



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
6611C035

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUYER 33 304-558-2402

\*324132723 740-359-5185  
 ABEE LLC  
 115 WALNUT AVE  
 ST CLAIRSVILLE OH 43950

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

PODNER

SHIP TO

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/30/2011				

BID OPENING DATE: 08/03/2011 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001				765-08 CORE DRILLING RIGS AND ACCESSORIES		
<p>REQUEST FOR QUOTATION (RFQ)            OPEN END CONTRACT</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO PROVIDE POWER EARTH AND ROCK AUGER/DRILLS WITH OPERATORS PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO PAUL REYNOLDS IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-4115, OR VIA EMAIL AT PAUL.REYNOLDS@WV.GOV. A WORD DOCUMENT HAS BEEN PROVIDED FOR YOUR CONVENIENCE TO SUBMIT TECHNICAL QUESTIONS. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 07/19/2011 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>EXHIBIT 1</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE</p>						

RECEIVED

2011 AUG -9 10 1:31

WV

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Quetta Forster</i>	TELEPHONE 740 359 5185	DATE 08/08/2011
TITLE CEO / Owner	FEIN 273844863	ADDRESS CHANGES TO BE NOTED ABOVE

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.

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### 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).



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DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
06/30/2011				

BID OPENING DATE: **08/03/2011**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT BY THE STATE OF WEST VIRGINIA, ITS AGENCIES, OR POLITICAL SUBDIVISIONS, THE TERMS, CONDITIONS AND PRICING SET FORTH HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) SUCCESSIVE ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM WITH THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK).</p> <p>INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF</p>						

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COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.  WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL.  BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.  REV. 9/98  NOTICE  A SIGNED BID MUST BE SUBMITTED TO:  DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130  THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:  SEALED BID  BUYER: PAUL REYNOLDS FILE 33						

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				RFQ. NO.:		6611C035
				BID OPENING DATE:		08/03/2011
				BID OPENING TIME:		01:30 P.M.
				PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:		
						740 888 1848
				CONTACT PERSON (PLEASE PRINT CLEARLY):		
						Annette Balcar
				EXHIBIT 4		
				LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.		
						REV. 3/88
				MANDATORY PRE-BID		

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<p>A MANDATORY PRE-BID WILL BE HELD ON 07/20/2011 AT 10:00 A.M., 2019 WASHINGTON ST. E, CHARLESTON, WV 26201. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF THE BID. NO ONE PERSON MAY REPRESENT MORE THAN ONE BIDDER.</p> <p>AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY PRE-BID. FAILURE TO PROVIDE YOUR COMPANY AND REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE SHEET. THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. IN ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR E-MAIL ADDRESS AND FAX NUMBER.</p> <p>ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNICAL PORTION OF THE PRE-BID WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET.</p>						

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## 1. SCOPE OF WORK

To provide power earth and rock augers/drills with operators for drilling holes through earth and rock at varying diameters. This contract shall consist of the vendor furnishing power earth and rock augers/drills, fully operated including fuel, maintenance and all other necessary equipment to pre-bore and install piling of various sizes for slide correction and structure foundation at various locations per the following specifications. The Division of Highways shall provide the piling.

## 2. EQUIPMENT MINIMUM REQUIREMENTS

- A. Drill shall be mounted on a turntable base with a 240-degree rotation and a 30-inch slide stroke at any point in the arc of rotation.
- B. Drill shall possess a power plant and a mechanical drill assembly, which delivers 35,000 foot-pounds of torque to the Kelly bar, which rotates the Auger or Core Barrel.
- C. Drill shall be equipped with a power plant and mechanical or hydraulic mechanism capable of exerting a down pressure or crowding force of at least 12,000 pounds.
- D. Drill shall be equipped with power and mechanical mechanism to operate a service hoist for installing piles; the hoist system shall have a lifting capacity of 8,000 pounds and be capable of installing 40 foot piling.
- E. Drill shall be equipped with two hydraulic outriggers and jacks in the front area and two hydraulic outriggers and jacks in the rear of the drill carrier for fast and efficient leveling purposes. The outriggers are not required on track mounted drills.
- F. Vendor shall furnish, when requested, Augers, Core Barrels, Rock Cutting Teeth, Muck Bucket and Casing, which are in good condition. Rock Cutting Teeth shall be of the type and quality comparable to the "Kenametal" brand. Vendor shall, also furnish all water needed for drilling purposes.

