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FAXTRANSA	TEALFOR	1	E.	WV PURCHASING DIVISION .	3
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TO:	GUY NI	SBET			
COMPANY:	WU DEP	AML			
FAX# 3	04-558-3	970	<u> </u>		
FROM: De	NNIS ELBOR	V			
THE LET	ESTIMATOR				
COMMENTS:	FAXED		FOR		
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TIME 8	10Am -	DATE:	6	-19-12	

Agency I	Dept.	of Environ	mental	Protection
REO.P.C)# D	EP15827		

BID BOND

KNOWALL MEN BY THESE PRESENTS, That we, the undersigned,	Cowgirl Up, Inc.
of P. O. Box 243 Simpson, WV 26435	_, as Principal, and Ohio Farmers Insurance Company
Mostfield Center OH a compretion of	coanized and existing under the laws of the State of
Objo with its principal office in the City of Westfield Center	_, as Surety, are held and firmly bound unto the State
the table of the total amount by	id (\$ 576) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, adn	ninistrators, executors, successors and assigns.
The Condition of the above obligation is such that whereas the Principal	al has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and mad DEP 15827: Trace Branch Refuse Pile	de a part hereof, to enter into a contract in writing for
McDowell County, WV	
NOW THEREFORE,	
(a) If said bid shall be rejected, or (b) If said bid shall be accepted and the Principal shall enter into a co hereto and shall furnish any other bonds and insurance required by the bid or p agreement created by the acceptance of said bid, then this obligation shall be n force and effect. It is expressly understood and agreed that the liability of the S exceed the penal amount of this obligation as herein stated.	will and void otherwise this obligation shall remain in full
The Surety, for the value received, hereby stipulates and agrees that t way impaired or affected by any extension of the time within which the Obligee walve notice of any such extension.	
IN WITNESS WHEREOF, Principal and Surety have hereunto set their	r hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and these presents to	be signed by their proper officers, this
14th day of June , 2012	
	Covering Up Inc
Principal Corporate Seal	Cowgirl Up, Inc. (Name of Principal)
	Line & Wiscolds
	Must be President or
	Vice President)
	Presidevii
	(Tille)
Surety Corporate Seal	Onio Farmers Insurance Company (Name of Sure(v)
	Frank M. Molard - Shenoel (Attorney-in-Fact
WESTANT - Sumble executing bonds must be licensed in West Virginia	a to transact surety insurance. Raised corporate seals

IMPORTANT - Surety executing bonds must be licensed must be affixed, a power of attorney must be attached.

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 05/09/07, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4752402 00

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents and experience and experience. presents make, constitute and appoint
A. L. STANCHINA, C. DAVID THOMAS, RICHARD L. HIGGINBOTHAM, ROSEANN B. DYE, BUIINIE MARIE PERRINE,
JEFFERY O'DELL, ROBIN M. HUBBARD-SHERROD, JOINTLY OR SEVERALLY

and State of WV its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE LIMITATION: THIS POWER OF ATTORNEY GUARANTEE, OR BANK DEPOSITORY BONDS. and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY; WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be it Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-In-Fact, may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's Ilability thereunder, and any such instruments so executed by any such Attorney-In-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company herefore or hereafter affixed to any power of attorney or any certificate relating thereto by facslimite, and any power of attorney or any certificate relating thereto by facslimite, and any power of attorney or any certificate relating thereto by facslimite, and any power of attorney or any certificate relating thereto by facslimite, and any power of attorney or any certificate relating thereto by facslimite, and any power of attorney or any certificate relating thereto by facslimite, and any

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Senior Executive and their corporate seals to be hereto affixed this only in day of

MAY A.D., 2007 . MENUANCE Corporate Seals Affixed State of Ohlo

County of Medina

Sammanna *

WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Richard L. Kinnaird, Jr., Senior Executive

On this 09th day of MAY

A.D., 2007, pefore me personally came Richard I. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he sloned his name thereto by like order. by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Seal Affixed

State of Ohlo County of Medina

SS.



William J. Kahelin, Alforney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and further more, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 14th day of A.D., 2012

June MARUE

Management Management



BPOAC2 (combined) (06-02)

Cowgirl Up Inc

304-739-4397

Solicitation

304-626-1051

p.4



*322161804

PO BOX 243

SIMPSON WV

COWGIRL UP INC

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

26435

DEP15827

NUMBER

ADDRESS CORRESPONDENCE TO ATTENTION OF:

PAGE

GUY NISBET

804-558-8802

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R

601 57TH STREET SE CHARLESTON, WV

25304 304-926-0499

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26435

RFONUMBER

ADDRESS CORRESPONDENCE TO ATTENTION OF



*322161804

PO BOX 243

SIMPSON WV

COWGIRL UP INC

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

304-739-4397

Request for Quotation

DEP15827

PAGE

GUY NISBET 304-558-8802

ENVIRONMENTAL PROTECTION
DEPARTMENT OF

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

25304

304-926-0499

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Cowgirl Up Inc

304-626-1051

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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

304-739-4397

Request for REGNUMBER Quotation

DEP15827

PAGE

ADDRESS COHRESPONDENCE TO ATTENTION OF CUY NISBET 104-558-8802

*322161804 COWGIRL UP INC PO BOX 243

SIMPSON WV 26435

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

25304 304-926-0499

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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

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304-739-4397

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***322161804**

COWGIRL UP INC PO BOX 243

SIMPSON WV 26435 ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS DATE PRINTED 04/05/2012 BID OPENING DATE: BID OPENING TIME 01:30PM 06/05/2012 AMOUNT UNIT PRICE QUANTITY UOP ITEM NUMBER LINE JB 962-73 0001 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES REQUEST FOR QUOTATION THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF 9-ACRE ABANDONED MINE PROJECT KNOWN AS THE "TRACE BRANCH REFUSE PILE" PROJECT THE SITE IS LOCATED NEAR KYLE, WEST VIRGINIA, (MCDOWELL CD.). A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON 05/04/12 a 10:00 AM. ALL INTERESTED PARTIES ARE REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND THE MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF NO ONE PERSON MAY REPRESENT MORE THAN ONE ALSO, PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER. AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL THIS WILL SERVE AS THE POTENTIAL BIDDERS TO COMPLETE. OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY FAILURE TO PROVIDE YOUR COMPANY AND PRE-BID. REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT THE STATE WILL NOT IN DISQUALIFICATION OF THE BID. ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE PURCHASING DIVISION AND THE STATE AGENCY THE SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE 13 SIGNATURE HODEP TITLE ADDRESS CHANGES TO BE NOTED ABOVE 100101563 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.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).



