



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
HST1148

PAGE
1

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

VENDOR

\*401084549 304-649-8606  
 ALLEGHENY SURVEYS INC  
 PO BOX 438  
 BIRCH RIVER WV 26610

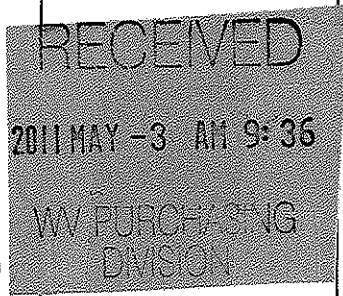
SHIP TO

HEALTH, SAFETY AND TRAINING  
 OFFICE OF MINERS'  
 1615 WASHINGTON STREET EAST  
 CHARLESTON, WV  
 25311

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
04/13/2011				

BID OPENING DATE: 05/05/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		962-52		
<p>MINE SCANNING AND MODELING</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, WEST VIRGINIA MINERS' HEALTH SAFETY AND TRAINING, IS SEEKING BIDS FROM RESPONSIBLE VENDORS TO PROVIDE MEDIUM RESOLUTION SCANNING AND 3-D MODELING OF PORTIONS OF THE UPPER BID BRANCE MINE, RALEIGH COUNTY, WV.</p> <p>ALL TECHNICAL QUESTIONS MUST BE SUBMITTED IN WRITING TO FRANK WHITTAKER IN THE WV PURCHASING DIVISION VIA EMAIL AT FRANK.M.WHITTAKER@WV.GOV OR VIA FAX AT 304-558-4115. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 04/25/2011 AT 4:00 PM. ALL TECHNICAL QUESTIONS WILL BE ADDRESSED BY ADDENDUM AFTER THE DEADLINE.</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>EXHIBIT 10</p> <p>REQUISITION NO.: .....</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>						



SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
<i>M.W. Coburn</i>	304-649-8606	5/2/11	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
President	55-0732600		

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

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

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **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.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at [www.state.wv.us/admin/purchase/vrc/hipaa.htm](http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
14. **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>.
15. **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, and the West Virginia Insurance Commission. 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.
16. **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 material, 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.

**INSTRUCTIONS TO BIDDERS**

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
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# Request for Quotation

RFQ NUMBER  
**HST1148**

PAGE  
**2**

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

VENDOR

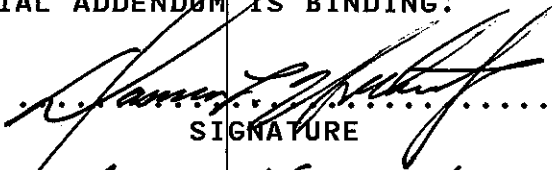
\*401084549      304-649-8606  
**ALLEGHENY SURVEYS INC**  
**PO BOX 438**  
  
**BIRCH RIVER WV 26610**

SHIP TO

**HEALTH, SAFETY AND TRAINING**  
**OFFICE OF MINERS'**  
**1615 WASHINGTON STREET EAST**  
  
**CHARLESTON, WV**  
**25311**

DATE PRINTED <b>04/13/2011</b>	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
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BID OPENING DATE: **05/05/2011**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p><b>ADDENDUM NO.'S:</b></p> <p>NO. 1 .. <i>n/a</i> ...</p> <p>NO. 2 .. <i>n/a</i> ...</p> <p>NO. 3 .. <i>n/a</i> ...</p> <p>NO. 4 .. <i>n/a</i> ...</p> <p>NO. 5 .. <i>n/a</i> ...</p> <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 style="text-align: right;">             SIGNATURE            ... <i>ALLEGHENY SURVEYS, INC.</i> ...            COMPANY            ..... <i>5/2/2011</i> .....            DATE         </p> <p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>M.W. Robinson</i>	TELEPHONE <i>304-649-8606</i>	DATE <i>5/2/11</i>	ADDRESS CHANGES TO BE NOTED ABOVE
TITLE <i>President</i>	FEIN <i>55-0732600</i>		

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



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## Request for Quotation

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VENDOR

\*401084549 304-649-8606  
 ALLEGHENY SURVEYS INC  
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LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>REV. 09/21/2009</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="margin-left: 40px;">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> <p>SEALED BID</p> <p>BUYER: 44</p> <p>RFQ. NO.: HST1148</p> <p>BID OPENING DATE: 05/05/2011</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p style="text-align: center;">----- (304) 649-8608 -----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
N.W. Robin	304-649-8606	5/2/11	
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	
President	55-0732600		

