



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

Solicitation

NUMBER
DEP16244

PAGE
1

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

VENDOR	*604150016 304-372-4378
	EAGLE EXCAVATION INC PO BOX 218
	KENNA WV 25248

SHIP TO	ENVIRONMENTAL PROTECTION DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304 304-926-0499
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DATE PRINTED
05/15/2013

BID OPENING DATE: 06/27/2013 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		\$ 1,488,000 ⁰⁰
<p>RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES</p> <p>REQUEST FOR SOLICITATION</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF 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 20-AC ABANDONED MINE PROJECT KNOWN AS THE "WEST COLUMBIA 'B'" PROJECT. THE SITE IS LOCATED AT WEST COLUMBIA, WEST VIRGINIA, (MASON 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>FROM CHARLESTON, TAKE I-77 NORTH APPROX. 37 MILES TO RIPLEY EXIT (EXIT 138). TURN LEFT ON WV RT. 62, AND CONTINUE 32.7 MILES TO THE WEST COLUMBIA U. M. CHURCH.</p>						

07/03/13 01:10:42 PM
West Virginia Purchasing Division

SIGNATURE	<i>Meike S Freshour</i>	TELEPHONE	372-4378	DATE	6-27-13
TITLE	PRESIDENT	FEIN	55-0762758	ADDRESS CHANGES TO BE NOTED ABOVE	

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



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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				THE CHURCH IS APPROX. 2.3 MILES SOUTH OF RT. 833 BRIDGE TO POMEROY, OHIO.		
				CONTACT & PHONE #: ROGER EARLE, 304-926-0485		
				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 THE CONTRACTOR ARE SUBJECT TO THE GUARANTEE ESTABLISHED BY CUSTOM OF THE RESPECTIVE TRADES. IN THE ABSENCE OF		

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<p>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 REMEDIATED 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: ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE</p>						

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	601 57TH STREET SE
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25304	304-926-0499

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05/15/2013

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LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				RECLAMATION OF THE "WEST COLUMBIA 'B'" 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 72 DRAWINGS AS PREPARED BY E. L. ROBINSON ENGINEERING.		
				(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.		
				(5) APPLICATION FOR PARTIAL PAYMENT: THE CONTRACTOR MAY, ON A PERIODIC BASIS, SUBMI 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.		
				***** THIS IS THE END OF RFQ DEP16244 ***** TOTAL:		# 1,488,000 ⁰⁰

SIGNATURE <i>Meike D Freshour</i>	TELEPHONE 372-4378	DATE 6-27-13
TITLE PRESIDENT	FEIN 55-0762758	ADDRESS CHANGES TO BE NOTED ABOVE

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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: EAGLE EXCAVATION INC.

Contractor's License No. WV 032594

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.

U.S. Department of the Interior
Office of Surface Mining
Applicant/Violator System Office
2679 Regency Road
Lexington, Kentucky 40503

Telefax Number: (859) 260-8418
Toll Free Telephone Number: 1-800-643-9748

DATE: 6/22/12

1 Number of Pages to Follow

Sending to: Eagle Excavation Inc

Telefax Number: 304-372-4378

From: Amy Willoughby

Telephone Number: 859-260-3933

Subject or Message:



AVS OFT Report - 6/22/2012 11:04:23 AM

All OFT's where the selected entity is listed as an entity or related entity

Entity Selected (150896) Eagle Excavation Inc

Entity	Description	Related Entity	% Ownership	Begin Date	End Date
96) Eagle Excavation Inc	Director	(139730) Meike D Freshour		5/29/2001	
96) Eagle Excavation Inc	President	(139730) Meike D Freshour		5/29/2001	
96) Eagle Excavation Inc	Director	(157116) Leslie Ann Roush		5/29/2001	
96) Eagle Excavation Inc	Secretary	(157116) Leslie Ann Roush		5/29/2001	
96) Eagle Excavation Inc	Treasurer	(157116) Leslie Ann Roush		5/29/2001	

JUN-22-2012 FRI 11:03 AM

P. 002/002



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

STATE OF WV

COUNTY OF JACKSON, TO-WIT:

I, DENNIS GEORGE FRESHOUR after being first duly sworn, depose and state as follows:

- 1. I am an employee of EAGLE EXCAVATION INC.; and,
(Company Name)
- 2. I do hereby attest that EAGLE EXCAVATION INC.
(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.

EAGLE EXCAVATION INC.
(Company Name)

By: Dennis George Freshour

Title: FIELD MANAGER

Date: 6-14-2013

Taken, subscribed and sworn to before me this 14th day of June, 2013



By Commission expires 12/17/17

Carol Raines
(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.



