



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

Solicitation

NUMBER
DEP16065

PAGE
1

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

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
 Hunhart Excavating LLC
 HC 73 Box 165
 Pence Springs WV 24962

SHIP TO

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

DATE PRINTED
12/17/2012

BID OPENING DATE: 01/03/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
ADDENDUM NO. 1 THIS ADDENDUM IS ISSUED TO PROVIDE THE ATTACHED DOCUMENTATION. BID OPENING DATE AND TIME HAVE NOT CHANGED. 01/03/13 02:44:48 PM West Virginia Purchasing Division RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						

RECEIVED
 BY: [Signature]
 Witness: Roberta Wayne
 12/23/12

SIGNATURE: [Signature]	TELEPHONE: 304-923-3922	DATE: 12-31-12
TITLE: Pres.	FEN: 33111584-001	ADDRESS CHANGES TO BE NOTED ABOVE

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

SOLICITATION NUMBER: DEP16065

Addendum Number: 01

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

Applicable Addendum Category:

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

Description of Modification to Solicitation:

See attached.

Additional Documentation: Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

Terms and Conditions:

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

Addendum #1 - Questions During Pre-Bid Meeting

For DEP 16065

Harmonds Creek Portals Phase I

2012 DEC 11 PM 2:19

HEADQUARTERS

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

The cut trees will be handled as specified in the Specification Section 4.2.4 – 4.2.7. A burning permit will be required for burning of brush and trees under 8” in diameter. The timber above 8” is to be stacked in the open area on the left as you come into the project.

The steel plates required for the culvert crossing are to be 5/8” in thickness and will pay as incidental to Item 4.0 Site Preparation.

On page 3 of the plans the pipe shown at the upper mine seals with the drop inlets will be 18” instead of 15” as shown on plans. The 18” is shown correctly in the profile of the mine seals.

All garbage inside of the construction limits is to be removed and disposed of at landfill. Receipts will be required to show proof of disposal location.

Apple trees that will need replaced will be replaced with largest nursery stock available.

Any damage to the sewage drain field and the road culverts will be repaired at the contractor’s expense.

The only additional permit needed on this project is a burning permit and a public land permit.

The Contractor shall have 120 days from the date of the Notice to Proceed to complete construction activities on the project. The \$250.00 per day liquidated damages clause will be in effect after the 60 days. However, the total performance period will be 365 days from the date of the Notice to Proceed for invoicing purposes.

SIGN IN SHEET

Request for Proposal No. DEP 16065
Harmonds Creek Portals PLEASE PRINT

Date: December 6, 2012

*** PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD**

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>ERA Excavating</u> Rep: <u>Ray C Goodrite</u> Email Address: <u>ereexcavating@aol.com</u>	<u>P.O. Box 665</u> <u>Highway 25265</u> <u>New Hope, PA 17252</u>	PHONE <u>301-582-2271</u> TOLL FREE FAX <u>301-582-9235</u>
Company: <u>Breakaway Inc</u> Rep: <u>Frison Heard</u> Email Address: _____	<u>4911 Old Turnpike Rd</u> <u>Sutton, MD 20681</u>	PHONE <u>301-765-5517</u> TOLL FREE FAX
Company: <u>OPS Contracting Services</u> Rep: <u>David Vinzani</u> Email Address: <u>DVinzani@opscontracting.com</u>	<u>5829 S. ...</u> <u>... 38134</u>	PHONE <u>401-369-0314</u> TOLL FREE <u>202-241-3547</u> FAX <u>904-369-0314</u>
Company: <u>Hi-Tech Corp</u> Rep: <u>Mark Mass</u> Email Address: <u>mark@hitechconstruction.com</u>	<u>P.O. Box 8601</u> <u>... 94530</u>	PHONE <u>301-746-0050</u> TOLL FREE <u>301-746-9457</u> FAX <u>716-4452</u>
Company: <u>Williams Excavating</u> Rep: <u>Robert Hoyt</u> Email Address: <u>choyt@williamsx.com</u>	<u>9501 County Road 404</u> <u>... 47910</u>	PHONE <u>716-614-8400</u> TOLL FREE <u>716-937-2677</u> FAX

SIGN IN SHEET

Request for Proposal No.

