



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
DEP14586

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
 116 INDUSTRIAL DRIVE
 OAK HILL, WV
 25901 304-465-1911

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
10/25/2009				

BID OPENING DATE: 11/12/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
ADDENDUM NO. 1 ***** ADDENDUM ISSUED FOR THE GARY COAL SALES PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS, THE REVISED SCOPE OF WORK, REVISED DRAWING, AND THE Q/A RESULTING FROM THE 10/06/09 MANDATORY PRE-BID MEETING. BID OPENING DATE & TIME ARE EXTENDED FROM 11/05/09 TO 11/10/09 AT 1:30 PM. ***** NO OTHER CHANGES *****						
***** THIS IS THE END OF RFQ DEP14586 ***** TOTAL:						

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."

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

Addendum Number One (1)
Gary Coal Sales, Inc. (DEP14586)
Permit Number: U-58-84
Pre-Bid Conference
October 6, 2009
Revised October 15, 2009

The scope of work for Gary Coal Sales, Inc. U-58-84 Now Reads – 9. Remove approximately Two Thousand (2,000) Linear Feet of dual sets of railroad tracks.

The scope of work for Gary Coal Sales, Inc. U-58-84 Shall Read – 9. The dual railroad track within the project area shall be removed by others. Upon its removal, the successful contractor shall regrade and revegetate the portion of the railroad grade within the project area.

The scope of work for Gary Coal Sales, Inc. U-58-84 Now Reads –10. Eliminate Pond Seven (7) by dewatering with pumps and backfilling with all available spoil material and regrade to sheetflow drainage pattern.

The scope of work for Gary Coal Sales, Inc. U-58-84 Shall Read –10. Eliminate Pond Seven (7) by dewatering with pumps, backfilling with all available spoil material, and constructing approximately One hundred and Eighty (180) linear feet of Ditch 7 though the Pond Seven (7) area to convey drainage to the existing concrete pipe beneath the railroad grade. Note: The cost of Ditch Seven (7) shall be incidental to and included in Bid Item 9.6 Pond Number Seven.

Scope of Work - Replaced pages 14, 15, 16, and 17. Only number 9 and 10 scope items are newly revised as of October 15, 2009.

In the attached drawings: Page number P58 shall be removed and replaced with the enclosed Page number P58, labeled "Revised 10/15/09"

Questions and Answers

Q1. Is the Railroad responsible for removing the rails and ties?

A1. Yes.

Q2. What should we do with the brush? Wind-row it or bury it?

A2. Either method is acceptable.

Q3. Is concrete treated the same in all areas?

A3. Yes, all concrete must be broken down to a minimum of four foot by four foot sections with rebar cut flush with the concrete.

Q4. How many feet long is the beltline structure?

A4. The belt structure clean up will go from the coal stockpile area to the gas well site. Some of it goes above the gas well site but we will not do anything with it.

Q5. How wide is the ditch in this area and how thick is the stone? (Reference to Ditch 7)

A5. This is a one foot ditch with eighteen inch thick stone with two-to-one side slopes. We typically require one foot of freeboard on our ditches.

Addendum Number One (1)
Gary Coal Sales, Inc. (DEP14586)
Permit Number: U-58-84
Pre-Bid Conference
October 6, 2009
Revised October 15, 2009
Page 2

Q6. Can you burn any of the creosote ties on-site?

A6. Creosote ties have to be disposed of off-site.

Q7. What about the telephone poles, can they be buried?

A7. Telephone poles have to be disposed of off-site as well and we require documentation of disposal of materials.

Q8. Have you checked any of the contents of the tanks on-site? (Reference to Area 3)

A8. We have not determined any of the contents of the tanks, it is up to the contractor to verify that.

Q9. How much of the highwall are we responsible for? (Reference to Area 6)

A9. The highwall in this area is all pre-law and you will only be required to backfill four feet over the coal seam.

Q10. Do we have to take the concrete out around mine entrance? (Reference to Area 6)

A10. There is no concrete around mine entries. There are canopies that need to be removed and disposed of.

Q11. Are the power poles included in clean-up. (Reference to Area 6)

A11. Yes.