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DATE PRINTED
06/24/2013

BID OPENING DATE: 07/03/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 2						
ADDENDUM IS ISSUED:						
1. TO PROVIDE ADDITIONAL CLARIFICATION TO ADDENDUM NO. 1 OF THE ABOVE SOLICITATION.						
2. 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. 2 *****						

SIGNATURE <i>Meike S9 Freshour</i>	TELEPHONE 372-4378	DATE 7-3-13
TITLE <i>PRESIDENT</i>	FEIN 55-0762758	ADDRESS CHANGES TO BE NOTED ABOVE

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						
***** THIS IS THE END OF RFQ DEP16244 ***** TOTAL:						# 1,488,000 ⁰⁰

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SOLICITATION NUMBER: DEP16244
Addendum Number: 2

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:

1. To address additional questions and revisions regarding the above solicitation.
2. To provide Addendum Acknowledgement

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.

DEP16244
West Columbia "B"
Addendum #2

Additions re-several previously addressed items.

- Item 35: The trench walls in the vicinity of the houses should be supported using trench boxes or trench shoring while the trench is open to prevent cave in and damage to the adjacent foundation system.
- Item 45: The contractor will be required to post a Highway Bond to the WVDOT in order for the Highway Permit to be in effect.

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: DEP16244

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 checked="" 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.

Eagle Excavation Inc.
Company

Meite S. Freshour
Authorized Signature

7-3-2013
Date

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



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				ADDENDUM NO. 1		
				ADDENDUM IS ISSUED:		
				1. TO PROVIDE ANSWERS TO QUESTIONS REGARDING THE SOLICITATION AND TO ADDRESS REVISIONS AND CLARIFICATIONS MADE TO THE SPECIFICATIONS.		
				2. TO PROVIDE A WATER SAMPLE ANALYSIS REPORT.		
				3. TO PROVIDE A REVISED CONTRACTOR'S BID SHEET.		
				4. TO PROVIDE VENDORS A COPY OF THE MANDATORY PRE-BID MEETING SIGN-IN SHEETS.		
				5. TO MOVE THE BID OPENING DATE; FROM: JUNE 27, 2013 @ 1:30 P.M. TO: JULY 3, 2013 @ 1:30 P.M.		
				6. 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 *****		

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WEST COLUMBIA "B"
DEP16244
Contractor's Bid Sheet
(Revised - Addendum No. 1)

Vendors Name: EAGLE EXCAVATION INC.