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# Request for Quotation

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PAGE
4

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

TODAY

\*401084549      304-649-8606  
 ALLEGHENY SURVEYS INC  
 PO BOX 438  
  
 BIRCH RIVER WV 26610

SHIP TO

HEALTH, SAFETY AND TRAINING  
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04/13/2011				

BID OPENING DATE: **05/05/2011**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
CONTACT PERSON (PLEASE PRINT CLEARLY):						
----- <i>DAVID L. WILHELM</i> -----						
***** THIS IS THE END OF RFQ HST1148 ***** TOTAL:						<u><i>\$ 37,000</i></u>

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>D.W. Robinson</i>	TELEPHONE <i>304-649-8606</i>	DATE <i>5/2/11</i>
TITLE <i>President</i>	FEIN <i>55-0792000</i>	ADDRESS CHANGES TO BE NOTED ABOVE

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



## SUMMARY

This is an invitation to provide medium-resolution scanning and 3-D modeling services for portions of the affected explosion areas of the Upper Big Branch Mine, Raleigh Co., West Virginia. This work is for the West Virginia Office of Miners' Health, Safety, and Training (OMHS&T).

## DELIVERABLES- Scanning

Medium-resolution 3-D scans shall be acquired in the mine and modeled for visualization and detailed point-to-point measurement of 3D scenes of the underground mine roof, ribs, floor and all mine structures and debris. The survey shall be referenced to the underground spad network,

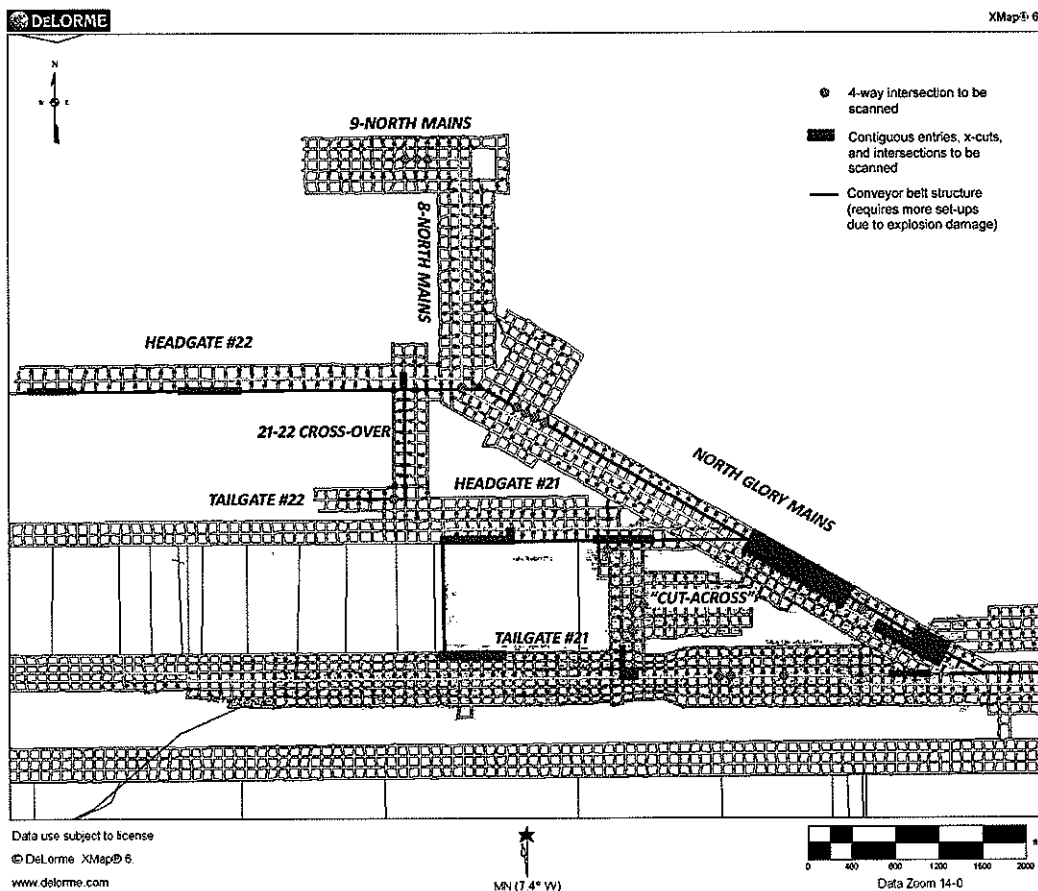


Figure 1. Overall map showing the areas to be scanned.