DEP 16065

Harmonds Creek Portals PLEASE PRINT

Date: December 6, 2012

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FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>FUSTER SUPPLY</u>	<u>PO Box 498</u>	PHONE <u>304-755-8280</u> ⁴¹
Rep: <u>DERICK SEARS</u>	<u>SCOTT DEPOT WV 25560</u>	TOLL FREE
Email Address: <u>dsears@fuster supply.com</u>		FAX <u>304-755-8280</u>
Company: <u>Hunter Excavating</u>	<u>110 PA Box 165</u>	PHONE <u>304-723-5930</u>
Rep: <u>Proff Harvey</u>	<u>Primo Springs WV 24962</u>	TOLL FREE
Email Address: <u>proffharvey@gmail.com</u>		FAX <u>304-966-7816</u>
Company: <u>BARNES EXC INC</u>	<u>PO. Box 13334</u>	PHONE <u>304-984-1700</u>
Rep: <u>Robert L Barnes</u>	<u>Siemsville</u>	TOLL FREE
Email Address: <u>BarnesExc@aol.com</u>	<u>WV 25860</u>	FAX <u>304-984-1074</u>
Company: <u>EAGLE EXCAVATION INC</u>	<u>P.O. Box 218</u>	PHONE <u>(304) 372-4378</u>
Rep: <u>GEORGE FRESHOUR</u>	<u>KEENA WV</u>	TOLL FREE
Email Address: <u>ADME</u>	<u>25249</u>	FAX <u>(304) 372-4378</u>
Company: <u>WISEMAN EXCAVATING</u>	<u>GRAD WISEMAN RT1 BOX 190 LIBERTY WV</u>	PHONE <u>304-786-9736</u>
Rep: _____	<u>25124</u>	TOLL FREE
Email Address: _____		FAX <u>304-556-3750</u>

SIGN IN SHEET

Request for Proposal No. DEP 16065
Harmonds Creek Portals PLEASE PRINT

Date: December 6, 2012

*** PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD**

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>Thaxter Construction</u>	<u>Box 1 Whitehall Pa</u>	PHONE <u>304-974-2249</u>
Rep: <u>Dave Thaxter</u>	<u>Whitehall, Pa 25312</u>	TOLL FREE
Email Address: <u>mt@thaxter.com</u>		FAX
Company: <u>Circa Mt Co</u>	<u>511 10th St</u>	PHONE <u>304-342-4844</u>
Rep: <u>Red Clay</u>	<u>Charleston WV 25304</u>	TOLL FREE
Email Address: <u>CMTK@aol.com</u>		FAX <u>925-9230</u>
Company: <u>Carpenter Reclamation</u>	<u>P.O. Box 13015</u>	PHONE <u>304-984-1115</u>
Rep: <u>Franky Carpenter</u>	<u>Sissonville, WV 25360</u>	TOLL FREE
Email Address: <u>Rcarpenter@aol.com</u>		FAX <u>984-2770</u>
Company: <u>GOTHER LAND SERVICES</u>	<u>P.O. Box 194</u>	PHONE <u>304-860-1909</u>
Rep: <u>MIKE ROSE</u>	<u>BEAVER WV 25813</u>	TOLL FREE
Email Address: <u>MROSE@suddenlink.net</u>		FAX <u>860-525-6822</u>
Company: <u>EASTMAN ANIMAL</u>	<u>PO Box 4108</u>	PHONE <u>304-914-2500</u>
Rep: <u>Ann Klammann</u>	<u>Charleston WV 25304</u>	TOLL FREE
Email Address: <u>eastmananimal@hotmail.com</u>		FAX <u>0256</u>

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: DEP16065

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:

(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> 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 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.