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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

304-739-4397

Request for AFONUMBER Quotation

DEP15827

PAGE

GUY NISBET 304-558-8802

***322161804**

COWGIRL UP INC

PO BOX 243

SIMPSON WV 26435 ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

ADDRESS CORRESPONDENCE TO ATTENTION OF

F.O.B. FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA 04/05/2012 BID OPENING DATE: BID OPENING TIME 01:30PM 06/05/2012 UOP ITEM NUMBER UNIT PRICE AMOUNT LINE QUANTITY 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 EMAIL ADDRESS AND FAX NUMBER. ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE MORE THAN 15 MINUTES AFTER THE BEGINNING OF THE PREBID WILL NOT BE PERMITTED TO SIGN IN OR PARTICIPATE. DIRECTIONS TO PREBID: FROM CHARLESTON, TAKE II-64 EAST/I-77 SQUTH TOWARD BECKLEY. MERGE ONTO 1-77 SOUTH. TAKE EXIT 9 FOR FOR US-460, TURN RIGHT TOWARD PRINCETON. APPROXIMATELY 2.6 MILES, TURN RIGHT ONTO INGLESIDE TRAVEL APPROXIMATELY 0.5 MILES AND TURN LEFT TRAVEL APPROXIMATELY 0.3 MILES ONTO PRINCETON AVENUE. TURN LEFT ONTO AND TURN RIGHT ONTO ALVIS STREET. TRAVEL APPROXIMATELY 0.4 MILES AND E. MAIN STREET. CONTINUE ON WV 20S/US 52. CONTINUE ON US 52 FOR APPROXIMATELY 13.7 MILES. TAKE SHARP RIGHT ONTO CR 52/9. CROSS RAILROAD TRACKS AND TURN RIGHT. TAKE FIRST LEFT (POWHATAN ROAD). TRAVEL 0.2 MILES AND PROJECT IS ON RIGHT. CONTACT & PHONE #: MARK PROCTOR, 304-465-1910 PLANS & SPECS MAY BE OBTAINED BY THE FOLLOWING METHODS: 1) BY REQUEST, ON CD FROM THE WV DEPT. OF ENVIRONMENTAL PROTECTION, OFFICE OF AML & R, WITH NO CHAGE TO THE CONTRACTOR FOR THE CD OR MAILING. CALL LAWRENCE BURGESS, PH. 304-926-0499, EXT. 1668 OR 304-926-0485 TO ORDER CD. SEE REVERSE SIDE FOR TEAMS AND CONDITIONS TELEPHONE O A DATE SIGNATURE 39439 ma ADDRESS CHANGES TO BE NOTED ABOVE esident 800101563 WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

p.9



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

Request for Quotation

DEP15827

PAGE

GUY NISBET
304-558-8802

NENDOA

*322161804 COWGIRL UP INC PO BOX 243

304-739-4397 INC

PO BOX 243

SIMPSON WV 26435

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

25304 304-926-0499

DATE PRINTED	ŢĖ	RMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
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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

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SIMPSON WV 26435

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

304-926-0499 25304

ADDRESS CORRESPONDENCE TO ATTENTION OF

FREIGHTTERMS F.O.Bi SHIP VIA DATE PRINTED TERMS OF SALE 04/05/2012 01:30PM BID OPENING DATE: BID OPENING TIME 06/05/2012 AMOUNT UNIT: PRICE ITEM NUMBER LINE QUANTITY UOP RATES AS ESTABLISHED FOR MCDOWELL COUNTY, PURSUANT TO WEST VIRGINIA CODE 21-5A, ET, SEQ. (PREVAILING WAGE RATES APPLY TO THIS PROJECT.) ANY REFERENCES MADE TO ARBITRATION OR ARBITRATION: INTEREST FOR PAYMENTS DUE (EXCEPT FOR ANY INTEREST REQUIRED BY STATE LAW) CONTAINED IN THES CONTRACT OR IN ANY AMERICAN INSTITUTE OF ARCHITECTS DOCUMENTS PERTAINING TO THIS CONTRACT ARE HEREBY DELETED. VENDOR IS REQUIRED TO PROVIDE WORKERS' COMPENSATION: A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL ALL OF THE ITEMS CHECKED BELOW WILL BELA REQUIREMENT OF THIS CONTRACT: (XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO UNLESS OTHERWISE SPECIFIED IN ISSUANCE OF CONTRACT. THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000.) BUILDER'S RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RUSK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT. FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF (XX) BONDS: THE BID PAYABLE TO THE STATE OF WEST VERGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/ MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK, IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE A LETTER OF CREDIT SUBMITTED STATE OF WEST VIRGINIA. SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE TELEPHONE SIGNATURE 94397 ADDRESS CHANGES TO BE NOTED ABOVE

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ADDRESS CORRESPONDENCE TO ATTENTION OF



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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

304-739-4397

Request for Quotation

RFO NUMBER DEP15827

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GUY NISBET 304-558-8802

*322161804 COWGIRL UP INC PO BOX 243

SIMPSON WV 26435 ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. 04/05/2012 BID OPENING DATE: 01:30PM BID OPENING TIME 06/05/2012 LINE QUANTITY ude ITEM NUMBER UNITPRICE AMOUNT IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR AND MATERIAL BOND.) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 AML CONTRACTOR INFORMATION FORM ONB #1029-0119 (EXPIRATION DATE: 01/31/2013) IS ATTACHED. YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA EVALUATION TO DETERMINE YOUR ELIGIBILITY AS AN AML THIS IS A REQUIREMENT UNDER 30 CFR 874.16 CONTRACTOR. IF THE ORIGINAL OMB #1029-0119 IS NOT ATTACHED TO THE BIDDING DOCUMENTS YOU CAN CONTACT THE AVS OFFICE AT 800-643-9748 OR WWW.AVS.OSMRE.GOV CONTRACTORS LICENSE WEST VIRGINIA STATE CODE 21-11-2 REQUIRES THAT ALL PERSONS DESIRING TO PERFORM CONTRACTING WORK IN THIS THE WEST VIRGINIA CONTRACTORS STATE MUST BE LICENSED. LICENSING BOARD IS EMPOWERED TO ISSUE THE CONTRACTORS APPLICATIONS FOR A CONTRACTOR'S LICENSE MAY BE MADE BY CONTACTING THE WEST VIRGINIA DIVISION OF LABOR, CAPITOL COMPLEX, BUILDING 3, ROOM 319, CHARLESTON, WV 25305, PH. 304-558-7890. WEST VIRGINIA STATE CODE 21-11-11 REQUIRES ANY SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE SIGNATURE **IELEPHONE** 504 4397 ADDRESS CHANGES TO BE NOTED ABOVE 800101563

