



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

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**Fax:** 304-558-3970      **Pages:** 25 (counting cover)

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**Phone:** 304-558-2157      **Date:** 12-16-2015

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**Re:** DEP 16019 – Sugarcamp Phase II      **CC:** File

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**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

• **Comments:**

**Buyer:** Beth Collins  
**RFQ. NO.** DEP16019  
**Bid Opening Date:** December 16, 2015  
**Bid Opening Time:** 1:30 PM

12/16/15 11:29:26  
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.



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: 144606

Doc Description: Addendum 02 Sugarcamp Run Burning Refuse Phase II Project

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2015-11-20	2015-12-16 13:30:00	CRFQ 0313 DEP1600000019	3

**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: \$4,062,300.00**

**FOR INFORMATION CONTACT THE BUYER**

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

Signature X

*Charles R. Hill VP*

FEIN # 550627766001

DATE 12/16/2015

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

**ADDITIONAL INFORMATION:**

**CONSTRUCTION/RECLAMATION**

Addendum No. 02:

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 provide copy of revised specifications and drawings.
4. To provide updated pricing sheet and commodity lines.

Bid opening date will not change and will remain December 16, 2015 at 1:30 PM, EST.

No other changes.

**ADDENDUM 01:**

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

1. To modify the bid opening date to December 16, 2015 at 1:30PM, EST.

No other changes.

**CRFQ**

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 SUGARCAMP RUN BURNING REFUSE PROJECT PHASE II, LOCATED IN NICHOLAS 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	1.0 Mobilization & Demobilization	1.00000	LS	\$400,000.00	\$400,000.00

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	2.0 Construction Layout	1.00000	LS	\$50,000.00	\$50,000.00

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	3.0 Quality Control	1.00000	LS	\$25,000.00	\$25,000.00

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	4.1 Site Preparation	1.00000	LS	\$400,000.00	\$400,000.00

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	4.2 Road Restoration Stone	1200.00000	TON	\$40.00	\$48,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :

4.2 Road Restoration Stone

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

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
6	4.3 Water and Power Line Relocation	1.00000	LS	\$80,000.00	\$80,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :

4.3 Water and Power Line Relocation

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

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
7	5.1 Silt Fence	500.00000	LF	\$3.00	\$1,500.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :

5.1 Silt Fence

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	5.2 Super Silt Fence	1000.00000	LF	\$8.00	\$8,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
5.2 Super Silt Fence

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	5.3 Straw Wattle	10000.00000	LF	\$1.00	\$10,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
5.3 Straw Wattle

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	5.4 Stone Check Dam	18.00000	EA	\$250.00	\$4,500.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

5.4 Stone Check Dam

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

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
11	5.5 Stabilized Construction Entrance	2.00000	EA	\$2,500.00	\$5,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

5.5 Stabilized Construction Entrance

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

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
12	5.6 Stormwater Detention Pond	1.00000	LS	\$80,000.00	\$80,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

5.6 Stormwater Detention Pond

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	5.7 Erosion Control Matting	3200.00000	SY	\$1.00	\$3,200.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
5.7 Erosion Control Matting

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	6.0 Revegetation	30.00000	ACRE	\$1,500.00	\$45,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
6.0 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
15	7.1 Type I Riprap Ditch	50.00000	LF	\$125.00	\$6,250.00



Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

7.1 Type I Riprap Ditch

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	7.2 Tye II Grouted Riprap Ditch	4135.00000	LF	\$130.00	\$537,550.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

7.2 Tye II Grouted Riprap Ditch

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	7.3 Type III Grouted Riprap Ditch	300.00000	LF	\$90.00	\$27,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

7.3 Type III Grouted Riprap Ditch

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
18	7.4 Underdrain	1000.00000	LF	\$44.00	\$44,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
7.4 Underdrain

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
19	7.5 Underdrain Conveyance Pipe	200.00000	LF	\$20.00	\$4,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
7.5 Underdrain Conveyance Pipe

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
20	7.6 24" HDPE Culvert	640.00000	LF	\$70.00	\$44,800.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
7.6 24" HDPE Culvert

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
21	7.7 Modified Type 'G' Inlet	1.00000	EA	\$10,000.00	\$10,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
7.7 Modified Type 'G' Inlet

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
22	7.8 24" Pipe Culvert Wingwall	1.00000	EA	\$3,000.00	\$3,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
7.8 24" Pipe Culvert Wingwall

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
23	7.9 Bench To Channel Transition	6.00000	EA	\$500.00	\$3,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
7.9 Bench To Channel Transition

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
24	8.1 Unclassified Excavation	100000.00000	CY	\$9.00	\$900,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

Extended Description :  
8.1 Unclassified Excavation

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
25	8.2 Soil Cover	20.00000	ACRE	\$100.00	\$2,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

8.2 Soil Cover

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

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
26	8.3 Contaminated Material Disposal	15000.00000	TON	\$85.00	\$1,275,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

8.3 Contaminated Material Disposal

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

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
27	8.4 Contaminated Material Hauling (per mile)	50000.00000	MILE	\$0.01	\$500.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**