Hunhar Excavating LLC
Company

Brett D. Harvey
Authorized Signature

12-31-12
Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.
Revised 6/8/2012



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

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE
*Hunbar Excavating LLC.
 HC 73 Box 165
 Pence Springs WV 24962*

SHIP TO

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

DATE PRINTED:
11/08/2012

BID OPENING DATE: 01/03/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES REQUEST FOR SOLICITATION 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 2-ACRE ABANDONED MINE PROJECT KNOWN AS THE "HARMONDS CREEK PORTALS PHASE I" PROJECT. THE SITE IS LOCATED AT WINTER, WEST VIRGINIA, (PUTNAM CO.) PREBID WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER. THE PRE-BID MEETING DESCRIBED IN THIS SOLICITATION WILL INCLUDE A SITE VISIT OF RESTRICTED ACCESS AREAS. DUE TO THE ACCESS LIMITATIONS, ALL VENDORS MUST BE PRESENT AT THE PRE-BID MEETING AT THE TIME THE SITE VISIT OF THE RESTRICTED ACCESS AREA COMMENCES. ANY VENDOR NOT PRESENT AT THE PRE-BID MEETING WHEN THE SITE VISIT OF THE RESTRICTED ACCESS AREA BEGINS WILL BE DEEMED TO HAVE MISSED THE PRE-BID MEETING. DIRECTIONS TO PREBID: FROM CHARLESTON, TAKE I-77 NORTH TO EXIT 114 (SISSONVILLE) AND TURN RIGHT ONTO SR622. GO 3.4 MILES AND TURN RIGHT ON SR 622 (MARTINS BR RD). CONTINUE ON SR 622 FOR 3.6 MILES AND TURN LEFT ON ROCKY FORK ROAD. CONTINUE ON THIS ROAD 1.8 MILES AND TURN RIGHT ON CR7/5 (POCA RIVER RD). CROSS THE BRIDGE AND GO 1.8 MILES AN						

SIGNATURE <i>Brent K. Hines</i>	TELEPHONE 304-923-3922	DATE 12-31-12.
TITLE <i>Pres.</i>	FEIN 33111584-001	ADDRESS CHANGES TO BE NOTED ABOVE

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



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

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RFQ COPY
 TYPE NAME/ADDRESS HERE
 Hunter Excavating LLC
 HC 73 Box 165
 Pence Springs WV 24962

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TURN RIGHT AT HARMONDS CK. CHURCH OF THE NAZARENE SIGN (LANHAM RD CR38/1). GO ACROSS ONE LANE BRIDGE AND BEAR LEFT JUST PAST BRIDGE. GO .5 MILES, TURN RIGHT ON CR38 (HARMONDS CK RD) AND GO 1.7 MILES. TURN LEFT AND FOLLOW GRAVEL ROAD .1 MILES TO SITE. CONTACT & PHONE # MIKE CUTRIGHT, 304-457-5278 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 CHARGE TO THE CONTRACTOR FOR THE CD OR MAILING. CALL LAWRENCE BURGESS, PH. 304-926-0499, EXT. 1668 OR 304-926-0485 TO ORDER CD. 2) PLANS AND SPECIFICATIONS WILL BE MADE AVAILABLE, ON CD, TO PRINT COMPANIES IN CHARLESTON, CLARKSBURG, AND OTHER AREAS UPON REQUEST. ***** THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL PRINTING COSTS. ***** ***** AML CONTRACTOR INFORMATION FORM OMB #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 CONTRACTOR. THIS IS A REQUIREMENT UNDER 30 CFR 874.16. 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 ***** (1) GUARANTEE AND MAINTENANCE: (A) THE MATERIALS AND WORKMANSHIP AFFECTED BY						

SIGNATURE *Brook K. Hargis* TELEPHONE 304-923-3922 DATE 12-31-12
 TITLE Pres. FEIN 33111584-001 ADDRESS CHANGES TO BE NOTED ABOVE.

