



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  
**DEP14662**

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 AML&R**  
**601 57TH STREET SE**  
**CHARLESTON, WV**  
**25304**                      **304-926-0499**

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
<b>06/10/2009</b>				

BID OPENING DATE: **07/01/2009**                      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 2 *****						
ADDENDUM ISSUED FOR THE MARMET (WELLS) DRAINAGE PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE Q/A RESULTING FROM THE 06/02/09 MANDATORY PRE-BID MEETING.						
BID OPENING DATE AND TIME REMAIN UNCHANGED AS 07/01/09 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
<b>0001</b>	<b>1</b>	<b>JB</b>		<b>962-73</b>		
<b>RECLAMATION: RESTORATION OF LAND &amp; OTHER PROPERTIES</b>						
***** THIS IS THE END OF RFQ DEP14662 *****						<b>TOTAL:</b> _____

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, the State may deem this contract null and void, and terminate such contract 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."

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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 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

**DEP14662**  
**Marmet (Wells) Drainage**  
**Addendum # 2**

Item 1: The contractor will have 90 days from the date of the Notice to Proceed to complete Construction activities on the project. The \$250 per day liquidated damage clause will be in effect after the 90 days. However, the total performance period will be 365 days from the date of the Notice to Proceed for invoicing purposes.

Item 2: Q) Will we be required to pump the water from the mine void?

A) Refer to section 9.3.2 and 9.3.3 of the specifications. Prior to fully exposing covered mine openings, the Contractor shall carefully drain any ponded or impounded mine pool water safely with minimum excavation either by pumping or by other means determined by the Contractor and approved by the Engineer. The Contractor shall develop a dewatering plan and submit the plan to the WVDEP for approval, prior to construction.

Item 3: Q) Are the two 12-inch pipes (from the mine seal to the manhole) on a straight grade, or are there bends proposed in the pipes?

A) It is not a straight grade. See Profile 1 on plan sheet 9.

# MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

PLEASE PRINT LEGIBLY

Req. # : DEP14662  
 Project : Marmet (Wells) Drainage

Pre-Bid Date: 6/2/2009  
 Bid Opening Date: 7/1/2009

Name: Johnny Critchley  
 Company: JC Contracting & Excavating  
 Address: 1226 Sunday Rd  
Hico WV 25851  
 Phone #: 304-658-4530  
 Fax #: 304-658-4525  
 Email: JCcontracting@Hughes.net

Name: BRIAN BERNATOWICZ  
 Company: CONTROL OF COE  
 Address: P.O. <sup>BOX</sup> 243  
SIMPSON, WV 26435  
 Phone #: 304-739-4397  
 Fax #: \_\_\_\_\_  
 Email: BRIAN\_BERNATOWICZ@ymail.com

Name: DAVID H. BOWMAN  
 Company: GREEN MOUNTAIN CO.  
 Address: 511 50TH STREET  
CHAR, WV 25304  
 Phone #: 304 925 0253  
 Fax #: 304 925 9230  
 Email: Jody.Maye.AOL.COM

Name: GARY LONG  
 Company: McCourt's Son Const.  
 Address: 2790 Centralia Rd.  
Sutton WV 26601  
 Phone #: 304 765-5388  
 Fax #: 304 765-5393  
 Email: \_\_\_\_\_

Name: BARBIE F. FOSTER  
 Company: EAGLE CONTRACTORS  
 Address: 1721 Winfield Rd  
Winfield WV 25213  
 Phone #: 304-552-7781  
 Fax #: 304-755-3150  
 Email: \_\_\_\_\_

Name: Jay R Wardwell  
 Company: Eastern ARROW  
 Address: Charleston W.V.  
 Phone #: (304) 414 0255  
 Fax #: \_\_\_\_\_  
 Email: \_\_\_\_\_

Name: ROBERT BARNES  
 Company: BARNES EXC. INC.  
 Address: P.O. Box 13384  
Simpsonville WV 28380  
 Phone #: 304-984-1725  
 Fax #: 304-984-0074  
 Email: \_\_\_\_\_

Name: Golliver Building & Contract.  
 Company: 244 Golliver  
 Address: 3406 Carley - Access Rd  
Flatwoods WV 26021  
 Phone #: 304-765-3521  
 Fax #: SAME  
 Email: Golliver Building @ Hughes.NET

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PLEASE PRINT LEGIBLY

Req. # : DEP14662  
 Project : Marmet (Wells) Drainage

Pre-Bid Date: 6/2/2009  
 Bid Opening Date: 7/1/2009

Name: LES BIVEN  
 Company: ASPEN CORPORATION  
 Address: 2400 RITTER DR.  
DANIELS WV 25832  
 Phone #: 304-763-4573  
 Fax #: 304 763-4591  
 Email: lbiven@aspengetfi.com

Name: BASIL CARPENTER  
 Company: BASIL CARPENTER & INC  
 Address: 333 Aerial RD  
Chas WV 25312  
 Phone #: (304) 546-1601  
 Fax #: (304) 984-0388  
 Email: Basil.Carpenter@Aerial.com

Name: Randy Carpenter  
 Company: Carpenter Reclamation INC  
 Address: PO BX 13015 Sissonville,  
WV 25360  
 Phone #: 304-984-1115  
 Fax #: 984-2770  
 Email: Rcarpen103@aol.com

Name: Brad Wiseman  
 Company: WISEMAN EXCAVATING  
 Address: Box 190 Liberty  
25124  
 Phone #: 304 5863736  
 Fax #: 586 3736  
 Email: \_\_\_\_\_

Name: Jim Buckland  
 Company: BTB transit Inc.  
 Address: 316 New river Jr.  
Bekley, WV 25801  
 Phone #: 304-222-4903  
 Fax #: 304-763-7593  
 Email: ~~Bob@btbtransit.com~~  
Bob.Counterbury@gm

Name: Mike Robey  
 Company: Robey Excavating Inc  
 Address: RT 1 Box 393A  
Hambersport WV 26356  
 Phone #: (301) 783-4491  
 Fax #: " "  
 Email: \_\_\_\_\_

Name: Allen Marker  
 Company: Garcie P. Marker & Sons  
 Address: 1119 Jefferson Rd,  
So. Chas. WV. 2530  
 Phone #: 744 0590  
 Fax #: 746-5203  
 Email: gmarker-sons@aol.com

Name: Doug Vincent  
 Company: BREAKAWAY INC  
 Address: 1075 Old Turnpike RD  
Sulfur WV 26601  
 Phone #: 765-5317  
 Fax #: 765-5387  
 Email: \_\_\_\_\_

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PLEASE PRINT LEGIBLY

Req. # : DEP14662  
 Project : Marmet (Wells) Drainage

Pre-Bid Date: 6/2/2009  
 Bid Opening Date: 7/1/2009

Name: Mark Marrella  
 Company: F.G. and Sons Excavating  
 Address: HC 30 Box 7B  
Caldwell WV 24825

Phone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

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Email: \_\_\_\_\_