



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
DEP14807

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
10/30/2009				

BID OPENING DATE: 11/19/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
	*****		ADDENDUM NO. 1	*****		
	ADDENDUM ISSUED FOR THE THOMAS (SUNRISE SANITATION) MINE DRAINAGE PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND THE Q&A RESULTING FROM THE 10/20/09 MANDATORY PRE-BID MEETING.					
	BID DATE AND OPENING TIME REMAIN UNCHANGED AS 11/19/09 AT 1:30 PM.					
	*****		NO OTHER CHANGES	*****		
0001	1	JB	962-73			
	RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES					
	***** THIS IS THE END OF RFQ DEP14807 ***** 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

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 14807
Project: THOMAS SURGIS - SANITATION

Bid Date: 11/19/09
Pre-Bid Date: 11/20/09

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 Maye AOL.com

Name : DON STAMM
Company: B+B TRANSIT INC.
Address: 316 NEW RIVER DRIVE
Beckley, WV 25801
Phone#: 304-673-9388
Fax #: 304-763-7593
Email : BOB.CANTERBURY@SMAIL.COM

Name : John Oldaker
Company: Heflin Contracting
Address: 1617 River Rd
Clarksburg WV
26301
Phone #: (204) 623-5110
Fax #:
Email : John Oldaker Heflin Contracting
.com

Name : BARRIE F. FOSTER
Company: EAGLE CONTRACTORS
Address: P.O. Box 339
Winfield WV 25213
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 : IR SPENCER
Company: RONIE SPENCER, INC
Address: HC 74, Box 201
STRANGE CREEK WV
25063
Phone#: 304-364-8626
Fax #: 8663
Email : RHS2@Hush.net

Name : BRETT CREEK
Company: STONE PAINTING INC
Address: P.O. Box 53
KETOSVILLE, WV 26547
Phone #: 304-864-5955
Fax #: 304-864-4053
Email : brettcreeker@frontier.net.net

Name : Brian Hoard
Company: Breakaway Const
Address: 1075 old Turnpike Rd
Sutton 26601
Phone#: 304-765-6317
Fax #:
Email :

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 14807 Bid Date: 11/19/09
Project: THOMAS (SANDRIST SANITATION) Pre-Bid Date: 12/20/09

Name : Malcolm Allison
Company: Land Agent WVDEP
Address: Philippi, WV
Phone # :
Fax # :
Email :

Name : Mike Stearts
Company: J.M. Stearts & Assoc.
Address: 206 Chase Dr.
Hurricane WV 25526
Phone# : 304 552 0658
Fax # : 304 760-6019
Email : jstearts@steartshomes.com

Name : DENNIS ELBON
Company: COWGIRL UP INC
Address: PO Box 243
SIMPSON WV 26435
Phone # : 304-739-4397
Fax # : 304-739-4401
Email : DCE-CONCRETE @ EARTHWORK.NET

Name : ERWIN SCHNEIDER
Company: BILD ENTERPRISES
Address: 11746 BITUMBER RD
GRANTSVILLE MD 21536
Phone# : 301 245 4322
Fax # : 301 245 4364
Email : bwshyco@aol.com

Name : JAMES ALLEN
Company: JF ALLEN CO
Address: P.O. Box 2049
Buckhannon WV
26201
Phone # : 304 472 8896
Fax # : 304 472 8897
Email : JAMES.ALLEN@JFALLENCO.COM

Name : Gary Stanley
Company: Stanley Ind. Inc.
Address: 7 Maple Lake
Bridgeport WV
26330
Phone# : 304-842-8560
Fax # : 304-842-8609
Email : GStanley@ma.rr.com

Name : SCOTT ANGELLO
Company: BEITZEL CORPORATION
Address: 12072 BITUMBER RD.
GRANTSVILLE, MD 21536
Phone # : 301 245 4167
Fax # : 301 245 4740
Email : SCOTTANGELLO@BEITZELCORP.COM

Name : Howard Harper
Company: Triple H Const
Address: PO Box 176
Beverly WV 26025
Phone# : 304 636 1194
Fax # : 304 636 3680
Email :

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : 14807 Bid Date: 11/19/09
 Project: THOMAS (SURPRISE SIGNATURE) Pre-Bid Date: 10/20/09

Name : Matt Evans
 Company: Pro Contracting Inc
 Address: PO Box 2442
Clarksburg WV 26301
 Phone #: 304 622-2410
 Fax #: 304 622-2400
 Email : _____

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

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

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

Name : Jason Kitzmiller
 Company: ALL Construction Fax
 Address: PO Box 92
MT. STORM WV 26739
 Phone #: 304-693-7131
 Fax # : 304-693-7199
 Email : Kitzmiller Jason @msw.com

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

Name : MARK JEARY
 Company: POTOMAC HIGHWAYS
 Address: CONSTRUCTION
106 NORTH MAIN ST.
PETERSBURG, WV 26907
 Phone #: 304-257-2022
 Fax # : 304-257-2023
 Email : mjeary@FRONTIER.NET

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

**Addendum #1 - Questions During Pre-Bid Meeting
For DEP 14807
Thomas (Sunrise Sanitation) Mine Drainage 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 is the underdrain paid?
A. Per ton.
- 2.) Q. Do you know what the discharge is from the pipe?
A. It has not been measured, but an estimate is 500 to 1000 gpm.
- 3.) