritter Drive  
 DANIELS WV 25832-0737

SHIP TO

DIVISION OF NATURAL RESOURCES  
 CANAAN VALLEY RESORT  
 ATTN: PARK SUPERINTENDENT  
 ROUTE 1, BOX 320  
 DAVIS, WV  
 26260 866-4111

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
09/18/2009				

BID OPENING DATE: 09/22/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 3 *****						
THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED AGENCY RESPONSE TO TECHNICAL QUESTIONS 1, 2, 3, 4, 5, 17.						
BID OPENING DATE AND TIME HAVE NOT CHANGED.						
0001	1	LS		968-42		
CONSTRUCTION						
***** THIS IS THE END OF RFQ DNR210008 ***** TOTAL: _____						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE Donnie Atkins TELEPHONE 304-763-4573 DATE 9-20-09  
 TITLE President FEIN 55-0627766-001 ADDRESS CHANGES TO BE NOTED ABOVE

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

**ASPEN CORPORATION  
GOLF & IRRIGATION DIVISION  
2400 Ritter Drive, Daniels, WV 25832  
Phone: 304-763-4573, Fax: 304-763-4591**

**TRANSMITTAL**

DATE: 9-20-2009

DELIVERY ADDRESS: VIA : FED-EX

Department of Administration	ATTN: Frank Whittaker
WV Purchasing Division, Bldg. 15	
2019 Washington Street East	
Charleston, WV 25305	
Phone: 304-558-2316	

FROM: Linda Freeman (Per Donnie Adkins)

DESCRIPTION

1	Complete Sealed Bid – RFQ DNR 210008 Canaan Valley State Park-Golf Course Drainage Improvements
	Including Bid Bond

These are transmitted as checked below:

For Review  \_\_\_\_\_

For Your Approval  \_\_\_\_\_

For Your Use  \_\_\_\_\_

As Requested By: RFQ Instructions

[www.aspen-golf.com](http://www.aspen-golf.com)

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CANAAN VALLEY RESORT STATE PARK  
GOLF COURSE DRAINAGE IMPROVEMENTS  
BID SCHEDULE  
ADDITIVE ALTERNATIVE NO. 4

LINES "T", "U", "V", & "W"

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES (Units)	UNIT PRICE	TOTAL AMOUNT
1.	4" Perforated HDPE pipe, including furnishing, trenching, bedding, laying, backfill	4104 L.F.	\$ <u>26 40</u>	\$ <u>108,345 60</u>

TOTAL ADDITIVE ALTERNATIVE NO. 4

TOTAL LINES "T" THROUGH "W" BID IN NUMBERS (ITEM 1)

\$ 108,345 60

TOTAL LINES "T" THROUGH "W" BID IN WORDS (ITEMS 1)

One hundred eight thousand three hundred forty five DOLLARS

Sixty CENTS

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Aspen Corporation  
of 2400 Ritter Drive, Daniels WV 25832, as Principal, and Cincinnati Insurance Company  
of 6200 S Gilmore Road, a corporation organized and existing under the laws of the State of Ohio  
with its principal office in the City of Fairfield, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of 5% of bid (\$ 5% of bid) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

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  
DNR# 2100008 Golf Course Drainage Improvement, Canaan Valley Resort

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  
16th day of September, 2009.

Principal Corporate Seal

Aspen Corporation  
(Name of Principal)  
By [Signature]  
(Must be President or Vice President)  
Vice President  
(Title)

Surety Corporate Seal

Cincinnati Insurance Company  
(Name of Surety)  
[Signature]  
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.**

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Jim Songer, II; William Steven Cochran and/or Brenda Snuffer

of Beckley, West Virginia its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows: Any such obligations in the United States, up to Five Million and No/100 Dollars (\$5,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 10th day of October, 2008.

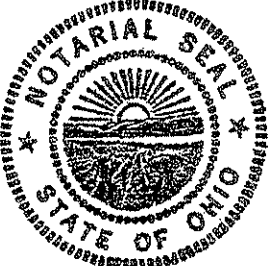


THE CINCINNATI INSURANCE COMPANY

Thomas H. Kelly
Vice President

STATE OF OHIO ) ss:
COUNTY OF BUTLER )

On this 10th day of October, 2008, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



Mark J. Huller

MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio.
this 16th day of September 2009



Gregory J. Schlemmer
Secretary





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

STATE OF West Virginia  
COUNTY OF Raleigh, TO-WIT:

I, Donnie Adkins, after being first duly sworn, depose and state as follows:

- 1. I am an employee of Aspen Corporation; and,  
(Company Name)
- 2. I do hereby attest that Aspen Corporation  
(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.

Aspen Corporation  
(Company Name)

By: Donnie Adkins

Title: President

Date: 9-21-09

Taken, subscribed and sworn to before me this 21<sup>st</sup> day of Sept. 2009.

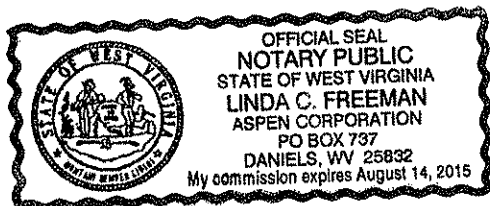
By Commission expires 8-14-2015

(Seal)

Linda C. Freeman  
(Notary Public)

**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: \_\_\_\_\_

Aspens Corporation

Authorized Signature: \_\_\_\_\_

Donnie Adkins

Date: \_\_\_\_\_

9-21-09