## 3. QUALIFICATIONS

All drill projects are to have at least one operator and one helper present during drilling. The operator shall have one year of paid experience with similar equipment on similar types of jobs. The helper shall have six months of paid experience on similar types of jobs. Vendors shall submit names of operators and helpers along with their years of experience with their bid.

## 4. MOBILIZATION

One time one way mobilization shall be paid by the Division of Highways for moving of said equipment from the contractor's base of operations to the work site specified in the Agency Release and/or from one Division of Highways work site to another, whichever mileage would be of lesser cost to the Division of

Highways. The most direct suitable route from the contractor's base of operations to the work site or between work sites will be agreed upon by the Division of Highways and the contractor as mileage for calculation of Mobilization. The exact physical location of the contractor's base of operations must be stated on each bid sheet (mailing address is not adequate).

In-state delivery route mileage will be calculated by the Division of Highways from the equipment owner's location of the equipment to the Division of Highways job site by utilizing the Division of Highways Straight Line Diagrams. These Diagrams for WV Primary Routes and WV Secondary Routes are available in each Division of Highways District office and the Division of Highways Central Office. The Division of Highways will determine the route to be taken due to bridge and/or road restrictions.

Out-of-state delivery route mileage will be calculated by the Division of Highways utilizing "Mapquest" or a similar source for routing from the equipment owner's location of the equipment to the WV State line at which time, the Straight Line Diagrams will be sourced to the Division of Highways job site.

5. WORKMANSHIP

It is the expectation of the Division of Highways that the driller get the job completed in the best possible reasonable timeframe while meeting all requirements of the project itself. Reasonable production standards will be based on the type of earth/rock that is being drilled.

6. SITE PREPARATION, STAKE-OUT, HOLE SIZE AND PILE INSTALLATION

The Division of Highways will, in advance of drilling operations, prepare the sites for safe and efficient work. This shall be done in collaboration with the Vendor, or his authorized representative. The Vendor and the Division of Highways will jointly determine that safe working conditions do exist and either party will have the right to refuse to perform work if, in their opinion, unsafe working conditions exist.

The Division of Highways will stakeout all work to be performed. The location of holes and piles to be installed shall be directed by the Division of Highways District Engineer/Manager or his designee.

The depth of each hole, angle of inclination from the vertical and the length of each pile shall be directed by the Division of Highways District Engineer/Manager or his designee.

The Division of Highways will perform required splicing of piles and pile cutoff. Piles shall be furnished, delivered and positioned on the site by the Division of Highways so that they are conveniently available for immediate installation at each hole.

The size of holes will be governed by the size of piles. In general, the hole should be at least two inches (2") greater in diameter than the maximum dimension of pile to be installed. In conditions where boulders, etc., are encountered, the diameter of the hole may have to be considerably larger than the maximum dimensions of the pile. Piles shall be installed immediately after each hole is drilled, unless otherwise directed by the Division of Highways District Engineer/Manager or his designee.



The Division of Highways reserves the right to shut down operation in the event of Snow Removal/Ice Control (SRIC) or State emergency events.

#### 7. DOWN EQUIPMENT

Equipment shall be considered down if it is out of production due to mechanical failure or other conditions and no pay will be authorized until production is resumed. The Division of Highways will not pay time for fueling, lubrication and warm-up of the unit(s).

Equipment shall not leak any fluid sufficiently to cause a six inch (6") stain or greater on the road. If the equipment does leak a six inch (6") stain or greater on the road, the Division of Highways will shut the equipment down as unsafe until the leak is properly repaired by the vendor.

#### 8. BASIS OF PAYMENT

The Vendor may invoice the Division of Highways for hours worked on a semi-monthly basis (half and end of month).

Hours worked must be verified and substantiated on a daily basis by an authorized representative of the Division of Highways. Payment for hours worked shall include the time required to position equipment, drill and place piles. Down, warm-up and equipment maintenance time will not be considered as work hours. The Vendor shall supply the Division of Highways with daily work tickets as verification of hours worked.

