



# **FAX COVER SHEET**

TO: Department of Admir	nistration, Purchasing Division	
FROM: Williams Excar	vating, LLC	
# OF PAGES: 12	(Including cover sheet)	
	Sealed Bid Enclosed: DEP 150000	00097
COMMENTS:	Buyer: Beth Collins	
	Solicitation No: DEP1500000097	Camden Hartley Dangerous Landslide
	Bid Opening Date: 05 AUG 2015	(DEP17127)
	Bid Opening Time: 1:30pm	
	Fax Number: (304) 558-3970	
Property of: Williams Excavating	,uc	0:
8801 CR22A		•
Bloomingdale, OH 4	3910	
740-937-2077 (Office	e)	
740-937-2022 (Fax)		08/05/15 12:43:03 WV Purchasina Division

RECEIVED TIME AUG. 5. 12:35PM

## CAMDEN (HARTLEY) DANGEROUS LANDSLIDE

Revised Contractor's Bid Sheet

Company Name:

Williams Excavating, LLC

Address:

8801 CR 22A

Bloomingdale, OH 43910

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.	QUANT	rity	DESCRIPTION	UNIT	AMOUNT
€ 25 %					30 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
1.0	Lump 6	Sum	Mobilization and Demobilization (Cannot be more than 5% of TOTAL AMOUNT BID)	\$30,000	\$ 30,000.00
2.0	Lump S	Sum	Construction Layout Stakes (Cannot be more than 3% of TOTAL AMOUNT BID)	\$ 20,000	\$ 20,000.00
3.0	Lump 8	Sum	Quality Control (Cannot be more than 2% of TOTAL AMOUNT BID)	\$13,500	\$ 13,500.00
4.1	Lump S	Sun	Site Preparation (Cannot be more than 10% of TOTAL AMOUNT BID)	\$ 55,000	\$ 55,000.00
4.2	550	LF	Access Road Number One	\$ 20	\$ 11,000.00
4.3	30	TN	Incidental Stone	\$ 40	\$ 1,200.00
4.4	1	ĒΛ	Cable Gate	\$ 678	\$ 678.00
5,1	1	BA	Stone Construction Entrance	\$ 3,500	\$ 3,500,00
5.2	2,250	LF	Silt Fence	\$ 1.75	\$ 3,937.50
5.3	4,000	LF	Straw Wattles	\$ 5	\$ 20,000.00
6,0	10	AC	Revegetation (Plan View)	\$ 2,345	\$ 23,450.00
7.1	1,250	LF	Brosion Coutrol Blanket Lined Ditch	\$ 15	\$ 18,750.00
7.2	1,600	LF	2.0 Ft. Deep "Vee" Shaped Gronted Riprap Ditch	\$ 85	\$ 136,000.00
7.3	40	LF	Splash Pad	\$ 50	\$ 2,000.00
7.4	58	LF	18" Ø HDPB Pipe Number One	\$ 180	\$ 10,440.00
7.5	27	LF	12" Ø HDPB, Pipe Number Two	\$ 25	\$ 675,00
7.6	125	LF	15" Ø SDR35 PVC Pipe Number Three	\$ 38	\$ 4,750.00
7.7	1	BA	Pipe Number Three Inline Cleanout	\$ 3,000	\$ 3,000.00
7,8	1	BV	Drop Inlet and Grate	\$ 2,475	\$ 2,475.00
8.0	65,000	CY	Unclassified Bxcavation	\$ 4.20	\$ 273,000.00
10.1	500	LP	Subsurface Drain	\$ 75	\$ 37,500.00
10.2	50	LF	12" Ø SDR35 PVC Conveyance Pipe	\$ 24	\$ 1,200.00
10.3	5	BA	12" Inlino Clennout	\$ 1,000	\$ 5,000.00
11.2	925	LF	Permanent Gas Line Relocation	\$ 15	\$ 13,875.00
	(F) (F) (F) (F) (F)		TOTAL:	\$	690,930.50

Bidders Authorized Signature:

Agency WVDEP	
REQ.P.O# DEP17127	_

#### **BID BOND**

**₽** = --- --

	KNOW ALL MEN BY THESE PRES	ENTS, That v	ve, the undersigned,	, Williams Excavating, LLC
of	Bloomingdale	- 1	OH ge	Principal, and Ohio Farmers Insurance Company
of	Westfield Center	OH	, a corporation	organized and existing under the laws of the State of
<u>OH</u>	with its principal office in the	he City of $\underline{\hspace{1.5cm}}$	Vestfield Center	, as Surety, are held and firmly bound unto the State
	t Virginia, as Obligee, in the penal sun	n of <u>Five Per</u>	cent of Amount Bio	d (\$ 5% ) for the payment of which
well and	d truly to be made, we jointly and seve	erally bind our	seives, our heirs, ad	iministrators, executors, successors and assigns.
	The Condition of the above obligat	tion is such t	hat whereas the Pri	rincipal has submitted to the Purchasing Section of the
Departn	nent of Administration a certain bid or	proposal, atta	iched hereto and ma	ade a part hereof, to enter into a contract in writing for
Camde	en (Hartley) DS - DEP17127			
	NOW THEREFORE,			
full force	ement created by the acceptance of a	ed and the P onds and inst said bid, then od and agree	rrance required by th this obligation shall i I that the Irability of	into a contract in accordance with the bid or proposal he bid or proposal, and shall in all other respects perform be null and vold, otherwise this obligation shall remain in the Surety for any and all claims hereunder shall, in no
way imp waive no	The Surety, for the value received, he called or affected by any extension of the of any such extension.	ereby stipulat of the time wit	es and agrees that this thing which the Oblig	the obligations of said Surety and its bond shall be in no see may accept such bid, and said Surety does hereby
	WITNESS, the following signatures a	and seals of P	rincipal and Surety.	executed and sealed by a proper officer of Principal and
Surety, o	or by Principal Individually if Principal I			
Principal	I Seal		0	Williams Excavating, LLC
				(Name of Principal)
				By you were
				Must be President, Vice President, or Duly Authorized Agent)
				owner
				(Title)
Surety S	The state of the s	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		Ohio Farmers Insurance Company
outory o	<b>401</b>	S ON DE	TEREN E	(Name of Surety)
5 2		10		
2		N. C. W.	The state of the s	By: 1/
				Nicholas A. Sparachane Attorney-in-Fact

IMPORTANT — Surety executing bonds must be licensed in West Virginia to transact surety insurance, must affix its seal, and must attach a power of attorney with its seal affixed.

#### **CERTIFIED COPY**

Westfield Center, Ohio

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY, and OHIO FARMERS INSURANCE COMPANY, corporations, hereinsafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having their principal offices in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint Nicholas A. Sparachane

of Wheeling and State of WV their true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in their names, place

and stond, to execute, acknowledge and deliver the following surety bond:

Surety Bond Numbers Bid Bond Principal: Williams Excavating, LLC Obligee: State of West Virginia

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate sual of the applicable Company and duly attested by its Socretary, hereby ratifying and confirming all that the said Attorney(a)-iu-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY, and OHIO FARMERS INSURANCE COMPANY:

"BE IT RESOLVED, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more switable persons as Attorney(a)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indennity and other conditional or obligatory undertakings and any and all notices and documents cancelling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon The Company as if signed by the President and sealed and attested by the Corporate Secretary."

"BE IT FURTHER RESOLVED, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or entificate bearing facesimile signatures or facesimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Sach adopted at a meeting held on February 8, 2000.)

In Winess Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY, and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals o be hereto affixed this 1" day of April, A.D., 2014.

Corporate Scala Affixed



WESTPIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By:

Dennis P. Baus,
National Surety Leader and Senior Executive

State of Ohio County of Medina

aa.:

On this 1st day of April, A.D., 2014, before me personally came Dennis P. Baus, to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Lender and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY, and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Board of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Scal Affixed



By: Calle U/Gine

David A. Kotnik, Attorney at Law, Natury Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio County of Medina

99.:

#### CERTIFICATE

1. Frank Carrino, Secretary of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY, and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, act out in the Power of Attorney are in full force and effect.

In Wilness Whereof, I have hercunto set my hand and affixed the scal of said Company in Westfield Center, Ohio, this 2nd day of July , A.D., 2015.