Q12. Where are we responsible to the line coming off the poles? (Reference to Area 6)

A12. Wherever they fall.

Q13. Where are we to backfill four feet over the coal seam? (Reference to Area 6)

A13. Just in the mine portal area.

Q14. Is the ditch from pond two rip-rap or grouted rip-rap? (Reference to Area 5)

A14. It is grouted rip-rap.

WV-36a STATE OF WEST VIRGINIA
REV. 1/29/02 PURCHASING CONTINUATION SHEET

BUYER CB-23	REQ. OR PO NO. DEP14586
SPENDING UNIT WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION/OFFICE OF SPECIAL RECLAMATION	

SCOPE OF WORK
REVISED OCTOBER 15, 2009

The successful bidder shall provide appropriate equipment, materials, labor and any technical services needed for the successful reclamation of Gary Coal Sales, Inc., Permit U-58-84, and any disturbance associated with such operation. The General Performance Standards (GPS) shall apply to all items in Scope of Work.

Work necessary on this site will include the following items, but is not limited to these:

1. Upon mobilization to the site, which will be directed in a written Notice to Proceed, the access roads shall be developed in accordance with bid item # 3.0. If, fuel and lubricants are to be stored on site, bid item # 2.0 shall be in place before fuel is delivered. Project sign shall be constructed and erected in accordance with attached specifications. The sign shall be maintained during the construction activities and through the life of the warranty period. Sign cost is a No Bid Item and included with mobilization cost. No work shall be authorized or allowed at site until sign is constructed and erected on site and approved by DEP.
2. Storm water management, as necessary, in the form as described, in the attached National Pollutant Discharge Elimination System, Water Pollution Control Permit Number WV0115924, existing sediment control ponds and in additional bid item # 10.0 & 19.0 shall be installed.
3. Concurrent and continuous reclamation shall be maintained throughout the life of the project. Backfill is required for all areas. Regrading and topsoiling are required for all areas. Revegetation and soil improvements are required for all areas. Reclamation is to be according to the attached specifications, plans, and clarifying discussions at the Pre-Bid Conference.
4. Construction stakeout as necessary to carry out work. (Bid Item # 8.0)
5. Check for and locate all utilities within the work area to provide and maintain a safe working area in addition to preventing damage to the utility.
6. Remove any and all debris from site which includes but not limited to railroad track(s), power poles, mine belt, tires, junked cars, junk trucks, tanks, remaining items from former water tank site, all metal and lumber debris, all transformers and casings. **NOTE: The contractor is responsible for proper handling of all items and must provide documentation of proper disposal of all items.**
7. All asbestos containing material must be removed from the permit site. All asbestos containing material will be pointed out and identified at the Pre-bid Conference. The contractor will be responsible for obtaining all permits and plans for proper cleanup and disposal of identified materials. The contractor shall provide documentation of the proper disposal of these materials

AREA 1 – LOADOUT EAST OF TRACKS

8. Demolish concrete wall and pedestals and properly dispose of by breaking it into sections no larger than four (4) feet in any direction and burying it on site. **NOTE: Any rebar or reinforcing steel shall be removed to be flush with the surface of the concrete prior to burial.**

WV-36a STATE OF WEST VIRGINIA
REV. 1/29/02 PURCHASING CONTINUATION SHEET

BUYER CB-23	REQ. OR PO NO. DEP14586
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9. **The dual railroad track within the project area shall be removed by others. Upon its removal, the successful contractor shall regrade and revegetate the portion of the railroad grade within the project area.**
10. **Eliminate Pond Seven (7) by dewatering with pumps, backfilling with all available spoil material, and constructing approximately One Hundred and Eighty (180) linear feet of Ditch Seven (7) through the Pond Seven (7) area to convey drainage to the existing concrete pipe beneath the railroad grade. Note: The cost of Ditch Seven (7) shall be incidental to and included in Bid Item 9.6 Pond Number Seven.**

Area 2 – Raw Coal Stockpile

11. Demolish concrete from bin area and pumphouse and properly dispose of by breaking it into sections no larger than four (4) feet in any direction and burying it on site. **NOTE: Any rebar or reinforcing steel shall be removed to be flush with the surface of the concrete prior to burial.**
12. Seal borehole/well near pumphouse in accordance with the attached specifications.
13. Eliminate Pond Four (4) by backfilling with all available spoil material and regrade to establish a sheet flow drainage pattern.
14. Install V-Ditch Four (4). This Rip-Rap v-ditch will run approximately three hundred and fifty (350) feet from the bench of this area to the County Route culvert. (See Specifications)
15. Backfill, by using all available spoil material, and eliminate approximately 200 linear feet of highwall.

