



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  
**DEP15082**

PAGE  
**1**

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

RFQ COPY  
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ATC Group Services Inc. dba ATC Associates Inc.  
 3 Terri Lane. Suite #4  
 Burlington, NJ 08016

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
06/09/2010				

BID OPENING DATE: **08/10/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UQP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
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<p><b>RECLAMATION: RESTORATION OF LAND &amp; OTHER PROPERTIES</b></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 48-ACRE ABANDONED MINE PROJECT KNOWN AS THE "ST. CLAIR PORTALS" PROJECT, LOCATED IN MORGANTOWN, WEST VIRGINIA, (MONONGALIA CO.).</p> <p>A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 07/13/10 @ 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>						

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 STATE OF WV

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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:            FROM I-79, TAKE I-68 EAST TO PIERPONT EXIT 7. TURN LEFT ONTO US RT. 119 NORTH AND PROCEED TO WARM HOLLOW ROAD (APPROX. 4 MILES). TURN RIGHT AND PROCEED ONTO WARM HOLLOW ROAD FOR 0.3 MILES AND TURN LEFT ONTO GRAVEL ABANDONED ROAD THEN PROCEED 1/4 MILE TO SITE.</p> <p>PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM WVDEP, OFFICE AML&amp;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 AND AFFIDAVIT OF COMPLAINEE 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-</p>						

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<p>FREE WORKPLACE 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 WAG 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> <p>(XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO</p>						

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<p>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 CONTRACTOR. THIS IS A REQUIREMENT UNDER 30 CFR 874.16</p>						

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<p>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>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 &amp; 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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<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 "ST. CLAIR PORTALS" PROJECT. SAID PLANS &amp; 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 34 DRAWINGS AS PREPARED BY CTL ENGINEERING OF WV, 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 T 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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06/09/2010				

BID OPENING DATE: **08/10/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<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 &amp; 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:  
**DEP15082**

PAGE:  
**11**

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

## RFQ COPY

TYPE NAME/ADDRESS HERE

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

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	FOB	FREIGHT TERMS
06/09/2010				

BID OPENING DATE: **08/10/2010** 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 &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 ALSO 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
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State of West Virginia  
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**Request for  
 Quotation**

RFQ NUMBER  
**DEP15082**

PAGE  
**12**

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

**RFQ COPY  
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ATC Group Services Inc. dba ATC Associates Inc.  
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 Burlington, NJ 08016

**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
06/09/2010				

BID OPENING DATE: **08/10/2010** 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.: .DEP15082..</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 ..... X</p> <p>NO. 2 ..... X</p> <p>NO. 3 ..... X</p> <p>NO. 4 ..... X</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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 Purchasing Division  
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### Request for Quotation

RFQ NUMBER  
**DEP15082**

PAGE  
**13**

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

RFQ COPY  
 TYPE NAME/ADDRESS HERE

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

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
06/09/2010				

BID OPENING DATE: **08/10/2010** 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>Vikram S. Patel</i> ..... SIGNATURE</p> <p>ATC Group Services inc. dba ATC Associates Inc. .... COMPANY</p> <p>8/23/2010 ..... DATE</p> <p>REV. 11/96</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 THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FERN	ADDRESS CHANGES TO BE NOTED ABOVE

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State of West Virginia  
 Department of Administration  
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### Request for Quotation

RFQ NUMBER  
**DEP15082**

PAGE  
**14**

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

**RFQ COPY**

**TYPE NAME/ADDRESS HERE**

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

V  
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**ENVIRONMENTAL PROTECTION**

DEPARTMENT OF  
 OFFICE OF AML&R  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304

**304-926-0499**

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DATE PRINTED <b>06/09/2010</b>	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **08/10/2010** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
SEALED BID						
BUYER:				CB-23		
RFQ. NO.:				DEP15082		
BID OPENING DATE:				08/10/2010		
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
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

# St. Clair Portals

## Requisition # DEP15082

### Contractor's Bid Sheet

Vendors Name: ATC Group Services Inc. dba ATC Associates Inc.

