



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

Solicitation

| |
|----------|
| NUMBER |
| DEP16366 |

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

RFQ COPY
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VENDOR

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 |
| 08/28/2013 |

BID OPENING DATE: 10/16/2013

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 & OTHER PROPERTIES</p> <p style="text-align: right;">10/16/13 12:51:06 PM West Virginia Purchasing Division</p> <p style="text-align: center;">REQUEST FOR SOLICITATION</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 53-AC ABANDONED MINE PROJECT KNOWN AS THE "NORTON HIGHWALL #1" PROJECT. THE SITE IS LOCATED IN/NEAR THE TOWN OF NORTON, WV, (RANDOLPH 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 CORRIDOR "H" (US RT. 33/119) AT THE NORTON EXIT AND TRAVEL SOUTH WESTERLY ALONG WV RT. 151 FOR APPROXIMATELY 0.8 MILE TO THE INTERSECTION WITH RANDOLPH</p> | | | | | | |

| | | |
|-------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>MR. Evans</i> | TELEPHONE 304 866-4953 | DATE 10/16/13 |
| TITLE <i>President</i> | FAX 45-5372829 | ADDRESS CHANGES TO BE NOTED ABOVE |

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



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| | | | | COUNTY RT. 58. TURN LEFT (SOUTH) TOWARD NORTON ON RANDOLPH CO. RT. 53 AND GO APPROXIMATELY 75 FEET TO THE INTERSECTION WITH RANDOLPH COUNTY 5/5 AND GO APPROX. 0.8 MILE TO AN UNDEVELOPED ROAD TURNING RIGHT (WEST) THE NORTHERN MOST ENTRANCE TO THE PROJECT. | | |
| | | | | CONTACT & PHONE #: GREGG SMITH, 304-842-1900 | | |
| | | | | 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 | | |

| | | |
|--------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>M.A. Evans</i> | TELEPHONE 304 866-4953 | DATE 10/16/13 |
| TITLE <i>Asst.</i> | FEIN 45-5372829 | ADDRESS CHANGES TO BE NOTED ABOVE |

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| <p>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 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:</p> | | | | | | |

| | | |
|--------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>M.R. Evans</i> | TELEPHONE 304 966-4953 | DATE 10/16/13 |
| TITLE <i>Pres.</i> | FEIN 45-537 2829 | ADDRESS CHANGES TO BE NOTED ABOVE |

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| <p>ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "NORTON HIGHWALL #1" 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 74 DRAWINGS AS PREPARED BY STANTEC CONSULTING SERVICES.</p> <p>(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.</p> <p>(5) APPLICATION FOR PARTIAL PAYMENT: THE CONTRACTOR MAY, ON A PERIODIC BASIS, SUBMIT 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.</p> <p>***** THIS IS THE END OF RFQ DEP16366 ***** TOTAL: _____</p> | | | | | | |

| | | |
|----------------------------|------------------------|-----------------------------------|
| SIGNATURE <i>MA. Ewart</i> | TELEPHONE 304 866 4953 | DATE 10/16/13 |
| TITLE <i>PA</i> | FEIN 45-5372829 | 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: Mountaineer Infrastructure, LLC

Contractor's License No. WV051354

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:

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: Mountaineer Infrastructure Tax Payer ID No.: 45
Address: 2376 Laneville Rd
City: Dry Fork State: WV Zip Code: 26263 Phone: 304 866-4953
Fax No.: 304 866-4329 E-mail address: MEVANS4@mail.city.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, Mathew D. Evans, have the express authority to certify that:
(print name)

1. _____ 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.
2. _____ 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.
3. 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.

10/16/13 MREvans 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>.

Part D.