which is in the SPCS WV-S NAD 27 coordinate system. An AutoCAD drawing of these survey stations and their coordinates can be provided upon request. This drawing file contains x,y coordinate values for the underground survey stations. It does not appear to contain z-values for these same stations. Approximate starting elevations are available if needed from nearby spot floor elevations. A certain amount of survey work may be necessary to use the existing survey station network (roof spads) as a coordinate reference network reliably in certain areas. Exact SPCS coordinate values for all data is not essential, but accurate relative tie of contiguous scenes and images to each other is required. Survey and scanning shall be performed with the participation of a WV licensed Professional Surveyor with the Underground Endorsement (SU).

The areas to be scanned in the mine are of the mine entries, cross-cuts, and intersections depicted generally in Figure 1. Areas where individual intersections are to be imaged are shown in green. Larger areas of contiguous entries, cross-cuts, and intersections are indicated in red.

For clarification, the areas which encompass large areas of contiguous scanning are shown in more detail in the Figures 2-4, below (but not all the required local intersection subject areas are shown in these figures).

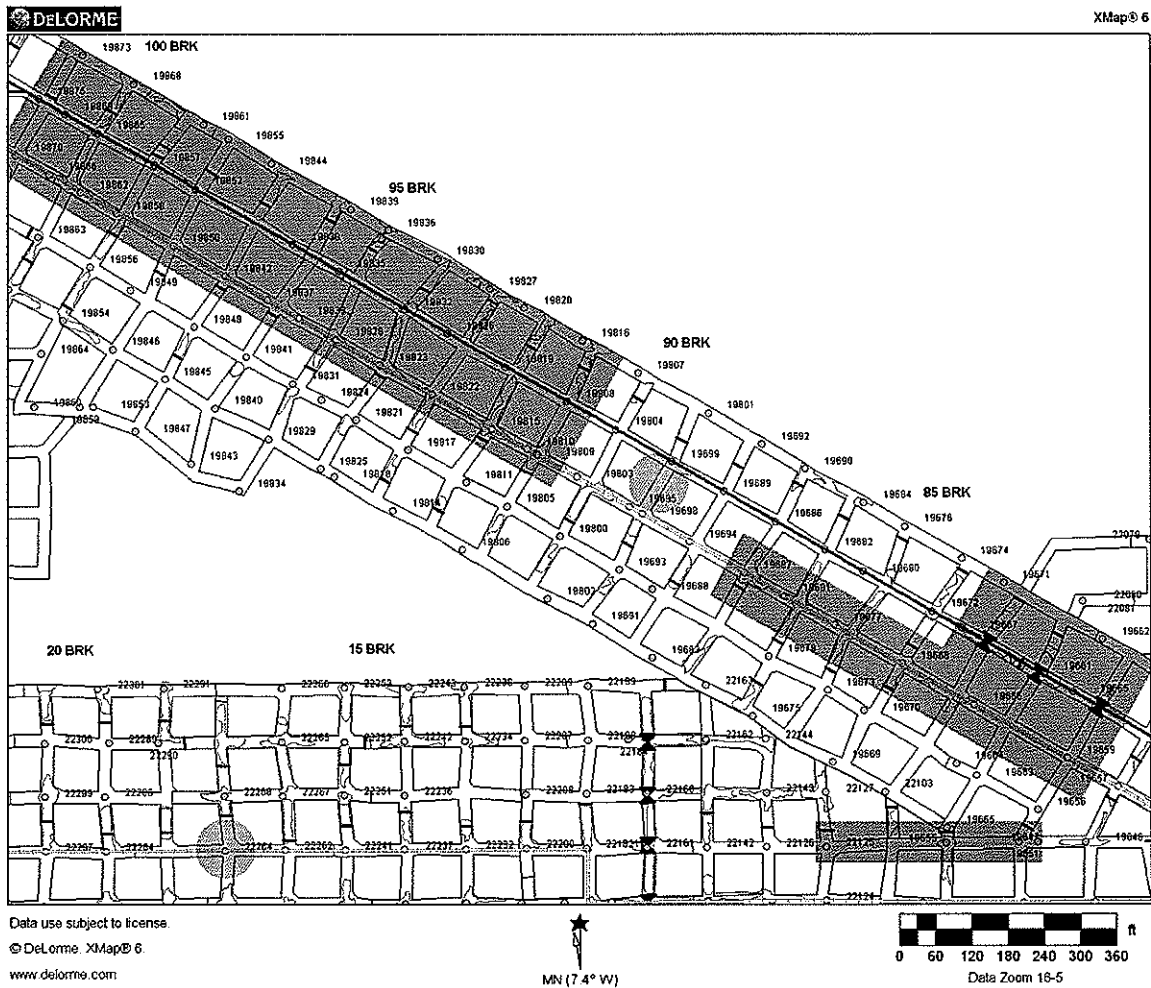


Figure 2. Areas to be scanned along the North Glory Mains and #21 Tailgate.





