



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

Solicitation

NUMBER
DEP16305

PAGE
1

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

RFQ COPY

TYPE NAME/ADDRESS HERE

Aspen Corporation
2400 Ritter Drive
Daniels WV 25832

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T
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ENVIRONMENTAL PROTECTION
DEPT. OF
OFFICE OF SPECIAL RECLAMATION
105 S. RAILROAD STREET
PHILIPPI, WV
26416-9998 304-457-3219

DATE PRINTED
12/03/2013

BID OPENING DATE: 12/17/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
ADDENDUM NO. 2						
THIS ADDENDUM IS ISSUED TO:						
1) PROVIDE THE ATTACHED TECHNICAL QUESTIONS AND ANSWERS						
2) PROVIDE THE ATTACHED MANDATORY PRE-BID SIGN IN SHEET						
3) PROVIDE THE ATTACHED REVISED BID SCHEDULE						
***** END ADDENDUM NO. 2 *****						

12/17/13 10:45:05AM
West Virginia Purchasing Division

SIGNATURE <i>Donnie Atkins</i>	TELEPHONE 304-763-4573	DATE 12-17-13
TITLE <i>Pres</i>	FEIN 55-062-7766-001	ADDRESS CHANGES TO BE NOTED ABOVE

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

SOLICITATION NUMBER: DEP16305
Addendum Number: 02

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:

Provide Technical questions & Answers
Provide pre-bid sign-in sheets
Provide revised bid schedule

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.

ATTACHMENT A

**Addendum - Questions During Pre-Bid Conference
For DEP16305
Roblee Coal Company
Permit D-49-82**

The following questions were identified at the Pre-Bid Conference (PBC) conducted on-site on November 12, 2013. The answers and clarifications provided herein take precedence over verbal answers at the PBC and previously provided specifications and descriptions provided in the Solicitation should there be any conflicts between the two.

Q1: What about the natural gas line relocation?

A1: Bid Schedule Items 11.2 "Gas Line Relocation" and Item 11.3 "Gas Line Excavation" have been removed from the Bid Schedule. Any work performed on the 8" high pressure gas line, i.e. cutting, welding, relocating, bending, etc., will be performed by Dominion Transmission Inc. with the invoice passed directly through to the WVDEP Office of Special Reclamation under Bid Schedule Item 11.1 "Utilities", which is a "NO BID" item. The Contractor will still be required to find the exact vertical and horizontal location of the gas line, under the direct supervision of a Dominion Gas Transmission Inspector, in accordance with procedures in the WVDEP Specifications and attached Dominion Transmission Specifications where conflicts exist between planned pipes/ditches and the gas line. Every effort shall be made to resolve conflicts between proposed pipes/ditches and the gas line and gas company clearances and proposed pipes/ditches by modifying the pipe/ditch profile grade where feasible and approved by the Engineer and Dominion Transmission Inc.

Q2: Are any quantities available, or will they be provided for incidental items such as: scaling of the highwall, sub-base preparation, pond cleanout and other items?

A2: Approximately 30,000 to 35,000 cubic yards of coal and coal refuse will be scaled off the high wall and placed in compacted lifts at the base of the highwall fill as detailed in the specifications and on the plans. The Method of Measurement for this task and all costs associated with successfully scaling the coal and coal refuse and placing it in compacted lifts at the base of the highwall shall be a lump sum pay Item 8.1 "Coal Refuse Highwall Placement". All coal/coal refuse shall be covered with 12", minimum, of soil cover to support vegetation.

The dimensions of the ponds are in the plans, but the actual amount of sediment in the ponds when they will be cleaned is unknown. This item is incidental to the primary work. Actual quantities may vary. Prospective bidders are required to examine the locations of the work and to determine in their own way, the difficulties which may be encountered in the prosecution of the same.

Q3: Does all of the existing refuse backfilled against the high wall need to be brought down?