Area 3 - Raw Coal Stockpile and Loadout

16. Demolish all concrete pads, walls, and block structures and properly dispose of by breaking it into sections no larger than four (4) feet in any direction and burying it on site. **NOTE: Any rebar or reinforcing steel shall be removed to be flush with the surface of the concrete prior to burial.**
17. Eliminate Pond Six (6) by dewatering with pumps and backfilling with all available spoil material and regrade to establish a sheet flow drainage pattern.
18. Install V-Ditch Six (6). This Rip-Rap V-Ditch will be approximately 150 feet long. V-Ditch Six (6) will "Y" to collect the red seepage area and the drainage from above and will extend through the regarded pond Six (6) area will discharge into the existing channel below Pond Six (6).
19. Eliminate Pond Eight (8) by dewatering with pumps and backfilling with all available spoil material and regrade to establish a sheet flow drainage pattern.
20. Install V-Ditch Five (5). This Rip-Rap v-ditch will run approximately One Hundred Fifty (150) feet from natural drainage entrance of Pond 8 and terminate into the existing stream channel of Harmon Branch. (See Specifications)
21. Backfill, by using all available spoil material, and eliminate approximately 200 linear feet of highwall.

WV-36a STATE OF WEST VIRGINIA
 REV. 1/29/02 PURCHASING CONTINUATION SHEET

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Area 4 – Refuse Area A & B

22. Cover the bare refuse areas with a minimum of one (1) foot of the best soil type material available.
NOTE: Special care shall be taken not to damage existing vegetation. NOTE: A gas line is located near the toe of the refuse and may require re-location.
23. Regrade and revegetate water tank area.

Area 5 – Refuse Area C

24. Eliminate Pond One (1) by dewatering with pumps and backfilling with all available spoil material and regrade to establish a sheet flow drainage pattern.
25. Install Trapezoidal-Ditch One (1). This Rip-Rap Trapezoidal Ditch will run approximately two hundred and fifty-five (255) feet from the previous entrance of the Pond One (1) to its former discharge point into the existing stream channel. (See Specifications)
26. Eliminate Pond Two (2) by dewatering with pumps and backfilling with all available spoil material and regrade to establish a sheet flow drainage pattern. **NOTE: Re-location of gas line may be required.**
27. Install grouted V-Ditch Two (2). This grouted Rip-Rap V-Ditch will run approximately two hundred (200) feet from the previous entrance of the Pond Two (2) to its former discharge point into the existing stream channel. (See Specifications)
28. Cover the bare refuse areas with a minimum of one (1) foot of the best soil type material available.
NOTE: Special care shall be taken not to damage existing vegetation. NOTE: A gas line is located near the toe of the refuse and may require re-location.

Area 6 – Mine Entry Area

29. Eliminate Pond three (3) by dewatering with pumps and backfilling with all available spoil material and regrade to establish a sheet flow drainage pattern.
30. Install V-Ditch Three (3). This Rip-Rap v-ditch will run approximately one hundred and fifty (150) feet from the natural drainage to the sump below the pond.
31. Demolish concrete pads and structures and properly dispose of by breaking it into sections no larger than four (4) feet in any direction and burying it on site. **NOTE: Any rebar or reinforcing steel shall be removed to be flush with the surface of the concrete prior to burial.**
32. Excavate all entries on highwall and install six (6) wet mine seals. (See Specifications) **NOTE: Re-location of gas line may be required.**
33. Eliminate three (3) bench clarification ponds and backfill the area to a minimum distance of four (4) feet over the coal seam. **NOTE: Cost for elimination of the clarification ponds will be included in the backfilling bid item.**