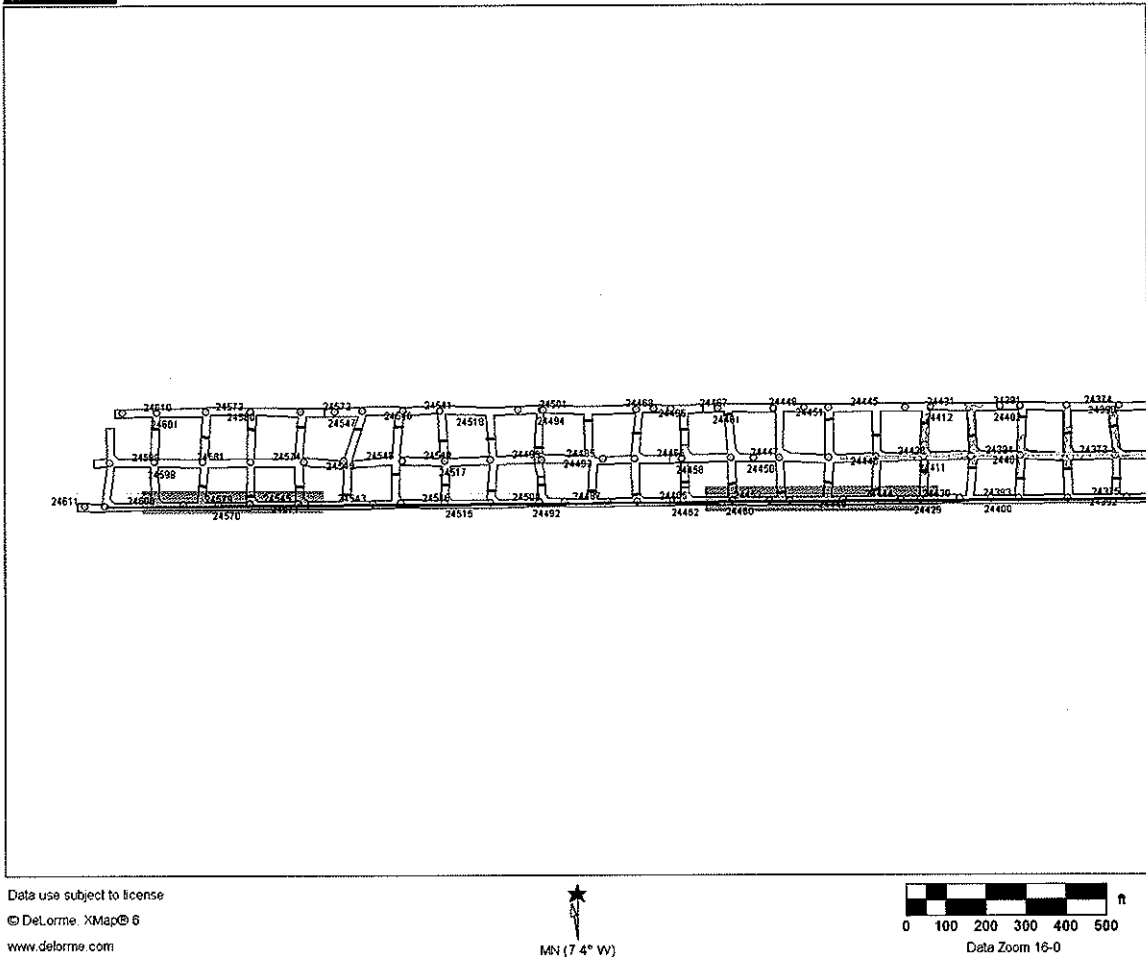


Figure 4. Areas to be scanned on #22 Headgate.