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

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	1	Mobilization/Demobilization (Shall Not Exceed 10%) (Lump Sum)	L.S.	\$
2.0	1	Construction Layout (Shall Not Exceed 5%) (Lump Sum)	L.S.	\$
3.0	1	Quality Control (Shall Not Exceed 3%) (Lump Sum)	L.S.	\$
4.0	1	Site Preparation (Shall Not Exceed 10%) (Lump Sum)	L.S.	\$
5.0	9300 LF	Sediment Control (per Linear Foot)		\$
6.0	48 AC	Revegetation (per Acre)		\$
7.1	310 LF	12' Rip Rap Channel (2' Bottom) (per Linear Foot)		\$
7.2	299 LF	12" Rip Rap Channel (4' Bottom) (per Linear Foot)		\$
7.3	529 LF	12" Grouted Rip Rap Channel (2' Bottom) (per Linear Foot)		\$
7.4	1133 LF	12" Rip Rap Vee Ditch (per Linear Foot)		\$
7.5	1321 LF	18" Rip Rap Vee Ditch (per Linear Foot)		\$
7.6	26 LF	12" Grouted Rip Rap Vee Ditch (per Linear Foot)		\$
7.7	985 LF	Rip Rap Bottom Stream Channel (6' Bottom) (per Linear Foot)		\$
7.8	450 LF	Rip Rap Bottom Stream Channel (12' Bottom) (per Linear Foot)		\$
7.9	3 EA	Cross Vanes (Each)		\$
7.10	1	Stream Crossing (Lump Sum)	L.S.	\$
7.11	3000 LF	Reinforcement Matting (per Linear Foot)		\$
8.1	111655 CY	Unclassified Excavation (per Cubic Yard)		\$
8.2	1	Subsidence Cracks (Lump Sum)	L.S.	\$
9.1	17 EA	Wet Mine Seals (Each)		\$
9.2	4435 LF	12" Conveyance Pipe (per Linear Foot)		\$
9.3	160 Bag	Soda Ash Briquettes (50#) (per Bag)		\$
11.1	1981 LF	Underdrain A-2000 Perf. Pipe (per Linear Foot)		\$
11.2	16 EA	12" Cleanouts (per Each)		\$
12.1	105 TN	Stone Driveway Repair (per Ton)		\$
12.2	2 EA	Gates (per Each)		\$
<b>TOTAL</b>				\$

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 Group Services inc. dba 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.

8/23/10  
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>.





All OIT'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	Senior Vice President	(247651) Alan C Agadoni		2/1/2005	
(247641) ATC Group Holdings Inc	Owner	(247640) ATC Group Services Inc dba ATC	100%	8/1/2005	
(247640) ATC Group Services Inc dba ATC	Senior Vice President	(247650) Donald W Beck		2/1/1998	
(247640) ATC Group Services Inc dba ATC	Assistant Treasurer	(250246) Tanya W Broussard		4/14/2010	
(247640) ATC Group Services Inc dba ATC	Assistant Secretary	(247648) Jeanne M Davison		1/1/2003	
(247640) ATC Group Services Inc dba ATC	Assistant Treasurer	(247646) Christine Plot		1/1/2003	
(247646) ATC Group Services Inc dba ATC	Chief Financial Officer	(247653) Paul J Grilio		6/1/1998	
(247646) ATC Group Services Inc dba ATC	Executive Vice President	(247653) Paul J Grilio		6/1/1998	
(247640) ATC Group Services Inc dba ATC	Treasurer	(247653) Paul J Grilio		6/1/1998	
(247640) ATC Group Services Inc dba ATC	Assistant Treasurer	(250245) Stephanie R Jenkins		6/1/2008	
(247640) ATC Group Services Inc dba ATC	Senior Vice President	(247649) Wendell W Lutz		7/1/2003	
(247640) ATC Group Services Inc dba ATC	Senior Vice President	(247652) Ellen B Miller		11/1/1998	
(247640) ATC Group Services Inc dba ATC	Secretary	(247652) Ellen B Miller		11/1/1998	
(247640) ATC Group Services Inc dba ATC	General Counsel	(247652) Ellen B Miller		11/1/1998	
(247640) ATC Group Services Inc dba ATC	Vice President	(249904) Vikram S Patel		3/1/1998	
(247640) ATC Group Services Inc dba ATC	Director	(247642) Andrew J Russell		6/1/2002	
(247640) ATC Group Services Inc dba ATC	Director	(247644) Richard A Sebastiao		7/1/2002	
(247640) ATC Group Services Inc dba ATC	President	(247654) Robert C Toups		7/1/2002	
(247640) ATC Group Services Inc dba ATC	Chief Executive Officer	(247654) Robert C Toups		7/1/2002	
(247640) ATC Group Services Inc dba ATC	Assistant Secretary	(247647) David L Warder		11/1/2002	
(247640) ATC Group Services Inc dba ATC	Director	(247643) Daniel E Wolf		6/1/2002	
(247640) ATC Group Services Inc dba ATC	Assistant Treasurer	(247645) Mary Helen New		12/1/2005	6/1/2008