**Addendum - Questions During Pre-Bid Conference
For DEP16323
Ed-E Development Co., Inc.
Permit S-10-81**

- A3:** Yes, the refuse backfilled against the high wall needs to be brought down and laid in lifts and compacted according to the plans and specifications.
- Q4:** Where does the work start and end?
- A4:** The work on the highwall starts approximately at where the trees are up by the road above the highwall on the west end of the highwall, and goes to approximately where the other trees are up by the road on the east end of the highwall. The mound visible to the west is the general area for the borrow material. Reference is made to the plans, sheets 2, 6 and 7, which show the location of the work to be done on the highwall.

REVISIONS

REVISED BID SCHEDULE

The BID SCHEDULE has been revised, and Items 11.2 and 11.3 have been removed, see Q & A #1. A new schedule has been included and labeled "Revised".

Item 8.1 "Coal Refuse Highwall Placement" has been added.

REVISED SPECIFICATIONS

8.6.3-R The method of measurement for excavating coal, coal refuse, and other materials from against the highwall and providing a level compacted base for highwall backfill operations is a lump sum pay Item 8.1 "Coal Refuse Highwall Placement". The method of measurement for proof rolling, compacting, or undercutting and compacting the area that forms the base of the highwall fill is a lump sum pay Item 8.1 "Coal Refuse Highwall Placement".

REQUEST FOR QUOTATION NO. DEP 16305

SIGN IN SHEET

Page of

PLEASE PRINT

Date: 11-12-13

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

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>GREEN MOUNTAIN COMPANY</u>	<u>511 50th ST</u>	PHONE <u>304-925-0257</u>
Rep: <u>DAVID H. BOWMAN</u>	<u>Challleston WV</u>	TOLL FREE
Email Address: <u>DHB722@yahoo.com</u>	<u>25304</u>	FAX <u>304-925-9230</u>
Company: <u>Ryder Contracting Inc</u>	<u>255 Beaver Creek road</u>	PHONE <u>304-799-4488</u>
Rep: <u>Thane Ryder</u>	<u>Marlinton WV 24954</u>	TOLL FREE
Email Address: <u>rydercontractinginc@aol.com</u>		FAX <u>304-799-4132</u>
Company: <u>RBS INC</u>	<u>PO BOX 198</u>	PHONE <u>304-497-3800</u>
Rep: <u>JK ROSE</u>	<u>MAXWELTON, WV</u>	TOLL FREE
Email Address: <u>UNIONCONCRETE@FRONTIER.NET</u>	<u>24957</u>	FAX <u>304-497-3802</u>
Company: <u>CONCRETE UP INC</u>	<u>PO Box 243</u>	PHONE <u>304-759-4397</u>
Rep: <u>DEWID C. ELBON</u>	<u>SIMPSON WV</u>	TOLL FREE
Email Address: <u>DCC-CONCRETEUP@FRONTIER.NET</u>	<u>26435</u>	FAX <u>304-626-1057</u> <u>304-739-4401</u>
Company: <u>EAGLE CONTRACTOR LLC</u>	<u>1721 Winfield Road</u>	PHONE <u>304-552-7781</u>
Rep: <u>BARRIE F. FOSTER</u>	<u>Winfield, WV. 25213</u>	TOLL FREE
Email Address: <u>cdent@GEF INC.COM</u>		FAX <u>304-755-3150</u>

12-17-13; 10:45AM

: 304-763-4591

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REQUEST FOR QUOTATION NO. DEP 16305

