



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:
 DEP14538

PAGE:
 1

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

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

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 TUCKER OPEN PORTALS PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE Q/A AS A RESULT OF THE MANDATORY PRE-BID MEETING OF 01/12/09.						
PLEASE NOTE: THE ATTACHED DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT IS REQUIRED WITH SUBMISSION OF THE BID.						
BID DATE & OPENING 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)**

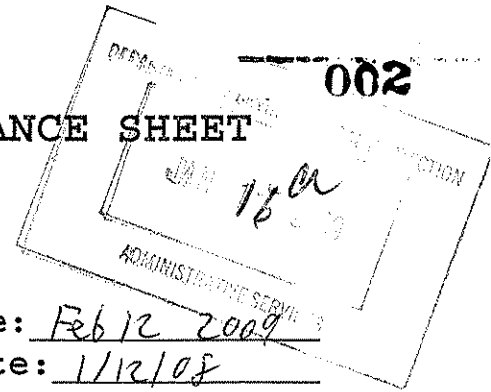
1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful 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 # : DEP14538
Project: Tucker Open Portals

Bid Date: Feb 12 2009
Pre-Bid Date: 1/12/08

Name : LEONDIS GILKERSON
Company: CJJ CONTRACTING
Address: P.O. Box 37
CRUM WV
25669
Phone #: 304 393 4907
Fax #: 304 393 4908
Email : CJJ CONTRACTING @YAHOO.COM

Name : Robert Barnes
Company: BARNES EXC. INC.
Address: P.O. Box 13384
Sissonville WV 25360
Phone #: 304-984-1725
Fax #: 304-984-0074
Email : none

Name : BRAD WISEMAN
Company: WISEMAN EXCAVATING
Address: Box 190 Liberty 25124
WV
25124
Phone #: 304 586 3736
Fax #: 304 586 3736
Email :

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

Name : DAVID H. BOWMAN
Company: GREEN MOUNTAIN CO
Address: 511 50th STREET
CHAS WV
25304
Phone #: 304 925 0253
Fax #: 9230
Email : Jody Maye AOL Com

Name : BASIL CARPENTER
Company: BASIL CARPENTER & INC
Address: 333 A CALL RD Ches
25312
Phone #: (304) 546-1601
Fax #: (304) 984 3528
Email :

Name : Randy Carpenter
Company: Carpenter Reclamation
Address: PO BX 13015
Sissonville, WV
25360
Phone #: 984-1115
Fax #: 984-2770
Email :

Name : Eugene A. McKeever
Company: McKeever Co
Address: 315 7th St
Roanoke WV 25962
Phone #: 304-438-5215 - 660-7600
Fax #: 304-438-5215
Email :

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

PRINT LEGIBLY

003

RFQ # : DEP14538
Project: Tucker open Portals

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

Name : PENNIS C. ELBON
Company: COW GIRL UP INC
Address: PO Box 243
SIMPSON WV 26435

Name : Allen Marker
Company: Garcie R. Marker & Sons
Address: 1119 Jefferson Rd
Sw-Chas. WV. 25309

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

Phone#: 744 0590
Fax #: 746-5203
Email : _____

Name : Doug Vincent
Company: Breakaway, Inc.
Address: 1075 old Tompkins Rd
Scotton WV 26601

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

Phone #: 765-5317
Fax #: 765-5389
Email : _____

Phone#: (304) 372-4378
Fax #: (304) 372-4378
Email : none

Name : Kevin Bradford
Company: Pineville Paving & Excavating
Address: P.O. Box 1290
Pineville WV 24874

Name : Dustin Thaxton
Company: Thaxton Construction Co, Inc.
Address: P.O. Box 13279
Charleston WV 25360

Phone #: 304-732-8303
Fax #: 304-732-7855
Email : _____

Phone#: (304) 984-2299
Fax #: (304) 984-2334
Email : _____

Name : JR Spencer
Company: Rome Spencer Inc
Address: HC 74, Box 201
STRANGE CREEK WV
25063