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<p>THE CONTRACTOR ARE SUBJECT TO THE GUARANTEE ESTABLISHED BY CUSTOM OF THE RESPECTIVE TRADES. IN THE ABSENCE OF A TRADE GUARANTEE CUSTOM OR A SPECIAL GUARANTEE PROVISION, THE WORK, BOTH AS TO THE MATERIALS AND WORKMANSHIP, SHALL UPON ACCEPTANCE OF FINAL PAYMENT BY THE CONTRACTOR BE CONSIDERED GUARANTEED BY THE CONTRACTOR FOR ONE YEAR FROM THE DATE OF THE ACCEPTANCE OF THE WORK. NEITHER THE FINAL ACCEPTANCE NOR THE FINAL PAYMENT SHALL RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR NEGLIGENCE OR FAULTY MATERIALS, AND FOR DEFECTS APPEARING WITHIN THE GUARANTEE PERIOD SHALL BE REMEDIED AT THE EXPENSE OF THE CONTRACTOR UPON WRITTEN NOTICE.</p> <p>(B) DURING THE ONE-YEAR GUARANTEE PERIOD, THE CONTRACTOR WILL MAINTAIN THE PROJECT TO THE CONDITIONS EXISTING AT THE DATE OF THE ACCEPTANCE OF THE WORK. ANY FAILURES DUE TO THE NEGLIGENCE OR WORKMANSHIP OF CONTRACTOR IN ANY OF THE WORK THAT DEVELOPS DURING THE GUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT ITS EXPENSE.</p> <p>(C) THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE CONSTRUED AS BEING AN EXTENSION OF THE PERFORMANCE TIME ALLOTTED FOR WORK UNDER THE CONTRACT.</p> <p>(D) GUARANTEES CONCERNING REVEGETATION MAY BE FURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN.</p> <p>(2) IT SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL VENDOR TO:</p> <p>(A) OBTAIN ALL NECESSARY DIVISION OF HIGHWAYS PERMITS FOR ALL TRANSPORTATION OF EQUIPMENT AND MATERIALS TO AND FROM THE JOB SITE.</p> <p>(B) OBTAIN ANY AND ALL REQUIRED CONSTRUCTION PERMITS OR RELATED JOB PERMITS.</p> <p>(3) TECHNICAL SPECIFICATIONS:</p>						

SIGNATURE <i>Boat K. Harvey</i>	TELEPHONE 304-923-3922	DATE 12-31-12
TITLE <i>Pres.</i>	FEIN 33111584-001	ADDRESS CHANGES TO BE NOTED ABOVE

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BID OPENING DATE: 01/03/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "HARMONDS CREEK PORTALS PHASE I" PROJECT. SAID 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 10 DRAWINGS AS PREPARED INHOUSE BY THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION.</p> <p>(4) PAYMENTS AND COMPLETION: THE CONTRACTOR SHALL FURNISH TO DEP AN APPLICATION FOR PAYMENT WITH AN ITEMIZED SCHEDULE OF VALUES AS HEREIN BEFORE REQUESTED. THE FORM INCLUDED IN THE SPECIFICATIONS SHALL BE USED FOR APPLICATIONS OF PAYMENT. IT IS THE DEP'S INTENT THAT THE PAYMENT TO THE CONTRACTOR BE MADE WITHIN 60 DAYS AFTER RECEIPT OF APPLICATION FOR PAYMENT.</p> <p>(5) APPLICATION FOR PARTIAL PAYMENT: THE CONTRACTOR MAY, ON A PERIODIC BASIS, SUBMIT FOR PARTIAL PAYMENT BASED ON THE AMOUNT OF WORK COMPLETED AT THE TIME OF THE SUBMITTAL. THE AMOUNT OF PAYMENT WILL BE DETERMINED FROM THE ACTUAL QUANTITY OF WORK COMPLETED IF BASED UPON UNIT MEASURES OR THE PERCENT COMPLETED IF BASED UPON A LUMP SUM.</p> <p>***** THIS IS THE END OF RFQ DEP16065 ***** TOTAL: <u>\$242,000⁰⁰</u></p>						

SIGNATURE <i>Brett K. Harvey</i>	TELEPHONE 304-923-3922	DATE 12-31-12
TITLE <i>Pres.</i>	FEIN 33111584-001	ADDRESS CHANGES TO BE NOTED ABOVE

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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: Hunbar Excavating LLC Tax Payer ID No.: 331115-84-001
Address: HC 73 Box 165
City: Pence Springs State: WV Zip Code: 24962 Phone: 304-923-3922
Fax No.: 304-466-0846 E-mail address: hogieharvey@gmail.com

Part B: Legal Structure

Corporation Sole Proprietorship Partnership LLC
 Other (please specify) _____

Part C: Certifying and updating information in the Applicant/Violator System (AVS).