SIGN IN SHEET

Page of

PLEASE PRINT

Date: 11-12-13

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

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>CENTRAL Contracting Inc.</u> Rep: <u>Tim Ahiff</u> Email Address: <u>TimA@centralz.com</u>	<u>P.O. Box 1485</u> <u>St. Albans, WV 25177</u>	PHONE <u>304 722-4939</u> TOLL FREE FAX <u>722-2699</u>
Company: <u>Mountaineer Infrastructure</u> Rep: <u>Matt Evans</u> Email Address: <u>MILEVANS4@lycos.com</u>	<u>91 Panoramic Dr</u> <u>Dry Fork WV</u> <u>26203</u>	PHONE <u>866-4953</u> TOLL FREE FAX <u>866-4329</u>
Company: <u>Aspen Corporation</u> Rep: <u>Richard Koger II</u> Email Address: <u>rkoger@aspen-golf.com</u>	<u>2400 R.4th Drive</u> <u>Danals WV 25832</u>	PHONE <u>704-887-0108</u> TOLL FREE FAX <u>304-763-4591</u>
Company: <u>JF Allen Co</u> Rep: <u>JAMES ALLEN</u> Email Address: <u>JAMES.ALLEN@JFALLENCO.COM</u>	<u>P O Box 2049</u> <u>Beckham WV</u> <u>26201</u>	PHONE <u>304 472 8896</u> TOLL FREE FAX <u>304 472 8897</u>
Company: <u>Green River Group, LLC</u> Rep: <u>Tracy Curtis</u> Email Address: <u>tracyscurtis@yahoo.com</u>	<u>Pc Box 15039</u> <u>Morgantown, WV 26507</u>	PHONE <u>304-594-3991</u> ^{04 15} TOLL FREE FREE <u>304-594-3992</u> FAX <u>✓</u>

12-17-13; 10:45AM;

: 304-763-4591

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REQUEST FOR QUOTATION NO. DEP 16305

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Page of

PLEASE PRINT

Date: 11-12-13

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

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>Collins Building & Contracting Inc.</u> Rep: <u>Boyer & Collins Inc.</u> Email Address: <u>Collins building @ Hughes.net</u>	<u>3406 Conly Rd</u> <u>Flatwoods, WV</u> <u>26021</u>	PHONE <u>304-765-3521</u> TOLL FREE FAX <u> </u>
Company: <u>Carpenter Reclamation</u> Rep: <u>Randy Carpenter</u> Email Address: <u>Rcarpen103@aol.com</u>	<u>PO Box 13015</u> <u>Sissonville, WV</u>	PHONE <u>304-984-1115</u> TOLL FREE FAX <u>984-2770</u>
Company: <u>EASTERN ARROW</u> Rep: <u>ANN WARREN</u> Email Address: <u>easternarrow@hotmail.com</u>	<u>PO BOX 4108</u> <u>CHAS. KV 25364</u>	PHONE <u>304-414-0255</u> TOLL FREE FAX <u>0255</u>
Company: <u>BREKAWAY INC.</u> Rep: <u>Doug Vincent</u> Email Address: <u>doug@breakawaywv.com</u>	<u>1675 Old Turnpike Rd</u> <u>Sutton WV 26601</u>	PHONE <u>765-5317</u> TOLL FREE FAX <u>765-5389</u>
Company: <u>Cove Run Contracting LLC</u> Rep: <u>Chris Wolfe</u> Email Address: <u>cm.wolfe73@yahoo.com</u>	<u>P.O. Box 104</u> <u>Moatsville, WV 26405</u>	PHONE <u>622-8550</u> TOLL FREE FAX <u>622-7026</u>

12-17-13; 10:45AM;

: 304-763-4591

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REQUEST FOR QUOTATION NO. DEP 16305

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Page ___ of ___

PLEASE PRINT

Date: 11-12-13

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

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>Foster Supply</u>	<u>7402417</u>	PHONE <u>304-203-2357</u>
Rep: <u>Dian Wamsley</u>		TOLL FREE
Email Address: <u>d.wamsley@fostersupply.com</u>		FAX
Company: _____		PHONE
Rep: _____		TOLL FREE
Email Address: _____		FAX
Company: _____		PHONE
Rep: _____		TOLL FREE
Email Address: _____		FAX
Company: _____		PHONE
Rep: _____		TOLL FREE
Email Address: _____		FAX
Company: <u>WV DEP</u>		PHONE <u>304-457-3219</u>
Rep: <u>David McCoy</u>		TOLL FREE
Email Address: _____		FAX