## REGIONS TO BE MAPPED

To reiterate, the regions of the mine where 3-D scanning is required include the areas indicated on Figures 1-4, include portions of:

- 1) North Glory Mains
- 2) Tailgate #21
- 3) Headgate #21
- 4) "Cut-across"
- 5) Tailgate #22
- 6) Headgate #22
- 7) 8-North Mains
- 8) 9-North Mains

Some of the areas depicted in Figures 1-4 may be modified and/or shifted to alternate locations by OMHS&T as the need arises.

## TIME SCHEDULE

Time is of the essence. Work underground must begin promptly upon award of the project. Surveying must be complete within 6 weeks, or less. The finished models shall be delivered in phases, not to exceed 8 weeks without prior approval.

NOTE: For safety reasons, when the barometric pressure drops quickly and dramatically outside, the mine is typically evacuated. The bidder should be aware that some days the crews may not be allowed inside the mine and some days the mine must be evacuated after a work day has commenced. By 5:30 am each morning a phone call to the mine can confirm if atmospheric conditions preclude mine entry at the normal time, which is typically 7am - 8 am, Monday-Friday. Our experience in the past 6 months has been that such issues have arisen on average once every 7-10 days. This should be factored into your bid.

## TRAINING

The successful bidder will have sufficient numbers of employees trained in underground mine surveying. These persons in the mine shall have received their 80-hour training certificate and shall have current annual refresher training.

## CONDITIONS

The conditions in the mine are less than ideal for surveying. Surfaces are dark and sooty, for the most part. There is considerable debris which present obstacles that are tripping hazards. The belt entries are expected to present some of the greatest challenges for performing the scan work. As it is desired that both sides of the belt and the top and underside of the belt be imaged, the number of scan setups required to do this should be carefully considered and factored in.

It is recognized that a full 3-D rendering of all areas desired may not be feasible. However, to the extent that it is feasible it shall be deemed necessary to perform.

## HARDWARE AND SOFTWARE REQUIREMENTS

The scanning system used shall have a position accuracy of 6mm and distance accuracy of 4 mm. Angles (horizontal/vertical) shall be 60 micro-rad / 60 micro-rad (12" / 12"). The modeled surface precision shall be 2 mm, and the target acquisition std. deviation shall be 2 mm. The equipment shall be time-of-flight and the scanned data fully compatible with Leica Cyclone software.

In addition, full 360-deg. x 270-deg. field of view, high accuracy, long range (300m at 90% reflectivity), and high scan speed (50k pts/sec) are required, and the system must be capable of acquiring adequate reflection from dark, gray surfaces.

## TERMINATION

In the event that conditions at the mine or time constraints preclude full performance of all the work, the project may be terminated before completion. In that event, a pro-rated settlement of the work that has been performed shall be made.

Please specify the following:

- 1) Cost per day for the scanner
- 2) Cost per day for crew to operate the scanner (include mileage and expenses in this figure, and the underground time will be at least eight (8) hours per day).
- 3) Cost per hour for data processing in the office.

## DELIVERABLES- post processing

All scanned data shall be compiled into 3D imagery, together with draped skin of full color video, where feasible. It is anticipated that some coordination will be required during this phase to produce the final product. The imagery shall be provided to OMHS&T on high-quality digital media drives.

VENDOR PREFERENCE CERTIFICATE

Certification and application\* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1. Application is made for 2.5% resident vendor preference for the reason checked:

- Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,

2. Application is made for 2.5% resident vendor preference for the reason checked:

- Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

3. Application is made for 2.5% resident vendor preference for the reason checked:

- Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

4. Application is made for 5% resident vendor preference for the reason checked:

- Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,

5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:

- Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,

6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:

- Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: Allegheny Surveys, Inc. Signed: M.W. Robinson
Date: 5/2/11 Title: President

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

RFQ No. HST 1148

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 exceed 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: Allegheny Surveys Inc.

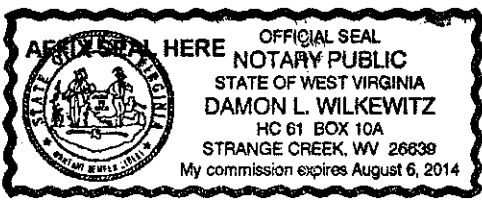
Authorized Signature: M. W. Robin Date: 5/2/11

State of West Virginia

County of Nicholas to-wit:

Taken, subscribed, and sworn to before me this 2nd day of May, 2011.

My Commission expires AUGUST 6th, 2014.