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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

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*322161804 304-739-4397 COWGIRL UP INC PO BOX 243

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

DATE PRINTED TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 04/05/2012 01:30PM **BID OPENING DATE:** BID OPENING TIME 06/05/2012 AMOUNT QUANTITY ITEM NUMBER UNIT PRICE UOP LINE PROSPECTIVE BIDDER TO INCLUDE THE CONTRACTORS LICENSE NUMBER ON THEIR BID. BIDDER TO COMPLETE: NAME: CONTRACTORS CONTRACTORS LICENSE #: THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FURNISH A COPY OF THEIR CONTRACTORS LICENSE PRIDE TO ISSUANCE OF A PURCHASE ORDER/CONTRACT. APPLICABLE LAW THE WEST VIRGINIA STATE CODE, PURCHASING DIVISION RULES & REGULATIONS, AND THE INFORMATION PROVIDED IN THE "REQUEST FOR QUOTATION" ISSUED BY THE FURCHASING DIVISION IS THE SOLE AUTHORITY GOVERNING THIS PROCUREMENT. ANY INFORMATION PROVIDED IN SPECIFICATION MANUALS, OR ANY OTHER SOURCE, VERBAL OR WRITTEN, WHICH CONTRADICTS OR ALTERS THE INFORMATION PROVIDED FROM THE SOURCES AS DESCRIBED IN THE ABOVE PARAGRAPH IS VOID AND OF NO EFFECT. (1) NOTICE TO PROCEED: THE CONSTRUCTION WORK SPECIFIED HEREIN IS TO BE COMPLETED WITHIN 365 CALENDAR DAYS AFTER THE OFFICIAL NOTICE TO PROCEED IS RECEIVED. IN THE EVENT THAT A PRE-CONSTRUCTION CONFERENCE IS REQUIRED, THE NOTICE TO PROCEED SHALL BE THE SPECIFIC DATE ESTABLISHED IN THE CONFERENCE. PRE-CONSTRUCTION (2) GUARANTEE AND MAINTENANCE: (A) THE MATERIALS AND WORKMANSHIP AFFECTED BY SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE TEPETHONE 4397 ADDRESS CHANGES TO BE NOTED ABOVE 800101563 rest Lent

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COWGIRL UP INC

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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Request for Quotation

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

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SIGNATURE

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ADDRESS CHANGES TO BE NOTED ABOVE

00101563 WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

SEE REVERSE SIDE FOR TERMS AND CONDITIONS



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*322161804 COWGIRL UP INC

PO BOX 243

SIMPSON WV

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
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*322161804 COWGIRL UP INC PO BOX 243

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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

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Request for REQNUMBER Quotation

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GUY NISBET 304-558-8802

*322161804 COWGIRL UP INC PO BOX 243

SIMPSON WV 26435

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

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SHIP VIA F.O.B. FREIGHT TERMS DATE PRINTED TERMS OF SALE 04/05/2012 BID OPENING DATE: BID OPENING TIME 01:30PM 06/05/2012 AMOUNT UNE QUANTITY UOP ITEM NUMBER UNIT PRICE OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES. THE DIRECTOR OF THE PURCHASING DEPARTMENT MAY, IN WRITING, AUTHORIZE THE USE OF FORE KIGN STEEL PRODUCTS IF: THE COST FOR EACH CONTRACT ITEM USED DOES NOT A. EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR, THE DIRECTOR OF THE PURCHASING DIVISION В. DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIEN QUANTITY OR OTHERWISE ARE NOT REASONABLY AVAILABLE TO MEET CONTRACT REQUIREMENTS. A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES PURSUANT TO WV CODE SECTION 5A-3-56. REV. 10/01/01 EXHIBIT 7 DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT OR MAINTENANCE OF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE SIGNATURE 439

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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

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GUY NISBET 304-558-8802

*322161804 COWGIRL UP INC PO BOX 243

SIMPSON WV 26435

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

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DATE PRINTED TERMS OF SALE SHIP YIA F.O.B. FREIGHT TERMS 04/05/2012 01:30PM BID OPENING DATE: 06/05/2012 BID OPENING TIME CAT AMOUNT UNIT PRICE ITEM NUMBER QUANTITY UOP LINE NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA. THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ISSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES: THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS THE ADDENDUM AND AND SPECIFICATIONS FOR THE PROJECT. LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE PURCHASING DIVISION. THE ARCHITECT/ENGINEER SHALL ALS SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED. THE BUYER SHALL SEND THE ADDENDUM TO ALL (2) INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID OPENING DATE. ANY ADDENDUM SHOULD BE RECEIVED BY THE BUYER WITHIN FOURTEEN (14) DAYS PRIDR TO THE BID OPENING DATE. ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN THE ONLY EXCEPTION MAY BE FOR AN ADDENDUM DOCUMENT. ADDENDUM THAT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE. REV. 11/96 EXHIBIT 10 REQUISITION NO .: . DEP15827 .. SEE REVERSE SIDE FOR TERMS AND CONDITIONS IELEPHONE SIGNATURE 94397 204

ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.: DEP15827

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum	Numbers	Received:
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(Check the box next to each addendum received)

[,	/	Addendum No. 1	Į]	Addendum No. 6
[]	1	Addendum No. 2	1]	Addendum No. 7
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[]	Addendum No. 5]]	Addendum No. 10

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that 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.

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PO BOX 243

SIMPSON WV

COWGIRL UP INC

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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ADDRESS CORRESPONDENCE TO ATTENTION OF GUY NISBET 304-558-8802

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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

304-739-4397

Request for Quotation DEP15827

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DEP15827

ADDRESS CORRESPONDENCE TO ATTENTION OF GUY NISBET

304-558-8802

***322161804** COWGIRL UP INC PO BOX 243

SIMPSON WV 26435 ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

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ADDRESS CORRESPONDENCE TO ATTENTION OF



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PO BOX 243

SIMPSON WV

COWGIRL UP INC

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

26435

304-739-4397

Request for Quotation

RFO NUMBER DEP15827

PAGE

GUY NISBET

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

304-926-0499

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Trace Branch Refuse Pile DEP15827

Revised Contractor's Bid Sheet

endors Name:	COWGIRL	WP	100
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The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