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

Solicitation

NUMBER
DEP16305

PAGE
1

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

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPT. OF
 OFFICE OF SPECIAL RECLAMATION
 105 S. RAILROAD STREET
 PHILIPPI, WV
 26416-9998 304-457-3219

DATE PRINTED
12/02/2013

BID OPENING DATE: 12/17/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				THIS ADDENDUM IS ISSUED TO EXTEND THE BID OPENING DATE AND TIME.		
				BID OPENING EXTENDED TO: 12/17/2013 AT 1:30 PM		

SIGNATURE	<i>Donnie Adkins</i>	TELEPHONE	304-763-4573	DATE	12-17-13
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'

SOLICITATION NUMBER: DEP16305
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:

Bid opening date and time extended to: 12/17/2013 at 1:30 PM.

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 ACKNOWLEDGEMENT FORM
SOLICITATION NO.: DEP16305

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.

Aspen Corporation
Company

Donnie Adkins, Pres
Authorized Signature

12-17-13
Date

NOTE: This addendum acknowledgment 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
DEP16305

PAGE
1

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

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

ASPEN CORPORATION
2400 RITTER DRIVE
DANIELS, WV 25832

SHIP TO

ENVIRONMENTAL PROTECTION
DEPT. OF
OFFICE OF SPECIAL RECLAMATION
105 S. RAILROAD STREET
PHILIPPI, WV
26416-9998 304-457-3219

DATE PRINTED
10/08/2013

BID OPENING DATE: 12/03/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
<p>RECLAMATION: RESTORATION OF LAND</p> <p>REQUEST FOR QUOTATION</p> <p>SPECIAL RECLAMATION/BOND FORFEITURE PROJECT</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS TO PERFORM RECLAMATION ON THE MINING OPERATION OF ROBLEE COAL COMPANY, NOW UNDER REVOKED PERMIT NUMBER D-49-82. THIS SITE CONSISTS OF APPROXIMATELY 30 ACRES AND IS LOCATED NEAR PHILIPPI, WV, BARBOUR COUNTY.</p> <p>THE RECLAMATION SHALL BE PERFORMED UNDER THE GUIDANCE AND GENERAL SUPERVISION OF THE AGENT ASSIGNED TO THE PROJECT FOR THE STATE OF WEST VIRGINIA, DEPARTMENT OF ENVIRONMENTAL PROTECTION.</p> <p>DIRECTIONS TO PRE-BID: FROM I-79 TAKE EXIT 115 AND TRAVEL EAST ON WV RT 20 FOR APPROX. 3.6 MILES TO THE INTERSECTION WITH WV RT 57. CONTINUE STRAIGHT AHEAD ON WV RT 57 FOR APPROX 7.7 MILES, TO THE INTERSECTION WITH BARBOUR COUNTY RT 18. TURN NORTH (LEFT) ONTO BARBOUR COUNTY RT 18 AND GO APPROX. 2.5 MILES TO THE INTERSECTION WITH BARBOUR COUNTY RT 7 & GO APPROX. 1.1 MILES, PROJECT LOCATED TO THE NORTH (LEFT SIDE) OF ROAD</p>						

12/17/13 10:44:52AM
 West Virginia Purchasing Division

SIGNATURE <i>Dannie Adkins</i>	TELEPHONE 304-763-4573	DATE 12/17/13
TITLE <i>Pres</i>	FEIN 55-062 7766-001	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
 Post Office Box 50130
 Charleston, WV 25305-0130

Solicitation

NUMBER
DEP16305

PAGE
2

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

RFQ COPY

VENDOR

TY

ASPEN CORPORATION
2400 RITTER DRIVE
DANIELS, WV 25832

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPT. OF
 OFFICE OF SPECIAL RECLAMATION
 105 S. RAILROAD STREET
 PHILIPPI, WV
 26416-9998 304-457-3219