State of West Virginia  
 Department of Administration  
 Purchasing Division  
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# Request for Quotation

RFQ NUMBER  
 DEP15082

PAGE  
 1

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

RFQ COPY  
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 3 Terri Lane, Suite #4  
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ENVIRONMENTAL PROTECTION  
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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	FOB	FREIGHT TERMS
08/09/2010				

BID OPENING DATE: 08/24/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UQP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
ADDENDUM ISSUED FOR THE ST. CLAIRS PORTAL PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS, THE COMMENTS, AND REVISED BID SCHEDULE RESULTING FROM THE MANDATORY PRE-BID MEETING ON 07/13/2010.						
BID OPENING DATE AND TIME ARE EXTENDED FROM 08/10/10 TO 08/24/10 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						
***** THIS IS THE END OF RFQ DEP15082 ***** TOTAL:						\$1,173,347.00

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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

Addendum #1 - Questions During Pre-Bid Meeting

For DEP 15082

St. Clair Portals Project

The following comments and questions were identified from the Pre-Bid Conference. The answers provided herein take precedence over verbal answers at the PBC should there be any conflict between the two.

**Comments:**

1. The thickness of riprap for riprap channels shall be 1.5 ( $D_{50}$ ) of the riprap; e.g., thickness = 18" for 12" riprap, thickness = 27" for 18" riprap.
2. The contractor shall follow the requirements for sediment control as set forth in the NPDES Stormwater Permit for construction of the project.
3. Rock check dams and sumps are to be left in place until adequate vegetation, as determined by the West Virginia Department of Environmental Protection (WVDEP), has been established. The contractor is responsible for removal and disposal of the sediment control structures upon completion of the project within the allowable number of days.
4. The contractor shall submit a Dewatering Plan to the WVDEP prior to installation of mine seals.
5. The project shall be bid in accordance with the attached revised Bid Schedule.

The Contractor shall have 240 days from the date of the Notice to Proceed to complete construction activities on the project. The \$250.00 per day liquidated damages clause will be in effect after the 240 days. However, the total performance period will be 365 days from the date of the Notice to Proceed for invoicing purposes.

**St. Clair Portals**  
**Requisition DEP15082**  
**REVISED Contractor's Bid Sheet**

Company Name: ATC Group Services Inc. dba 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.