		İ				
ITEM				UNIT		
NO.	QUANTITY	DESCRIPTION		PRICE		AMOUNT
					18	<u>u</u>
1.0	1	Mobilization - Not to exceed 10% of total amount bid		LS	\$	35,000
		Construction Layout Stakes - Not to exceed 5% of total amount	1			00
2.0	1	bid		LS	\$	20,000
3.0	11	Quality Control - Not to exceed 3% of total amount bid		LS	3	12,000
4.1	1	Site Preparation - Not to exceed 10% of total amount bid		LS	\$	3000
4.2	386	Access Road Rehabilitation, per ton	\$	40° /TN	\$	15,440
5.1	606	Silt Fence, per linear foot	\$	200 /LF	\$	1,21200
5.2	393	Super Silt Fence, per linear foot	\$	600 /LF	\$	2,35800
5.3	1	Stabilized Construction Entrance, per each	\$	2000 /EA	\$	2,00000
5.4	30	Stone Check Dam, per each	\$	300 EA	\$	9,000 28
5.5	3,200	Straw Wattles, per linear foot	\$	600 A F	\$	1920000
6.0	9	Revegetation, per plan view acre	\$	3000 ° JAC 25 ° JLF	\$	27,00000
7.1	661	Riprap Vee Channel, per linear foot	\$	25°/LF	\$	16.52500
7.2	20	Riprap 2' Trapezoidal Channel, per linear foot	\$	5/8 1LF	S	96000
7.3	12	Riprap 6' Trapezoidal Channel, per linear foot	\$	70 00 /LF	·S	84000
7.4	1,033	Grouted Riprap Vee Channel, per linear foot	\$	42 [∞] /LF	S	43,38600
7.5	889	Grouted Riprap 2' Trapezoidal Channel, per linear foot	\$	8409 LF	\$	746760
7.6	288	Grouted Riprap 6' Trapezoidal Channel, per linear foot	\$	115°2/LF	\$	33,12000
7.7	36	18" I.D. HDPE Pipe, per linear foot	\$	85 CLF	\$	306000
7.8	59	24" I.D. HDPE Pipe, per linear foot	\$	9500/LF	\$	56050
7.9	4	Splash Pad, per each	\$	25000/EA	S	1,00000
7.10	4	Low Water Crossing	\$	2500 00/EA	\$	10,000000
8.0	28,120	Unclassified Excavation, per cubic yard	\$	500,CY	\$	140,6000
8.1	4.5	Soil Cover, per plan view acre	\$	8000 /AC	\$	36,000
9.1	8	Wet Mine Seal, per each	\$	8500 /EA	\$	68,0000
9.2	1	Bat Gate Mine Seal, per cach	\$	12,000 EA	S	12,000
9.3	50	Soda Ash Briquettes, per 50 lb. bag	\$	5000/BAC	3	2,5000
9.4	· 860	Conveyance Pipe, per linear foot	\$	3800/LF	S	32,680
10.0	845	Underdrain, per linear foot	\$	52°/LF	\$	43,9400
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OMB #1029-0119 Expiration Date: 1/31/13

AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16.

Part A: General Information
Business Name: COWQY Up, Trc. Tax Payer ID No.: 8001015103 Address: Po. 180x 243 City: Simpson State: MY Zip Code 210435 Phone: 304739-439 Fax No.: 804739-440 (E-mail address: +TW_COW)
Part B: Legal Structure
(Corporation () Sole Proprietorship () Partnership () LLC () Other (please specify)
Part C: Certifying and updating information in the Applicant/Violator System (AVS). Select only one of the following options, follow the instructions for that option, and sign below. I,
1Information on the attached Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. If you select this option, you must attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part D.
2Part of the information on the attached Entity OFT from AVS is missing or incorrect and must be updated. If you select this option, you must attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.
Our business currently has no information in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.
Date Mac Nordell Mesident Signature Title

IMPORTANT! In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at https://avss.osmre.gov.

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Contractor's Business Name: (ONGIY) Up, I

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.):
- All Directors;

Cowgirl Up Inc

- All persons performing a function similar to a Director
- Every person or business that owns 10% or more of the voting stock in your business;
- · Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name		Position/Title	
Address		Telephone #	
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PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.

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

STATE OF WV
COUNTY OF TAYLOR, TO-WIT:
I, Ima R. Woodell, after being first duly sworn, depose and state as follows:
1. I am an employee of ONGIS Up, In.; and, (Company Name)
2. I do hereby attest that COWQIC (Company Name)
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.
The above statements are sworn to under the penalty of perjury.
Cowgirl Up. Inc.
(Company Name)
By: Ima R. Wcoddell
Title: President
Date:
Taken, subscribed and sworn to before me this 12TH day of TUNE.
By Commission expires FEBRUARY 28, 2010 OFFICIAL SEAL STATE OF WEST VIRGINIA NOTARY PUBLIC PARBARA SPENCER ROUGH 18 0x 674 Fichington, WV 26347 MY COMMISSION WY 26347 MY
Floring to BOX 2/7 Floring to My 26347 My commission expires February 28, 2016 THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO

THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.

Rev March 2009

Z

RFQ No. DEP 15827

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.

acknowledges the information in this anidavit and is in compliance with the requirements as stated.
WITNESS THE FOLLOWING SIGNATURE
Vendor's Name: COWQY Up, Inc.
Authorized Signature: Imak Wardall Date 0/12/12
State of
County of TAYLOR, to-wit:
Taken, subscribed, and sworn to before me this 27th day of
My Commission expires FEBRUARY 28, 2016
AFFEX STATE HERE OFFICIAL SEAL STATE OF WEST VIRGINIA NOTARY PUBLIC STATE OF WEST VIR

p.28

Date: 2-Dec-2004

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Applicant Violator System
Organizational Family Tree (OFT)

Time :13:20:25 Page: 1

(155180) COWGIRL UP INC

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That R Wooddelle President Le/12/12 WV Consessor License #WV136836



Phonelest (304) 730 421

FAX TRANSMITAL FORM.

