



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
 DEP14537

PAGE
 1

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

RFQ COPY
 TYPE NAME/ADDRESS HERE

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 OFFICE OF AML&R
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B	FREIGHT TERMS
01/23/2009				

BID OPENING DATE: 02/12/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
ADDENDUM ISSUED FOR THE MILL HOLLOW PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEET, THE Q/A RESULTING FROM THE 01/12/09 MANDATORY PRE-BID MEETING, AND THE ATTACHED REVISED DIAGRAM.						
PLEASE NOTE: THE ATTACHED DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT SUBMISSION IS REQUIRED WITH THE BID.						
BID OPENING DATE & TIME REMAIN 02/12/09 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						

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 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

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET 002

PRINT LEGIBLY

RFQ # : DEP14531
Project: Mill Hollow

Bid Date: 1/12/2009
Pre-Bid Date: Feb 12 2009

Name : DAVID H. BOWMAN
Company: GREEN MOUNTAIN CO
Address: 511 50th STREET
CHAS WV
25304
Phone #: 304 925 0253
Fax #: 9230
Email : Jody.Mayer@AUL.COM

Name : DENNIS C. ELBON
Company: COW GIRL UP INC
Address: PO BOX 243
SIMPSON WV 26435
Phone#: 304-739-4397
Fax #: 304 739-4401
Email :

Name : Joseph Wiseman
Company: Wiseman Excavating
Address: Rt. 1 Box 190
Liberty WV 25124
Phone #: 304-586-3736
Fax #: 304-586-3736
Email : wisemanfarm@aol.com

Name : Doug Vincent
Company: BREAKAWAY INC.
Address: 1075 Old Turnpike Rd
Sutton WV 26601
Phone#: 765-5317
Fax #: 765-5389
Email :

Name : GARY LONG
Company: M Court & Son Const.
Address: 2790 Centralia Rd
Sutton WV 26601
Phone #: 304 765-5288
Fax #: 304 765-5293
Email :

Name : Dustin Thaxton
Company: Thaxton Construction Co, Inc
Address: P.O. Box 13279
Charleston, WV 25360
Phone#: (304) 984-2299
Fax #: (304) 984-2334
Email :

Name : LEONDIS GILKERSON
Company: PO Box 37
Address: CRUM WV
25609
COMPANY CJS CONTRACTING
Phone #: 304 393 4907
Fax #: 304 393 4908
Email : CJS CONTRACTING@YAWO.COM

Name : Randy Carpenter
Company: Carpenter Reclamation
Address: PO Box 13015
Sissonville WV
25760
Phone#: 984-1115
Fax #:
Email :

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET 003

PRINT LEGIBLY

RFQ # : DEP14537
Project: Mill Hollow

Bid Date: 1/12/09
Pre-Bid Date: Feb 12 2009

Name : Robert Dickenson
Company: Dickenson Excavating
Address: 900 Pine Grove Rd.
Somerset, WV 25567
Phone #: (304) 756-6119
Fax #: (304) 756-9199
Email : rdickenson@direcdv.net

Name : JR SPENCER
Company: ROMIE SPENCER, INC
Address: HC 74, Box 201
STRANGE CREEK WV
25063
Phone #: 304-364-8626
Fax #: - 8376
Email : RAS2@Hughes.net

Name : Robert BAINES
Company: BAINES EXC. INC.
Address: P.O. Box 13384
Sissonville WV.
25360
Phone #: 304-984-1725
Fax #: 304-984-0074
Email :

Name : MIKE EVANS
Company: KANAWHA STONE CO
Address: P.O. Box 503
WTRD, WV 25143
Phone #: 304-755-8271
Fax #: 304-755-8274
Email : MIKE.EVANS@

Name : BASIL CARPENTER
Company: BASIL CARPENTER EXC INC
Address: 333 A CALL RD CHAS, WV
25312
Phone #: (304) 546-1601
Fax #: 11 984-3528
Email :

Name : Kevin Bradford
Company: Pineville Paving & Excavating
Address: P.O. Box 1090
Pineville WV 24874
Phone #: 304-732-8303
Fax #: 304-732-7855
Email :

Name : Spencer A. McKenzie
Company: The McKenzie Co.
Address: 315 17th St.
Roanoke WV 25962
Phone #: 304-438-5215 - 607-7600
Fax #: 304-438-5215
Email :

Name : Ashley Adkins
Company: Aspen Corporation
Address: 2400 Ritter Drive
Daniels WV 25832
Phone #: 304-763-4573
Fax #: 304-763-4591
Email : jadkins@aspen-golf.com
jkubin@aspen-golf.com

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

004

PRINT LEGIBLY

RFQ # : DEP14537
Project: Mill Hollow

Bid Date: 1/12/09
Pre-Bid Date: Feb 12 2009

Name : GEORGE FRESHOUR
Company: EAGLE EXCAVATION INC.
Address: P.O. BOX 218
KENNA WV
25248
Phone #: (304) 372-4378
Fax #: (304) 372-4378
Email :