Frank Carring Secretary

BPOAC (03-01)

### 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:	Williams Excavating, LLC
Contractor's License No	WV-038495

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

Revised 04/13/2015

### CERTIFICATIONAND 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.

Williams Excavating, LLC

Te Williams, Owner

Authorized Signature) (Representative Name, Title)

(740) 937-2077 / (740) 937-2022 / 8 - / 5 (Phone Number) (Fax Number) (Date)

# ADDENDUM ACKNOWLEDGEMENT FORM SOLICITATION NO.:

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.

	umbers Received: ox next to each adden	dum received)		
X	Addendum No. 1		Addendum No. 6	
Ø	Addendum No. 2		Addendum No. 7	
	Addendum No. 3		Addendum No. 8	
	Addendum No. 4		Addendum No. 9	
	Addendum No. 5		Addendum No. 10	
I further under discussion hel	rstand that any verba d between Vendor's	representation representatives	ddenda may be cause for rejection of the made or assumed to be made during an and any state personnel is not binding, ne specifications by an official addend	y oral Only
William	s Excavating, LLC	Military		
Company Authorized Sig	mature pt Aug	7 the 2015		
	1			

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

Revised 04/13/2015

# State of West Virginia Purchasing Division

# CERTIFIED DRUG-FREE WORKPLACE REPORT COVERSHEET

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 Identifi	cation:		
Contract Number:	Lodgeville DEP17202 W	DED 17127 CAME	DEN HARTLEY
Contract Purpose	Construction		
Agency Requesti	ng Work: WV DEP- AML		
Information	Content: The attached report must box as an indication that the require indication and training the education and training traini	ed information has been include	d in the attached report.
Name of th	as provided; le laboratory certified by the United that performs the drug tests;		_
Drug test re	umber of employees in connection we esults for the following categories inc sts: (A) Pre-employment and new h	cluding the number of positive te	sts and the number of
Vendor Contact I	nformation:		
Vendor Name: Vendor Address: _	Williams Excavating, LLC 8801 CR 22A Bloomingdale, OH 43910	Vendor Telephone:  Vendor Fax: (740)	•
-			

2.



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

OHIO STATE OF-WEST VIRGINIA, COUNTY OF JEFFERGON, TO-WIT: I, Travis Tipton , after being first duly sworn, depose and state as follows: I am an employee of Williams Excavating, LLC 1. (Company Name)

I do hereby attest that Williams Excavating, LLC (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: Travis Tipton
Title: Project Engineer
Company Name: Williams Excavating, LLC
Date:
Taken, subscribed and sworn to before me this day of
By Commission expires June 03 2020
Shannon Travis Notary Public In and For the State of Ohio My Commission Expires

THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WY CODE PROVISIONS, FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.

Rev. August 2013

June 03, 2020

### 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: Williams Excavating, LLC	
Authorized Signature: Date:	01 July 2015
State of Onio	1
County of Hefferson, to-wit:	
Taken, subscribed, and sworn to before me this <u>i</u> day of <u>さいし</u>	. 20 <u>15</u> .
My Commission expires dung 63 20 35.	_
AFFIX SEAL HERE  Shannon Travis  Notary Public In and For the State of Ohio	Purchasing Affidavit (Revised 07/01/2012)

\*\*\* Commission Expires

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

THE A: General information
Business Name: Williams Excavating Tax Payer ID No.: 01-0830020  Address: 8801 CR 22A  City: Bloomingdale State: OH Zip Code: 43910 Phone: 740-937-2077
Fax No.: 740-937-2022 E-mail address:
Part B: Legal Structure
( ) Corporation ( ) Sole Proprietorship ( ) Partnership (X) LLC ( ) Other (please specify)
Part C: Cortifying 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,
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.
3. X 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.
Dota
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.
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#### Part D.

Contractor's Business Name:	Williams Excavating, 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 Address	Joe Williams  8801 CR 22A	Position/Title Telephone #	Owner 304-614-8887
Begin Date:	Bloomingdale, OH 43910 March 14, 2005	% of Ownership Ending Date:	100%
Name Address		Position/Title Telephone #	
Begin Date:		% of Ownership Ending Date:	
Name Address		Position/Title Telephone #	
Begin Date:		% of Ownership Ending Date:	
Name Address		Position/Title Tolephone #	
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.