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
1.1	LS	LS	MOBILIZATION & DEMOBILIZATION (LUMP SUM) (CANNOT EXCEED 10% OF TOTAL AMOUNT BID)	LS	\$ 10,000
2.1	LS	LS	CONSTRUCTION LAYOUT (LUMP SUM) (CANNOT EXCEED 5% OF TOTAL AMOUNT BID)	LS	\$ 11,921
3.1	LS	LS	QUALITY CONTROL (LUMP SUM) (CANNOT EXCEED 3% OF TOTAL AMOUNT BID)	LS	\$ 3,000
4.1	LS	LS	SITE PREPARATION (LUMP SUM) (CANNOT EXCEED 10% OF TOTAL AMOUNT BID)	LS	\$ 30,000
4.2	2	EA	TYPE I TEMPORARY STREAM CROSSING (PER EACH)	\$ 20,000	\$ 40,000
4.3	1	EA	TYPE II TEMPORARY STREAM CROSSING (PER EACH)	\$ 20,000	\$ 20,000
5.1	6,400	LF	SILT FENCE (PER LINEAR FOOT)	\$.014	\$ 64
5.2	1,200	LF	SUPER SILT FENCE (PER LINEAR FOOT)	\$ 1.00	\$ 1,200
5.3	2,100	LF	STRAW WATTLE (PER LINEAR FOOT)	\$ 1.00	\$ 2,100
5.4	29	EA	STONE CHECK DAM (PER EACH)	\$ 100.00	\$ 2,900
5.5	17	EA	STABILIZED CONSTRUCTION ENTRANCE (PER EACH)	\$ 2,000	\$ 34,000
6.1	16	ACRE	REVEGETATION (PER PLAN VIEW ACRE)	\$ 400.00	\$ 6,400
7.1	915	LF	TYPE I RIPRAP DITCH (PER LINEAR FOOT)	\$ 30.00	\$ 27,450
7.2	305	LF	TYPE II GROUTED RIPRAP DITCH (PER LINEAR FOOT)	\$ 50.00	\$ 15,250
7.3	1,220	LF	TYPE III RIPRAP DITCH (PER LINEAR FOOT)	\$ 60.00	\$ 73,200
7.4	325	LF	TYPE IV GROUTED RIPRAP DITCH (PER LINEAR FOOT)	\$ 80.00	\$ 26,000
7.5	910	LF	TYPE V TRAPEZOIDAL NATURAL STREAM BED WITH RIPRAP BANKS (PER LINEAR FOOT)	\$ 115.00	\$ 104,650
7.6	1,195	LF	TYPE VI TRAPEZOIDAL NATURAL STREAM BED WITH RIPRAP BANKS (PER LINEAR FOOT)	\$ 115.00	\$ 137,425
7.7	1,050	LF	DITCH CLEANOUT (PER LINEAR FOOT)	\$ 8.00	\$ 8,400
7.8	170	LF	48" HDPE PIPE CULVERT (PER LINEAR FOOT)	\$ 250.00	\$ 42,500
7.9	190	LF	36" HDPE PIPE CULVERT (PER LINEAR FOOT)	\$ 250.00	\$ 47,500
7.10	980	LF	18" HDPE PIPE CULVERT (PER LINEAR FOOT)	\$ 79.00	\$ 77,420
7.11	2	EA	HEADWALL FOR 48" PIPE CULVERT (PER EACH)	\$ 8,000	\$ 16,000
7.12	4	EA	HEADWALL FOR 36" PIPE CULVERT (PER EACH)	\$ 6,000	\$ 24,000
7.13	7	EA	MANHOLE (PER EACH)	\$ 5,000	\$ 35,000
7.14	240	LF	UNDERDRAIN (PER LINEAR FOOT)	\$ 120.00	\$ 28,800
7.15	125	LF	UNDERDRAIN CONVEYANCE PIPE (PER LINEAR FOOT)	\$ 12.00	\$ 1,500
7.16	4	EA	SPLASH PAD (PER EACH)	\$ 200.00	\$ 800
8.1	14,000	CY	UNCLASSIFIED EXCAVATION (PER CUBIC YARD)	\$ 2.00	\$ 28,000
8.2	2	ACRE	SOIL COVER (PER PLAN VIEW ACRE)	\$ 1,000.00	\$ 2,000
9.1	130	LF	4" DIP SEWER LATERAL (PER LINEAR FOOT)	\$ 50.00	\$ 6,500
10.1	19	EA	WET MINE SEALS (PER EACH)	\$ 15,000.00	\$ 285,000
10.2	2	EA	MODIFIED WET MINE SEAL (PER EACH)	\$ 15,000.00	\$ 30,000
10.3	5	EA	WET BAT GATE MINE SEAL (PER EACH)	\$ 15,000.00	\$ 75,000
10.4	4	EA	DRY MINE SEAL (PER EACH)	\$ 3,500.00	\$ 14,000
10.5	4	EA	DRY BAT GATE MINE SEAL (PER EACH)	\$ 12,000.00	\$ 48,000
10.6	12	EA	DRY FOAM BAT GATE MINE SEAL (PER EACH)	\$ 13,000.00	\$ 156,000
10.7	960	LF	MINE SEAL CONVEYANCE PIPE (PER LINEAR FOOT)	\$ 12.00	\$ 11,520
10.8	50	BAG	ACID MINE DRAINAGE TREATMENT (PER 50 LB. BAG)	\$ 20.00	\$ 1,000
11.0	50	SY	ASPHALT PAVEMENT REPAIR (PER SQUARE YARD)	\$ 70.00	\$ 3,500
TOTAL					\$ 1,488,000

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Eagle Excavation, Inc.
of Kenna, WV, as Principal, and Merchants National Bonding, Inc.
of Des Moines, IA, a corporation organized and existing under the laws of the State of
IA with its principal office in the City of Des Moines, 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
DEP16244 West Columbia "B" - According to Plans & 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 July, 2013.

Principal Corporate Seal

Eagle Excavation, Inc.
(Name of Principal)

By Meike D. Freshour
(Must be President or
Vice President)

Meike D. Freshour President
(Title)

Surety Corporate Seal

Merchants National Bonding, Inc.
(Name of Surety)

By: Patricia A. Moye
Patricia A. Moye, 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.

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations duly organized under the laws of the State of Iowa (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint, individually,

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

of Charleston and State of WV their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

EIGHT MILLION (\$8,000,000.00) DOLLARS

and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 2nd day of March, 2012.



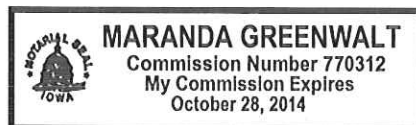
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 2nd day of March, 2012, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



Maranda Greenwalt

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 3rd day of July, 2013.



William Warner Jr.
Secretary

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 exceed 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: Eagle Excavation, Inc.

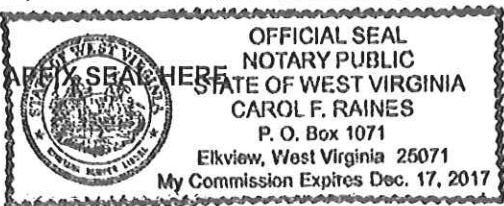
Authorized Signature: Dennis George Freshour Date: 6-14-2013

State of WV

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 14th day of June, 2013.

My Commission expires 12/17/17, 20 .



NOTARY PUBLIC Carl Francis

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: DEP16244

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.

EAGLE EXCAVATION INC.
Company

Meita S. Freshour
Authorized Signature

7-3-13
Date