Contractor's Business Name: Mountaineer Infrastructure LLC

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

| | | | |
|-------------|---|----------------|----------------------|
| Name | <u>Matt Evans</u> | Position/Title | <u>Owner / Pres.</u> |
| Address |  | Telephone # | <u>304 866-4953</u> |
| Begin Date: | <u>6-11-12</u> | % of Ownership | <u>100%</u> |
| | | Ending Date: | <u>Current</u> |
| | | | |
| Name | _____ | Position/Title | _____ |
| Address | _____ | Telephone # | _____ |
| Begin Date: | _____ | % of Ownership | _____ |
| | | Ending Date: | _____ |
| | | | |
| Name | _____ | Position/Title | _____ |
| Address | _____ | Telephone # | _____ |
| Begin Date: | _____ | % of Ownership | _____ |
| | | Ending Date: | _____ |
| | | | |
| Name | _____ | Position/Title | _____ |
| Address | _____ | Telephone # | _____ |
| Begin Date: | _____ | % of Ownership | _____ |
| | | Ending Date: | _____ |

PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.

Norton Highwall #1

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DEP16366

Contractor's Bid Sheet

Company Name: Mountaineer Infrastructure, LLC

Address: 2376 Laneville Rd

Dry Fork, WV 26263

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 and Demobilization (Cannot be more than 5% of TOTAL AMOUNT BID) | \$ 75,000 ⁻ | \$ 75,000 ⁻ |
| 2.0 | Lump Sum | Construction Layout Stakes (Cannot be more than 5% of TOTAL AMOUNT BID) | \$ 70,000 ⁻ | \$ 70,000 ⁻ |
| 3.0 | Lump Sum | Quality Control (Cannot be more than 2% of TOTAL AMOUNT BID) | \$ 30,000 ⁻ | \$ 30,000 ⁻ |
| 4.1 | Lump Sum | Site Preparation (Cannot be more than 8% of TOTAL AMOUNT BID) | \$ 148,000 ⁻ | \$ 148,000 ⁻ |
| 4.2 | 2 Ea. | Pipe Gate | \$ 2,000 ⁻ | \$ 4,000 ⁻ |
| 5.1 | 4,900 L.Ft. | Silt Fence | \$ 0. ¹⁰ | \$ 490 ⁻ |
| 5.2 | 8,650 L.Ft. | Super Silt Fence | \$ 0. ¹⁰ | \$ 865 ⁻ |
| 5.3 | 20,500 L.Ft. | Straw Wattles | \$ 0. ¹⁰ | \$ 2,050 ⁻ |
| 5.4 | 2 Ea. | Stone Construction Entrance | \$ 12,000 ⁻ | \$ 24,000 ⁻ |
| 6.1 | 53 Ac. | Revegetation | \$ 1,200 ⁻ | \$ 63,600 ⁻ |
| 7.1 | 4,500 L.Ft. | 2.0 Ft. Deep "Vee" Shaped Riprap Ditch | \$ 30. ⁵⁰ | \$ 137,250 ⁻ |
| 7.2 | 900 L.Ft. | 2.5 Ft. Deep "Vee" Shaped Riprap Ditch | \$ 32. ¹⁵ | \$ 28,935 ⁻ |
| 7.3 | 2,100 L.Ft. | 2.0 Ft. Deep "Vee" Shaped Grouted Riprap Ditch | \$ 84. ³¹ | \$ 176,841 ⁻ |
| 7.4 | 3,100 L.Ft. | 2.5 Ft. Deep "Vee" Shaped Grouted Riprap Ditch | \$ 88. ⁰⁰ | \$ 272,800 ⁻ |
| 7.5 | 45 L.Ft. | 2.5 Ft. Deep by 9.0 Ft. Wide "Flat Bottom" Shaped Grouted Riprap Ditch | \$ 200 ⁻ | \$ 9,000 ⁻ |
| 7.6 | 700 L.Ft. | 12" SDR35 PVC Pipe | \$ 25 ⁻ | \$ 17,500 ⁻ |
| 7.7 | 100 L.Ft. | 24" Ø HDPE Pipe | \$ 80 ⁻ | \$ 8,000 ⁻ |
| 7.8 | 140 L.Ft. | 30" Ø HDPE Pipe | \$ 90 ⁻ | \$ 12,600 ⁻ |
| 8.1 | 170,000 C.Y. | Unclassified Excavation | \$ 2. ⁰⁵ | \$ 348,500 ⁻ |
| 9.1 | 15 Ea. | Wet or Modified Mine Seals | \$ 8,500 ⁻ | \$ 127,500 ⁻ |
| 9.2 | 1,600 L.Ft. | Mine Seal Conveyance Pipes | \$ 20 ⁻ | \$ 32,000 ⁻ |
| 9.3 | 750 Bags | Soda Ash Briquettes | \$ 50 ⁻ | \$ 37,500 ⁻ |
| 10.1 | 910 L.Ft. | Type "A" Subsurface Drain | \$ 225 ⁻ | \$ 204,750 ⁻ |
| 10.2 | 500 L.Ft. | Type "B" Subsurface Drain | \$ 50 ⁻ | \$ 25,000 ⁻ |
| 10.3 | 2 Ea. | Type "A" Manhole | \$ 2,500 ⁻ | \$ 5,000 ⁻ |
| 10.4 | 13 Ea. | 12" Inline Cleanout | \$ 1,500 ⁻ | \$ 19,500 ⁻ |
| TOTAL: | | | \$ 1,880,681 ⁻ | |