#### 9. BIDDING INSTRUCTIONS

Bidder shall submit a separate bid sheet for each proposed equipment unit.

The Vendor shall quote a single hourly rate for each drill unit proposed, which shall be full compensation for all equipment rental and required operators up to a standard 40 hour workweek. For hours beyond 40 hours in a workweek, the Vendor shall quote a rate per hour to cover overtime costs of labor only and that amount will be added to the operating rate for all additional operating hours beyond 40 hours in a workweek.

The cost of auger and core barrel resurfacing shall be included in unit price bid for operating rate.

The Vendor shall quote for the additional pay items of casing pipe and crane mats which may be needed occasionally when directed by the Division of Highways District Engineer/Manager or his designee.

Crane mats will meet minimum industry standard size of 4'x16'x8". Anything smaller will be considered cribbing and not paid.

#### 10. AWARD OF CONTRACT

The award of this contract shall be made to all bidders submitting a bid, which meets all specifications.

#### 11. AWARD OF AGENCY RELEASE

The Division of Highways' District Engineer/Manager shall issue the Agency Release to the low bidder based on type and size of equipment required and the lowest projected cost. The Agency Release shall specify the type and size of equipment required for the project. The projected cost is the estimated hours to complete the project multiplied by the Vendor's hourly rate plus the mobilization costs. Refer to Section 4. Mobilization, for a full explanation of Mobilization Cost.

In the event the low bidder for a particular project cannot perform, the Division of Highways' District Engineer/Manager shall have the option to contact the next low bidder. The Division of Highways' District Engineer/Manager shall document in writing the Vendor's inability to perform and award to the next low bidder. Vendors must notify the Division of Highways' District Engineer/Manager of their ability to perform, within five (5) days of their receipt of an Agency release or the Agency Release may be cancelled.

In the event of an emergency situation, the Division of Highways' District Engineer/Manager may require notification of a Vendor's ability to perform within twenty-four (24) hours of their receipt of an Agency Release.

Each Agency Release for hiring Power Earth and Rock Augers/Drills with Operators must list the tentative date the project is to begin. Work on the project shall be continuous unless approved by the Division of Highways' District Engineer/Manager.

Vendors' performance on any project may be considered when awarding subsequent Agency Releases.

Prior approval for Holiday work shall be obtained from the Division of Highways' District Engineer/Manager. The official Holidays are New Year's Day, Martin Luther King, Jr.'s Day, President's Day, Memorial Day, West Virginia Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving, Christmas, Election (Primary and General) Day and other days proclaimed by the President or Governor.

#### 12. WAGE RATES

The Contractor or Subcontractor shall pay the higher of the U.S. Department of Labor minimum wage rates or the West Virginia Department of Labor minimum wage rates as established for *various* counties, pursuant to West Virginia Code §21-5A, ET SEQ.

#### 13. WORKER'S COMPENSATION

Vendor is required to provide a certificate from Worker's Compensation, if successful.

14. INSURANCE

Successful Vendor shall furnish proof of coverage of commercial General Liability Insurance prior to issuance of a contract. Unless otherwise specified in the bid documents, the minimum amount of insurance coverage required is \$250,000.

15. PURCHASING CARD ACCEPTANCE

The State of West Virginia currently utilizes a VISA Purchasing Card Program which is issued through a bank. The successful vendors must accept the State of West Virginia VISA Purchasing Card for payment of all orders placed by the Division of Highways for orders as a condition of award. No exceptions granted.

NOTE: Vendor may submit a copy of a Certificate of Liability Insurance and Worker's Compensation Certificate with bid.

16. MANDATORY PRE-BID - SEE PAGE 5 OF THE REQUEST FOR QUOTATION

There will be a mandatory pre-bid meeting on JULY 20, 2011 AT 10:00 A.M.