Select only one of the following options, follow the instructions for that option, and sign below.

I, Brett K. Harvey, have the express authority to certify that:
(print name)

1. _____ Information on the **attached** Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. If you select this option, you **must** attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part D.
2. _____ Part of the information on the **attached** Entity OFT from AVS is missing or incorrect and must be updated. If you select this option, you **must** attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.
3. Our business currently has no information in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.

12-31-12
Date

Brett K. Harvey
Signature

President
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>.

Part D.

Contractor's Business Name: Hunbar Excavating LLC

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	<u>Brett K. Harvey</u>	Position/Title	<u>President</u>
Address	[REDACTED]	Telephone #	[REDACTED]
Begin Date:	[REDACTED]	% of Ownership	<u>50%</u>
		Ending Date:	<u>current</u>

Name	<u>Jeremy L Hunter</u>	Position/Title	<u>Vice President</u>
Address	[REDACTED]	Telephone #	[REDACTED]
Begin Date:	[REDACTED]	% of Ownership	<u>50%</u>
		Ending Date:	<u>current</u>

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
Begin Date:	_____	% of Ownership	_____
		Ending Date:	_____

Name	_____	Position/Title	_____
Address	_____	Telephone #	_____
Begin Date:	_____	% of Ownership	_____
		Ending 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.



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

STATE OF West Virginia

COUNTY OF Summers, TO-WIT:

I, Brett Harvey, after being first duly sworn, depose and state as follows:

1. I am an employee of Hunhar Excavating LLC; and,
(Company Name)

2. I do hereby attest that Hunhar Excavating LLC
(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.

Hunhar Excavating LLC
(Company Name)

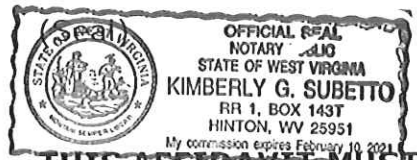
By: Brett K. Harvey

Title: President

Date: 12-31-12

Taken, subscribed and sworn to before me this 31st day of December, 2012.

By Commission expires February 10, 2021



Kimberly G. Subetto
(Notary Public)

