



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
DEP14770

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 10/06/2009	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
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BID OPENING DATE: **10/22/2009** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
	*****	*****		ADDENDUM NO. 1 *****	*****	
	ADDENDUM ISSUED FOR THE FISHER RUN (POSEY) SUBSIDENCE AND PORTALS PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE Q&A RESULTING FROM THE MANDATORY PRE-BID MEETING ON 09/23/2009.					
	BID OPENING DATE & TIME REMAIN UNCHANGED AS 10/22/09 AT 1:30 PM.					
	***** NO OTHER CHANGES *****					
0001	1	JB		962-73		
	RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES					
	***** THIS IS THE END OF RFQ DEP14770 ***** 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 #1 - Questions During Pre-Bid Meeting
For DEP 14770
Fisher Run (Posey) Subsidence & Portals 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.** How will temporary fence be handled?
A. Temporary fencing may be required to segregate livestock from some of the construction areas. If it is required, it shall be installed at the locations and to the dimensions determined by consultation with the AML Representative on site. No more temporary fence than is necessary to prevent livestock from entering onto reclaimed disturbed area will be required. Payment will be included in the lump sum price bid for Site Preparation.
- 2.) **Q.** How will Fence Replacement be handled?
A. Existing fences that are necessarily removed to allow construction activities to take place shall be replaced in accordance with Specification 4.6. Payment for this work will be included in the lump sum price bid for Site Preparation.
- 3.) **Q.** Will any special provisions be necessary regarding temporary fencing to allow livestock access to water?
A. Yes. Either the WV Dept of Environmental Protection (WVDEP) will provide direction for development of a temporary water supply source for the livestock or the landowner will relocate the livestock to an area where water is available where temporary fencing may be utilized for containment. The actual livestock control Plan will be worked out at the time of construction as per the Construction Supervisor.
- 4.) **Q.** Are there double mine drainage outlet pipes crossing under the road from the mine seal installations that cross the road?
A. Yes.
- 5.) **Q.** Is the contractor responsible for submitting a Traffic Control Plan to the WVDOH for this work?
A. Yes.
- 6.) **Q.** What are the requirements associated with the access road construction?
A. That the disturbed area shall be revegetated upon completion of the project.
- 7.) **Q.** Are headwalls and endwalls incidental items?
A. No. There are bid items provided for each of these.
- 8.) **Q.** Are there piezometers located on the west side of the project as well?
A. No. Just the four piezometers on the east side.

The site review conducted after the scope of work discussion at the Pre-Bid Conference indicated that the slopes for the mine drainage channels on the west side of the project are significantly steeper than those on the east. Also, there was evidence of mine water discharging from one of the proposed mine seal installations on the west side of the project as well as those on the east side.

**Addendum #1 – DEP14770
Fisher Run (Posey) Subsidence & Portals Project**

The bat gate installation is actually to take place in Portal #2 instead of Portal #3 as indicated on the plan drawings.

The Contractor shall 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.

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 14770
 Project: FISHER RUN (POSEY) SUB & PORTALS

OPENING Bid Date: 10/22/09
~~9/23/09~~
 Pre-Bid Date: 9/23/09

Name : GARY LONG
 Company: McCourt & Son Const.
 Address: 2790 Centralia Rd
Sutton WV 26601

Name : LES BOLEN
 Company: ASPEN CORP
 Address: 2400 RITTER DR
DANIELS WV 25832

Phone #: 304 765-5288
 Fax #: 304 765-5293
 Email : _____

Phone# : 304-763-4573
 Fax # : 304-763-4591
 Email : lboLEN@aspEN-gOLF.com

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

Name : ANN WAROWELL
 Company: EASTERN ARROW
 Address: PO BOX 4108
CHARLESTON, WV
25361

Phone #: 304-732-8303
 Fax #: 304-732-7855
 Email : KDBPPI@AOL.COM

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

Name : Ed Baker
 Company: Baker Excavating
 Address: P.O. Box 1163
Dodslow WV 26031

