

2400 Ritter Drive  
Daniels, WV 25832  
PH: 304-763-4573  
Fax: 304-763-4591  
www.aspen-golf.com

**Aspen Corporation**

# Fax

**To:** Frank Whittaker  
WV Purchasing Division  
2019 Washington Street, East  
P.O. Box 50130  
Charleston, WV 25305-0130

**From:** Linda C. Freeman

**Fax:** 304-558-3970

**Pages:** 18

**Phone:** 304-558-2316

**Date:** 5-15-2013

**Re:** DEP 16198 Stowe Refuse Pile

**CC:** File

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

● **Comments:**

**Buyer:** Frank Whittaker

**RFQ. NO.** DEP16198

**Bid Opening Date:** May 15, 2013

**Bid Opening Time:** 1:30 PM

IMPORTANT: The information contained in this facsimile transmission is only for the use of the individual or entity named above and may contain information that is privileged, confidential or exempt or protected from disclosure under applicable law. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.



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

**Solicitation**

NUMBER
DEP16198

PAGE
1

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

**VENDOR**  
 \*709052150      304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

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

DATE PRINTED
04/04/2013

BID OPENING DATE: **05/15/2013**      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
<p>RECLAMATION: RESTORATION OF LAND &amp; OTHER PROPERTIES</p> <p>REQUEST FOR SOLICITATION      05/15/13 11:39:15 AM                  West Virginia Purchasing Division</p> <p>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 15-ACRE ABANDONED MINE PROJECT KNOWN AS THE "STOWE REFUSE PILE" PROJECT. THE SITE IS LOCATED AT STOWE, WEST VIRGINIA, (LOGAN CO.).</p> <p>A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD. PREBID WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER.</p> <p>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.</p> <p>DIRECTIONS TO PREBID:</p> <p>FOLLOW I-64 TO EXIT 58A IN CHARLESTON, WV. TAKE THE OAKWOOD ROAD EXIT (58A) AND TRAVEL SOUTH ON RT. 119 (CORRIDOR G). TRAVEL SOUTH ON CORRIDOR G TO LOGAN AND</p>						

SIGNATURE <i>Donnie Adkins</i>	TELEPHONE 304-763-4573	DATE 5-15-2013
TITLE President	FEIN 55-0627766-001	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  
 2019 Washington Street East  
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**Solicitation**

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

**VENDOR**

\*709052150      304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

**SHIP TO**

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

DATE PRINTED
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BID OPENING DATE: 05/15/2013      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				EXIT RIGHT TO RT. 73 JUST PAST THE MALL ENTRANCE AND STOPLIGHT. FOLLOW THE RT. 73 TO RT. 10. BEAR RIGHT ON RT. 10 SOUTH TO MAN, WV AND TURN LEFT (NORTH) ONTO CO. RT. 16 (BUFFALO CREEK RD.). TRAVEL NORTH ON RT. 16 APPROXIMATELY 9 1/2 MILES TO THE COMMUNITY OF STOWE, WV. TURN LEFT ACROSS A BRIDGE ONTO OLD STOWE RD. (COUNTY RT. 16/24) AND TRAVEL APPROXIMATELY 1/2 MILE TO THE SITE ON THE RIGHT.  CONTACT & PHONE #: ROGER EARLE, 304-926-0499 EXT.1475  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		

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  
 2019 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

**Solicitation**

NUMBER
DEP16198

PAGE
3

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

VENDOR

\*709052150      304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

SHEET

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

DATE PRINTED
04/04/2013

BID OPENING DATE: 05/15/2013      BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
*****						
(1) GUARANTEE AND MAINTENANCE: (A) THE MATERIALS AND WORKMANSHIP AFFECTED BY 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. (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. (C) THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE CONSTRUED AS BEING AN EXTENSION OF THE PERFORMANCE TIME ALLOTTED FOR WORK UNDER THE CONTRACT. (D) GUARANTEES CONCERNING REVEGETATION MAY BE FURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN.  (2) IT SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL VENDOR TO: (A) OBTAIN ALL NECESSARY DIVISION OF HIGHWAYS PERMITS FOR ALL TRANSPORTATION OF EQUIPMENT AND MATERIALS TO AND FROM THE JOB SITE.						