**Location:** Purchasing Division Conference Room  
2019 Washington Street, East, Building 15  
Charleston, WV 25305

**The "Bid Schedule" is available for download on Purchasing's Web site at [www.state.wv.us/admin/purchase](http://www.state.wv.us/admin/purchase)**

17. **BID SCHEDULE 6611C035**  
**District 1 - Boone County, Clay County, Kanawha**  
**County, Mason County and Putnam County**

ABEE, LLC

**THE FOLLOWING MUST BE COMPLETED FOR EACH MODEL OF EQUIPMENT QUOTED**

BASE OF OPERATIONS (Exact Physical Location)	115 Walnut Avenue	
	St. Clairsville, OH 43950	
MANUFACTURER	Watson	
MODEL NUMBER	2000	
EQUIPMENT MODIFICATIONS AND ADDITIONS	High Pressure Crowd, Constant Crowd Reaction Jack, 2 speed winch	
SERIAL NUMBER	75	
HOLE DIAMETER	Minimum 12"	Maximum 36"
DEGREE OF ROTATION	360	
SLIDE STROKE	48"	
FOOT POUNDS OF TORQUE	70,000	
DOWN PRESSURE/CROWDING FORCE	30,000	
HOLE DEPTH	60'	
OPERATION RATE (First 40 hours in a work week)	Per Hour Rate	175.00
ADDITIONAL CHARGE FOR OVERTIME (Hours beyond 40 hours in a work week)	Per Hour Rate	31.00
MOBILIZATION	Per Mile Rate	10.00
CASING PIPE (Used when requested by the Division of Highways Engineer or his designee)	Per Lineal Foot	15.00
CRANE MATS 4'x16'x8" (Used when requested by the Division of Highways Engineer or his designee)	Per Mat Per Project Site	200.00

17. BID SCHEDULE 6611C035  
District 2 - Cabell County, Lincoln County, Logan  
 County, Mingo County and Wayne County

ABEE, LLC

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BASE OF OPERATIONS (Exact Physical Location)	115 Walnut Avenue  St. Clairsville, OH 43950	
MANUFACTURER	Watson	
MODEL NUMBER	2000	
EQUIPMENT MODIFICATIONS AND ADDITIONS	High Pressure Crowd, Constant Crowd Reaction Jack, 2 speed winch	
SERIAL NUMBER	75	
HOLE DIAMETER	Minimum 12"	Maximum 36"
DEGREE OF ROTATION	360	
SLIDE STROKE	48"	
FOOT POUNDS OF TORQUE	70,000	
DOWN PRESSURE/CROWDING FORCE	30,000	
HOLE DEPTH	60'	
OPERATION RATE (First 40 hours in a work week)	Per Hour Rate	175.00
ADDITIONAL CHARGE FOR OVERTIME (Hours beyond 40 hours in a work week)	Per Hour Rate	31.00
MOBILIZATION	Per Mile Rate	10.00
CASING PIPE (Used when requested by the Division of Highways Engineer or his designee)	Per Lineal Foot	15.00
CRANE MATS 4'x16'x8" (Used when requested by the Division of Highways Engineer or his designee)	Per Mat Per Project Site	200.00

17. BID SCHEDULE 6611C035  
 District 3 - Calhoun County, Jackson County,  
 Pleasants County, Ritchie County,  
 Roane County, Wirt County and Wood County

ABEE, LLC

THE FOLLOWING MUST BE COMPLETED FOR EACH MODEL OF EQUIPMENT QUOTED

BASE OF OPERATIONS (Exact Physical Location)	115 Walnut Avenue	
	St. Clairsville, OH 43950	
MANUFACTURER	Watson	
MODEL NUMBER	2000	
EQUIPMENT MODIFICATIONS AND ADDITIONS	High Pressure Crowd, Constant Crowd Reaction Jack, 2 speed winch	
SERIAL NUMBER	75	
HOLE DIAMETER	Minimum 12"	Maximum 36"
DEGREE OF ROTATION	360	
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 Marion County, Monongalia County,  
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17. BID SCHEDULE 6611C035  
District 6 - Brooke County, Hancock County, Marshall  
 County, Ohio County, Tyler County and  
 Wetzel County

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District 7 - Barbour County, Braxton County, Gilmer  
 County, Lewis County, Upshur County  
 and Webster County