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TO:	GUY NISBET		
COMPANY:	WU DEP AML	<u> </u>	22 田
FAX#	304-558-3970		
FROM:	DENNIS ELBON	<u> </u>	-
THIE:	ESTIMATOR		<u> </u>
COMMENTS:	FAXED BID	FOR .	10
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Agency	Dep	t, of	Envir	onmenta	I Protection
REQ.P.	0#_	DEF	1582	27	

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned,	Cowgirl Up, Inc.
of P. O. Box 243 Simpson, WV 26435	, as Principal, and Ohio Farmers Insurance Company
One Park Circle Westfield Center, OH a compration	organized and existing under the laws of the State of
Ohio with its principal office in the City of Westfield Center of West Virginia, as Obligee, in the penal sum of Five Percent of the total amount	as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of <u>the release was to a penal sum of the release</u> well and truly to be made, we jointly and severally bind ourselves, our heirs, ac	Iministrators, executors, successors and assigns,
The Condition of the above obligation is such that whereas the Princip	nas supmined to the rank and contract in writing for
Department of Administration a certain bid or proposal, attached hereto and ma	ade a part hereof, to enter into a domination in many 150
DEP 15827: Trace Branch Refuse Pile	
McDowell County, WV	
NOW THEREFORE,	
(a) If said bid shall be rejected, or (b) If said bid shall be accepted and the Principal shall enter into a content of the said bid shall be accepted and insurance required by the bid or agreement created by the acceptance of said bid, then this obligation shall be force and effect. It is expressly understood and agreed that the liability of the sexceed the penal amount of this obligation as herein stated.	and and void otherwise this obligation shall remain in full
The Surety, for the value received, hereby stipulates and agrees that way impaired or affected by any extension of the time within which the Obligee walve notice of any such extension.	the obligations of said Surety and its bond shall be in no may accept such bld, and said Surety does hereby
IN WITNESS WHEREOF, Principal and Surety have hereunto set the	elr hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and these presents to	be signed by their proper officers, this
14th day of June , 2012	
	Cowgirl Up, Inc.
Principal Corporate Seal	(Name of Principal)
=	By / Mac Newboll (Must be President or
	President) (Title)
	Ohio Farmers Insurance Company
Surety Corporate Seal	(Name of Surety)
UNDODANT Down by executing hands must be licensed in West Virgini	(Attorney-In-Fact a to transact surety insurance. Raised corporate seals

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed, a power of attorney must be attached.

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 05/09/07, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4752402 00

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co.

CERTIFIED COPY

Westfield Center, Ohio

Know All Man by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," city organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint A. L. STANCHINA, C. DAVID THOMAS, RICHARD L. HIGGINBOTHAM, ROSEANN B. DYE, BUNNIE MARIE PERRINE, JEFFERY O'DELL, ROBIN M. HUBBARD-SHERROD, JOINTLY OR SEVERALLY

and State of WVIts true and lawful Attorney(s)-In-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of

surelyship- - - - - - -THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the oremises. Salc appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other executive shall be and is hereby vested with full power and authority to appoint any one or more sultable persons as Attorney(s)-in-Fact to represent and act for and an height of the Company subject to the following provisions:

be and is hereby vested with full power and authority to appoint any one or more sultable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact, may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or certificate bearing facsimile signatures or facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof. WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY, and the seal of the Company and all beauting the company with respect to any bond or undertaking to which it is attached."

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Senior Executive and their corporate seals to be hereic affixed this 09th . day of

A.D., 2007 . MAY Corporate Seals Affixed State of Ohlo

Sugar A Sugar

WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Richard L. Kinnaird, Jr., Senior Executive

A.D., 2007, before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above Instrument, that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of sald Companies; and that he signed his name thereto by like order.

Notarial Seal **DexlifA**

County of Medina

State of Ohlo County of Medina

55.:

William J. Kahelin, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are In full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 14th day of

June







BPOAC2 (combined) (06-02)

ADDRESS CORRESPONDENCE TO ATTENTION OF



*322161804

COWGIRL UP INC

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

304-739-4397

Request for REQUIRED Quotation

DEP15827

duy NISBET 304-558-8802

ENVIRONMENTAL PROTECTION S DEPARTMENT OF

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ADDRESS CHANGES TO BE NOTED ABOVE



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PO BOX 243

SIMPSON WV

COWGIRL UP INC

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

26435

304-739-4397

Request for Guotation DEP15827

ADDRESS CORRESPONDENCE TO ATTENTION OF GUY NISBET

304-558-8802

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

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

Request for PEGNUMBER Quotation

DEP15827

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GUY NISBET 304-558-8802

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

ADDRESS CORRESPONDENCE TO ATTENTION OF

COWGIRL UP INC PO BOX 243 SIMPSON WV 26435

304-739-4397

SHIP VIA P.O.B; FREIGHT TERMS DATE PRINTED TERMS OF SALE 04/05/2012 01:30PM **OPENING TIME** BID OPENING DATE: BID 06/05/2012 AMOUNT CAT. UNIT PRICE ITEM NUMBER QUANTITY UOP LINE JB 962-73 0001 1 RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES REQUEST FOR QUOTATION THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF 9-ACRE ABANDONED MINE PROJECT KNOWN AS THE "TRACE BRANCH REFUSE PILE" PROJECT THE SITE IS LOCATED NEAR KYLE, WEST VIRGINIA, (MCDOWELL CO.). A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON ALL INTERESTED PURTIES ARE 05/04/12 0 10:00 AM. FAILURE TO ATTEND THE REQUIRED TO ATTEND THIS MEETING. MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF NO DNE PERSON MAY REPRESENT MORE THAN ONE THE BID. ALSO, PREBIDS WILL INVOLVE EXTENSIVE FOOT BIDDER. TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER. 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 FAILURE TO PROVIDE YOUR COMPANY AND PRE-BID. REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT THE STATE WILL NOT IN DISQUALIFICATION OF THE BID. ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE THE PURCHASING DIVISION AND THE STATE AGENCY SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE DATE SIGNATURE

ADDRESS CHANGES TO BE NOTED ABOVE



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PO BOX 243

SIMPSON WV

COWGIRL UP INC

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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304-739-4397

Request for Guotation DEP15827

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GUY NISBET 304-558-8802

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R P 601 57TH STREET SE Ť CHARLESTON, WV 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

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Request for PRONUMBER Quotation

DEP15827

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ADDRESS CORRESPONDENCE TO ATTENTION OF: **GUY NISBET**

304-558-8802

*322161804 COWGIRL UP INC PO BOX 243

SIMPSON WV 26435 Ť

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

304-926-0499

ADDRESS CHANGES TO BE NOTED ABOVE

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PO BOX 243

SIMPSON WV

COWGIRL UP INC

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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Request for REGINUMBER Quotation

DEP15827

PAGE

ADDRESS CORRESPONDENCE TO ATTENTION OF

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304-558-8802

304-739-4397

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R þ 601 57TH STREET SE ō CHARLESTON, WV 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

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Request for DEP15827

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SIMPSON WV 26435

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

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Request for Quotation DEP15827

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GUY NISBET 304-558-8802

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*322161804 COWGIRL UP INC PO BOX 243

SIMPSON WV

ENVIRONMENTAL PROTECTION DEPARTMENT OF DFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

304-926-0499 25304

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SIMPSON WV 26435 ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

304-926-0499 25304

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ADDRESS CORRESPONDENCE TO ATTENTION OF