ITE M NO.	Qty	Unit	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	1	LS	Mobilization and Demobilization (Limited to 10% of Total Bid)	LS	\$ 22,000.00
2.0	1	LS	Construction Layout (Limited to 5% of Total Bid)	LS	\$ 20,000.00
3.0	1	LS	Quality Control (Limited to 3% of Total Bid)	LS	\$ 5,000.00
4.0	1	LS	Site Preparation (Limited to 10% of Total Bid)	LS	\$ 75,000.00
			Sediment and Erosion Control		
5.1	8,857	LF	Silt Fence	\$ 1.00	\$ 8,857.00
5.2	3,243	LF	Super Silt Fence	\$ 5.00	\$ 16,215.00
5.3	8	Ea	Sumps	\$ 500.00	\$ 4,000.00
5.4	10	Ea	Rock Check Dams	\$ 300.00	\$ 3,000.00
5.5	4225	LF	6' Riprap Vee Ditch (Diversion Ditches, Sediment Contol)	\$ 19.00	\$ 80,275.00
5.6	2325	LF	12" Riprap Ditch (Diversion Ditches, Sediment Control)	\$ 23.00	\$ 53,475.00
6.0	48	AC	Revegetation	\$ 1,450.00	\$ 69,600.00
7.1	310	LF	12" Riprap Channel (2' Bottom)	\$ 32.00	\$ 9,920.00
7.2	299	LF	12" Riprap Channel (4' Bottom)	\$ 36.00	\$ 10,764.00
7.3	529	LF	12" Grouted Riprap Channel (2' Bottom)	\$ 47.00	\$ 24,863.00
7.4	1,133	LF	12" Riprap Vee Ditch	\$ 40.00	\$ 45,320.00
7.5	1,321	LF	18" Riprap Vee Ditch	\$ 45.00	\$ 59,445.00
7.6	26	LF	12" Grouted Riprap Vee Ditch	\$ 94.00	\$ 2,444.00
7.7	985	LF	Riprap Bottom Stream Channel (6' Bottom)	\$ 35.00	\$ 34,475.00
7.8	450	LF	Riprap Bottom Stream Channel (12' Bottom)	\$ 51.00	\$ 22,950.00
7.9	3	Ea	Cross Vanes	\$ 3,000.00	\$ 9,000.00
7.10	1	Ea	Stream Crossings	\$20,000.00	\$ 20,000.00
7.11	3,000	LF	Reinforcement Matting	\$ 2.00	\$ 6,000.00
8.1	111,655	CY	Unclassified Excavation	\$ 2.00	\$ 223,310.00
8.2	1	LS	Subsidence Cracks	LS	\$ 9,999.00
9.1	17	Ea	Wet Mine Seal	\$ 9,700.00	\$ 164,900.00
9.2	4,435	LF	12" Conveyance Pipe	\$ 17.00	\$ 75,395.00
9.3	160	BG	Soda Ash Briquettes (50#)	\$ 30.00	\$ 4,800.00
11.1	1981	LF	Underdrain (A-2000 Perf. Pipe)	\$ 40.00	\$ 79,240.00
11.2	16	Ea	12" Cleanout	\$ 500.00	\$ 8,000.00
12.1	105	TN	Stone Driveway Repair	\$ 20.00	\$ 2,100.00
12.2	2	Ea	Gates	\$ 1,500.00	\$ 3,000.00
			<b>TOTAL</b>		<b>\$ 1,173,347.00</b>

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 15082  
Project: ST. CLAIR PORTALS

Bid Date: 8/10/10  
Pre-Bid Date: 7/13/10

Name : MIKE WARDWELL  
Company: EASTERN ARROW  
Address: PO 4108  
Charleston WVA  
Phone #: 304 414 0255  
Fax #:   
Email: EASTERN ARROW at hotmail

Name : Spencer C Wooddell  
Company: COWGILL LP INC  
Address: PO Box 243  
SIMPSON, WVA 26435  
Phone #: 304 739 4397  
Fax #: 304 739 4401  
Email: sew\_cowgillup @ earthlink.net

Name : LEE PRESUTT  
Company: T.P.C. INC.  
Address: Rt 1 Box 30  
Frame town WV. 26623  
Phone #: 304 765 2842  
Fax #:   
Email: @lps30 @ gmail.com

Name : Brian Cantrell  
Company: Anderson Excavating LLC  
Address: 243 Williams Rd  
Morgantown, WV 26501  
Phone #:   
Fax #:   
Email :

Name : Don Vincent  
Company: Breakaway, Inc  
Address: 1025 Old Turnpike Rd.  
Sutton, WV 26601  
Phone #: 304 - 765-5317  
Fax #: 304 - 765-5389  
Email: breakaway\_inc @ verizon.net

Name : ROBERT BYVSI  
Company: SCIL CO - LEASING CORP  
Address: 8 HUNTER ZANE ROAD  
Fairmont WVA. 26554  
Phone #: 304 290 4608  
Fax #: 304 296 8252  
Email: J S LAURITA YAPPO COP

