



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
DEP14722

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
08/06/2009				

BID OPENING DATE: 08/27/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENUM NO. 1		
				ADDENDUM ISSUED FOR THE ROBEY COMPLEX PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE Q/A RESULTING FROM THE MANDATORY PRE-BID MEETING OF 07/28/09.		
				BID OPENING DATE AND TIME REMAIN UNCHANGED AS 08/27/09 AT 1:30 PM.		
				***** NO OTHER CHANGES *****		
0001		JB		962-73		
				RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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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

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 14722
 Project: Robey Complex

Bid Date: 8/27/09
 Pre-Bid Date: 7/28/09

Name : Mike Robey
 Company: Robey Excavating LLC
 Address: RT 1 Box 393A
humberpot WV
 Phone #: (304) 783-4491
 Fax #: 11 11
 Email : _____

Name : David H. Bowman
 Company: GREEN MOUNTAIN CO
 Address: 511 50th STREET
Chas WV
25304
 Phone#: 304 925 0253
 Fax # : 304 925 9230
 Email : Jody_Mayer@comcast.com

Name : Robert Barnes
 Company: Barnes EXC-LLC
 Address: P.O. Box 13384
Sissonville
WVA 25360
 Phone #: 304-984-1725
 Fax # : 304-984-0074
 Email : _____

Name : Steve Calvert
 Company: Green River Group, LLC
 Address: P.O. Box 18039
Morgantown, WV 26507
 Phone#: 304-594-3991
 Fax # : 304-594-3992
 Email : SCalvert@GRC@aol.com

Name : Gary Long
 Company: McCourt & Son Const.
 Address: 2790 Centralia Rd
Sutton WV 26601
 Phone #: 304 765-5288
 Fax # : 304 765-5293
 Email : _____

Name : Chris Wolfe
 Company: Cave Run Contracting LLC
 Address: P.O. Box 104
Moatsville, WV 26405
 Phone#: (304) 669-1722
 Fax # : (304) 457-1662
 Email : cmwofe73@yahoo.com

Name : Edward Baker
 Company: Baker Excavating
 Address: Po Box 1163
Dellslow WV 26531
 Phone #: 304 282-1470
 Fax # : _____
 Email : _____

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

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 14722
 Project: Robey Complex

Bid Date: 8/27/09
 Pre-Bid Date: 7/28/09

Name : Scott Laurita
 Company: SCJL Co-Leasing Corp
 Address: 8 Hunter Zane Rd
Fairmont WV 26554
 Phone #: 304 290 4608
 Fax #: 304 - 296-8252
 Email : _____

Name : JAMES ALLEN
 Company: JF Allen Co
 Address: P.O Box 2049
Buckhannon WV
26201
 Phone#: 304 472 8890
 Fax #: 304 472 8897
 Email : _____

Name : DENNIS C. ELBON
 Company: COMPANY UP INC
 Address: P.O. Box 243
Simpson, WV 26435
 Phone #: 304-739-4397
 Fax #: 304-739-4401
 Email : _____

Name : Ashley Atkins
 Company: Aspen Corporation
 Address: 2400 Ritter Drive
Daniels WV 25832
 Phone#: (304) 763-4573
 Fax #: (304) 763-4591
 Email : jadkins@aspen-gff.com

Name : Richard Watts
 Company: Ackenheil Engineers
 Address: P.O. Box 416
Nitro, WV 25143
 Phone #: 304-552-3946
 Fax #: _____
 Email : _____

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

Name : DER STAMM
 Company: B+B TRANSIT
 Address: 316 NEW RIVER DRIVE
Beekley, WV
 Phone #: 304-673-9388
 Fax #: _____
 Email : BOB.CANTERBURY@gmail.com

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

**Addendum #1 - Questions During Pre-Bid Meeting
For DEP 14722
Robey Complex Project**

The following questions were identified from the Pre-Bid Conference. The answers provided herein take precedence over verbal answers at the PBC should there be any conflicts between the two.

- 1.) **Q.** Where are the water troughs to be installed?
A. Site #2 and Site #3.
- 2.) **Q.** Are you going to run the 4" water supply line back into the mine?
A. No, it originates from a manhole.
- 3.) **Q.** How far back into the hill do we have to excavate to locate a void?
A. Follow the water until the inspector stops to facilitate a modified mine seal.
- 4.) **Q.** How many water troughs are located on Site 2?
A. One.
- 5.) **Q.** Where are we standing now?
A. Site 3 showed where on the plans.
- 6.) **Q.** Does the gas line come through the work area?
A. Yes.
- 7.) **Q.** Does the ditch installation intersect the gas line?
A. Yes.
- 8.) **Q.** Whose gas line is it?
A. Hope/Dominion is one, call Miss Utility to be sure as stated in the specs.
- 9.) **Q.** Is it the same or different property owner on the other side of the fence?
A. Different.
- 10.) **Q.** Do we have to install temporary fencing around the mine seal installation?
A. It is a bid item, yes.
- 11.) **Q.** Do we have to excavate all around the area to locate the mine opening?
A. No, follow the water flow out of the hillside.
- 12.) **Q.** Can you indicate how far on either side of the indicated location we will be required to explore for the mine opening?
A. No, follow the water flow towards the bore hole location.
- 13.) **Q.** How do we know when to stop looking for the mine opening?
A. When you can backfill over a modified seal or the inspector stops the search.

- 14.) **Q.** Is any road restoration stone planned for Site #3?
A. Yes, refer to the plans.
- 15.) **Q.** Does the road restoration item quantity include the other sites, too?
A. Yes.

The Contractor shall have 60 calendar days from the Notice to Proceed to complete construction activities on the project. The \$250 per day liquidated damage clause will be in effect after the 60 days. However, the total performance period will be 365 days from the date of the Notice to Proceed for invoicing purposes.