



# West Virginia Purchasing Division

2019 Washington Street, East  
Charleston, WV 25305  
Telephone: 304-558-2306  
General Fax: 304-558-6026  
Bid Fax: 304-558-3970

The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at ***wvOASIS.gov***. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at ***WVPurchasing.gov*** with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

## Header

List View

**General Information** | [Contact](#) | [Default Values](#) | [Discount](#) | [Document Information](#)

Procurement Folder: 92907

Procurement Type: Central Purchase Order

Vendor ID: 000000200095 

Legal Name: J F ALLEN CO

Alias/DBA:

Total Bid: \$170,041.00

Response Date: 07/22/2015 

Response Time: 13:29

SO Doc Code: CRFQ

SO Dept: 0313

SO Doc ID: DEP1500000092

Published Date: 6/29/15

Close Date: 7/22/15

Close Time: 13:30

Status: Closed

Solicitation Description: Addendum 01 Lodgeville (Poe) DS Reclamation Project 

Total of Header Attachments: 0

Total of All Attachments: 0



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

**State of West Virginia  
 Solicitation Response**

**Proc Folder :** 92907

**Solicitation Description :** Addendum 01 Lodgeville (Poe) DS Reclamation Project

**Proc Type :** Central Purchase Order

| Date issued | Solicitation Closes    | Solicitation No              | Version |
|-------------|------------------------|------------------------------|---------|
|             | 2015-07-22<br>13:30:00 | SR 0313 ESR07221500000000267 | 1       |

| VENDOR                       |
|------------------------------|
| 000000200095<br>J F ALLEN CO |

**FOR INFORMATION CONTACT THE BUYER**  
 Beth Collins  
 (304) 558-2157  
 beth.a.collins@wv.gov

Signature X FEIN # DATE

All offers subject to all terms and conditions contained in this solicitation

| Line | Comm Ln Desc                  | Qty     | Unit Issue | Unit Price  | Ln Total Or Contract Amount |
|------|-------------------------------|---------|------------|-------------|-----------------------------|
| 1    | Mobilization & Demobilization | 1.00000 | LS         | \$12,000.00 | \$12,000.00                 |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

Extended Description : (Cannot be more than 10% of Total Amount Bid)

| Line | Comm Ln Desc               | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|----------------------------|---------|------------|------------|-----------------------------|
| 2    | Construction Layout Stakes | 1.00000 | LS         | \$7,500.00 | \$7,500.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

Extended Description : (Cannot be more than 5% of Total Amount Bid)

| Line | Comm Ln Desc    | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|-----------------|---------|------------|------------|-----------------------------|
| 3    | Quality Control | 1.00000 | LS         | \$1,000.00 | \$1,000.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

Extended Description : (Cannot be more than 3% of Total Amount Bid)

| Line | Comm Ln Desc     | Qty     | Unit Issue | Unit Price  | Ln Total Or Contract Amount |
|------|------------------|---------|------------|-------------|-----------------------------|
| 4    | Site Preparation | 1.00000 | LS         | \$12,000.00 | \$12,000.00                 |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

Extended Description : (Cannot be more than 10% of Total Amount Bid)

| Line | Comm Ln Desc                | Qty       | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|-----------------------------|-----------|------------|------------|-----------------------------|
| 5    | Temporary Access Road Stone | 130.00000 | TON        | \$30.00    | \$3,900.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                             |
|-------------------------------|-----------------------------|
| <b>Extended Description :</b> | Temporary Access Road Stone |
|-------------------------------|-----------------------------|

| Line | Comm Ln Desc               | Qty       | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|----------------------------|-----------|------------|------------|-----------------------------|
| 6    | Gravel Road Rehabilitation | 110.00000 | TON        | \$30.00    | \$3,300.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                            |
|-------------------------------|----------------------------|
| <b>Extended Description :</b> | Gravel Road Rehabilitation |
|-------------------------------|----------------------------|

| Line | Comm Ln Desc                         | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|--------------------------------------|---------|------------|------------|-----------------------------|
| 7    | Demolition of Structures and Removal | 1.00000 | LS         | \$7,500.00 | \$7,500.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                                      |
|-------------------------------|--------------------------------------|
| <b>Extended Description :</b> | Demolition of Structures and Removal |
|-------------------------------|--------------------------------------|

| Line | Comm Ln Desc | Qty       | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|--------------|-----------|------------|------------|-----------------------------|
| 8    | Silt Fence   | 610.00000 | LF         | \$2.00     | \$1,220.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |            |
|-------------------------------|------------|
| <b>Extended Description :</b> | Silt Fence |
|-------------------------------|------------|

