

WV Contractors License

#WV036836

The logo for Cowgirl Up Inc. is enclosed in a rectangular border with a decorative, slightly distressed appearance. The text "Cowgirl Up Inc." is written in a large, stylized, cursive font. Below it, the words "general contractor" are written in a smaller, simpler, lowercase font.

PO Box 243 Simmonson WV 26435

Phone/Fax (304) 739-4397

August 27, 2013

WVDEP Special Reclamation DEP 16124
Omega Mining Company AMD Treatment Facility and Collection System

Att: Mr. Frank Whitaker Buyer # 23

08/27/13 08:28:35 AM
West Virginia Purchasing Division

Question/ Statement:

It is to our regret that at this late hour Cowgirl Up Inc, a small West Virginia based women owned business, is unable to submit a bid on this project. Cowgirl Up Inc. has the experience, personnel, and capability to complete and manage this project. However, after finally receiving all quotes from some nine different subcontractors required to complete this project: it has struck us that we can not possibly financially be burdened with attempting to carry all these subcontractors due to the low maximum percentages you have set on for example, Mobilization. All of these subcontractors require terms and conditions or payment up front. They need 12 to 24 weeks for delivery. All are job costed to Item # 26 which is at the tail end of the project.

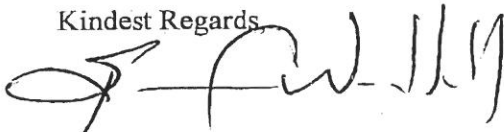
It is not worth the risk for Cowgirl Up Inc. to attempt to front load or unbalance this bid, to try and generate money up front to meet the subcontractors needs. To place the dollar amount required at Mobilization at 3 percent, would cause Cowgirl Up Inc. final Job Price to need to be extremely over the engineers estimate, and be sure to cause Cowgirl Up Inc. to be non competitive. In the past the state of West Virginia has not been favorable for unbalanced bid process, nor does the WVDEP pay for stored materials.

Cowgirl Up Inc. does not feel the WVDEP nor WV Division of Purchasing intended to set these percentages to cause an unbalance bid, or to favor a larger more financially set contractor. Cowgirl Up Inc. is aware more work similar to this will be upcoming, and asked everyone to review the percentages set on bid sheets for future projects that require such a complex amount of work not controlled by the General Contractor, and dealing with components specified in plans to come from out of state suppliers.

As the bid form reads now, Cowgirl Up will not be able to submit a bid. Cowgirl Up Inc. has enjoyed working with the WVDEP and the state of West Virginia in the competitive bid process in the past and will continue to bid projects in the future.

Thank you for your time and consideration on this subject.

Kindest Regards,

A handwritten signature in black ink, appearing to read "Spencer C. Wooddell". The signature is fluid and cursive, with a large initial "S" and "W".

Spencer C. Wooddell
Project Manager

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PO Box 243 Simson WV 26435
Fax 304-739-4401

FAX TRANSMITTAL FORM

NUMBER OF PAGES INCLUDING COVER SHEET: 2

TO: Mr. Frank Whitaker Buyer #23

COMPANY: State of West Virginia Division of Purchasing

FAX #: 304 558 3970

FROM: J C Wooddell

TITLE: Project Mgr.

COMMENTS: DEP 16124

*Thanks
Jew*

TIME: 8:21 A.M.

DATE: 8, 27, 2013