

State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50.130 Charleston, WV 25305-0130

Request for REQNUMBER Quotation

DEP15789

PAGE 1

ADDRESS CORRESPONDENCES TO A BEENTION OF duy nisbet 304-558-8802

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

RFQ COPY TYPE NAME/ADDRESS HERE CTL Engineering of West Virginia, Inc.

733 Fairmont Road Morgantown, WV 26501

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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.html 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).



President

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

Request for HEONUMBER

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PAGE

ADDRESS CORRESPONDENCE TO A RICHTON OF

GUY NISBET 304-558-8802

RFQ COPY TYPE NAME/ADDRESS HERE

CTL Engineering of West Virginia, Inc. 733 Fairmont Road Morgantown, WV 26501

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

DATE PRINTED TERMS OF SALE F.O.B. FREIGHT TERMS 02/23/2012 BID OPENING DATE: BID OPENING TIME 01:30PM 04/03/2012 AMOUNT ITEM NUMBER UNIT PRICE LINE QUANTITY WOP. DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV. 25305 FAX: 304.558.4115 EMAIL: GUY.L.NISBETƏWV.GOV EXHIBIT 1 LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AWARD..... AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO DETAIN A NEW CONTRACT OR RENEW THE THE "REASONABLE TIME" PERIOD SHALL ORIGINAL CONTRACT. 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 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. 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. THE DIRECTOR OF PURCHASING RESERVES THE CANCELLATION: RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICE SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE (304) 292-1135 April 2, 2012 TITLE ADDRESS CHANGES TO BE NOTED ABOVE

55-063-1834



RFQ COPY

733 Fairmont Road

Morgantown, WV 26501

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State of West Virginia
Department of Administration

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DEPARTMENT OF OFFICE OF AML&R 304-926-0499 25304

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25304

304-926-0499

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304-926-0499 25304

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

TERMS OF SALE

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FREIGHT TERMS 02/23/2012 BID OPENING DATE: 04/03/2012 BID OPENING TIME 01:30PM LINE QUANTITY. VOP ITEM NUMBER UNIT PRICE AMOUNT ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT:
(1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERETO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION. ***** THIS IS THE END OF REQ DEP15 789 ***** TOTAL: SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE DATE (304) 292-1135 April 2, 2012 TITLE . FEIN President 55-063-1834 ADDRESS CHANGES TO BE NOTED ABOVE

CAD SERVICES (OPEN-END CONTRACT) NORTHERN & SOUTHERN COUNTIES OF WV DEP15789 BID SCHEDULE

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

Item No.	Quantity	Description	Unit Price	Amount
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1.0	1200 Hours	CAD Operator	\$65.00/hr	\$78,000.09
30/100				7/17/
a				
		TOTAL		\$78,000.00

^{*}These are estimated quantities for bidding purposes only.

Rev. 09/08

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.

<u>X</u>	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 affillate 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 wilhin 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.
require against or dedu	understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the ments for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid, or (b) assess a penalty such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency acted from any unpaid balance on the contract or purchase order.
authoriz the req deeme	mission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and zes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid uired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information d by the Tax Commissioner to be confidential.
and an	penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true curate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate es during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

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

RFQ No. DEP 15789

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.

Vendor's Name: CTL Engineering of West Virginia, ne Authorized Signature: Date: April 5, 20 n. State of West Virginia County of Managalia, to-wit: Taken, subscribed, and sworn to before me this day of April ,2017 My Commission expires 17 ,2080 AFFIX SEAL HERE NOTARY PUBLIC Hallen Officer





VENDOR

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

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GUY NISBET 304-558-8802

*709052432 304-292-1135 CTL ENGINEERING OF WV 733 FAIRMONT ROAD

MORGANTOWN WV 26501

ENVIRONMENTAL PROTECTION

DEPARTMENT OF
OFFICE OF AML&R
T 601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. 04/03/2012 BID OPENING DATE: BID OPENING TIME 04/12/2012 01:30PM CAT. AMOUNT ITEM NUMBER UNIT PRICE QUANTITY UOP LINE ADDENDUM NO.1 ADDENDUM ISSUED TO DISTRIBUTE THE Q&A'S SUBMITTED during the odestidn period and to move THE BID OPENIN DATE. BID OPEN CHANGED FROM: 04/03/2012 TO: 04/12/2012 EXHIBIT 10 REQUISITION NO.: DEP15789 ADDENDUM ACKNOWLEDGEMENT I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC. ADDENDUM NO. I'S: NO. 1 NO. 2 NO. 3 NO. 4 NO. 5 I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS. SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE FELEPHONE DATE TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE



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

26501

Request for Quotation

DEP15789

9000	PAGE
	2

ADDRESS CORRESPONDENCE TO ATTENTION OF

GUY NISBET 304-558-8802

*709052432 304-292-1135 CTL ENGINEERING OF WV 733 FAIRMONT ROAD

MORGANTOWN WV

ENVIRONMENTAL PROTECTION

DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

FREIGHT TERMS TERMS OF SALE SHIP VIA F.O.B. DATE PRINTED 04/03/2012 BID OPENING DATE: 04/12/2012 BID OPENING TIME 01:30PM CAT. ITEM NUMBER UNIT PRICE AMOUNT QUANTITY UOP LINE VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD HETWEEN 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. GNATURE NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID. REV. 09/21/2009 END OF ADDENDUM NO.1 obo1 205-05 JB 1 CAD SERVICES IN NORTHERN/SOUTHERN WV (OPEN-END) SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE **TELEPHONE** SIGNATURE TITLE FEIN ADDRESS CHANGES TO BE NOTED ABOVE CTL Engineering Of West Virginia, Inc.