DATE PRINTED
10/08/2013

BID OPENING DATE:

12/03/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				CONTACT & PHONE # DAVID MCCOY 304-457-4588, EXT. 43218		
				PLANS & SPECS ON CD MAY BE OBTAINED BY REQUEST FROM THE WV DEPT OF ENVIRONMENTAL PROTECTION, OFFICE OF SPECIAL RECLAMATION, WITH NO CHARGE TO THE CONTRACTOR FOR THE CD OR MAILING. CALL CANDICE STONE @ 304-457-4588 EXT. 43288 OR 304-457-3219 TO REQUEST A COPY. ****THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL PRINTING COSTS *****		
				***** THIS IS THE END OF RFQ DEP16305 ***** TOTAL:		

SIGNATURE <i>Dannie Adams</i>	TELEPHONE 304-763-4573	DATE 12/17/13
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'

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. WV000653

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 AFFIDAVIT:** 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.

2.1 DRUG-FREE WORKPLACE POLICY: Pursuant to W. Va. Code § 21-1D-4, Vendor and its subcontractors must implement and maintain a written drug-free workplace policy that complies with said article.

The awarding public authority may cancel this contract if: (1) Vendor fails to implement and maintain a written drug-free workplace policy described in the preceding paragraph, (2) Vendor fails to provide information regarding implementation of its drug-free workplace policy at the request of the public authority; or (3) Vendor provides to the public authority false information regarding the contractor's drug-free workplace policy.

3. **DRUG FREE WORKPLACE REPORT:** Pursuant to W. Va. Code § 21-1D-7b, no less than once per year, or upon completion of the project, every contractor shall provide a certified report to the public authority which let the contract. For contracts over \$25,000, the public authority shall be the West Virginia Purchasing Division. For contracts of \$25,000 or less, the public authority shall be the agency issuing the contract. The report shall include:

ROBLEE COAL COMPANY - Permit D-49-82
BID SCHEDULE - REVISED FOR ADDENDUM 2
DEP 16305

Vendor 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	DESCRIPTION	UNIT PRICE	AMOUNT
1.0	Lump Sum	Mobilization & Demobilization (Cannot be more than 5% of TOTAL AMOUNT BID)	\$ 23,000.00	\$ 23,000.00
2.0	Lump Sum	Construction Layout Stakes (Cannot be more than 3% of TOTAL AMOUNT BID)	\$ 9,000.00	\$ 9,000.00
3.0	Lump Sum	Quality Control (Cannot be more than 2% of TOTAL AMOUNT BID)	\$ 2,000.00	\$ 2,000.00
4.0	Lump Sum	Site Preparation (Cannot be more than 5% of TOTAL AMOUNT BID)	\$ 24,000.00	\$ 24,000.00
5.1	7000 LF	Straw Wattles	\$ 3.25	\$ 22,750.00
6.0	30 AC	Revegetation (Plan View)	\$ 2,000.00	\$ 60,000.00
7.1	1760 LF	Erosion Control Blanket Lined Bench Ditch	\$ 21.00	\$ 36,960.00
7.2	240 LF	2.0 Ft. Deep "Vee" Shaped Riprap Ditch	\$ 41.00	\$ 9,840.00
7.3	584 LF	2.0 Ft. Deep "Vee" Shaped Grouted Riprap Ditch	\$ 60.00	\$ 35,040.00
7.4	450 LF	2.5 Ft. Deep "Vee" Shaped Grouted Riprap Ditch	\$ 98.00	\$ 44,100.00
7.5	380 LF	2.5 Ft. Deep by 6 Ft. Wide "Flat Bottom" Shaped Grouted Riprap Ditch	\$ 144.00	\$ 54,720.00
7.6	120 LF	2.5 Ft. Deep by 10 Ft. Wide "Flat Bottom" Shaped Grouted Riprap Spillway	\$ 171.00	\$ 20,520.00
7.7	Lump Sum	Eroded Ditch Repair	\$ 9,500.00	\$ 9,500.00
7.8	450 LF	24" Ø CMP Pipe with 36" Riser	\$ 137.00	\$ 61,650.00
7.9	140 LF	48" Ø HDPE Pipe	\$ 140.00	\$ 19,600.00
8.0	220,000 CY	Unclassified Excavation	\$ 3.61	\$ 794,200.00
8.1	Lump Sum	Coal Refuse Highwall Placement	\$ 70,000.00	\$ 70,000.00
10.1	500 LF	Subsurface Drain	\$ 82.00	\$ 41,000.00
10.2	5 EA	12" Inline Cleanouts	\$ 750.00	\$ 3,750.00
11.1	NO BID	Utilities		NO BID
		TOTAL:	\$	1,341,630.00