Bidders Authorized Signature: MR. Evans

Date: 10/16/13

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Mountaineer Infrastructure, LLC
of Dry Fork, WV, as Principal, and Liberty Mutual Insurance Company
of Boston, MA, a corporation organized and existing under the laws of the State of
MA with its principal office in the City of Boston, 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
Norton Highway #1 - AML, Randolph County, WV DEP16366

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

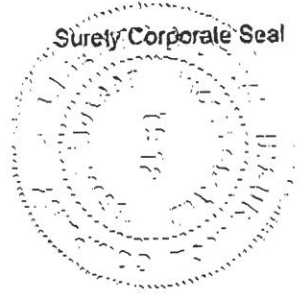
16th day of October, 2013



Mountaineer Infrastructure, LLC
(Name of Principal)

By M.A. Evans
(Must be President or Vice President)

President
(Title)



Liberty Mutual Insurance Company
(Name of Surety)

By: D.P. Taylor
Douglas P. Taylor, Licensed 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.

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6179544

American Fire and Casualty Company
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire; that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts; and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"); pursuant to and by authority herein set forth, does hereby name, constitute and appoint: Andrew K. Teefel; Christopher A. Michel; Donna J. Price; Douglas P. Taylor; Janis K. Peacock; Kimberly L. Miles; Kimberly S. Burdette; Pamela V. Lanham

all of the city of: Charleston state of WV each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surely and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 26th day of June, 2013.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this 26th day of June, 2013, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley
KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed, such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of October, 20 13.



By: David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-810-852-8240 between 9:00 am and 4:30 pm EST on any business day.



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

STATE OF WEST VIRGINIA,

COUNTY OF Tucker, TO-WIT:

I, Matt Evans, after being first duly sworn, depose and state as follows:

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

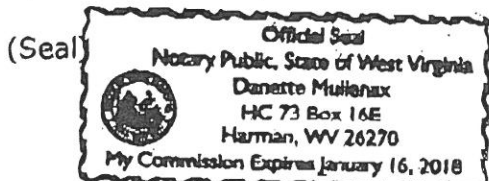
maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D**.

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

By: Matt Evans
 Title: President
 Company Name: Mountaineer Infrastructure
 Date: 10/15/13

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

By Commission expires Jan. 14, 2018



Danette Mullend
 (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. DEP16366

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: Mountaineer Infrastructure

Authorized Signature: MR. Evans Date: 10/15/13

State of West Virginia

County of Tucker, to-wit:

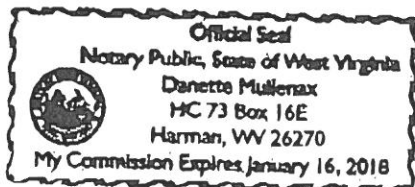
Taken, subscribed, and sworn to before me this 15 day of October, 2013.

My Commission expires January 16, 2018.

AFFIX SEAL HERE

NOTARY PUBLIC Danette Muller

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.

Mountaineer Infrastructure
(Company)

M.R. Evans
(Authorized Signature)

Matt Evans President
(Representative Name, Title)

304 866-4953 304 866-4329
(Phone Number) (Fax Number)

10/15/13
(Date)

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: DEP16366

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.

Mountaineer Infrastructure
Company

M.P. Evans
Authorized Signature

10/15/13
Date

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