Name : Gary Long  
Company: M Court & Son Const.  
Address: 2790 Centralia Rd  
Sutton WV 26601  
Phone #: 304 765-5288  
Fax #: 304 765-5293  
Email :

Name : ATK ASSEK  
Company: MIKE FURKNER  
Address: BOAKINGTON  
Phone #: 330-070-1232  
Fax #: 609-386-7951  
Email :

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 10082  
Project: ST. CLAIR PORTALS

Bid Date: 8/10/10  
Pre-Bid Date: 7/13/10

Name : DAVID H. BOWMAN  
Company: Green Mountain  
Address: 511 50th Street  
Charlottesville VA 22904

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone #: 304 925 0253  
Fax #: 925 9230  
Email: Jody.May@TOL.COM

Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : Tim Dettah  
Company: CTL Engineering  
Address: \_\_\_\_\_

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Email : \_\_\_\_\_

Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : Ashley Adams  
Company: Aspen Corporation  
Address: 2400 River Drive  
Daniels WV 25832

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone #: 304-763-4573  
Fax #: 304-763-4591  
Email: jenkins@aspen-golf.com

Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : JAMES ALLEN  
Company: JFAllen Co  
Address: P.O. Box 2049  
Buchanan WV  
26201

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone #: 304 472 8890  
Fax #: 304 472 8897  
Email: JAMES.ALLEN@JFALLEN.CO.WV

Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_



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  
 DEP15082

PAGE  
 1

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

RFQ COPY

TYPE NAME/ADDRESS HERE

ATC Group Services Inc. dba 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	FOB	FREIGHT TERMS
08/23/2010				

BID OPENING DATE: 09/02/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
ADDENDUM ISSUED FOR THE ST. CLAIRS PORTAL PROJECT TO DELAY THE BID OPENING WHILE THE AGENCY PREPARES ADDITIONAL CLARIFICATION/SPECIFICATIONS. ADDENDUM NO.3 WILL BE ISSUED SHORTLY.						
BID OPENING DELAYED FROM 08/24/2010 TO 09/02/10 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						
***** THIS IS THE END OF RFQ DEP15082 ***** TOTAL:						\$ 1,173,347.00

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  
 DEP15082

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

RFQ COPY

TYPE NAME/ADDRESS HERE

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 3 Terri Lane, Suite #4  
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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
08/30/2010				

BID OPENING DATE: 09/09/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UQP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 3 *****						
ADDENDUM ISSUED FOR THE ST CLAIRS PORTAL PROJECT TO DELAY THE BID OPENING WHILE THE AGENCY PREPARES ADDITIONAL CLARIFICATION/SPECIFICATIONS. ADDENDUM NO. 4 WILL BE ISSUED SHORTLY.						
- BID OPENING DELAYED FROM 09/02/2010 TO 09/09/2010 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
0001	1	JB	962-73			
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						
***** THIS IS THE END OF RFQ DEP15082 ***** TOTAL:						\$ 1,173,347.00

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  
 DEP15082

PAGE  
 1

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

VENDOR

RFQ COPY  
 TYPE NAME/ADDRESS HERE

ATC Group Services Inc. dba 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	FOB	FREIGHT TERMS
09/01/2010				

BID OPENING DATE: 09/09/2010 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO.4 *****						
ADDENDUM ISSUED FOR THE ST. CLAIR PORTAL PROJECT TO DISTRIBUTE THE AGENCY CLARIFICATION AND DIVERSION DITCH DETAIL.						
BID OPENING & TIME REMAIN 09/09/2010 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						
***** THIS IS THE END OF RFQ DEP15082 ***** TOTAL:						\$1,173,347.00

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'

