

DEP16150

Bid Schedule

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

| DESCRIPTION | QUANTITY | COST |
|------------------|----------------|----------------|
| Leachate Hauling | (\$ / 100 GAL) | \$ <u>4.85</u> |

Company Name: 4 Cook s Contracting

Signature: Mark Cook Date: 3-27-13



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

Solicitation

| |
|----------|
| NUMBER |
| DEP16150 |

| |
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| PAGE |
| 1 |

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

VENDOR

RFQ COPY

4 Cooks Contracting
PO Box 178
Forest Hills, KY 41527

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 DIVISION OF LAND RESTORATION
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

| |
|--------------|
| DATE PRINTED |
| 02/26/2013 |

| LINE | QUANTITY | UOP | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|---------|-------------|------------|--------|
| 0001 | 1 | JB | | 962-86 | 14.85 | |
| LEACHATE HAULING PER 100 GAL. REQUEST FOR SOLICITATION (RFQ) THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF THE WEST VIRGINIA DEPARTMENT OF ENVIROMENTAL PROTECTION IS SOLICITING BIDS FROM QUALIFIED VENDORS FOR AN "OPEN-END CONTRACT" TO HAUL LEACHATE FROM THE PINE CREEK-OMAR LANDFILL TO THE BUFFALO CREEK WASTEWATER TREATMENT PLANT, OR THE NEAREST DEP APPROVED WTP AS DIRECTED BY THE DEP. A MANDATORY PRE-BID CONFERENCE WILL BE HELD AT THE PINE CREEK-OMAR LF. FAILURE TO ATTEND THE PRE-BID CONFERENCE WILL RESULT IN DISQUALIFICATION OF THE BID. DIRECTIONS TO SITE: PINE CREEK-OMAR LANDFILL IS LOCATED NEAR OMAR IN LOGAN COUNTY. FROM LOGAN, HEAD SOUTH ON WV44 S TOWARD OMAR FOR 7.9 MILES. TURN RIGHT ONTO WV44 S/PINE CREEK RD. GO 0.2 MILE AND TAKE THE FIRST RIGHT ONTO PINE CREEK RD STAY ON PINE CREEK RD 0.8 MILE. GPS COORDINATES: 37.759401 LAT, 82.015761 LONG | | | | | | |

| | | |
|-----------|-----------|-----------------------------------|
| SIGNATURE | TELEPHONE | DATE |
| TITLE | FEIN | ADDRESS CHANGES TO BE NOTED ABOVE |

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



State of West Virginia
 Department of Administration
 Purchasing Division
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 Post Office Box 50130
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|------|
| PAGE |
| 2 |

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

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 DIVISION OF LAND RESTORATION
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

| |
|--------------|
| DATE PRINTED |
| 02/26/2013 |

BID OPENING DATE: 03/28/2013

BID OPENING TIME 1:30PM

| LINE | QUANTITY | UOP | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|---------|-------------|------------|--------|
| ***** THIS IS THE END OF RFQ DEP16150 ***** TOTAL: | | | | | | \$4.85 |

| | | |
|-----------|-----------|-----------------------------------|
| SIGNATURE | TELEPHONE | DATE |
| TITLE | FEIN | ADDRESS CHANGES TO BE NOTED ABOVE |

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

Progressive
P.O. Box 94739
Cleveland, OH 44101
1-800-895-2886

PROGRESSIVE

Policy number: 08177345-1

Underwritten by:
United Financial Casualty Company
March 27, 2013
Page 1 of 1

Certificate of Insurance

| Certificate Holder | Insured | Agent |
|---|---|--|
| MARK A COOK PO BOX 178 FOREST HILLS, KY 41527 | MARK A COOK PO BOX 178 FOREST HILLS, KY 41527 | PROG COMMERCIAL PO BOX 94739 CLEVELAND, OH 44101 |

This document certifies that insurance policies identified below have been issued by the designated insurer to the insured named above for the period(s) indicated. This Certificate is issued for information purposes only. It confers no rights upon the certificate holder and does not change, alter, modify, or extend the coverages afforded by the policies listed below. The coverages afforded by the policies listed below are subject to all the terms, exclusions, limitations, endorsements, and conditions of these policies.