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17. BID SCHEDULE 6611C035  
District 9 - Fayette County, Greenbrier County,  
Monroe County, Nicholas County and  
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17. BID SCHEDULE 6611C035  
 District 10 - McDowell County, Mercer County,  
 Raleigh County and Wyoming County

ABEE, LLC

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17. **BID SCHEDULE** 6611C035  
**District 1 - Boone County, Clay County, Kanawha  
 County, Mason County and Putnam County**

ABEE, LLC

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17. BID SCHEDULE 6611C035  
District 2 - Cabell County, Lincoln County, Logan  
 County, Mingo County and Wayne County

ABEE, LLC

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 District 4 - Doddridge County, Harrison County,  
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# ABEE, LLC

115 Walnut Avenue  
St. Clairsville, OH 43950  
Phone 740-359-5185  
Fax 740-888-1848

abee.llc@gmail.com

August 8, 2011

RE: RFQ Number 6611C035

Names of Operators and helpers with years of experience

Scott Balcar - 28 years experience operator, laborer and management

Andrew Balcar - Operator 3 years, 7 years laborer

Todd Balcar - 23 years Operator, 2 years laborer

James Hershberger - 3 years Operator

Ed Kelley - 2 years laborer



---

Annette Balcar  
CEO





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  
**6611C035**

PAGE  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF  
**BUYER 33**  
**304-558-2402**

VENDOR

**RFQ COPY**  
**TYPE NAME/ADDRESS HERE**

ABEE, LLC  
 115 Walnut Avenue  
 St. Clairsville, OH 43950  
 324132723

SHIP TO

**DIVISION OF HIGHWAYS**  
**VARIOUS LOCALES AS INDICATED**  
**BY ORDER**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
07/11/2011				

BID OPENING DATE: **08/10/2011** **BID OPENING TIME 01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				MANDATORY PRE-BID MEETING CHANGED		
				FROM: 07/20/11 @ 10:00 A.M.		
				TO: 07/27/11 @ 10:30 A.M.		
				LOCATION: 2019 WASHINGTON ST. EAST, CHARLESTON, WV.		
				BID OPENING DATE AND TIME CHANGED		
				FROM: 08/03/11 @ 1:30 P.M.		
				TO: 08/10/11 @ 1:30 P.M.		
				LINE ITEM CORRECTED		
				READS: CORE DRILLING RIGS AND ACCESSORIES		
				TO READ: POWER EARTH & ROCK AUGERS/DRILLS W/OPERATORS		
				NO OTHER CHANGES		
0001		JB		765-08		
				POWER EARTH & ROCK AUGER/DRILLS W/OPERATOR		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Christie Balligan</i>	TELEPHONE 740 359 5185	DATE 08/08/2011
TITLE CEO / Owner	FEIN 273844863	ADDRESS CHANGES TO BE NOTED ABOVE

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  
 Charleston, WV 25305-0130

# Request for Quotation

RFQ NUMBER
6611C035

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
BUYER 33 304-558-2402

\*324132723                      740-359-5185

ABEE LLC  
 115 WALNUT AVE

ST CLAIRSVILLE OH 43950

DIVISION OF HIGHWAYS  
 VARIOUS LOCALES AS INDICATED  
 BY ORDER

V  
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P  
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DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
08/02/2011				

BID OPENING DATE: 08/10/2011                      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 2		
				CHANGES TO THE SPECIFICATIONS ATTACHED.		
				BID OPENING DATE AND TIME REMAINS 08/10/11 @1:30 P.M.		
				NO OTHER CHANGES		
0001		JB	765-08	POWER EARTH & ROCK AUGER/DRILLS W/OPERATOR		
				***** THIS IS THE END OF RFQ 6611C035 ***** TOTAL:		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Charles R. ...</i>	TELEPHONE 740 359 5185	DATE 08/08/2011
TITLE CEO / Owner	FEIN 273844863	ADDRESS CHANGES TO BE NOTED ABOVE

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

RFQ#6611C035

## Addendum #2

To add: Vendor Preference Certificate and Purchasing Affidavit

To add: A copy of the Pre-Bid Conference Sign-in Sheet

To change: On page 9, Section 11, Award of Agency Release:

Currently reads: "Each Agency Release for Hiring Power Earth and Rock Augers/Drills with Operators must list the tentative date the project is to begin."