| Line | Comm Ln Desc  | Qty        | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|---------------|------------|------------|------------|-----------------------------|
| 9    | Straw Wattles | 1600.00000 | LF         | \$7.00     | \$11,200.00                 |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |               |
|-------------------------------|---------------|
| <b>Extended Description :</b> | Straw Wattles |
|-------------------------------|---------------|

| Line | Comm Ln Desc                     | Qty      | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|----------------------------------|----------|------------|------------|-----------------------------|
| 10   | Stabilized Construction Entrance | 50.00000 | TON        | \$30.00    | \$1,500.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                                  |
|-------------------------------|----------------------------------|
| <b>Extended Description :</b> | Stabilized Construction Entrance |
|-------------------------------|----------------------------------|

| Line | Comm Ln Desc   | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|----------------|---------|------------|------------|-----------------------------|
| 11   | Rock Check Dam | 3.00000 | EA         | \$200.00   | \$600.00                    |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                |
|-------------------------------|----------------|
| <b>Extended Description :</b> | Rock Check Dam |
|-------------------------------|----------------|

| Line | Comm Ln Desc | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|--------------|---------|------------|------------|-----------------------------|
| 12   | Revegetation | 3.75000 | ACRE       | \$2,500.00 | \$9,375.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |              |
|-------------------------------|--------------|
| <b>Extended Description :</b> | Revegetation |
|-------------------------------|--------------|

| Line | Comm Ln Desc                            | Qty       | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|---|-----------|------------|------------|-----------------------------|
| 13   | 6 Ft. Wide Grouted RipRap "VEE" Channel | 505.00000 | LF         | \$65.00    | \$32,825.00                 |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |   |
|-------------------------------|---|
| <b>Extended Description :</b> | 6 Ft. Wide Grouted RipRap "VEE" Channel |
|-------------------------------|---|

| Line | Comm Ln Desc                         | Qty       | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|--------------------------------------|-----------|------------|------------|-----------------------------|
| 14   | 6 Ft. Wide Grass Lined "VEE" Channel | 153.00000 | LF         | \$12.00    | \$1,836.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                                      |
|-------------------------------|--------------------------------------|
| <b>Extended Description :</b> | 6 Ft. Wide Grass Lined "VEE" Channel |
|-------------------------------|--------------------------------------|

| Line | Comm Ln Desc  | Qty      | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|---------------|----------|------------|------------|-----------------------------|
| 15   | 18" HDPE Pipe | 70.00000 | LF         | \$50.00    | \$3,500.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |               |
|-------------------------------|---------------|
| <b>Extended Description :</b> | 18" HDPE Pipe |
|-------------------------------|---------------|

| Line | Comm Ln Desc                               | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|--|---------|------------|------------|-----------------------------|
| 16   | Grouted RipRap "VEE" Channel Road Crossing | 1.00000 | EA         | \$3,500.00 | \$3,500.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |  |
|-------------------------------|--|
| <b>Extended Description :</b> | Grouted RipRap "VEE" Channel Road Crossing |
|-------------------------------|--|

| Line | Comm Ln Desc       | Qty       | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|--------------------|-----------|------------|------------|-----------------------------|
| 17   | 3' x 3' Underdrain | 125.00000 | LF         | \$75.00    | \$9,375.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                    |
|-------------------------------|--------------------|
| <b>Extended Description :</b> | 3' x 3' Underdrain |
|-------------------------------|--------------------|

| Line | Comm Ln Desc               | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|----------------------------|---------|------------|------------|-----------------------------|
| 18   | Underdrain Conveyance Pipe | 5.00000 | LF         | \$50.00    | \$250.00                    |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                            |
|-------------------------------|----------------------------|
| <b>Extended Description :</b> | Underdrain Conveyance Pipe |
|-------------------------------|----------------------------|

| Line | Comm Ln Desc   | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|----------------|---------|------------|------------|-----------------------------|
| 19   | Type "G" Inlet | 5.00000 | VF         | \$600.00   | \$3,000.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                |
|-------------------------------|----------------|
| <b>Extended Description :</b> | Type "G" Inlet |
|-------------------------------|----------------|

| Line | Comm Ln Desc           | Qty     | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|------------------------|---------|------------|------------|-----------------------------|
| 20   | Piezometer Abandonment | 1.00000 | EA         | \$1,500.00 | \$1,500.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

|                               |                        |
|-------------------------------|------------------------|
| <b>Extended Description :</b> | Piezometer Abandonment |
|-------------------------------|------------------------|



| Line | Comm Ln Desc                 | Qty       | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|------------------------------|-----------|------------|------------|-----------------------------|
| 21   | 4 Ft. Wide Grass Lined Swell | 130.00000 | LF         | \$12.00    | \$1,560.00                  |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