NOTARY PUBLIC [Signature]

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Land Surveyors, Mineral and  
Construction Consultants

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Surveying West Virginia  
Since 1988

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Marshall W. Robinson, PS SU  
Licensed in WV, VA, OH, KY and PA  
Dwayne D. Matheny, PS  
David W. King, PS  
Stacey O. Brown, PS  
Kenneth J. Plum, PS

Ben R. Singleton, PS  
Dwayne A. Hall, PS, SU  
Damon L. Wilkewitz, PS  
William Yetzer, PS  
Licensed in WV, CO and UT

May 2, 2011

Monte Hieb, PE, Chief Engineer  
West Virginia Office of Miner's Health Safety and Training  
550 Industrial Drive  
Oak Hill, West Virginia 25901-0714

Re: Quotation for 3D laser scanning services for the Upper Big Branch Mine North Glory Mains  
– RFQ #HST1148

Dear Mr. Hieb,

Please consider this letter a response to the Request for Quotation (RFQ) we received from you a few days ago. The RFQ pertains to the investigatory need by your organization of a three-dimensional scan of a portion of the blast area at Massey Energy's Upper Big Branch Mine. Included in the information you sent was a 12-page document that provided additional details about this project. After carefully reviewing all of this information, we submit the following:

• **Scope**

We understand the scope of the project to consist of providing a 3D laser scan of several areas of the UBB Mine. On page 8 of the additional information that was sent to us, under a section titled "REGIONS TO BE MAPPED", we find you have listed 8 general sections where scanning is to occur. We have broken these areas down further into 17 sections that, once scanned, will be tied to existing spads located throughout the site. These areas are different sizes, and it appears as though there could be as much as 130 scanner set-ups for the whole project. By our estimations, this amounts to about 60 to 65 hours of scan time alone.

• **Time-Frame**

We plan on utilizing the time-frame specified in the RFQ. Since the processing of the data can take longer than the actual scanning, there will be a delay between the completion of the scanning and the completion of the processing. We can commence with the scanning within about two weeks of your notice to proceed.

• **Personnel**

Marshall Robinson, the owner of the firm and a Licensed Professional Surveyor with the Underground Endorsement (SU), will be personally involved in the survey, along with Dwayne

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Hall, another licensed Professional Surveyor and SU, and an employee of this firm for thirteen years. We expect Mr. Hall to be present nearly every day in the mine. The data will be post-processed by me, Damon Wilkewitz, a Licensed Professional Surveyor and an employee of this firm for five years. I will also prepare the final product.

- **Coordinate base**

It is our intention to tie all the scans to the mine's existing survey control by locating nearby spads. Information in the RFQ mentioned that an AutoCAD drawing of the mine's survey stations and coordinates would be provided upon request. We do request this information, and expect it to provide us the necessary information that will allow us to tie the scan data to the mine's State Plane Coordinate System.

- **Cost**

The RFQ outlines a total of four cost figures, including cost per day for the scanner, cost per day for the field crews, cost per hour for the office work, and a total lump sum cost for the project. As requested, we submit the following:

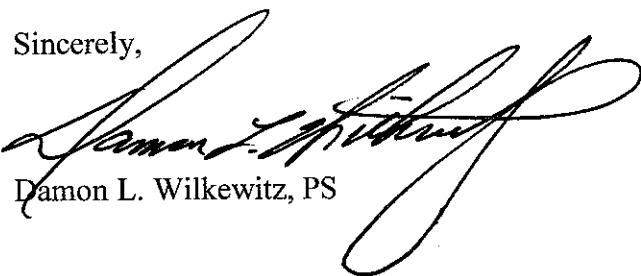
- a) Cost per day for the scanner = **\$1,000 per day**
- b) Cost for field crew per day = **\$1,140 per day** (factoring \$95 per hour times 12 hour days, including travel time)
- c) Cost per hour for post processing of the data = **\$70 per hour**
- d) Proposed cost for the entire project = **\$37,000**

- **Deliverables**

As outlined in the RFQ, the deliverables would include the point cloud data for the scanned areas. The scans would be colorized based on photos taken by the scanner, and the Cyclone software applies those colors to the point clouds. You may fully view, take measurements, and examine in full detail, the scan data by purchasing Leica's ViewerPro software. A free web-viewer called "Leica TruView" is also available, but we find it is very limited in its capabilities, and would probably not be able to provide you with the functionality you are looking for. If you wish, I would also be made available to assist you either with using ViewerPro, or by working with you with the Leica Cyclone software.

We appreciate the opportunity to provide you this quotation. If you have any questions, or need anything further, please don't hesitate to contact us.

Sincerely,



Damon L. Wilkewitz, PS