Change to: "Each Agency Release for Hiring Power Earth and Rock Augers/Drills with Operators must list the tentative date the project is to begin including the daily start and end time."

To change: On page 10, Section 15, Purchasing Card Acceptance

Currently reads: "The successful vendors must accept the State of West Virginia VISA Purchasing Card for payment of all orders placed by the Division of Highways for orders as a condition of award."

Change to: "The successful vendors must accept the State of West Virginia VISA Purchasing Card for payment of all orders placed by any State Agency for orders as a condition of award."

PRE-BID CONFERENCE  
SIGN IN SHEET

Request for Quotation Number: 6611C035 Date: 07/27/2011 10:30 A.M.

Project Description: POWER EARTH AND ROCK AUGER/DRILLS WITH OPERATORS

PLEASE PRINT LEGIBLY. THIS INFORMATION IS ESSENTIAL TO CONTACT THE ATTENDEES IN A TIMELY MANNER. FAILURE TO DO SO MAY RESULT IN DELAYS IN YOUR COMPANY GETTING IMPORTANT BID INFORMATION.

Firm Name:	<u>Meridian Comm - Mid Atlantic Drilling</u>
Firm Address:	<u>392 Woodville Drive Huntingdon WV 25701</u>
Representative Attending:	<u>Rodney M. Warden</u>
Phone Number:	<u>304-522-3080</u>
Fax Number:	<u>304-522-4950</u>
Email Address:	<u>Meridian3012@aol.com</u>

Firm Name:	<u>Bico Construction Co, Inc</u>
Firm Address:	<u>805 WISTERIA DRIVE SOUTH CHARLESTON, WV 25309</u>
Representative Attending:	<u>Dennis E. James</u>
Phone Number:	<u>304-565-3007</u>
Fax Number:	<u>304-565-3113</u>
Email Address:	<u>bico@frontier.com</u>

Firm Name:	<u>BBR Drilling Co Inc</u>
Firm Address:	<u>41462 PALMER Road Belmont OH 43718</u>
Representative Attending:	<u>PAUL BALCAR</u>
Phone Number:	<u>740-484-0331</u>
Fax Number:	<u>740-484-0201</u>
Email Address:	

Firm Name:	<u>Ohio - West Virginia Exc.</u>
Firm Address:	<u>PO Box 128 Powhatan Pt, OH 43942</u>
Representative Attending:	<u>Don Hendershot</u>
Phone Number:	<u>740-676-7464</u>
Fax Number:	<u>740-676-4410</u>
Email Address:	<u>DWV@owvexcavating.com</u>

Firm Name:	<u>ABE LLC</u>
Firm Address:	<u>115 Walnut Ave St. Clairsville, OH 43950</u>
Representative Attending:	<u>Scott Balcar</u>
Phone Number:	<u>740-359-5185</u>
Fax Number:	<u>740-888-1848</u>
Email Address:	<u>abe.llc@gmail.com</u>

Firm Name:	<u>Crit Stender Inc.</u>
Firm Address:	<u>2007 Poplar St Kenova WV.</u>
Representative Attending:	<u>Crit Stender</u>
Phone Number:	<u>304-917-1370</u>
Fax Number:	<u>304-953-8236</u>
Email Address:	<u>CRIT@zoominternet.net</u>

# State of West Virginia 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: \_\_\_\_\_ Signed: \_\_\_\_\_

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

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

RFQ No. 6611C035

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 owned 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: ABEE, LLC

Authorized Signature: *[Signature]* Date: 08/08/2011

State of Ohio

County of Belmont, to-wit:

Taken, subscribed, and sworn to before me this 8<sup>th</sup> day of AUG. 2011.

My Commission expires 2-7-2015, 20    .



**DARCY L. PORTERFIELD** NOTARY PUBLIC  
Notary Public, State of Ohio  
My Commission Expires 2-7-15

*Darcy L. Porterfield*



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

STATE OF Ohio

COUNTY OF Belmont, TO-WIT:

I, Annette Balcar, after being first duly sworn, depose and state as follows:

- 1. I am an employee of ABEE, LLC; and,
2. I do hereby attest that ABEE, LLC

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.