WV-36a STATE OF WEST VIRGINIA
REV. 1/29/02 PURCHASING CONTINUATION SHEET

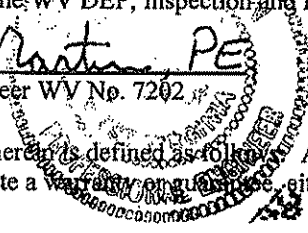
BUYER CB-23	REQ. OR PO NO. DEP14586
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All Areas

- 34. Regrade and revegetate approximately eighteen (18) acres of disturbance.
- 35. Install approximately forty-four hundred (4,400) linear feet of silt fencing throughout project to control sedimentation.
- 36. Install approximately 500 linear feet of haybale dikes for sediment control.

I David L. Martin, Sr., the undersigned, hereby certify ¹ that this Reclamation Plan is correct and shows to the best of my knowledge and belief all the information required by the surface mining laws of the State of West Virginia. The source of information was the approved mining and reclamation plan contained in the forfeited surface mine permit, existing site conditions and information contained in the WV DEP, Inspection and Enforcement files.

David L. Martin, Sr. PE
 Registered Professional Engineer WV No. 7202

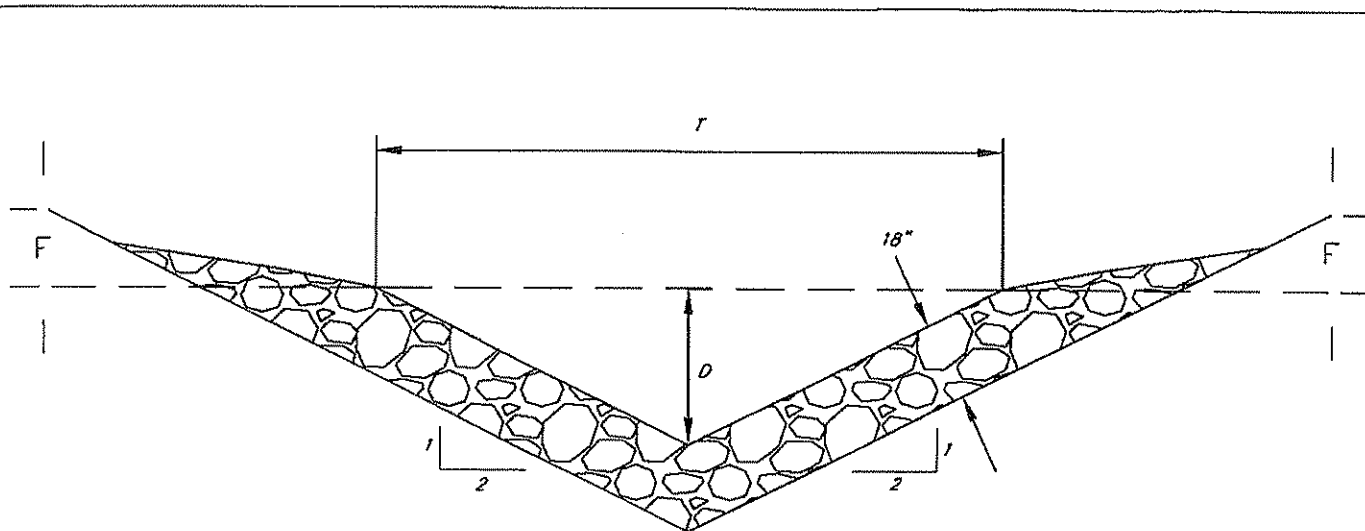


Date: OCTOBER 15, 2009

¹ The term "certify" as used here is defined as follows: An engineer's certification of conditions is a declaration of professional judgment. It does not constitute a warranty or guarantee, either expressed or implied.