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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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

Solicitation

NUMBER  
DEP16198

PAGE  
5

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

\*709052150 304-763-4573  
RODNEY  
ASPEN CORPORATION  
2400 RITTER DR  
DANIELS WV 25832

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

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BID OPENING DATE: 05/15/2013 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** THIS IS THE END OF RFQ DEP16198 ***** TOTAL:						

SIGNATURE *Donnie Adkins* TELEPHONE 304-763-4573 DATE 5-15-2013  
TITLE *Pres* FEIN 55-062-7766-001 ADDRESS CHANGES TO BE NOTED ABOVE

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

**ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)**

1. **CONTRACTOR'S LICENSE:** West Virginia Code § 21-11-2 requires that all persons desiring to perform contracting work in this state be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Applications for a contractor's license may be made by contacting the West Virginia Division of Labor.

West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: Aspen Corporation  
Contractor's License No. WV 000653

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a purchase order/contract.

2. **DRUG-FREE WORKPLACE:** W. Va. Code § 21-1D-5 provides that any solicitation for a public improvement contract requires each Vendor that submits a bid for the work to submit at the same time an affidavit that the Vendor has a written plan for a drug-free workplace policy. To comply with this law, Vendor must either complete the enclosed drug-free workplace affidavit and submit the same with its bid or complete a similar affidavit that fulfills all of the requirements of the applicable code. Failure to submit the signed and notarized drug-free workplace affidavit, or a similar affidavit that fully complies with the requirements of the applicable code, with the bid shall result in disqualification of Vendor's bid.
3. **AIA DOCUMENTS:** All construction contracts that will be completed in conjunction with architectural services procured under Chapter 5G of the West Virginia Code will be governed by the AIA A101-2007 and A201-2007 or the A107-2007 documents, as amended by the Supplementary Conditions for the State of West Virginia, in addition to the terms and conditions contained herein.
4. **SUBCONTRACTOR LIST SUBMISSION:** In accordance with W. Va. Code § 5-22-1, The apparent low bidder on a contract for the construction, alteration, decoration, painting or improvement of a new or existing building or structure valued at more than \$500,000.00 shall submit a list of all subcontractors who will perform more than \$25,000.00 of work on the project including labor and materials. This provision shall not apply to any other construction projects, such as highway, mine reclamation, water or sewer projects.

- c. **Required Information.** The subcontractor list shall contain the following information:
- i. Bidder's name
  - ii. Name of each subcontractor
  - iii. License numbers as required by W. Va. Code § 21-11-1 ct. seq.
  - iv. Notation that no subcontractors will be used if the bidder will perform the work
- d. **Submission.** The completed subcontractor list shall be provided to the Purchasing Division within one business day of the opening of bids for review. Failure to submit the subcontractor list within one business day after the deadline for submitting bids shall result in disqualification of the bid.
- e. **Substitution of Subcontractor.** Written approval must be obtained from the Purchasing Division before any subcontractor substitution is permitted. Substitutions are not permitted unless:
- i. The subcontractor listed in the original bid has filed for bankruptcy;
  - ii. The subcontractor in the original bid has been debarred or suspended; or
  - iii. The contractor certifies in writing that the subcontractor listed in the original bill fails, is unable, or refuses to perform his subcontract.
5. **GREEN BUILDINGS MINIMUM ENERGY STANDARDS:** In accordance with § 22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations, including public schools, that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANSI/ASHRAE/IESNA Standard 90.1-2007: *Provided*, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.



OMB #1029-0119  
Expiration Date: 1/31/16

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. When possible, please type your information onto this form to reduce errors on our end. NOTE: Signature and date this form is signed must be recent (within the last month) to be considered for a current bid

Part A: General Information

Business Name: Aspen Corporation Tax Payer ID No.: 55-062-7766-001  
Address: 2400 Ritter Drive  
City: Daniels State: WV Zip Code: 25832 Phone: 304-763-4573  
Fax No.: 304-763-4591 E-mail address: dadkins@aspen-golf.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, Donnie Adkins, 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.
- 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 is not listed in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.