Bidders Authorized Signature: Donnie Adkins, Pres Date: 12-17-13

Agency Environmental Protection
REQ.P O# DEP 16305

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, Suite 100, 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 16305 Reclamation Mining Operations - Roblee Coal Company
Under Revoked Permit Number D-49-B2 30 Acres Located Near Phillippl WV (Barbour 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 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 December, 2013.

Principal Corporate Seal

Surety Corporate Seal

Aspen Corporation
(Name of Principal)
By [Signature]
(Must be President or Vice President)
Vice President
(Title)
Lexon Insurance Company
(Name of Surety)

[Signature]
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- 078248

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, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan,*****

Sandra L. Fusinetti, Mark A. Guldry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Nelchler, Sheryon Quinn, Dawson West, Bonnie J. Wortham

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, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

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. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to 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 be 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.



AMY L. TAYLOR Notary Public- State of Tennessee Davidson County My Commission Expires 01-09-16

BY [Signature] Amy L Taylor 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 forgoing 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 Seal at Mount Juliet, Tennessee this 3rd Day of December, 2013.



BY [Signature] Andrew Smith Assistant Secretary

WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance 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.

WV-73
Rev. 08/2013



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)

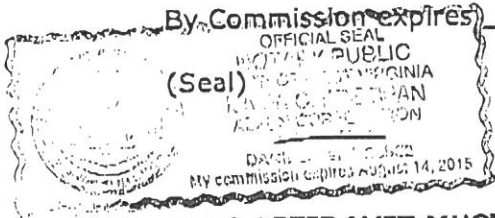
maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D**.

The above statements are sworn to under the penalty of perjury.

By: Donnie Adkins
 Title: President
 Company Name: Aspen Corporation
 Date: 12-17-13

Taken, subscribed and sworn to before me this 17th day of Dec, 2013.

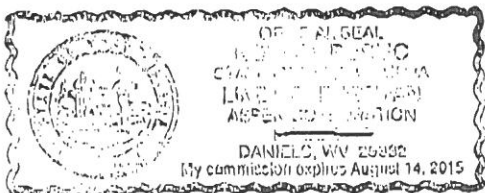
By Commission Expires 8-14-15



Daniel 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.

Rev. August 2013



RFQ No. DEP 16305

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: 12-17-13

State of WV

County of Raleigh, to-wit:

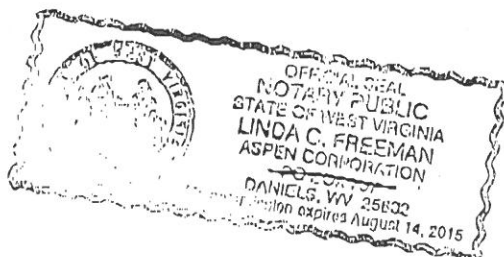
Taken, subscribed, and sworn to before me this 17th day of December, 2013.

My Commission expires 8-14, 2015

AFFIX SEAL HERE

NOTARY PUBLIC Linda C. Freeman

Purchasing Affidavit (Revised 07/01/2012)



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)

Donnie Adkins, Pres.
(Representative Name, Title)

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

12-17-13
(Date)