## ADDENDUM NO. 4

For DEP 15082

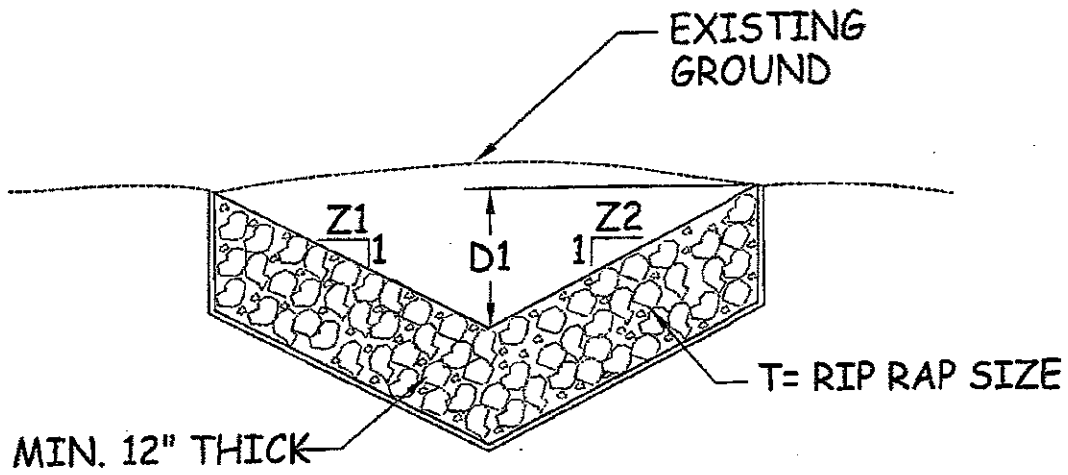
## St. Clair Portals Project

The following comments and questions were identified from questions sent to Purchasing from various contractors. The answers provided herein take precedence over verbal answers at the PBC should there be any conflict between the two.

1. Item 5.5 of the Bid Schedule applies to Ditches A-1-1, A-1-2, B-2-1, C-2, C-3, C-4, C-5, C-6, and C-7 of the attachment.
2. Item 5.6 of the Bid Schedule applies to Ditches B-1-1, B-1-2, and C-1 of the attachment.

This equates to 4225 L.F. of 2' deep Vee Ditch and 2325 L.F. of 2.5' and 3' deep Vee Ditch.

3. See the attached Typical Section Diversion Ditch and associated table for determining the size of the listed ditches. On the attachment provided, it shall be understood that T refers to the  $D_{50}$  size for the riprap. However, the thickness of the riprap in the ditch shall be  $1.5 (D_{50}) = 1.5 (12") = 18"$ .



**TYPICAL SECTION  
DIVERSION DITCH**  
N.T.S.

DITCH	Z1	Z2	D1 (FT)	T (IN)	Length (FT)
A-1-1	2	2	2	12	436
A-1-2	2	2	2	12	311
B-1-1	2	2	2.5	12	888
B-1-2	2	2	3	12	142
B-2-1	2	2	2	12	516
C-1	2	2	2.5	12	1,295
C-2	2	2	2	12	1,339
C-3	2	2	2	12	394
C-4	2	2	2	12	343
C-5	2	2	2	12	285
C-6	2	2	2	12	146
C-7	2	2	2	12	455



# CERTIFICATE OF LIABILITY INSURANCE

6/1/2011

DATE (MM/DD/YYYY)  
5/18/2010

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

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

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 #
INSURER A: Commerce and Industry Insurance Company	19410
INSURER B: Insurance Company of the State of PA	19429
INSURER C: Chartis Specialty Insurance Company	26883
INSURER D: New Hampshire Insurance Company	23841
INSURER E:	

COVERAGES ATCNJ01 AM

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

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 ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> XCU INCLUDED <input checked="" type="checkbox"/> ISO CG 00011207 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	417-87-02	6/1/2010	6/1/2011	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
D	D	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/> MCS 90	CA 7571753 (AOS) CA 7571754 (MA)	6/1/2010 6/1/2010	6/1/2011 6/1/2011	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO	NOT APPLICABLE			AUTO ONLY - EA ACCIDENT \$ XXXXXXXX OTHER THAN EA ACC \$ XXXXXXXX AUTO ONLY: AGG \$ XXXXXXXX
C		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> UMBRELLA FORM RETENTION \$	UMB 7075998	6/1/2010	6/1/2011	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$ XXXXXXXX \$ XXXXXXXX
D	B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	9915136 (AOS) 9915137 (CA)	6/1/2010 6/1/2010	6/1/2011 6/1/2011	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C		OTHER PROFESSIONAL/POLLUTION LIABILITY - CM	1956718	6/1/2010	6/1/2011	\$1,000,000 EACH CLAIM \$1,000,000 AGGREGATE