Policy Effective Date: Aug 11, 2012

Policy Expiration Date: Aug 11, 2013

| Insurance coverage(s) | Limits |
|---|-----------------------------------|
| Bodily Injury/Property Damage | \$300,000 Combined Single Limit |
| Uninsured Motorist Bodily Injury | \$25,000/\$50,000 |
| Underinsured Motorist Bodily Injury | \$25,000/\$50,000 |
| Guest Personal Injury Protection | \$10,000 w/\$0 Ded |
| General Liability | \$1,000,000/\$1,000,000 Aggregate |
| EACH OCCURRENCE | \$1,000,000 |
| GENERAL AGGREGATE | \$1,000,000 |
| PRODUCTS/COMPLETED OPERATIONS AGGREGATE | \$1,000,000 |
| PERSONAL & ADVERTISING INJURY | \$1,000,000 |
| DAMAGE TO PREMISES RENTED TO YOU | \$100,000 |
| MEDICAL EXPENSE (ANY ONE PERSON) | \$5,000 |

Description of Location/Vehicles/Special Items

Scheduled autos only

1994 GMC C7H 1GDM7H1J8RJ512059

Certificate number

08613A05345

Please be advised that the certificate holder will not be notified in the event of a mid-term cancellation.



VENDOR PREFERENCE CERTIFICATE

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

- 1. Application is made for 2.5% resident vendor preference for the reason checked:
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
- 2. Application is made for 2.5% resident vendor preference for the reason checked:
 Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
- 3. Application is made for 2.5% resident vendor preference for the reason checked:
 Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
- 4. Application is made for 5% resident vendor preference for the reason checked:
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
- 5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
- 6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.
- 7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.
 Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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

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

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

Bidder: 4 Cooks Contracting

Signed: Mark Cook Amy Cook

Date: 3-27-13

Title: owners

RFQ No. _____

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

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.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"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.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: 4 Cooks Contracting
Authorized Signature: Mark Cook Date: 3-27-13

State of _____

County of _____, to-wit:

Taken, subscribed, and sworn to before me this ____ day of _____, 20__.

My Commission expires _____, 20__.

AFFIX SEAL HERE

NOTARY PUBLIC _____

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.

4 Cooks Contracting

(Company)

Mark Cook

(Authorized Signature)

Mark Cook owner

(Representative Name, Title)

606 369 5567
606-237-1115

(Phone Number)

(Fax Number)

3-27-13

(Date)

ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO.: DEP16150

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.

4 Cooks Contracting
Company

Mah-look
Authorized Signature

3-27-13
Date

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

The information I have provided regarding this physical examination is true and complete. A complete examination form with any attachment embodies my findings completely and correctly, and is on file in my office.

| | | |
|---|--|------------------|
| SIGNATURE OF MEDICAL EXAMINER <i>[Signature]</i> | EXPIRES [REDACTED] | DATE 1-3-2013 |
| MEDICAL EXAMINER'S NAME (PRINT) S.D. Roberts | <input checked="" type="checkbox"/> MD <input type="checkbox"/> DO <input type="checkbox"/> Chiropractor <input type="checkbox"/> Physician Assistant <input type="checkbox"/> Advanced Practice Nurse | |
| MEDICAL EXAMINER'S LICENSE OR CERTIFICATE NO. / ISSUING STATE 13690 Ky | | |
| SIGNATURE OF DRIVER <i>James R Foster</i> | DRIVER'S LICENSE NO. F09-942-601 | STATE Ky |
| ADDRESS OF DRIVER [REDACTED] | | |
| MEDICAL CERTIFICATE EXPIRATION DATE 7/3/18 | | |

Kentucky
UNBROKEN SPIRIT

COMMERCIAL
DRIVER'S LICENSE



098-1 License No. [REDACTED]
Exp. Date: 12-03-2013
Birthdate: 11-02-1956
www.kentucky.gov
CDL
FOSTER, JAMES R.
[REDACTED]

James R Foster
W. David Anderson
PIKE Circuit Clerk
M 6-00 BLU DA T 09-28-2010 DUP Dist.
Sex Hgt Eyes Class Endorse Issues Ins Type CDL Restr.

 **Community Trust Bank, Inc.**
Box 2947 • Pikeville, Kentucky 41502-2947

NOTICE TO CUSTOMER
The purchase of an indemnity bond will be required before any check on this bank will be replaced or refunded in the event it is lost, misplaced, or stolen.

OFFICER #

W310

1390064

March 27, 2013

73-269/421

PAY TO THE ORDER OF WY PURCHASING DIVISION

*****5,000.00

FIVE THOUSAND DOLLARS AND ZERO CENTS

DOLLARS

CASHIER'S CHECK

MARK COOKS

REMITTER

4 COOKS CONTRACTING

FOR

TWO SIGNATURES REQUIRED IF GREATER THAN \$5,000.00