733 Fairmont Road, Morgantown, West Virginia 26501

Phone: 304/292-1135 • Fax: 304/296-9302

e-mail: ctlwv@ctleng.com

AN EMPLOYEE OWNED COMPANY



Established 1927

Consulting Engineers • Testing • Inspection Services • Analytical Laboratories

April 2, 2012

West Virginia Department of Environmental Protection Office of Abandoned Mine Lands & Reclamation 601 57th Street SE Charleston, WV 25304

> Re: RFQ #DEP 15789 Expression of Interest CAD Services

Gentlemen:

CTL Engineering of WV, Inc. is very pleased to present this proposal to provide CAD Services for the West Virginia Abandoned Mine Lands and Reclamation Program. With thirty years as CTL Engineering of West Virginia, Inc. and over 80 years in the business as CTL Engineering, Inc., our firm can provide the professionals and facilities the State of West Virginia is looking for.

CTL has evolved into a recognized leader in the Abandoned Mine Lands Engineering Design and Investigation field. We have been involved in design for AML programs for over 25 years for West Virginia, Pennsylvania, Maryland, Ohio, Kentucky, Indiana and Wyoming.

We sincerely appreciate the opportunity to submit this proposal to you for consideration. Should you have any questions or need additional information, please contact our office.

Respectfully submitted,

CTL Engineering of West Virginia, Inc.

Royden L. Loucks

Director Business Development

FIRM'S EQUIPMENT

CADD Capabilities

Project designs and specifications are produced in our Computer Aided Drafting and Design (CADD) section using all releases of ACADD, including AutoCAD Civil 3D 2012. CTL WV has 12 licensed stations in the Morgantown office.

AutoCAD allows the user to interact with a wide variety of support software to modify project designs or perform different modeling functions. In addition, many public documents or plans are available in digitized form allowing CTL to directly download surveyed land plots or utility drawings. Successful use of CADD-based documents and/or plans has dramatically increased CTL's project efficiency and performance.

General

CTL Engineering Inc. utilizes:

Windows based operating systems

Microsoft Office 2010 is used for word processing, spreadsheets creation, data processing, and presentation creation.



CTL Engineering of West Virginia, Inc.

PROJECT ORGANIZATION CHART & KEY PERSONNEL

Tim Darrah

Project Manager

Joe Stanley Kathy o'Brien Steve Hegedis Millard Nicholson Nathan Huggins

CADD Designers



	PROJECT EXPERIENCE													
		T		*****	esigi	-								
PROJECT	TIM DARRAH PROJECT MANAGER	JOSEPH STANLEY	KATHY O'BRIEN	STEVE HEGEDIS	MILLARD NICHOLSON	NATHAN HUGGINS	HILLARY CALE							
Years of CADD Experience	22	12	9 .	9	9	8	8							
FAIRMONT SUBSIDENCE (WV AML '12)	x	х			х									
DOUGLAS AVENUE LANDSLIDE (MD AML '12)	x	х												
SHINNS RUN PORTALS (WV AML '11)	х	x	х		х		х							
REAM REFUSE PILE (WV AML '10)	x	х												
PEE WEE HILL WATER SUPPLY (MD AML '10)	х	x			x									
TERRA HAUTE AIRPORT (IN AML '10)	x	х												
KENNEL MINE CLOSURE (MD AML '10)	х			x										
FROSTBURG NORTH CLOSURE (MD AML '10)	х			х										
WILLIAMS REFUSE PILE #2 (Private AML '09)	х	x			x									
PENINSULA HIGHWALLS (WV AML '09)	x	х	х		х	х	x							
ST. CLAIR PORTALS (WV AML '09)	х	х	х		x	х	×							
CHEAT NECK LANDSLIDE (WV AML '09)	х	x	х		x	х	×							
COLLINS MINING (ODNR FOR. '09)	x			x										
AARON'S RUN (MD AML '09)	×	x		х										
ECCLES SUBSIDENCE (WV AML '08)	×	х				x								
McARTHUR SUBSIDENCE (WV AML '08)	×	х	х											
McCOURT LANDSLIDE(ODNR FOR. '08)	x			х		х	х							
JONES TRUCKING (ODNR FOR. '08)	х	х		х			х							
MILLER MINING (ODNR FOR. '08)	х	х				х								
GENERAL CLAY #1 (ODNR FOR. '07)	x	х				х	х							
GENERAL CLAY #2 (ODNR FOR. '07)	х	x					х							