5/15/13                      Donnie Adkins                      Pres  
Date    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>.



U.S. Department of the Interior Office of Surface Mining  
Applicant/Violator System

Guest (KY) | [Logout](#)

[Click for the Office of Surface Mining Website](#)

Home ▶ ENTITY ▶ APPLICATION ▶ PERMIT ▶ VIOLATION ▶ REPORTS ▶

[HOME](#) > ENTITY OFT

[Return To Entity Page](#)

[Show Ended Relationships](#)

[Show Ended Relationships](#)

OFT for Entity: 248573 Aspen Corporation  
248573 Aspen Corporation

OFT for Entity: 248573 Aspen Corporation

- 248573 Aspen Corporation
- 248573 Aspen Corporation Officers(6)
- 248574 Donnie L Adkins - (SH) Shareholder
- 248574 Donnie L Adkins - (PRS) President
- 248575 Ronnie L Adkins - (SH) Shareholder
- 248575 Ronnie L Adkins - (VP) Vice President
- 248575 Ronnie L Adkins - (SEC) Secretary
- 248575 Ronnie L Adkins - (TRS) Treasurer

Agency Environmental Protection  
REQ P O# DEP 16198

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Aspen Corporation  
of 2400 Ritter Drive, Daniels WV 25832, as Principal, and Lexon Insurance Company  
of 10002 Shelbyville Road, Louisville, KY 40223, a corporation organized and existing under the laws of the State of Texas  
with its principal office in the City of Louisville, Kentucky, as Surety, are held and firmly bound unto the State  
of West Virginia, as Oblige, in the penal sum of Five Percent of Amount Bid (\$ 5% of Bid) 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 16198 - Stowe Refuse Pile Project Stowe, WV (Logan County)

**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 Oblige may accept such bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have herunto 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  
15th day of May, 2013.

Principal Corporate Seal

Aspen Corporation

(Name of Principal)

By Donnie Adkins

(Must be President or Vice President)

President

(Title)

Lexon Insurance Company

(Name of Surety)

Surety Corporate Seal

Bonnie J. Wortham

Bonnie J. Wortham, Attorney-in-Fact

**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.

POWER OF ATTORNEY

LX - 067927

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint:

Brook T. Smith, Mark A. Guidry, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Sandra L. Fusinetti, \*\*\*\*

Myrtie F. Honry, Deborah Neichter, Jill Kemp, Jackie C. Koestel, Sheryon Quinn, Dawson West, Bonnie J. Wortham, Amy Meredith, Lynnette Long, Barbara Duncan \*

Its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 4,000,000.00 Four million dollars ...

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY [Signature] David E. Campbell President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

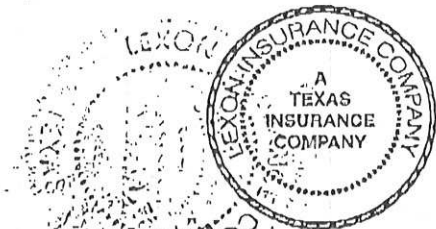
"OFFICIAL SEAL" MAUREEN K. AYE Notary Public, State of Illinois My Commission Expires 09/21/13

[Signature] Maureen K. Aye Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Woodridge, Illinois this 15th Day of May, 2013.



[Signature] Phillip G. Lauer Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

## Stowe Refuse Piles - Rev. 2.0

27

DEP 16198

## Contractor's Bid Sheet

Company Name: ASPEN CORPORATION  
 Address: 2400 Ritter Drive  
 Daniels, WV 25832

