



2400 Ritter Drive
Daniels, WV 25832
PH: 304-763-4573
Fax: 304-763-4591
www.aspen-golf.com

Aspen Corporation

Fax

To: Beth Collins
WV Purchasing Division
2019 Washington Street, East
P.O. Box 50130
Charleston, WV 25305-0130

From: Brian Knight

Fax: 304-558-3970

Pages: 20 (counting cover)

Phone: 304-558-2157

Date: 10-6-2015

Re: DEP 17264 City of War Portals

CC: File

Urgent For Review Please Comment Please Reply Please Recycle

● **Comments:**

Buyer: Beth Collins
RFQ. NO. DEP17264
Bid Opening Date: October 6, 2015
Bid Opening Time: 1:30 PM

10/06/15 10:28:36
WV Purchasing Division

IMPORTANT: The information contained in this facsimile transmission is only for the use of the individual or entity named above and may contain information that is privileged, confidential or exempt or protected from disclosure under applicable law. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

3047634591

Aspen Corporation

10:18:53 p.m. 10-05-2015

2 / 20



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

State of West Virginia
Request for Quotation
32 - Reclamation

Proc Folder: 114710

Doc Description: Addendum 01 City of War Portals

Proc Type: Central Purchase Order

| Date Issued | Solicitation Closes | Solicitation No | Version |
|-------------|------------------------|-------------------------|---------|
| 2015-09-17 | 2015-10-06 13:30:00 | CRFQ 0313 DEP1600000008 | 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:

Aspen Corporation
2400 Ritter Drive
Daniels, WV 25832
304-763-4573

Bid Total: \$82,853.00

FOR INFORMATION CONTACT THE BUYER

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

Signature X

FEIN # 550627766001

DATE 10-06-2015

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

ADDITIONAL INFORMATION

Addendum No. 01

This addendum is issued to modify the solicitation per the attached documentation and the following:

1. To provide answers to vendor submitted questions.
 2. To provide a copy of the mandatory pre-bid sign-in sheet
 3. To modify the bid opening date and time to October 6, 2015 at 1:30PM, EST.
 4. To provide a revised bid schedule and commodity lines.
- No other changes.

THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FOR THE RESTORATION AND RECLAMATION AND REPAIR FOR THE CITY OF WAR PORTAL PROJECT, LOCATED IN McDOWELL COUNTY, WEST VIRGINIA, PER THE ATTACHED SPECIFICATIONS AND DOCUMENTATION.

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|-------------------------------|---------|------------|-------------------|-------------------|
| 1 | Mobilization & Demobilization | 1.00000 | LS | \$8,000.00 | \$8,000.00 |

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

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

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|---------------------|---------|------------|-------------------|-------------------|
| 2 | Construction Layout | 1.00000 | LS | \$4,000.00 | \$4,000.00 |

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

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

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|-----------------|---------|------------|------------|-------------|
| 3 | Quality Control | 1.00000 | LS | \$2,000.00 | \$2,000.00 |

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

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

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|------------------|---------|------------|------------|-------------|
| 4 | Site Preparation | 1.00000 | LS | \$8,000.00 | \$8,000.00 |

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

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

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|---|-----------|------------|------------|-------------|
| 5 | Gravel Trail Rehabilitation (6' wide x 3" deep) | 320.00000 | TON | \$40.00 | \$12,800.00 |

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

Extended Description :

Gravel Trail Rehabilitation (6' wide x 3" deep)

| INVOICE TO: | SHIP TO: |
|---|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|-----------------------------|-----------|------------|------------|-------------|
| 6 | Silt Fence Sediment Control | 655.00000 | LF | \$1.00 | \$655.00 |

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

Extended Description :

Silt Fence Sediment Control

| INVOICE TO: | SHIP TO: |
|---|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|---|----------|------------|------------|-------------|
| 7 | Stabilized Construction Entrances (2 @ 70' x 12' width) | 50.00000 | TON | \$50.00 | \$2,500.00 |

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

Extended Description :

Stabilized Construction Entrances (2 @ 70' x 12' width)

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|--------------|---------|------------|------------|-------------|
| 8 | Revegetation | 1.00000 | LS | \$500.00 | \$500.00 |

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

Extended Description :
Revegetation

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|--------------------|---------|------------|------------|-------------|
| 9 | Low Water Crossing | 0.00000 | EA | \$0.00 | \$0.00 |

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

Extended Description :
Inactive Line no longer a bidable line item

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|--------------------|---------|------------|------------|-------------|
| 10 | 4' x 4' Splash Pad | 1.00000 | EA | \$250.00 | \$250.00 |

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

Extended Description :

4' x 4' Splash Pad

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|--|---------|------------|------------|-------------|
| 11 | Dry MineSeal with Gravel Bulkhead (Portals 5, 8, 11) | 3.00000 | EA | \$1,000.00 | \$3,000.00 |

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

Extended Description :

Dry MineSeal with Gravel Bulkhead (Portals 5, 8, 11)