ABEE, LLC
(Company Name)

By: Annette Balcar

Title: CEO / Owner

Date: 08/08/2011

I, subscribed and sworn to before me this 8th day of August, 2011



DARCY L. PORTERFIELD
Notary Public, State of Ohio
My Commission Expires 2-7-15

Darcy L. Porterfield
(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.





# CERTIFICATE OF LIABILITY INSURANCE

OP ID: NL

DATE (MM/DD/YYYY)

07/05/11

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> <b>STEELE INSURANCE ASSOCIATES</b> 48259 National Road West St. Clairsville, OH 43950-9705 Steele Insurance Assoc., Inc.	740-695-8200 740-695-6070	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: <b>ABEEL-1</b>	FAX (A/C, No):
	<b>INSURED</b> <b>ABEE, LLC</b> 115 Walnut Ave St Clairsville, OH 43950	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A: State Auto Insurance Co.</b> <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	<b>NAIC #</b> <b>25135</b>

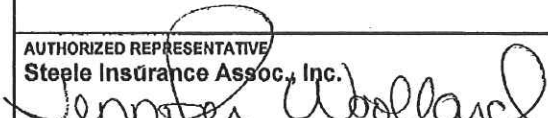
**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR Y/ND	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>Business Owners</b>			BOP2613124	05/11/11	05/11/12	EACH OCCURRENCE \$ <b>1,000,000</b>
	<input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>300,000</b>
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ PROPERTY <b>6,000</b>

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

<b>WV Dept of Transportation</b> Division of Highways 1900 Kanawha Blvd E Bldg 5 Charleston, WV 25305-0430	WVDEPTR SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <b>Steele Insurance Assoc., Inc.</b> 
---	--

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# CONTRACTOR LICENSE

Authorized by the  
**West Virginia Contractor Licensing Board**

**Number:** WV048180

**Classification:**

DRILLING

ABEE LLC  
DBA ABEE LLC  
115 WALNUT AVE  
ST CLAIRSVILLE, OH 43950

**Date Issued**

APRIL 29, 2011

**Expiration Date**

APRIL 29, 2012



Authorized Company Signature



Chair, West Virginia Contractor  
Licensing Board

**WEST VIRGINIA  
CONTRACTOR  
LICENSING  
BOARD**

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

# ABEE, LLC

115 Walnut Avenue  
St. Clairsville, OH 43950  
Phone 740-359-5185  
Fax 740-888-1848

abee.llc@gmail.com

August 8, 2011

RE: RFQ Number 6611C035

To Whom it may concern,

We will not be employing West Virginia residents on this project.

Thank you,



---

Annette Balcar  
CEO

**Ohio****Bureau of Workers'  
Compensation**30 W. Spring St.  
Columbus, OH 43215**Certificate of Premium Payment**

This certifies the employer listed below has paid into the Ohio State Insurance Fund as required by law. Therefore, the employer is entitled to the rights and benefits of the fund for the period specified. For more information, call 1-800-OHIOBWC.

This certificate must be conspicuously posted.

Policy No. and Employer

Period Specified Below

1622920

03/19/2011 Thru 08/31/2011

ABEE, LLC  
115 WALNUT AVENUE  
ST. CLAIRSVILLE, OH 43950



ohiobwc.com

*Stephen Bucher*  
Administrator/CEO

You can reproduce this certificate as needed.

**Ohio Bureau of Workers' Compensation****Required Posting**

Effective Oct. 13, 2004, Section 4123.54 of the Ohio Revised Code requires notice of rebuttable presumption. Rebuttable presumption means an employee may dispute or prove untrue the presumption (or belief) that alcohol or a controlled substance not prescribed by the employee's physician is the proximate cause (main reason) of the work-related injury.

The burden of proof is on the employee to prove the presence of alcohol or a controlled substance was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers' Compensation Act.

**Ohio****Bureau of Workers'  
Compensation**

You must post this language with the certificate of premium payment.

DP-29 BWC-1629 7/7/08