



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

# Request for Quotation

RFQ NUMBER:  
**DEP14254**

PAGE:  
**1**

ADDRESS CORRESPONDENCE TO ATTENTION OF:  
**CHUCK BOWMAN  
 304-558-2157**

RFQ COPY  
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPARTMENT OF  
 OFFICE OF WASTE MANAGEMENT  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
05/01/2008				

BID OPENING DATE: **05/15/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
	***** <b>ADDENDUM NO. 1</b> *****					
	ADDENDUM ISSUED FOR THE OPEN DUMP REMEDIATION PROJECT IN WYOMING CO., WV, TO DISTRIBUTE THE PRE-BID SIGN-IN SHEET AND THE Q/A RESULTING FROM THE MANDATORY PRE-BID MEETING OF 04/22/08. PLEASE SEE THE ATTACHED.					
	BID DATE DATE & OPENING TIME REMAIN 05/15/08 @ 1:30 PM.					
	***** <b>NO OTHER CHANGES</b> *****					
0001	1	LS		962-86		
	TO REMEDIATE AN ILLEGAL OPEN DUMP					

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

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

**GENERAL TERMS & CONDITIONS  
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125.00 registration fee.
5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA Business Associate Addendum** - The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

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**INSTRUCTIONS TO BIDDERS**

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in cases of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

**SIGNED BID TO:**

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

# MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14254  
Project: Garbage disposal Road

Bid Date: May 15, 2008  
Pre-Bid Date: April 22 2008

Name : J.P. SPENCER  
Company: RONIE SPENCER, INC  
Address: HC 74, Box 201  
J+R ANCO CREEK, WV  
Phone #: 304-364-8226  
Fax #: -8376  
Email : RHS20@Hughes.net

Name : Kelly Adkins  
Company: Kessler Tire  
Address: P.O. Box 9  
Ferwick, WV 26202  
Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : Rod Moore  
Company: EnviroProbe Integrated Solutions  
Address: 630 CROSS LANES DR  
NITRO WV 25143  
Phone #: (304) 776-6717  
Fax # : 776-6769  
Email : remoore@enviroprobeinc.com

Name : Mike Rose  
Company: Upper Land Co  
Address: Box 294  
Premier WVA  
24750  
Phone# : 304-436-4129  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : D. Carter INC.  
Company: \_\_\_\_\_  
Address: P.O. Box 396  
Milton WV. 25541  
Phone #: 304-743-1162  
Fax # : 304 743 - 7939  
Email : \_\_\_\_\_

Name : Dana Pettrey & Steven Dorman  
Company: Improvements Unlimited  
Address: P.O. Box 36  
Lerona, W.V.  
25971  
Phone# : (304) 487-1266  
Fax # : (304) 487-2176  
Email : \_\_\_\_\_

Name : John E. Kessler  
Company: P.O. Box 9  
Address: Ferwick, WV 26202  
Kessler Excavating  
Phone #: 304-846-6847  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

**Pre-bid for DEP14254 - April 22, 2008 @ 10:00 a.m.**

Q. Do we have to submit a certified payroll?

A. *The prevailing wage clause should be cut from the contract. Attached is the Letter from the Labor Board stating our projects are exempt?*

Q. Can we use the Gas Company right-of-way?

A. *Yes, Cabot Oil and Gas have agreed to help any way they can.*

Q. Do we have to have a NPDES permit, since we're disturbing 12 acres of land?

A. *Yes we will need an NPDES permit. We strongly recommend that the contractor limits the disturbance to less than three acres. The contractor is responsible for preparing the sediment erosion control plan and implement best management storm water sediment control practices. DEP will pay all permit fees.*

Q. Can we have an extension on the time given to complete the project? The current time frame is 45 days from receipt of Notice to Proceed.

A. *We can extend the time to 120 days.*

Q. Can we have a clause stating Bonding Company exemption for the liability of the Contractor?

A. *The contractors are looking for an exemption for preexisting conditions. (Language is in LCAP contracts)*

Q. Are we liable for the cattle that are free ranging on said property?

A. *No, the cattle will be removed from site during project.*

Greg Rote also stated that our REAP crusher will be available to be used on the site and shall be operated by DEP personnel.

# WEST VIRGINIA DIVISION OF LABOR

749-B Building 6, Capitol Complex • Charleston, West Virginia 25305

Phone (304) 558-7890 • Fax (304) 558-3797

[HTTP://WWW.LABOR.STATE.WV.US](http://www.labor.state.wv.us)

JOE MANCHIN, III  
Governor



JAMES R. LEWIS  
Commissioner

December 16, 2005

David Pentz, Chief of REAP  
WV Department of Environmental Protection  
Rehabilitation Environmental Action Plan  
601 57<sup>th</sup> Street  
Charleston, West Virginia 25305

Dear Mr. Pentz:

I am in receipt of your correspondence dated December 15, 2005, in which you have requested written verification that the West Virginia Prevailing wage rates do not apply to the type of work you've described in your letter and to me on December 14, 2005.

As you explained, the work you refer to is clean-up such as picking up trash, tires and debris along our waterways, streams, roads, valleys and right-of-ways. You also stated this work is not being performed in connection with any type of construction or highway projects.

Therefore, since the work you describe does not fall within the definition of construction as defined in §21-5A-1.2 of the WV Code, prevailing wage rates do not apply.

Sincerely,

*James R. Lewis*  
James R. Lewis  
Commissioner

JRL/bm