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.	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	1	LS	Mobilization and Demobilization (Limited to 5% of Total Bid)	LS	\$ 32,000.00
2.0	1	LS	Construction Layout Stakes (Limited to 3% of Total Bid)	LS	\$ 14,000.00
3.0	1	LS	Quality Control (Limited to 2% of Total Bid)	LS	\$ 7,000.00
4.1	1	LS	Site Preparation (Limited to 10% of Total Bid)	LS	\$ 8,000.00
4.2	625	LF	Old Stowe Road Pavement Repair (CR 16/24)	\$ 130.00	\$ 81,250.00
4.3	775	LF	Old Stowe Road Pavement Overlay (CR 16/24)	\$ 22.00	\$ 17,050.00
4.4	1,800	LF	Cemetery Access Road Rehabilitation	\$ 11.00	\$ 19,800.00
5.1	2	EA	Construction Entrance	\$ 1,000.00	\$ 2,000.00
5.2	3	EA	Sediment Trap	\$ 1,500.00	\$ 4,500.00
5.3	1280	LF	Temporary Ditch	\$ 4.00	\$ 5,120.00
5.4	3470	LF	Silt Fence	\$ 3.00	\$ 10,410.00
5.5	2,360	LF	Wattles	\$ 4.00	\$ 9,440.00
5.6	8	EA	Wattle Check Dam	\$ 80.00	\$ 640.00
5.7	37	EA	Rock Check Dam	\$ 200.00	\$ 7,400.00
6.0	13	AC	Revegetation (per plan view acre)	\$ 2,200.00	\$ 28,600.00
7.1	1471	LF	2H:1V Grouted Rip Rap Trapezoidal Channel -8 ft. BW	\$ 240.00	\$ 353,040.00
7.2	553	LF	1.5-2H:1V Grouted Rip Rap Trapezoidal Channel- 8 ft. BW	\$ 224.00	\$ 123,872.00
7.3	597	LF	2H:1V Grouted Rip Rap Trapezoidal Channel -2 ft. BW	\$ 117.00	\$ 69,849.00
7.4	469	LF	2H:1V Rip Rap Trapezoidal Channel - 2 ft. BW	\$ 60.00	\$ 28,140.00
7.5	2104	LF	2H:1V Vegetated Trapezoidal Channel - 2 Ft. BW	\$ 15.00	\$ 31,560.00
7.6	748	LF	1.5-2H:1V Vegetated Trapezoidal Channel- 2 ft. BW	\$ 15.00	\$ 11,220.00
7.7	1185	LF	2H:1V Vegetated Vee Channel	\$ 8.00	\$ 9,480.00
7.8	4	EA	Low Water Crossing	\$ 5,000.00	\$ 20,000.00
7.9	20	EA	Concrete Anti-Seep Barrier	\$ 1,000.00	\$ 20,000.00
7.10	350	LF	36" Diameter HDPE Pipe	\$ 128.00	\$ 44,800.00
7.11	60	LF	18" Diameter HDPE Pipe	\$ 41.00	\$ 2,460.00
8.1	20625	CY	Unclassified Excavation	\$ 5.00	\$ 103,125.00
8.2	10.5	AC	Soil Cover (per plan view acre)	\$ 7,000.00	\$ 73,500.00
8.3	1000	CY	Rock-Fill	\$ 60.00	\$ 60,000.00
10.1	100	LF	Under-drain	\$ 70.00	\$ 7,000.00
10.2	100	LF	12" Diameter SDR 35 Solid PVC Conveyance Pipe	\$ 23.00	\$ 2,300.00
<b>TOTAL:</b>					<b>\$ 1,207,556.00</b>



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

STATE OF West Virginia  
COUNTY OF Raleigh, TO-WIT:

I, Donnie Adkins, after being first duly sworn, depose and state as follows:

1. I am an employee of Aspen Corporation; and,  
(Company Name)
2. I do hereby attest that Aspen Corporation  
(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.

Aspen Corporation  
(Company Name)

By: Donnie Adkins

Title: President

Date: 5-15-2013

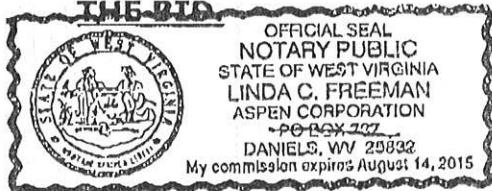
Taken, subscribed and sworn to before me this 15 day of May 2013.