Name : Roger Hull
 Company: Hull's Contracting Inc.
 Address: Rt 10 Box 85
Buckhannon WV 26201

Phone #: 304-282-1470
 Fax # : _____
 Email : _____

Phone# : 304-472-6408
 Fax # : 304-473-1722
 Email : RHull@CebriDge.net

Name : BOR ALLEN MURDOCK
 Company: Born out con n supply
 Address: Po Box 10 Proverce
WV 20164

Name : Randy Carpenter
 Company: Carpenter Reclamation
 Address: PO Bx 13015
Sassanville WV
25760

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

Phone# : 304-984-1115
 Fax # : 984-2770
 Email : _____

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : BEP 14770
 Project: FISHER RUN (POSEY) SUB. & PORTALS

OPENING

Bid Date: 10/22/09Pre-Bid Date: 9/23/09

Name : Gary Stanley
 Company: Stanley Ind. Inc.
 Address: 7 Maple Lake
Bridgeport WV
26330
 Phone #: 304-842-8566
 Fax #: 304-842-8609
 Email : GStanley@ma.rr.com

Name : Harrison Bowman
 Company: Green Mountain Co.
 Address: 511 50th St.
Charleston
WV ~~25303~~ 25304
 Phone#: 304-925-0253
 Fax #: 304-925-9230
 Email : JodyMax@Aol.com

Name : Spencer Wooddell
 Company: Cowgirl Up Inc
 Address: PO Box 243
Simpson WVa 26435
 Phone #: 304 739 4397
 Fax #: 304 739 4401
 Email : scw-cowgirlup@earthlink.net

Name : Roger L. Collins Jr.
 Company: Collins Building & Contracting Inc.
 Address: 3406 Coaly-Cross Rd
Flintknobs, WV
26621
 Phone#: 304-745-3521
 Fax #: 304-745-3521
 Email : Collins Building & Contracting Inc.

Name : Chris Wolfe
 Company: Cove Run Contracting LLC
 Address: P.O. Box 104
Moatsville, WV. 26405
 Phone #: (304) 669-1722
 Fax #: (304) 457-1662
 Email : cmwolfo73@yahoo.com

Name : BARRIE F. FOSTER
 Company: EAGLE CONTRACTORS
 Address: P.O. Box 339
WOLFEN WV 25218
 Phone#: 304-552-7781
 Fax #: 304-755-3150
 Email : _____

Name : Charlene Pretzel
 Company: JL Pretzel Contracting
 Address: 274 Horseshoe Dr.
Bruceston Mills WV
26523
 Phone #: 304-379-7789
 Fax #: 379-7788
 Email : cpretzel@aol.com

Name : BRAD WISEMAN
 Company: WISEMAN EXCAVATING
 Address: RT 1 Box 190 Liberty W.V.
25124
 Phone#: 304-586-3736
 Fax #: 304-586-3789
 Email : _____

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEY 14770
 Project: FISHER RUN (POSEY) SUB.
& PORTALS

OPENING
 Bid Date: 10/22/09
 Pre-Bid Date: 9/23/09

Name : Doug Vweent
 Company: BREAKAWAY INC
 Address: 1075 Old Turnpike Rd
Sutton, WV 26601
 Phone #: 765-5317
 Fax #: 765-5389
 Email : breakaway-inc@verizon.net

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

Name : JAMES ALLEN
 Company: J F ALLEN CO
 Address: P.O. Box 2049
Buckhannon WV
26201
 Phone #: 304 472 8890
 Fax #: 304 472 8897
 Email : JAMES.ALLEN@JFALLIANCE.COM

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

Name : Matt Jeffries
 Company: Dingess Transport Inc
 Address: RT 92/250
Delington WV 26250
 Phone #: 304-823-1267
 Fax #: 304-823-3397
 Email : m.jeffries@DingessCO.com

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

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

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