



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
DEP14152

PAGE
1

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

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPT. OF
 OFFICE OF SPECIAL RECLAMATION
 105 S. RAILROAD STREET
 PHILIPPI, WV
 26416-9998 304-457-3219

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
01/26/2009				

BID OPENING DATE: **02/18/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				***** ADDENDUM NO. 1 *****		
				ADDENDUM ISSUED FOR THE S. KELLY INDUSTRIES PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE Q/A RESULTING FROM THE MANDATORY PRE-BID MEETING HELD 01/14/2009.		
				BID OPENING DATE AND TIME HAVE BEEN EXTENDED TO 02/18/2009 AT 1:30 PM		
				***** NO OTHER CHANGES *****		
0001	1	JB		962-73		
				RECLAMATION: WATER TREATMENT		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

TELEPHONE	DATE
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 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, 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 Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

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 case 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

RECEIVED

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14152
Project: S. Kelly Industries
Permit #51-78

Bid Date: 2/10/09
Pre-Bid Date: 1/14/09

Name : DAVID H. BOWMAN
Company: GREEN MOUNTAIN CO
Address: 511 50TH STREET
CHAS. WV 25003

Phone #: 304-925-0253
Fax #: " " 9230
Email: Jody May CAD, Co

Name : GARY LONG
Company: McCourt & Son Const.
Address: 2790 Centralia Rd.
Sutton WV 26601

Phone #: 304 765-5288
Fax #: 304 765-5293
Email :

Name : ROBERT BAINES
Company: BAINES EXC. INC.
Address: P.O. BOX 13384
SISSENVILLE
WV 25360

Phone #: 304-984-1725
Fax #: 304-984-0074
Email : NONE

Name : GEORGE FRESHOUR
Company: EAGLE EXCAVATION INC
Address: P.O. BOX 218
KENNA, WV
25248

Phone #: (304) 372-4378
Fax #: (304) 372-4378
Email : NODATA

Name : CALVIN WEARS
Company: BEAR CONST.

Address: P.O. BOX 1196
Bridgeport WV
26330

Phone #: 304-842-3002
Fax #: 304-842-9433
Email : MARSSOR BEAR - Contracting, Com

Name : Spencer C Woodrill
Company: Cowgirl Up Inc
Address: PO Box 243
Simpson WVa 26435

Phone #: 304 739-4397
Fax #: 304 739-4401
Email :

Name : Steve Beatty
Company: Beatty Construction
Address: RT. 2 Box 23-n
Rivesville, WV 26588

Phone #: 304-365-3846
Fax # :
Email : Shitch 9p Verizon, NET.

Name : Chad Bilotta
Company: Anderson Excavating
Address: 349 Williams Rd
Morgantown WV 26601

Phone #: 304-983-2296
Fax #: 304-983-4755
Email : cbilotta54@yahoo.com

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14152
Project: S. Kelly Industries
Permit #51-78

Bid Date: 2/10/09
Pre-Bid Date: 1/14/09

Name : Matt Evans
Company: Pro Contracting, Inc
Address: P.O. Box 1242
Clarksburg WV
26301
Phone #: 304 622-2400
Fax # : 304 622-2410
Email : _____

Name : SCOTT ANGELO
Company: BEITZEL CORPORATION
Address: 12072 BITTINGER RD
GRAFTSVILLE MD 21536
Phone# : 301 245 4107
Fax # : 301 245 4740
Email : SCOTTANB@BEITZELCORP.COM

Name : Chrcia Wolfe
Company: Cove Run Contracting LLC
Address: P.O. Box 104
Monteauk, WV 26465
Phone #: (304) 669-1722
Fax # : (304) 457-1662
Email : cmw Wolfe73@yahoo.com

Name : BRIAN SCHNEIDER
Company: BYCA ENT. INC
Address: 11746 BITTINGER RD
GRAFTSVILLE MD 21536
Phone# : 301 245 4322
Fax # : 301 245 4364
Email : bwsbyca@aol.com

Name : JAMES ALLEN
Company: JF ALLEN CO
Address: Po Box 2049
Buckhannon WV 26201
Phone #: 304 472 8890
Fax # : 304 472 8897
Email : _____

Name : Glenn Larew
Company: Coaltrain Corp
Address: Po Box 267
Reedsville, WV 26547
Phone# : 304-288-3259
Fax # : 304-594-1250
Email : GLarew407@aol.com

Name : Don Vincent
Company: Breakaway, Inc
Address: 1075 Old Turnpike
Road
Sutton WV 26601
Phone #: 304 765-5317
Fax # : 304 765-5389
Email : _____