By Commission expires 8-14-2015

(Seal)

Linda C. Freeman  
(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.**



RFQ No. DEP16198

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: Aspen Corporation

Authorized Signature: Donnie Adkins Date: 5-15-2013

State of WV

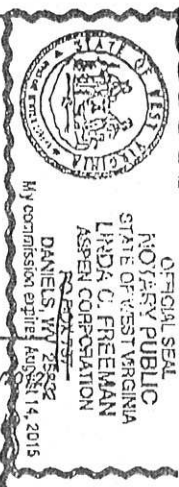
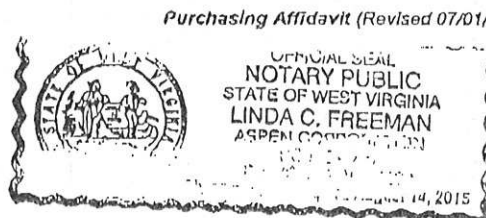
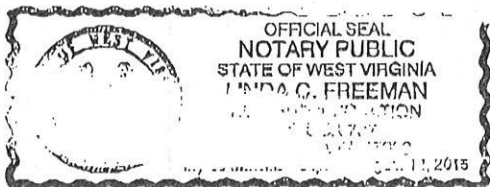
County of Raleigh, to-wit:

Taken, subscribed, and sworn to before me this 15 day of May, 2013

My Commission expires 8-14, 2015

**AFFIX SEAL HERE**

**NOTARY PUBLIC**



Purchasing Affidavit (Revised 07/01/10)

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.

Aspen Corporation  
(Company)

Donnie Adkins  
(Authorized Signature)

President  
(Representative Name, Title)

304-763-4573      304-763-4591  
(Phone Number)      (Fax Number)

5-15-2013  
(Date)



\* \* \* ERROR REPORT ( MAY. 15. 2013 11:36AM ) \* \* \*

FAX HEADER 1: WV DIV OF PURCH  
FAX HEADER 2: 3045583970

FILE	USER NAME	ADDRESS	MODE	TIME	PAGE	RESULT
4181			RES	3'02"	P. 17	E

PAGE NOT RECEIVED

QUICK SERVICE CODE

P. 17

00-20

# : BATCH  
M : MEMORY TX  
S : STANDARD  
U : SUPER FINE  
\* : LAN-FAX

C : CONFIDENTIAL  
L : SEND LATER  
D : DETAIL  
X : EXTRA SUPER FINE  
+ : ROUTING

\$ : TRANSFER  
@ : FORWARDING  
F : FINE  
b : COLOR  
Q : RECEPT. NOTICE REQ.

P : POLLING  
E : ECM  
O : 300dpi  
!\$ : REMOTE TRANSFER  
A : RECEPT. NOTICE

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.:** DEP16198

**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.

Aspen Corporation  
Company

Donnie Atkins  
Authorized Signature

5/15/2013  
Date

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



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

**Solicitation**

NUMBER	PAGE
DEP16198	1

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
 FRANK WHITTAKER  
 804-558-2316

\*709052150 304-763-4573  
 ASPEN CORPORATION  
 2400 RITTER DR  
 DANIELS WV 25832

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

DATE PRINTED  
 05/07/2013

BID OPENING DATE: 05/15/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				1. ADDENDUM IS ISSUED TO PROVIDE VENDORS ANSWER TO QUESTIONS SUBMITTED REGARDING THE ORIGINAL SOLICITATION.		
				2. TO PROVIDE A COPY OF THE MANDATORY PRE-BID SIGN-IN SHEETS. QUESTIONS AND ANSWERS AND THE MANDATORY PRE-BID SIGN-IN SHEETS ARE ATTACHED.		
				3. TO PROVIDE ADDENDUM ACKNOWLEDGEMENT, THIS DOCUMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO SIGN AND RETURN MAY RESULT IN THE DISQUALIFICATION OF YOUR BID.		
				END OF ADDENDUM NO. 1		

SIGNATURE <i>Donnie Adkins</i>	TELEPHONE 304-763-4573	DATE 5-15-13
TITLE <i>Pres</i>	FEIN 55-0627766-001	ADDRESS CHANGES TO BE NOTED ABOVE

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