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|--|---------|------------|------------|-------------|
| 12 | Mine Seal Bulkhead for Bat Gate Seal (Portals 3,6,7 & 9) | 4.00000 | EA | \$2,000.00 | \$8,000.00 |

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

Extended Description :

Mine Seal Bulkhead for Bat Gate Seal (Portals 3,6,7 & 9)

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|--|---------|------------|------------|-------------|
| 13 | Mine Seal Bulkhead for Bat Gate Seal (Portal 10) | 1.00000 | EA | \$3,000.00 | \$3,000.00 |

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

Extended Description :
Mine Seal Bulkhead for Bat Gate Seal (Portal 10)

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|---|-----------|------------|------------|-------------|
| 14 | 36" HDPE Bat Gate Mine Seal Pipe (Portals 3,6,7, & 9) | 112.00000 | LF | \$54.00 | \$6,048.00 |

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

Extended Description :
36" HDPE Bat Gate Mine Seal Pipe (Portals 3,6,7, & 9)

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|--|----------|------------|------------|-------------|
| 15 | 80" HDPE Bat Gate Mine Seal Pipe (Portal 10) | 50.00000 | LF | \$152.00 | \$7,600.00 |

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

Extended Description :

60" HDPE Bat Gate Mine Seal Pipe (Portal 10)

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|-----------------------------|---------|------------|------------|-------------|
| 16 | 36" HDPE Mine Seal Bat Gate | 5.00000 | EA | \$1,700.00 | \$8,500.00 |

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

Extended Description :

36" HDPE Mine Seal Bat Gate

| INVOICE TO | | SHIP TO | |
|---|--|--|--|
| ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV25304 US | | ENVIRONMENTAL PROTECTION OFFICE OF AML&R 601 57TH ST SE CHARLESTON WV 25304 US | |

| Line | Comm Ln Desc | Qty | Unit Issue | Unit Price | Total Price |
|------|-----------------------------|---------|------------|------------|-------------|
| 17 | 60" HDPE Mine Seal Bat Gate | 2.00000 | EA | \$4,000.00 | \$8,000.00 |

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

Extended Description :

60" HDPE Mine Seal Bat Gate

SCHEDULE OF EVENTS

| Line | Event | Event Date |
|------|---|------------|
| 1 | Mandatory Pre Bid Confrence at 10:00AM, EST | 2015-08-25 |
| 2 | Tech Question Deadline at 5:00 PM, EST | 2015-08-28 |

| | Document Phase | Document Description | Page 9 |
|---------------|-----------------------|----------------------------------|---------------|
| DEP1600000008 | Final | Addendum 01 City of War Portal s | of 9 |

ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

Agency Environmental Protection
REQ P O# DEP17264

BID BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Aspen Corporation
of 2400 Ritter Drive, Daniels, WV 25832, as Principal, and Lexon Insurance Company
of 10002 Shelbyville Road, Suite 100, Louisville, KY 40223, a corporation organized and existing under the laws of the State of Texas
with its principal office in the City of Louisville, Kentucky, as Surety, are held and firmly bound unto the State
of West Virginia, as Oblige, in the penal sum of Five Percent of Amount Bid (\$ 5% of Bid) for the payment of which,
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for

DEP 17264 - City of War Portals

McDowell County, WV

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Oblige may accept such bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers, this

6th day of October, 2015

Principal Corporate Seal

Aspen Corporation

(Name of Principal)

By Claude R. Hill

(Must be President or Vice President)

Vice President

(Title)

Lexon Insurance Company

(Name of Surety)

Surety Corporate Seal

Bonnie J. Wortham
Bonnie J. Wortham, Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed; a power of attorney must be attached.

ACKNOWLEDGMENTS

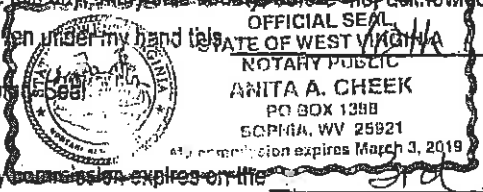
Acknowledgment by Principal if individual or Partnership

1. STATE OF _____
 2. County of _____ to-wit:
 3. I, _____, a Notary Public in and for the
 4. county and state aforesaid, do hereby certify that _____
 whose name is signed to the foregoing writing, has this day acknowledged the same before me in my said county.
 5. Given under my hand this _____ day of _____ 20____
 6. Notary Seal _____
 7. _____
 (Notary Public)
 8. My commission expires on the _____ day of _____ 20____

Acknowledgment by Principal if Corporation

9. STATE OF WEST VIRGINIA
 10. County of RALEIGH to-wit:
 11. I, Anita A. Cheek, a Notary Public in and for the
 12. county and state aforesaid, do hereby certify that CLAUDE R. HILL
 13. who as, VICE PRESIDENT signed the foregoing writing for
 14. ASPEN CORPORATION a corporation,
 has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.