Extended Description : 4 Ft. Wide Grass Lined Swell

| Line | Comm Ln Desc            | Qty         | Unit Issue | Unit Price | Ln Total Or Contract Amount |
|------|-------------------------|-------------|------------|------------|-----------------------------|
| 22   | Unclassified Excavation | 10400.00000 | CY         | \$4.00     | \$41,600.00                 |

| Comm Code | Manufacturer | Specification | Model # |
|-----------|--------------|---------------|---------|
| 77111603  |              |               |         |

Extended Description : Unclassified Excavation



Purchasing Division  
 2019 Washington Street East  
 P.O. Office Box 50130  
 Charleston, WV 25305-0130

State of West Virginia  
 Request for Quotation  
 32 – Reclamation

Proc Folder: 92907

Doc Description: Lodgeville (Poe) DS Reclamation Project Internal DEP17202

Proc Type: Central Purchase Order

| Date Issued | Solicitation Closes    | Solicitation No         | Version |
|-------------|------------------------|-------------------------|---------|
| 2015-05-14  | 2015-06-30<br>13:30:00 | CRFQ 0313 DEP1500000092 | 1       |

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

**VENDOR**

Vendor Name, Address and Telephone Number:

J.F. ALLEN COMPANY  
 PO BOX 2049  
 BUCKHANNON, WV 26201  
 (304) 472-8890

**FOR INFORMATION CONTACT THE BUYER**

Beth Collins  
 (304) 558-2157  
 beth.a.collins@wv.gov

Signature X

FEIN # 55-0328627

DATE JUNE 30, 2015

All offers subject to all terms and conditions contained in this solicitation



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

State of West Virginia  
 Request for Quotation  
 32 - Reclamation

Proc Folder: 92907

Doc Description: Addendum 01 Lodgeville (Poe) DS Reclamation Project

Proc Type: Central Purchase Order

| Date Issued | Solicitation Closes    | Solicitation No         | Version |
|-------------|------------------------|-------------------------|---------|
| 2015-06-29  | 2015-07-22<br>13:30:00 | CRFQ 0313 DEP1500000092 | 2       |

**BID RECEIVING LOCATION**

BID CLERK  
 DEPARTMENT OF ADMINISTRATION  
 PURCHASING DIVISION  
 2019 WASHINGTON ST E  
 CHARLESTON WV 25305  
 US

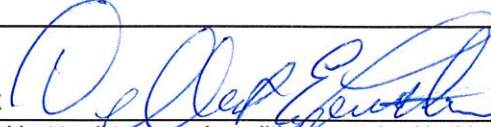
**VENDOR**

Vendor Name, Address and Telephone Number:

J.F. ALLEN COMPANY  
 PO BOX 2049  
 BUCKHANNON, WV 26201  
 (304) 472-8890

**FOR INFORMATION CONTACT THE BUYER**

Beth Collins  
 (304) 558-2157  
 beth.a.collins@wv.gov

Signature X  FEIN # 55-0328627 DATE JULY 22, 2015

All offers subject to all terms and conditions contained in this solicitation

**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: J. F. ALLEN COMPANY

Contractor's License No. WV000376

The apparent successful Vendor must furnish a copy of its contractor's license prior to the issuance of a Award Document.

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. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

**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 shall 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. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

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:

- (1) Information to show that the education and training service to the requirements of West Virginia Code § 21-1D-5 was provided;
- (2) The name of the laboratory certified by the United States Department of Health and Human Services or its successor that performs the drug tests;
- (3) The average number of employees in connection with the construction on the public improvement;
- (4) Drug test results for the following categories including the number of positive tests and the number of negative tests: (A) Pre-employment and new hires; (B) Reasonable suspicion; (C) Post-accident; and (D) Random.

Vendor should utilize the attached Certified Drug Free Workplace Report Coversheet when submitting the report required hereunder. Pursuant to W. Va. Code 21-1D-2(b) and (k), this provision does not apply to public improvement contracts the value of which is \$100,000 or less or temporary or emergency repairs.