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

Harmonds Ck. Portals - Ph I

DEP16065

Contractor's Bid Sheet

Company Name: Hunbar Excavating LLC

Address: HC 73 Box 165

Pence Springs WV 24962

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

ITEM NO.	Qty	Unit	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	1	LS	Mobilization and Demobilization (Limited to 10% of Total Bid)	LS	\$18,819 ⁰⁰
2.0	1	LS	Construction Layout (Limited to 5% of Total Bid)	LS	\$9,409 ⁰⁰
3.0	1	LS	Quality Control (Limited to 3% of Total Bid)	LS	\$5,645 ⁰⁰
4.0	1	LS	Site Preparation (Limited to 10% of Total Bid)	LS	\$18,819 ⁰⁰
4.1	220	TN	Gravel Drive Rehabilitation	44.09 TN	\$9,700 ⁰⁰
4.2	100	TN	Access Road Stone	52 TN	\$5,200 ⁰⁰
5.0	920	LF	Silt Fence Sediment Control	1.41 LF	\$1,300 ⁰⁰
5.1	1,025	LF	12" Straw Wattles Erosion Control	3.88 LF	\$3,979 ⁰⁰
5.2	50	TN	Stone Construction Entrance (70' x 12' Width)	62 TN	\$3,100 ⁰⁰
5.3	3	EA	Rock Check Dam	966.6 EA	\$2,900 ⁰⁰
6.0	2.0	AC	Revegetation	2,600 EA	\$5,200 ⁰⁰
7.0	4	EA	Type "A" Manhole	2,375 EA	\$9,500 ⁰⁰
7.1	2	EA	Type "G" Inlet	2,150 EA	\$4,300 ⁰⁰
7.2	360	LF	15" HDPE Pipe	13.33 LF	\$4,800 ⁰⁰
7.3	60	LF	18" HDPE Culvert Pipe	31.66 LF	\$1,900 ⁰⁰
7.4	290	LF	16' Riprap Channel (Channel "A")	154.13 LF	\$44,700 ⁰⁰
7.5	360	LF	8' Grass Lined Channel (Channel "B")	5.36 LF	\$2,629 ⁰⁰
7.6	90	LF	6' Grouted riprap Channel (Channel "C")	108 LF	\$9,800 ⁰⁰
8.0	1	LS	Unclassified Excavation		\$5,700 ⁰⁰
9.1	7	EA	Wet/Modified Mine Seals	7385 EA	\$51,500 ⁰⁰
9.2	200	LF	Mine Seal Conveyance Pipe (12" PVC SDR-35)	24 LF	\$4,800 ⁰⁰
9.3	35	EA	Soda Ash Briquettes (50 LB Bags)	58.77 EA	\$14,400 ⁰⁰
11.1	100	LF	3' x 3' Underdrain (12" PVC SDR-35)	27 LF	\$2,700 ⁰⁰
11.2	20	LF	Underdrain Conveyance Pipe (12" PVC SDR-35)	90 LF	\$1,800 ⁰⁰
TOTAL					\$242,000⁰⁰

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

Hunhar Excavating LLC.

(Company)

Brett K. Harvey

(Authorized Signature)

Brett Harvey, President.

(Representative Name, Title)

304-923-3922

(Phone Number)

304-466-0846

(Fax Number)

12-31-12

(Date)

ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO.: DEP16065

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:

(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> 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 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.

Hunhar Excavating LLC.
Company

Brent H. Hunhar
Authorized Signature

12-31-10
Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (*West Virginia Code §61-5-3*), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Hunter Excavating LLC

Authorized Signature: [Signature] Date: 12-31-12

State of West Virginia

County of Summers, to-wit:

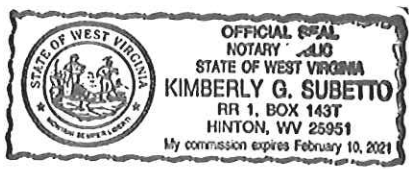
Taken, subscribed, and sworn to before me this 31st day of December, 2012.

My Commission expires February 10, 2021.

AFFIX SEAL HERE

NOTARY PUBLIC

[Signature]



BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Hunhar Excavating, LLC
of Pence Springs, WV, as Principal, and The Cincinnati Insurance Company
of Cincinnati, OH, a corporation organized and existing under the laws of the State of
OH with its principal office in the City of Cincinnati, as Surety, are held and firmly bound unto the State
of West Virginia, as Obligee, in the penal sum of Five Percent of Amount Bid (\$ 5%) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for
DEP 16065 Harmonds Creek Portals Phase 1 Putnam County - According to Plans and Specifications

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the
agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no
way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby
waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this
3rd day of January, 2013.

Principal Corporate Seal

Hunhar Excavating, LLC
(Name of Principal)

By _____
(Must be President or
Vice President)

Brett K. Harvey Managing Member
(Title)

Surety Corporate Seal

The Cincinnati Insurance Company
(Name of Surety)

By: Kimberly J. Wilkinson
Kimberly J. Wilkinson, WV Resident Agent Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Corporate seals must be affixed,
and a power of attorney must be attached.

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Allan L. McVey; Larry D. Kerr; Gregory T. Gordon; Patricia A. Moye and/or Kimberly J. Wilkinson

of Charleston, West Virginia its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to Fifty Million and No/100 Dollars (\$50,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 10th day of October, 2008.



THE CINCINNATI INSURANCE COMPANY

Thomas H. Kelly
Vice President

STATE OF OHIO) ss:
COUNTY OF BUTLER)

On this 10th day of October, 2008, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio.
this 3rd day of January 2013



Gregory J. Schlemmer
Secretary