15. Given under my hand this _____ day of October 2019
 16. Notary Seal Anita A. Cheek
 17. Anita A. Cheek
 (Notary Public)
 18. My commission expires on the _____ day of March 2019



Acknowledgment by Surety

19. STATE OF Kentucky
 20. County of Jefferson to-wit:
 21. I, Barbara Duncan, a Notary Public in and for the
 22. county and state aforesaid, do hereby certify that Bonnie J. Wortham
 23. who as, Attorney-in-Fact signed the foregoing writing for
 24. Loach Industries Company a corporation,
 has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.

25. Given under my hand this _____ day of October 2015
 26. Notary Seal _____
 27. Barbara D
 Barbara Duncan (Notary Public)
 28. My commission expires on the _____ day of June 2018

Sufficiency in Form and Manner of Execution Approved

Attorney General

This _____ day of _____ 20____ By: _____
 (Deputy Attorney General)

POWER OF ATTORNEY

Lexon Insurance Company

LX-257472

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Barbara Duncan, Sandra L. Fusinetti, Mark A. Guldry, Jill Kemp, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Nelchter, Jessica Nowlin, Theresa Pickerrell, Sheryon Quinn, Bonnie J. Wortham its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY [Signature]
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 07-08-19

BY [Signature]
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 6th Day of October, 2015.



BY [Signature]
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Aspen Corporation

Authorized Signature: *Charles R. Hill* Date: 10-06-2015

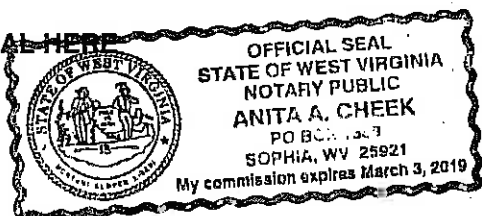
State of West Virginia

County of Raleigh, to-wit:

Taken, subscribed, and sworn to before me this 6th day of October, 2015.

My Commission expires March 3, 2019.

AFFIX SEAL HERE



NOTARY PUBLIC

Anita A. Cheek

Purchasing Affidavit (Revised 08/01/2015)

ADDITIONAL TERMS AND CONDITIONS (Construction Contracts Only)

1. **CONTRACTOR'S LICENSE:** West Virginia Code § 21-11-2 requires that all persons desiring to perform contracting work in this state be licensed. The West Virginia Contractors Licensing Board is empowered to issue the contractor's license. Applications for a contractor's license may be made by contacting the West Virginia Division of Labor. West Virginia Code § 21-11-11 requires any prospective Vendor to include the contractor's license number on its bid. Failure to include a contractor's license number on the bid shall result in Vendor's bid being disqualified. Vendors should include a contractor's license number in the space provided below.

Contractor's Name: Aspen Corporation

Contractor's License No. WV000653

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

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WV-73
Rev. 08/2013



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

STATE OF WEST VIRGINIA,

COUNTY OF Raleigh, TO-WIT:

I, CLAUDE R. HILL, after being first duly sworn, depose and state as follows:

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

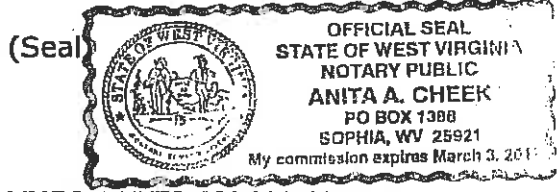
maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D**.

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

By: Claude R. Hill
 Title: Vice President
 Company Name: Aspen Corporation
 Date: October 6, 2015

Taken, subscribed and sworn to before me this 6th day of October, 2015

By Commission expires March 3, 2019



Anita A. Cheek
(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.

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.

Aspen Corporation

(Company)

Claude R. Hill CLAUDE R. HILL, VICE PRESIDENT
(Authorized Signature) (Representative Name, Title)

304-763-4573 / 304-763-4591 / 10-06-2015

(Phone Number) (Fax Number) (Date)

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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: Aspen Corporation Tax Payer ID No.: 550627766001
Address: 2400 Ritter Drive
City: Daniels State: WV Zip Code: 25832 Phone: 304-763-4573
Fax No.: 304-763-4591 E-mail address: rhill@aspen-golf.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, _____, 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.

10-06-2015

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: Aspen Corporation

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>Donnie Adkins</u> | Position/Title | <u>President</u> |
| Address | <u>2400 Ritter Drive</u> | Telephone # | <u>304-763-4573</u> |
| | <u>Daniels, WV 25832</u> | % of Ownership | <u>50%</u> |
| Begin Date: | <u>1982</u> | Ending Date: | <u>N/A</u> |

| | | | |
|-------------|--------------------------|----------------|-----------------------|
| Name | <u>Ronnie Adkins</u> | Position/Title | <u>Vice President</u> |
| Address | <u>2400 Ritter Drive</u> | Telephone # | <u>304-763-4573</u> |
| | <u>Daniels, WV 25832</u> | % of Ownership | <u>50%</u> |
| Begin Date: | <u>1982</u> | Ending Date: | <u>N/A</u> |

| | | | |
|-------------|-------|----------------|-------|
| 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.

**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.

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.

Aspen Corporation

Company

Charles R. Hill

Authorized Signature

10-6-2015

Date

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

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