4. **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.
5. **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 \$250,000.00 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. Additionally, if no subcontractors who will perform more than \$25,000.00 of work are to be used to complete the project, it will be noted on the subcontractor list.
  - a. Required Information. The subcontractor list shall contain the following information:
    - i. Bidder's name
    - ii. Name of each subcontractor
    - iii. License numbers as required by W. Va. Code § 21-11-1 et. seq.
    - iv. Notation that no subcontractor will be used to perform more than \$25,000.00 of work, when applicable
  - b. Submission. The completed subcontractor list shall be provided to the Purchasing Division within one business day of the opening of bids for review. Failure to submit the subcontractor

list within one business day after the deadline for submitting bids shall result in disqualification of the bid.

c. **Substitution of Subcontractor.** Written approval must be obtained from the State Spending Unit before any subcontractor substitution is permitted. Substitutions are not permitted unless:

- i. The subcontractor listed in the original bid has filed for bankruptcy;
- ii. The subcontractor in the original bid has been debarred or suspended; or
- iii. The contractor certifies in writing that the subcontractor listed in the original bill fails, is unable, or refuses to perform his subcontract.


6. **GREEN BUILDINGS MINIMUM ENERGY STANDARDS:** In accordance with § 22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations, including public schools, that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANSI/ASHRAE/IESNA Standard 90.1-2007: Provided, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.

**CERTIFICATION AND SIGNATURE PAGE**

By signing below, or submitting documentation through wvOASIS, 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, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

J. F. ALLEN COMPANY

(Company)



DELBERT E. LEATHERMAN  
VICE PRESIDENT

(Authorized Signature) (Representative Name, Title)

(304) 472-8890 (304) 472-8897 JUNE 30, 2015

(Phone Number) (Fax Number) (Date)



**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, J F Allen Company  
of PO Box 2049 Buckhannon, WV 26201-2049, as Principal, and Western Surety  
of 2 Chatham Center, Suite 1400, Pittsburgh PA a corporation organized and existing under the laws of the State of South Dakota with its principal office in the City of Sioux Falls, as Surety, are held and firmly bound unto the State of West Virginia, as Obligee, in the penal sum of 5% amount bid (\$ 5% amount 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 DEP17202, solicitation DEP150000092, Lodgeville (Poe) DS in Harrison County, WV, according to plans and specifications.

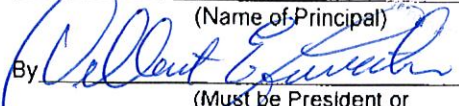
NOW THEREFORE,

- (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 30th day of June, 2015.

Principal Corporate Seal

JF Allen Company  
(Name of Principal)  
By   
(Must be President or Vice President)  
DELBERT E. LEATHERMAN  
VICE PRESIDENT  
(Title)

Surety Corporate Seal

Western Surety Company  
(Name of Surety)

  
Attorney-in-Fact  
Sheila McCormick, 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.



# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Ross E Johnson, Beverly A Holstine, Kathryn K Arthur, Sheila Mc Cormick, Taylor R Johnson, Individually**

of Charleston, WV, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 4th day of August, 2014.



WESTERN SURETY COMPANY

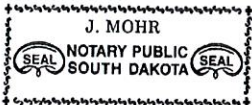
*Paul T. Bruflat*

Paul T. Bruflat, Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 4th day of August, 2014, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires  
June 23, 2015



*J. Mohr*

J. Mohr, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 30th day of June, 2015.



WESTERN SURETY COMPANY

*L. Nelson*

L. Nelson, Assistant Secretary

**Authorizing By-Law**

**ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY**

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

ADDENDUM ACKNOWLEDGEMENT FORM

SOLICITATION NO.: DEP1500000092

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.

J. F. ALLEN COMPANY

Company

Authorized Signature

JULY 22, 2015

Date

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



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

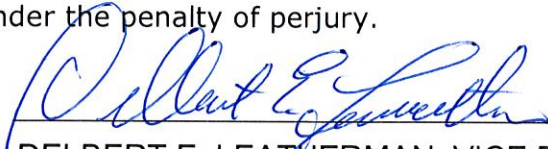
**STATE OF WEST VIRGINIA,  
COUNTY OF UPSHUR, TO-WIT:**

I, DELBERT E. LEATHERMAN, after being first duly sworn, depose and state as follows:

1. I am an employee of J.F. ALLEN COMPANY; and,  
(Company Name)
2. I do hereby attest that J.F. ALLEN COMPANY  
(Company Name)

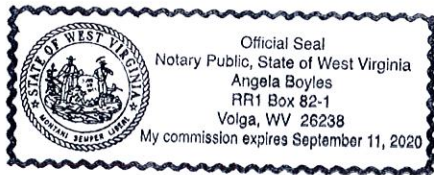
maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D**.

