



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
 DEP14776

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
10/07/2009				

BID OPENING DATE: 10/20/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
***** ADDENDUM NO. 2 ***** ADDENDUM ISSUED FOR THE MORGAN RUN PA #2 PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE Q&A AS A RESULT OF THE MANDATORY PRE-BID MEETING OF 09/24/09. BID OPENING DATE AND TIME REMAIN UNCHANGED AS 10/20/09 AT 1:30 PM. ***** NO OTHER CHANGES *****						
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						
***** THIS IS THE END OF RFQ DEP14776 ***** 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 #2 Questions During Pre-Bid Meeting
For DEP 14776
Morgan Run PA #2 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 many different size pipes are involved with the culvert replacements?
A. Both culvert replacements will be with 18" HDPE pipe.
- 2.) **Q.** Is a borrow area provided for the fill work on Site #2?
A. Yes.
- 3.) **Q.** Are the bat gate pipes the same size for all of the bat gate seals?
A. Yes.
- 4.) **Q.** Does the standard timber specification apply for clearing and grubbing operations?
A. Yes
- 5.) **Q.** Is this project intended to be constructed this year?
A. Unknown.
- 6.) **Q.** Aren't there restrictions on when bat gate installation activities can take place so as not to disturb bats during hibernation?
A. We have asked this question of the U.S.F.W. Service and they have not been able to provide us with any regulations to this effect.
- 7.) **Q.** Are there any piezometers located on-site?
A. No.
- 8.) **Q.** Is the road that provides access to the sites used by any local residents for access?
A. That is possible.
- 9.) **Q.** Since moving a trailer onto Refuse Pile #1 has altered the proposed grading plan, will the modifications to the grading plan alter the yardage to be moved?
A. Yes, the cut will probably be less than planned, but bid the project with the quantity provided on the bid sheet.
- 10.) **Q.** Since moving a trailer onto Refuse Pile #1 has altered the proposed grading plan, will the entire area shown on the plans for Refuse Area #1 need to be cleared?
A. No, not necessarily. If the modified grading plan eliminates areas of cut that were planned, but refuse is still exposed in these areas, then just cover the exposed refuse around the trees with 9" of topsoil.

- 11.) **Q.** Where is the borrow area for Refuse Pile #2? Where is the borrow area for Refuse Pile #1?
A. The borrow areas are identified on the plans. The borrow area that is located nearest to Refuse Pile #2 is designated for Refuse Pile #2 and the borrow area that is located nearest to Refuse Pile #1 is designated for Refuse Pile #1.
- 12.) **Q.** Is the anchor for the pipe gate just on one side?
A. No, it is on both sides.
- 13.) **Q.** Is that a 30° bend in the pipe on the bat gate mine seal?
A. Yes.
- 14.) **Q.** Is it located in a wet area?
A. Relatively speaking, it's not that wet.
- 15.) **Q.** Where is the underdrain to be installed in the project?
A. This detail is provided on the contingency that if underdrain becomes necessary, even though no underdrain is proposed to be installed, an item is available in the plans.

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 # : 14776
 Project: MORGAN RUN PA #2

Bid Date: 10/20/09
 Pre-Bid Date: 9/24/09

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

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

Name : Roger Hill
 Company: Hill's Contracting Inc.
 Address: Rt 10 Box 85
Buckhannon, WV 26201
 Phone #: 304.472-6408
 Fax #: 304.473-1722
 Email : -

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

Name : David H. Bowman
 Company: Green Mountain Co
 Address: 511 50th Street
Chas WV
25304
 Phone #: 304 925 0253
 Fax #: 925 9230
 Email : Jody Maye AOL.com

Name : BARRIE F. FOSTER
 Company: EAGLE CONTRACTORS
 Address: P.O. BOX 339
WINDFLEET WV 25213
 Phone# : 304-552-7781
 Fax # : 304-755-3150
 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 : JAMES.ALLEN@JFALLENCO.COM

Name : Anita Bolyard
 Company: CE Bolyard & Son, Inc
 Address: 125 E High St
Kingwood WV 26537
 Phone# : 304-329-1330
 Fax # : 304-329-1571
 Email : cebsinc@verizon.net

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 14776
Project: MORGAN ROWN PA #2

Bid Date: 10/20/09
Pre-Bid Date: 9/24/09

Name : Max Elliott
Company: JB + Sons LLC
Address: 10643 Brandonville PK
Albright WV 26519
Phone #: 304-329-0818
Fax #: 304-329-0818
Email : _____

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

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

Name : Patrick Weimer
Company: SCSL Co-Leasing Co. Inc.
Address: D Hunter Zane Rd.
Fairmont WV
26554
Phone# : 304-290-4608
Fax # : 304-296-8252
Email : _____

Name : DENNIS C. ELBOW
Company: COWGIRL UP INC
Address: PO Box 243
SIMPSON WV 26455
Phone #: 304-739-4397
Fax # : 304-739-4401
Email : DCC-COWGIRLUP@GARRMAN.WV.GOV

Name : ANN WAROWELL
Company: EASTERN ARROW
Address: PO BOX 4108
CHARLESTON, WV
25364
Phone# : 304-414-0255
Fax # : 0256
Email : easternarrow@hotmail.com

Name : Gary Stanley
Company: Stanley Tool Inc.
Address: 7 Maple Lake
Bridgeport WV
26330
Phone #: 304-842-8560
Fax # : 304-842-8409
Email : gstanley@mr.ft.com

Name : BRIAN SCHEFFER
Company: BYCO ENTERPRISES
Address: 11746 BIRMINGHAM RD
GRANTSVILLE MD 21536
Phone# : 301 245 4322
Fax # : 301 245 4364
Email : bwsbyco@aol.com

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 14776
Project: MORGAN RAIN PA #2

Bid Date: 10/20/09
Pre-Bid Date: 9/24/09

Name : Matt Jeffries
Company: Dingess Transport Inc
Address: PO Box 909
Belington WV 26250
Phone #: 304 823 1267
Fax # : 304 823 3397
Email : mjeffries@dingessco.com

Name : _____
Company: _____
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