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304-558-8802

ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601'57TH STREET SE

CHARLESTON, WV

25304 304-926-0499

304-739-4397 *322161804 COWGIRL UP INC PO BOX 243 SIMPSON WV 26435

FREIGHTTERMS DATE PRINTED: TERMS OF SALE. SHIP VIA F.O.B; 04/05/2012 BID OPENING TIME 01:30PM BID OPENING DATE: 06/05/2012 AMOUNT UNIT PRICE ITEM NUMBER QUANTITY UOP LINE NØ. IT SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL (4) VENDOR TO: OBTAIN ALL NECESSARY DIVISION OF HIGHWAYS (A) PERMITS FOR ALL TRANSPORTATION OF EQUIPMENT AND MATERIALS TO AND FROM THE JOB SITE. OBTAIN ANY AND ALL REQUIRED CONSTRUCTION (B) PERMITS OR RELATED JOB PERMITS. TECHNICAL SPECIFICATIONS: (5) ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "TRACE BRANCH REFUSE PILE" SAID PROJECT. PLANS & SPECS ARE INCORPORATED HERE IN BY REFERENCE AND ALL PROVISIONS, CLAUSES AND CONDITIONS THEREIN ARE MADE PROPERLY A PART OF THIS CONTRACT, AND CONSISTS OF 40 DRAWINGS AS PREPARED BY MEAD & HUNT, INC. PAYMENTS AND COMPLETION: (6) CONTRACTOR SHALL FURNISH TO DEP AN THE APPLICATION FOR PAYMENT WITH AN ITEMIZED SCHEDULE OF VALUES AS HEREIN BEFORE REQUESTED. THE FORM INCLUDED IN THE SPECIFICATIONS SHALL BE USED FOR APPLICATIONS IT IS THE DEP'S INTENT THAT THE PAYMENT T OF PAYMENT. THE CONTRACTOR BE MADE WITHIN 60 DAYS AFTER RECEIPT OF APPLICATION FOR PAYMENT. APPLICATION FOR PARTIAL PAYMENT: (7) THE CONTRACTOR MAY, ON A PERIODIC BASIS, SUBMIT FOR PARTIAL PAYMENT BASED ON THE AMOUNT OF WORK COMPLETED AT THE TIME OF THE SUBMITTAL, THE AMOUNT OF PAYMENT WILL BE DETERMINED FROM THE ACTUAL QUANTITY OF WORK COMPLETED IF BASED UPON UNIT MEASURES OR THE PERCENT COMPLETED IF BASED UPON A LUMP SUM. IN THE EVENT THE VENDOR/CONTRACTOR FILES BANKRUPTCY: SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE TELEPHONE

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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

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ADDRESS CORRESPONDENCE TO ATTENTION OF GUY NISBET 304-558-8802

*322161804 COWGIRL UP INC PO BOX 243

SIMPSON WV 26435 ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499

FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA P.O.B. 04/05/2012 BID OPENING TIME 01:30PM 06/05/2012 BID OPENING DATE: AMOUNT CAT. UNIT PRICE ITEM NUMBER UOP QUANTITY LINE FOR BANKRUPTICY PROTECTION, THE STATE MAY DEEM THIS CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER. REV. 1/2005 PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS EXCEPT WHEN AUTHORIZED BY THE DIRECTOR OF THE 1. PURCHASING DIVISION PURSUANT TO SUBSECTION 2 BELOW, NO CONTRACTOR MAY USE OR SUPPLY STEEL PRODUCTS FOR A STATE CONTRACT PROJECT OTHER THAN THOSE STEEL PRODUCTS MADE IN THE UNITED STATES AS USED IN THIS CONTRACT, "STATE CONTRACT PROJECT" MEANS ANY ERECTION OR Α. CONSTRUCTION OF, OR ANY ADDITION TO, ALTERATION OF OR OTHER IMPROVEMENT TO ANY BUILDING OR STRUCTURE, INCLUDING, BUT NOT LIMITED TO, ROADS OR HIGHWAYS, OR THE INSTALLATION OF ANY HEATING OR COOLING OR VENTILATING PLANTS OR OTHER EQUIPMENT, OR THE SUPPLY OF AND MATERIALS FOR SUCH PROJECTS, PURSUANT TO A CONTRACT WITH THE STATE OF WEST VIRGINIA FOR WHICH BIDS WERE SOLICITED ON OR AFTER JUNE 6, 2001. "STEEL PRODUCTS" MEANS PRODUCTS ROLLED, FORMED, В. SHAPED, DRAWN, EXTRUDED, FORGED, CAST, FABRICATED OR OTHERWISE SIMILARLY PROCESSED, OR PROCESSED BY A COMBINATION OF TWO OR MORE OF SUCH OPERATIONS, FROM STEEL MADE BY THE OPEN HEARTH, BASIC OXYGEN, ELECTRIC FURNACE, BESSEMER OR OTHER STEEL MAKING PROCESS. "UNITED STATES" MEANS THE UNITED STATES OF AMERICA AND INCLUDES ALL TERRITORY, CONTINENTA SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE SIGNATURE 50/2



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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

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DEPARTMENT OF OFFICE OF AML&R 601.57TH STREET SE CHARLESTON, WV

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304-926-0499

ADDRESS CORRESPONDENCE TO ATTENTION OF

*322161804 304-739-4397 COWGIRL UP INC PO BOX 243 26435 SIMPSON WV

F.O.B, FREIGHT TERMS DATE PRINTED TERMS OF SALE SHIP VIA 04/05/2012 01:30PM BID OPENING TIME BID OPENING DATE: 06/05/2012 CAT. AMOUNT UNIT PRICE QUANTITY UOP ITEM NUMBER LINE OR INSULAR, SUBJECT TO THE JURISDICTION OF THE UNITED STATES. THE DIRECTOR OF THE PURCHASING DEPARTMENT MAY, IN WRITING, AUTHORIZE THE USE OF FOREIGN STEEL PRODUCTS IF: THE COST FOR EACH CONTRACT ITEM USED DOES NOT EXCEED ONE TENTH OF ONE PERCENT (.1%) OF THE TOTAL CONTRACT COST OR TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), WHICHEVER IS GREATER. FOR THE PURPOSES OF THIS SECTION, THE COST IS THE VALUE OF THE STEEL PRODUCT AS DELIVERED TO THE PROJECT OR, THE DIRECTOR OF THE PURCHASING DIVISION B . DETERMINES THAT SPECIFIED STEEL MATERIALS ARE NOT PRODUCED IN THE UNITED STATES IN SUFFICIEN QUANTITY OR OTHERWISE ARE NOT REASONABLY AVAILABLE TO MEET CONTRACT REQUIREMENTS. A CONTRACTOR WHO USES STEEL PRODUCTS IN VIOLATION OF THIS SECTION MAY BE SUBJECT TO CIVIL PENALTIES PURSUANT TO WV CODE SECTION 5A-3-56. REV. 10/01/01 EXHIBIT 7 DOMESTIC ALUMINUM, GLASS & STEEL IN PUBLIC WORKS PROJECTS IN ACCORDANCE WITH WEST VIRGINIA CODE 5-19-1 ET., SEQ., EVERY CONTRACT FOR CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR, IMPROVEMENT DR MAINTENANCE DF PUBLIC WORKS, WHERE THE COST IS MORE THAN \$50,000 AND, SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE

TELEPHONE SIGNATURE

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ADDRESS CHANGES TO BE NOTED ABOVE



*322161804

PO BOX 243

SIMPSON WV

COWGIRL UP INC

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

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ENVIRONMENTAL PROTECTION DEPARTMENT OF DFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

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FREIGHT TERMS F.O.B, SHIP VIA DATE PRINTED TERMS OF SALE 04/05/2012 01:30PM BID OPENING TIME BID OPENING DATE: 06/05/2012 AMOUNT UNIT PRICE ITEM NUMBER QUANTITY YOU LINE IN THE CASE OF STEEL DNLY, WHERE THE COST OF STEEL IS MORE THAN \$50,000 OR WHERE MORE THAN 10,000 POUNDS OF STEEL ARE REQUIRED, THE STATE WILL ACCEPT DNLY ALUMINUM GLASS, OR STEEL PRODUCTS PRODUCED IN THE UNITED STATES. IN ADDITION, ITEMS OF MACHINERY OR EQUIPMENT PURCHASED FOR USE AT THE SITE OF PUBLIC WORKS SHALL BE MADE OF DOMESTIC ALUMINUM, GLASS OR STEEL, UNLESS THE COST OF THE PRODUCT IS LESS THAN \$50,000 OR LESS THAN 10,000 POUNDS OF STEEL ARE USED IN PUBLIC WORKS PROJECTS. FOREIGN MADE ALUMINUM, GLASS OR STEEL PRODUCTS MAY BE ACCEPTED ONLY IF THE COST OF DOMESTIC PRODUCTS IS FOUN TO BE UNREASONABLE. SUCH COST IS UNREASONABLE IF IT IS 20% OR MORE HIGHER THAN THE BID PRICE FOR FOREIGN MADE IF THE DOMESTIC ALUMINUM, GLASS OR STEEL PRODUCTS. PRODUCTS TO BE SUPPLIED OR PRODUCED IN A "SUBSTANTIAL LABOR SURPLUS AREA", AS DEFINED BY THE UNITED STATES DEPARTMENT OF LABOR, FOREIGN PRODUCTS MAY BE SUPPLIED ONLY IF DOMESTIC PRODUCTS ARE 30% OR MORE HIGHER IN PRICE THAN THE FOREIGN MADE PRODUCTS. IF, PRIOR TO THE AWARD OF A CONTRACT UNDER THE ABOVE PROVISIONS, THE SPENDING OFFICER OF THE SPENDING UNIT DETERMINES THAT THERE EXISTS A BID FOR LIKE FOREIGN ALUMINUM, GLASS OR STEEL THAT IS REASONABLE AND LOWER THAN THE LOWEST BID FOR DOMESTIC PRODUCTS, THE SPENDING OFFICE MAY REQUEST, IN WRITING, A REEVALUATION AND REDUCTION IN THE LOWEST BID FOR SUCH DOMESTIC PRODUCTS. ALL VENDORS MUST INDICATE IN THEIR BID IF THEY ARE SUPPLYING FOREIGN ALUMINUM, GLASS OR STEEL. REV. 3/88 EXHIBIT 9 SEE REVERSE SIDE FOR TERMS AND CONDITIONS FELEPHONE. DATE SIGNATURE

p.17



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*322161804

PO BOX 243

SIMPSON WV

COWGIRL UP INC

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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ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601.57TH STREET SE CHARLESTON, WV

304-926-0499 25304

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FREIGHTTEÄMS DATE PRINTED: TERMS OF SALE SHIP VIA F.O.B, 04/05/2012 01:30PM BID OPENING DATE: BID OPENING TIME 06/05/2012 CAT. AMOUNT UNIT PRICE LINE QUANTITY UOP ITEM NUMBER NOTICE FOR ISSUANCE & ACKNOWLEDGEMENT OF CONSTRUCTION PROJECT ADDENDA. THE ARCHITECT/ENGINEER AND/OR AGENCY SHALL BE REQUIRED TO ABIDE BY THE FOLLOWING SCHEDULE IN ESSUING CONSTRUCTION PROJECT ADDENDA FOR STATE AGENCIES: THE ARCHITECT/ENGINEER SHALL PREPARE THE ADDENDUM AND A LIST OF ALL PARTIES THAT HAVE PROCURED DRAWINGS AND SPECIFICATIONS FOR THE PROJECT. THE ADDENDUM AND LIST SHALL BE FORWARDED TO THE BUYER IN THE STATE THE ARCHITECT/ENGINEER SHALL ALS PURCHASING DIVISION. SEND A COPY OF THE ADDENDUM TO THE STATE AGENCY FOR WHICH THE CONTRACT IS ISSUED. THE BUYER SHALL SEND THE ADDENDUM TO ALL INTERESTED PARTIES AND, IF NECESSARY, EXTEND THE BID ANY ADDENDUM SHOULD BE RECEIVED BY THE OPENING DATE. BUYER WITHIN FOURTEEN (14) DAYS PRIOR TO THE BID OPENING DATE ALL ADDENDA SHOULD BE FORMALLY ACKNOWLEDGED BY ALL BIDDERS AND SUBMITTED TO THE STATE PURCHASING DIVISION. THE SAME RULES AND REGULATIONS THAT APPLY TO THE ORIGINAL BIDDING DOCUMENT SHALL ALSO APPLY TO AN THE DNLY EXCEPTION MAY BE FOR AN ADDENDUM DOCUMENT. ADDENDUM THAIT IS ISSUED FOR THE SOLE PURPOSE OF CHANGING A BID OPENING TIME AND/OR DATE. REV. 11/96 EXHIBIT 10 REQUISITION NO.: . DEP15827.. SEE REVERSE SIDE FOR TERMS AND CONDITIONS TELEPHONE SIGNATURE ADDRESS CHANGES TO BE NOTED ABOVE residen 800101563



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*322161804 COWGIRL UP INC PO BOX 243