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

By:   
 Title: DELBERT E. LEATHERMAN, VICE PRESIDENT  
 Company Name: J.F. ALLEN COMPANY  
 Date: JUNE 30, 2015

Taken, subscribed and sworn to before me this 30TH day of JUNE, 2015.  
 By Commission expires SEPTEMBER 11, 2020

(Seal)



  
 (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.**

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: J.F. ALLEN COMPANY

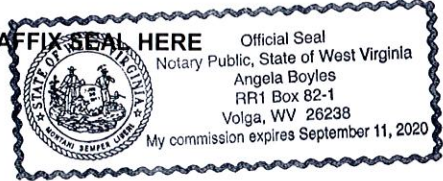
Authorized Signature: *[Signature]* Date: JUNE 30, 2015

State of WEST VIRGINIA

County of UPSHUR, to-wit:

Taken, subscribed, and sworn to before me this 30 day of JUNE, 2015.

My Commission expires SEPTEMBER 11, 2020.



NOTARY PUBLIC *[Signature]*  
*Purchasing Affidavit (Revised 07/01/2012)*

State of West Virginia  
Purchasing Division

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## CERTIFIED DRUG-FREE WORKPLACE REPORT COVERSHEET

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In accordance with **West Virginia 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. That report must include each of the items identified below in the Required Report Content section.

**Instructions:** Vendor should complete this coversheet, attach it to the required report, and submit it to the appropriate location as follows: For contracts more than \$25,000, the report should be mailed to the West Virginia Purchasing Division at 2019 Washington Street East, Charleston, WV 25305. For contracts of \$25,000 or less, the vendor should mail the report to the public authority issuing the contract.

**Contract Identification:**

Contract Number: \_\_\_\_\_

Contract Purpose: \_\_\_\_\_

Agency Requesting Work: \_\_\_\_\_

**Required Report Content:** The attached report must include each of the items listed below. The vendor should check each box as an indication that the required information has been included in the attached report.

- Information indicating the education and training service to the requirements of **West Virginia Code § 21-1D-5** was provided;
- Name of the laboratory certified by the United States Department of Health and Human Services or its successor that performs the drug tests;
- Average number of employees in connection with the construction on the public improvement;
- Drug test results for the following categories including the number of positive tests and the number of negative tests: (A) Pre-employment and new hires; (B) Reasonable suspicion; (C) Post-accident; and (D) Random.

**Vendor Contact Information:**

Vendor Name: J.F. ALLEN COMPANY

Vendor Telephone: 304-472-8890

Vendor Address: PO BOX 2049  
BUCKHANNON, WV 26201

Vendor Fax: 304-472-8897

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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: J.F. ALLEN COMPANY Tax Payer ID No.: 55-0328627  
Address: PO BOX 2049  
City: BUCKHANNON State: WV Zip Code: 26201 Phone: (304) 472-8890  
Fax No.: (304) 472-8897 E-mail address: dleatherman@jfallenco.com

Part B: Legal Structure

Corporation       Sole Proprietorship       Partnership       LLC  
 Other (please specify) \_\_\_\_\_

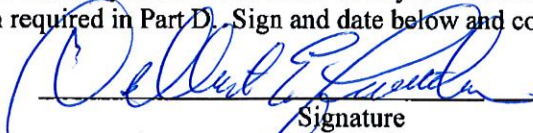
Part C: Certifying and updating information in the Applicant/Violator System (AVS). Select only one of the following options, follow the instructions for that option, and sign below.

I, DELBERT E. LEATHERMAN, have the express authority to certify that:  
(print name)

- Information on the attached Entity Organizational Family Tree (OFT) from AVS is accurate, complete, and up-to-date. If you select this option, you must attach an Entity OFT from AVS to this form. Sign and date below and do not complete Part D.
- \_\_\_\_\_ Part of the information on the attached Entity OFT from AVS is missing or incorrect and must be updated. If you select this option, you must attach an Entity OFT from AVS to this form. Use Part D to provide the missing or corrected information. Sign and date below and complete Part D.
- \_\_\_\_\_ Our business currently is not listed in AVS. If you select this option, you must provide all information required in Part D. Sign and date below and complete Part D.