Name : _____
Company: _____
Address: _____
Phone# : _____
Fax # : _____
Email : _____

Name : Allen Marker
Company: Garcie R. Marker & Sons
Address: 1119 Jefferson Rd
SV-Char. WV. 25309
Phone #: 744 0590
Fax #: 746-5203
Email :

Name : _____
Company: _____
Address: _____
Phone# : _____
Fax # : _____
Email : _____

Name : ANDY HERRING
Company: CAPITAL BUILDERS
Address: 4008 5th ST. RD
HUNTINGTON WV 25701
Phone #: (304) 697 5002
Fax # : _____
Email :

Name : _____
Company: _____
Address: _____
Phone# : _____
Fax # : _____
Email : _____

Name : C. M. Earg
Company: Earg Construction CO.
Address: 5298 RT 152
Louquette WV, 25535
Phone #: 304-529-6451
Fax #: 304-697-8811
Email : Earg.construction@aol.com

Name : _____
Company: _____
Address: _____
Phone# : _____
Fax # : _____
Email : _____

**Req # DEP 14537
Mill Hollow
Addendum #1**

CLARIFICATION

Ditch A is to be rock riprapped as shown on the plans and not simply cleaned out as stated at the prebid. Ditch A shall be constructed to the same template (1.5' rock riprapp V-ditch) as Ditches B through F. The quantities are correct on the bid sheet.

QUESTIONS AND ANSWERS

Q: Is there a soil borrow area on site?

A: No, no soil borrow area is designated. An off site soil borrow area will be required.

Q: Who is the property owner?

A: Kanawha Eagle Coal. The landowner is to be named as an additional insured on the Contractors insurance.

Q: Where is the last portal?

A: The portal locations are shown on the drawings.

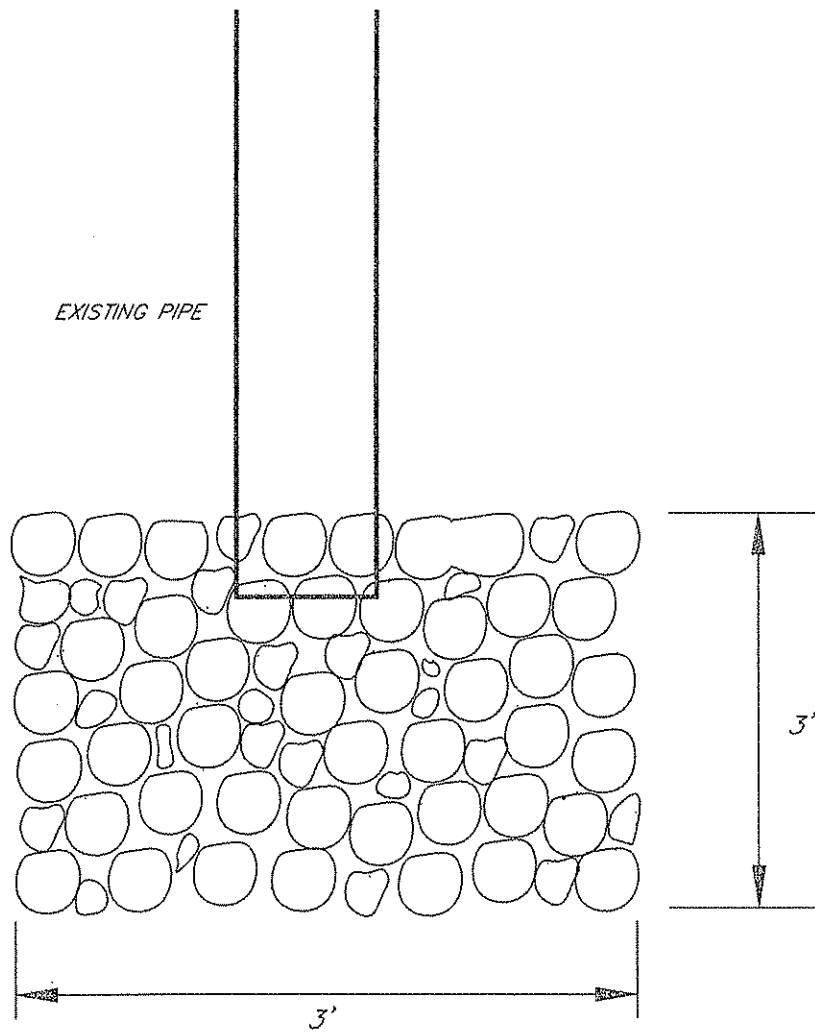
Q: Where does the splash pad go?

A: At the outlet end of the existing pipe at the discharge end of Ditch A. A detail of the splash pad has been attached.

Q: If the mine floor elevation is lower than anticipated what do we do.

A: The portals need to be excavated to the mine floor and the discharge pipes and bulkhead placed as shown on the drawings.

Req # DEP 14537
Mill Hollow
Addendum #1



ROCK RIPRAP SPLASH PAD

N.T.S.



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.