8.4 Contaminated Material Hauling (per mile)

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
28	8.5 Cut Off Trench Soil Backfill (per cubic yard)	15000.00000	CY	\$3.00	\$45,000.00

Comm Code	Manufacturer	Specification	Model #
77111603			

**Extended Description :**  
8.5 Cut Off Trench Soil Backfill (per cubic yard)

**SCHEDULE OF EVENTS**

Line	Event	Event Date
1	Mandatory Pre-Bld Meeting at 10:00 AM, EST	2015-10-27
2	Tech Question Submittal Deadline at 5:00 PM, EST	2015-10-30

	<b>Document Phase</b>	<b>Document Description</b>	<b>Page</b>
<b>DEP1600000019</b>	<b>Final</b>	Addendum 02 Sugarcamp Run Burn Ing Refuse Phase II Project	<b>14 of 14</b>

**ADDITIONAL TERMS AND CONDITIONS**

See attached document(s) for additional Terms and Conditions

Agency Environmental Protection  
REQ. P O# DEP16019

**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.

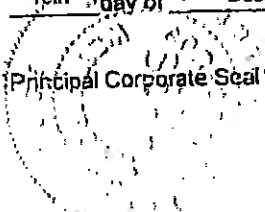
The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
DEP 16019 - Sugarcamp Run Burning Refuse Phase II  
Nicholas 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  
herelo 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  
16th day of December, 2015.



Surety 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)

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.



Given under my hand this 15th day of December 2015  
 17: Anita A. Cheek  
 (Notary Public)  
 My commission expires March 3, 2019  
 18. My commission expires on the 3rd day of March 2019

## Acknowledgment by Surety

19. STATE OF Kentucky  
 20. County of Jefferson to-wit:  
 21. I, Jill Kemp, 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. Lexon Insurance 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 \_\_\_\_\_ 18th day of December 2015  
 26. Notary Seal 27: Jill Kemp  
 (Notary Public)  
 28. My commission expires on the 29th day of November 2015

Sufficiency in Form and Manner of Execution Approved

Attorney General

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

By: \_\_\_\_\_  
 (Deputy Attorney General)

POWER OF ATTORNEY

LX- 076020

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint:

Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, James H. Martin, Jill Kemp,\*\*\*\*\*

Barbara Duncan, Sandra L. Fusinatti, Mark A. Guidry, Jackie C. Koestel, Lynnette Long, Amy Meredith, Deborah Neichter, Sharyon Quinn, Dawson West, Bonnie J. Wortham\*\*\*\*\*

Its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

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

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$10,000,000.00 Ten Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

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

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY [Signature] David E. Campbell President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR Notary Public- State of Tennessee Davidson County My Commission Expires 01-09-18

BY [Signature] Amy L. Taylor Notary Public

CERTIFICATE

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

Signed and Seal at Mount Juliet, Tennessee this 16th Day of December, 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.

RFQ No. DEP16\*19

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: *Claude R. Hill* Date: 12/16/2015

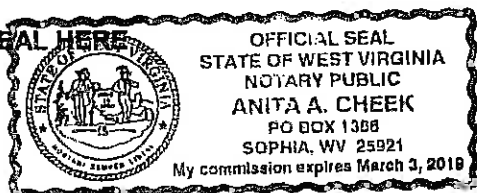
State of West Virginia

County of Raleigh, to-wit:

Taken, subscribed, and sworn to before me this 16<sup>th</sup> day of December, 2015

My Commission expires March 3, 2019.

**AFFIX SEAL HERE**



**NOTARY PUBLIC**

*Anita A Cheek*

*Purchasing Affidavit (Revised 07/01/2012)*

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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, CLAUDE R. HILL, 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.

12-16-2015                      Claude R. Hill                      Vice President  
Date    Signature    Title

**IMPORTANT!** In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at <https://avss.osmre.gov>.

Part D.

Contractor's Business Name: 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.

**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)

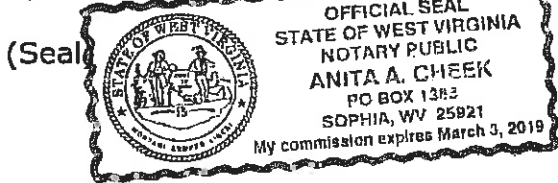
maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D**.

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

By: Claude R. Hill  
 Title: Vice President  
 Company Name: Aspen Corporation  
 Date: 12/16/2015

Taken, subscribed and sworn to before me this 16<sup>th</sup> day of December 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 / 12-16-2015

(Phone Number) (Fax Number) (Date)

Revised 08/01/2015

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**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 checked="" type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7  |
| <input type="checkbox"/> Addendum No. 3            | <input type="checkbox"/> Addendum No. 8  |
| <input type="checkbox"/> Addendum No. 4            | <input type="checkbox"/> Addendum No. 9  |
| <input type="checkbox"/> Addendum No. 5            | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Aspen Corporation

Company

*Claude R. Hill*

Authorized Signature

12/16/2015

Date

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

Revised 08/01/2015