06/30/2015

Date



Signature

VICE PRESIDENT

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: J.F. ALLEN COMPANY

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        | _____ | Position/Title | _____ |
| Address     | _____ | Telephone #    | _____ |
|             | _____ | % of Ownership | _____ |
| Begin Date: | _____ | Ending Date:   | _____ |

|             |       |                |       |
|-------------|-------|----------------|-------|
| Name        | _____ | Position/Title | _____ |
| Address     | _____ | Telephone #    | _____ |
|             | _____ | % of Ownership | _____ |
| Begin Date: | _____ | Ending Date:   | _____ |

|             |       |                |       |
|-------------|-------|----------------|-------|
| Name        | _____ | Position/Title | _____ |
| Address     | _____ | Telephone #    | _____ |
|             | _____ | % of Ownership | _____ |
| Begin Date: | _____ | Ending Date:   | _____ |

|             |       |                |       |
|-------------|-------|----------------|-------|
| Name        | _____ | Position/Title | _____ |
| Address     | _____ | Telephone #    | _____ |
|             | _____ | % of Ownership | _____ |
| Begin Date: | _____ | 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.





## AVS OFT Report - 6/26/2015 11:09:39 AM

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

### Entity Selected (139828) J F Allen Company

| Parent Entity              | Description             | ExtDesc | Related Entity              | % Ownership | Begin Date | End Date   |
|----------------------------|-------------------------|---------|-----------------------------|-------------|------------|------------|
| (139828) J F Allen Company | Shareholder             |         | (155367) Michael S Allen    | 5%          | 1/1/1985   |            |
| (139828) J F Allen Company | Treasurer               |         | (139829) John C Allen       |             | 1/1/1988   |            |
| (139828) J F Allen Company | Shareholder             |         | (139829) John C Allen       | 27%         | 7/14/1975  |            |
| (139828) J F Allen Company | Chief Executive Officer |         | (139829) John C Allen       |             | 1/1/2006   |            |
| (139828) J F Allen Company | Director                |         | (139830) James F Allen Iv   |             | 1/1/1988   |            |
| (139828) J F Allen Company | Shareholder             |         | (139830) James F Allen Iv   | 12%         | 1/1/1980   |            |
| (139828) J F Allen Company | Shareholder             |         | (139831) John C Allen Jr    | 56%         | 1/1/1980   |            |
| (139828) J F Allen Company | Shareholder             |         | (139831) John C Allen Jr    | 57%         | 5/28/2004  |            |
| (139828) J F Allen Company | Chairman of the Board   |         | (139831) John C Allen Jr    |             | 12/6/2011  |            |
| (139828) J F Allen Company | Assistant Secretary     |         | (253194) Darren Glover      |             | 12/6/2011  |            |
| (139828) J F Allen Company | Director                |         | (139832) Michael D Griffith |             | 1/15/1988  |            |
| (139828) J F Allen Company | President               |         | (155365) Gregory S Hadjis   |             | 12/23/2005 |            |
| (139828) J F Allen Company | Director                |         | (155365) Gregory S Hadjis   |             | 3/1/2003   |            |
| (139828) J F Allen Company | Director                |         | (253195) Ross E Johnson     |             | 8/16/2011  |            |
| (139828) J F Allen Company | Director                |         | (252881) Delbert Leatherman |             | 1/25/2012  |            |
| (139828) J F Allen Company | Vice President          |         | (252881) Delbert Leatherman |             | 1/25/2012  |            |
| (139828) J F Allen Company | Director                |         | (155366) Mary E Lydon       |             | 11/30/1996 |            |
| (139828) J F Allen Company | Secretary               |         | (155366) Mary E Lydon       |             | 11/30/1996 |            |
| (139828) J F Allen Company | Director                |         | (143686) David H Turner     |             | 8/16/2011  |            |
| (139828) J F Allen Company | Shareholder             |         | (139829) John C Allen       | 51%         | 1/1/1980   | 5/28/2004  |
| (139828) J F Allen Company | Shareholder             |         | (139831) John C Allen Jr    | 32%         | 1/1/1980   | 5/28/2004  |
| (139828) J F Allen Company | President               |         | (139829) John C Allen       |             | 1/1/1980   | 12/23/2005 |
| (139828) J F Allen Company | Vice President          |         | (155365) Gregory S Hadjis   |             | 3/1/2003   | 12/23/2005 |
| (139828) J F Allen Company | Vice President          |         | (139832) Michael D Griffith |             | 1/1/1985   | 1/1/2012   |