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GUY NISBET 304-558-8802

ADDRESS CORRESPONDENCE TO ATTENTION OF

***322161804** COWGIRL UP INC PO BOX 243

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

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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
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*322161804 COWGIRL UP INC

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Contractor's Bid Sheet

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Vendors Name:	CONGITI	UD, IN.
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The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

ITEM	OUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
NO.	QUANTITI			
		Mobilization - Not to exceed 10% of total amount bid	LS	\$ 40,000
1.0	1	Construction Layout Stakes - Not to exceed 5% of total amount		00
2.0	1	bid :	LS	\$ 20,000
2.0	1	Quality Control - Not to exceed 3% of total amount bid	LS	\$ 12,00000
3.0	1	Site Preparation - Not to exceed 10% of total amount bid	LS	\$ 30,00000
4.1	386	Access Road Rehabilitation, per ton	S 4000 TIN	\$ 15,44000
4.2	606	Silt Fence, per linear foot	S 200/LF	\$ 1,21200
5.1	393	Super Silt Fence, per linear foot	S 600 /LF	\$ 2,358
5.2	1	Stabilized Construction Entrance, per each	S 2000 1EA	\$ 2.00000
5.3	30	Stone Check Dam, per each	S 300 1EA	\$ 9,00000
5.4	3,200	Straw Wattles, per linear foot	S 600/LF	\$ 19,300
5.5	9	Revegetation, per plan view acre	\$ 3000 00 /AC	S 27,000
6.0		Riprap Vee Channel, per linear foot	S 250 /LF	S 16,5250
7.1	661	Riprap 2' Trapezoidal Channel, per linear foot	s 48° /LF	s 960 00
7.2	20	Riprap 6' Trapezoidal Channel, per linear foot	\$ 70°/LF	\$ 84000
7,3	12	Grouted Riprap Vee Channel, per linear foot	8 420 /LF	\$ 43,3860
7.4	1,033	Grouted Riprap 2' Trapezoidal Channel, per linear foot	s 8400/LF	\$ 74,676
7.5	889	Grouted Riprap 6' Trapezoidal Channel, per linear foot	\$ 11592 /LF	\$ 33,1208
7.6	288	18" I.D. HDPE Pipe, per linear foot	\$ 8500 /LF	\$ 3060
7.7	36	24" I.D. HDPE Pipe, per linear foot	\$ 95° /LF	\$ 5,605
7.8	59		S 25000 /EA	\$ 1000
7.9	4	Splash Pad, per each	\$ 2,500 ° /EA	\$ 10,0000
7.10	4	Low Water Crossing Unclassified Excavation, per cubic yard	\$ 500 /CY	\$ 140,600
8.0	28,120		S 8000 /AC	\$ 40,000
8.1	5.0	Soil Cover, per plan view acre	\$ 9.000° /EA	\$ 72,000
9.1	.8	Wet Mine Seal, per each	\$ /2,000 /EA	S /2,0000
9.2	11	Bat Gate Mine Seal, per each	S 500 /BA	G S 25000
9.3	50	Soda Ash Briquettes, per 50 lb. bag	S 4000 /LF	s 34,400°
9.4	860	Conveyance Pipe, per linear foot	\$ 52 0 /LF	\$ 43,9409
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OMB #1029-0119 Expiration Date: 1/31/13

AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16.

Part A: General Information
Business Name: COWOY Up. Trc. Tax Payer ID No.: 800101563 Address: P.D. BOX 243 City: SIMDSON State: NV Zip Code; 20435 Phone: 314739-439 Fax No.: 204739-440 (E-mail address: TW-100W)
Part B: Legal Structure
(Corporation () Sole Proprietorship () Partnership () LLC () Other (please specify)
Part C: Certifying and updating information in the Applicant/Violator System (AVS). Select only one of the following options, follow the instructions for that option, and sign below.
I, Inak Noodel, have the express authority to certify that: (print name)
Information on the attached Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. If you select this option, you must attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part.D.
2. Part of the information on the attached Entity OFT from AVS is missing or incorrect and must be updated. If you select this option, you must attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.
Our business currently has no information in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.
10/12/12 Imar Nordell Mesident Signature Title
IMPORTANT! In order to certify in Part C to the accuracy of existing information in

IMPORTANT! In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at https://avss.osmre.gov.

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Contractor's Business Name: (OWGIY) Up, Irr.

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- · All Directors;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- · Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Name		Position/Title	
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Begin Date:		English Date:	

PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.

304-626-1051



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

STATE OF				
COUNTY OF TAYLOR, TO-WIT:				
I, Ima R. Wooddell, after being first duly sworn, depose and state as follows:				
1. I am an employee of OWGII Up, Tr.; and, (Company Name)				
2. I do hereby attest that COWGIN Up Tr. (Company Name)				
maintains a valid written drug free workplace policy and that such policy is in compliance with West Virginia Code §21-1D-5.				
The above statements are sworn to under the penalty of perjury.				
(Company Name)				
By: Ima R. Wooddell				
Title: President				
Date:				
Taken, subscribed and sworn to before me this 12TH day of JUNE.				
By Commission expires FEBRUARY 28, 2010				
OFFICIAL SEAL STATE OF WEST VIRGINIA NOTARY PUBLIC BARBARA SPENCER ROUE 1 Box 674				
Flandagion, VV 26347 (Notary Public) Myconartosion expires Fobruary 28, 2016 SIMMARY AND REPRESENTATION OF THE PROPERTY OF T				
THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO				

COMPLY WITH WV CODE PROVISIONS. AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.

Rev March 2009

Mycorarission expires February 28, 2016

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REQ No. DEP 15827

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 tee 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.

acknowledges the information in this affidavit and is in compliance with the	requirements as stated.
WITNESS THE FOLLOWING SIGNATURE	3
Vendor's Name: COWQIY Up. Inc.	
Authorized Signature: Thick Newbolll	Date:
State of	
County of TAYLOR, to-wit:	
Taken, subscribed, and sworn to before me this 27th day of	NE , 20 12
My Commission expires FEBRUARY 28 , 2016.	8
AFFE SEAL HERE OFFICIAL SEAL STATE OF WEST VIRGINIA NOTARY PUBLIC SARBARA SPENCER Route 1 Box 67A Temington, WV 26347	Darbara Spencer

AVS Form.txt

Date: 2-Dec-2004

Applicant Violator System Organizational Family Tree (OFT)

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(155180) COWGIRL UP INC

			Tota	7 Number:	7	
Entity ID	Name	Desc Code	Begin Date	End Date	Pct. Own.	
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Tmå R Wooddle President Le/12/12