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 COMPENL 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**  
3459482  
\*FOR EVIDENCE 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

STATE OF WEST VIRGINIA  
State Tax Department  
P. O. Box 2666  
Charleston, WV 25324-2666



Joe Manchin III, Governor

Craig A. Griffith, Tax Commissioner

ATC ASSOCIATES INC  
600 W CUMMINGS PARK STE 5500  
WOBURN MA 01801-6397

Letter ID: L0746781440  
Issued: 07/13/2010

**RE: Business Registration Certificate**

The West Virginia State Tax Department would like to thank you for registering your business. Enclosed is your Business Registration Certificate. This certificate shall be permanent until cessation of business or until suspended, revoked or cancelled. Changes in name, ownership or location are considered a cessation of business; a new Business Registration Certificate and applicable fees are required. Please review the certificate for accuracy.

This certificate must be prominently 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.

When contacting the State Tax Department, refer to the appropriate account number listed on the back of this page. The taxes listed may not be all the taxes for which you are responsible. Account numbers for taxes are printed on the tax returns mailed by the State Tax Department. Failure to timely file tax returns may result in penalties for late filing.

Should the nature of your business activity or business ownership change, your liability for these and other taxes will change accordingly.

To learn more about these taxes and the services offered by the West Virginia State Tax Department, visit our web site at [www.wvtax.gov](http://www.wvtax.gov).

Enclosure

atL006 v.3

**WEST VIRGINIA  
STATE TAX DEPARTMENT  
BUSINESS REGISTRATION  
CERTIFICATE**

ISSUED TO:  
**ATC GROUP SERVICES INC  
DBA ATC ASSOCIATES INC  
600 W CUMMINGS PARK 5500  
WOBURN, MA 01801-6397**

**BUSINESS REGISTRATION ACCOUNT NUMBER: 1030-2066**

This certificate is issued on: 07/13/2010

*This 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.  
This certificate shall be permanent until cessation of the business for which the certificate of registration  
was granted or until it is suspended, revoked or cancelled by the Tax Commissioner.

Change in name or change of location shall be considered a cessation of the business and a new  
certificate shall be required.

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.

**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 Obligor, in the penal sum of Five percent of Total Amount Bid (\$ 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  
St. Clair Portals Requisition; #DEP15082

**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 Obligor 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  
4th day of August, 2010.

Principal Corporate Seal

ATC Associates, Inc.

(Name of Principal)

By [Signature]

(Must be President or  
Vice President)

Executive Vice President & CFO  
(Title)

Surety Corporate Seal

The Insurance Company of the State of Pennsylvania

(Name of Surety)

[Signature]  
Shonda 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. 25195

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, Shona D. Holmes, Florence McClellan, Kercha Ann Smith, 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 19th day of May, 2010



Anthony Romano, Vice President

STATE OF NEW YORK }  
COUNTY OF NEW YORK } ss.

On this 19th day of May, 2010 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 HALLENBECK**  
Notary Public - State of New York  
No. 01HAB125671  
Qualified in Bronx County  
My Commission Expires April 18, 2013

**CERTIFICATE**

Excerpts 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, Andrew Holland, Secretary of The Insurance Company of the State of Pennsylvania, do hereby certify that the foregoing excerpts 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 4th day of August 2010.



Andrew Holland, 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)

By: Vikram S. Patel

Vikram S. Patel

Title: Vice-president / Area Manager

Date: 8/23/10

Taken, subscribed and sworn to before me this 23rd day of August.

By Commission expires DONNA L. HAY

(Seal)

NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 3/27/2015

Donna L. Hay  
(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.**

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: 8/23/10

State of New Jersey

County of Burlington, to-wit:

Taken, subscribed, and sworn to before me this 22nd day of August, 2010.

My Commission expires DONNA L. HAY, 20    

**NOTARY PUBLIC OF NEW JERSEY**  
My Commission Expires 3/27/2015

AFFIX SEAL HERE

NOTARY PUBLIC Donna L. Hay