Name : PERRY BROWN
Company: Brown's Excavating
Address: PO Box 264
Roadsville WV 26547
Phone# : 304-290-6676
Fax # : _____
Email : _____

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFO # : DEP14152
 Project: S. Kelly Industries
 Permit #51-78

Bid Date: 2/10/09
 Pre-Bid Date: 1/14/09

Name : Tim Weis
 Company: TC Weis Enterprises
 Address: PO Box 492
Mason Mills WV
26542
 Phone #: (304) 864-5261
 Fax #: (304) 864-7353
 Email : fort1w@aol.com

Name : Jamie Pretzel
 Company: JL Pretzel
 Address: 9 Belknap Est.
Buceton Mills Wv 26525
 Phone# : 304-379-7789
 Fax # : 304-379-7788
 Email : PRTZROC@AOL.COM

Name : DAN BHOME
 Company: OWV EXCAVATING CO.
 Address: P.O. Box 128
POWELLTAN PT, OHIO
43992
 Phone #: 740-676-7464
 Fax #: 740-676-4410
 Email : DBSHOME@OWVEXCAVATING.COM

Name : Eddie Baker
 Company: Baker Excavating
 Address: P.O. 1163 Dellislaw Wv
26521
 Phone# : 304 292-7470
 Fax # : 304-598-5775
 Email : _____

Name : Brian Boyce
 Company: Orange Construction
 Address: 170 Old Chest Rd
Morgantown WV
26508
 Phone #: 291-6765
 Fax #: 291-6775
 Email : orangeconst@aol.com

Name : Ben Bolman
 Company: Charles E. Bolman & Son Inc
 Address: 125 East High St.
Kennwood WV 26537
 Phone# : 304-329-1850
 Fax # : 329-1571
 Email : _____

Name : J.R. SPENCER
 Company: BOMIG SPENCER INC
 Address: HC 74, Box 201
STRANGE CREEK WV
25063
 Phone #: 304 364 8626
 Fax # : 8376
 Email : (14826) Hughes.net

Name : David M... (crossed out)
 Company: WV DEP (crossed out)
 Address: 1-14-2009 (crossed out)
 Phone# : _____
 Fax # : _____
 Email : _____

**Addendum #1 - Questions During Pre-Bid Meeting
For DEP 14152
S. Kelly Industries Permit # 51-78**

- 1.) **Q.** When you shot the elevations (for the seep collectors), was that on the ground level or where you found the water?
A. The elevations were shot at the excavated water levels. The same thing for the area of the manhole location...it was assumed that the manhole was buried 3 feet below ground level. The elevations are approximate and it will be up to the contractor to verify elevations and adjust as needed.

- 2.) **Q.** Will the solid pipe for the cleanout of the seep collectors be paid separately?
A. The cleanouts and fittings are paid as part of the seep collector bid item and are incidental.

- 3.) **Q.** The new constructed road, where is it going to go?
A. The new road will follow the existing path on the upper side of the existing rocked run-off ditch. The new road will be culverted across the ditch, and will be located in the area just above the manhole location and above seep collector #5. Also, the new road will extend around the left side of the treatment ponds. A turn around area will be needed above the Aquafix doser site.

- 4.) **Q.** The water coming in to the pond from the flat bottom ditch, does the pond need to be 8 feet deep from that point?
A. Yes, the pond water depth is 8 feet and the pond shall have 2 feet of freeboard. (Clarification: The flat bottom ditch that feeds the pond may actually be 6 inches higher than the pond exit spillway channel elevation, so the 8 feet of pond water depth shall be measured from the exit spillway elevation.)

- 5.) **Q.** Does the road have to be constructed at pond level, or can it be on a higher bench above the pond?
A. The road can be 3 or 4 feet above the pond level.

- 6.) **Q.** What do you plan on doing with all the water while you are cleaning on the ponds?
A. Once the ponds have been dewatered, just divert the water around the ponds until everything has been constructed.

- 7.) **Q.** Do we have to treat the water being diverted?
A. No, only treat the water from the initial pond dewatering, and there is a separate bid item to pay for that.

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JUN 10 2009

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

STATE OF WEST VIRGINIA,

COUNTY OF _____, TO-WIT:

I, _____, after being first duly sworn, depose and state as follows:

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

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code** §21-1D-5.

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

(Company Name)

By: _____

Title: _____

Date: _____

Taken, subscribed and sworn to before me this _____ day of _____.

By Commission expires _____

(Seal)

(Notary Public)

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