WV-36 STATE OF WEST VIRGINIA
 REV. 1/29/02 PURCHASING CONTINUATION SHEET

BUYER CB-23	REQ. or P.O. No. DEP14586
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Ditch Number	Ditch Depth (Ft.)	Top Width (Ft.)	Length (Ft.)	Freeboard Depth (Ft.)	Lining
	D	T		F	
2	2	8	200	1	Grouted Limestone Rip-Rap
3	3	12	150	1	Limestone Rip-Rap
4	3	12	350	1	Limestone Rip-Rap
5	3	12	150	1	Limestone Rip-Rap
6	1	4	150	1	Limestone Rip-Rap
7	1	4	180	1	Limestone Rip-Rap

REVISED 10/15/09

SPECIAL RECLAMATION	
RIP-RAP V-DITCH TYPICAL	
SCALE: Not To Scale	DRAWN BY:
DATE:	PROJECT NO.:

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 14586
 Project: GARY COAL SALES

Bid Date: NOVEMBER 05, 2009
 Pre-Bid Date: OCTOBER 06, 2009

Name : Kevin Bradford
 Company: Pineville Paving & Excavating, Inc.
 Address: P.O. Box 1290
Pineville WV 24874
 Phone #: 304-732-8303
 Fax #: 304-732-7855
 Email : KDBPPI@AOL.COM

Name : Barrie F. Foster
 Company: EAGLE CONTRACTORS
 Address: P.O. Box 339
Winfield WV 26213
 Phone#: 304-552-7781
 Fax #: 304-755-3150
 Email :

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

Name : Bob Quesenberry
 Company: B & B Transitec
 Address: 316 New River Dr.
Beckley WV 25880
 Phone#: 304-673-9388
 Fax #: 304-253-4533
 Email : Bob.Quesenberry@E-Mail.com

Name : David H. Bowman
 Company: Green Mountain Co
 Address: 511 50th Street
Chas WV
25304
 Phone #: 304 925 0253
 Fax #: 1 925 9280
 Email : Jody.May@AOL.COM

Name : Randall Mapes
 Company: S&F Clearing
 Address: PO Box 277
Kanawha WV 25696
 Phone#: 1-606-237-1200
 Fax #: 1-606-237-1207
 Email :

Name : Wes Addair
 Company: A-A ENERGY INC
 Address: 151 STEWART
ST WELCH WVA
24801
 Phone #: 304-320-3961
 Fax #: 304 436 5111
 Email : Wesaddair@HiMail.com

Name : Thomas D. Little Jr
 Company: Little Enterprises
 Address: PO Box 25
Thorpe W.V. 24888
 Phone#: 1-304-448-2626
 Fax #: 1-304 436-3929
 Email :

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 14586
Project: GARY COAL SALES

Bid Date: NOVEMBER 05 2009
Pre-Bid Date: OCTOBER 06, 2009

Name : Ashley Allkins
Company: Aspen Corporation
Address: 2400 River Drive
Daniels WV 25832

Phone #: 304-763-4573
Fax #: 304-763-4591
Email : jallkins@aspen-gdf.com

Name : ALLEN MURDOCKE
Company: Bermont Coal Supply
Address: PO BOX 10 Provesce
WV 20603

Phone #: 304 548-7004
Fax # : _____
Email : _____

Name : Steve Morgan
Company: Iron Tiger Enterprises
Address: 607 Lower Sandlick Rd
Beckley WV 25801

Phone #: 304-934-5494 575-3523
Fax # : _____
Email : _____

Name : Ann Wardwell
Company: EASTERN ARROW
Address: PO BOX 4108
CHARLESTON, WV
25364

Phone #: 304 414-0255
Fax # : 0256
Email : easternarrow@hotmail.com

Name : Randy Carpenter
Company: Carpenter Reclamation
Address: PO Bx 13015
Sissonville, WV 25360

Phone# : 304-984-1115
Fax # : 304-984-2770
Email : Rcarpen103@aol.com

Name : Ronnie D. Medina
Company: Ronnie Medina Excavating
Address: PO Box 138 Eccles W.V.

Phone# : 304 934 5526
Fax # : _____
Email : _____

Name : GARY MANHART
Company: SIMON & ASSOCIATES, INC.
Address: 3200 COMMERCE ST
BLACKSBURG, VA 24060

Phone# : 540-951-4234
Fax # : 540-951-4219
Email : manhartg1@simonassoc.com

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