Name : Robert Dickenson
Company: Dickenson Excavating
Address: 900 Pine Grove Rd.
Sumerco, WV 25567

Phone #: 304-364-8626
Fax #: 8376
Email : RHS20 Hughes.net

Phone#: (304) 756-6119
Fax #: (304) 756-9199
Email : rdickenson@directv.net

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

PRINT LEGIBLY

RFQ # : DEP14538
Project: Tucker open Portals

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

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. Carp
Company: Carp Construction Co.
Address: 5298 RT 152
Lavallette WV, 25535

Phone #: 304-529-6451
Fax # : 304-697-8811
Email : Carpconstruction@AOL.com

Name : _____
Company: _____
Address: _____

Phone# : _____
Fax # : _____
Email : _____

Name : _____
Company: _____
Address: _____

Phone #: _____
Fax # : _____
Email : _____

Name : _____
Company: _____
Address: _____

Phone# : _____
Fax # : _____
Email : _____

Name : _____
Company: _____
Address: _____

Phone #: _____
Fax # : _____
Email : _____

Name : _____
Company: _____
Address: _____

Phone# : _____
Fax # : _____
Email : _____

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**Req # DEP 14538
Tucker Open Portals
Addendum #1**

REVISION TO CONSTRUCTION SPECIFICATIONS

Special Provision XVIII ROADWAY REPAIR – Remove sentence “The Contractor shall maintain the existing access road through the cemetery to the site in a clean condition as approved by the WVDEP.”

QUESTIONS AND ANSWERS

Q: Are there 8 mine seals at the site?

A: No, there are 4 as shown on the drawings.

Q: What kind of splash pads are we to put in?

A: Sandstone or limestone as outlined in Section 7.2.1 STONE of the Construction Specifications.

Q: The mine seals are wet and not dry seals?

A: Yes, as shown on the drawings.

Q: There are vertical pipes?

A: Yes, there are vertical standpipes to be installed as shown on the drawings.

Q: How do we handle the guy wire?

A: Refer to Special Provision XV UTILITIES AND OTHER OBSTRUCTIONS in the Construction Specifications for instructions on moving the guy wire.

Q: How deep are the grass lined ditches?

A: The ditches from the portals are 1' deep and the main ditch is 1.5' deep as outlined in the drawings.

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Tucker Open Portals
Addendum #1

Q: How long is the main channel?

A: The channel is approximately 400 feet long as shown on the drawings.

Q: What kind of sediment control will be used? Can we use silt fence?

A: There are straw bales to be placed on site as shown on the drawings, however the Contractor can also place silt fence in addition to the straw bales shown. The Contractor is responsible for controlling sediment as outlined in Section 5.0 SEDIMENT CONTROL of the Construction Specifications.

Q: Is there a railroad right of way at this site.

A: Yes.

Q: Do we need railroad insurance on this project?

A: No, but the railroad, along with other property owners within construction limits, will need to be listed as an additional insured on your insurance policy.

Q: Are there other portals at this site?

A: There could be other portals within existing backfill but we are installing 4 wet seals as shown on the drawings.

Q: How far does the main drainage channel go?

A: The channel ties to existing highway drainage within construction limits as shown on the drawings.

Q: Can you get soil borrow past the last portal?

A: You can borrow soil within the construction limits but there may not be an adequate amount. Soil may be borrowed outside construction limits according to Section 6.4 SOIL BORROW of the Construction Specifications.

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Tucker Open Portals
Addendum #1

Q: Is there a portal at the survey stake?

A: The survey stakes are turning points and not portal locations. The portal locations are shown on the plans.

Q: Is there any water backed up in the mines?

A: The site was not drilled so the water level in the mine is unknown. The Contractor shall refer to Section 9.0 MINE SEALS of the Construction Specifications for dewatering activities.



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.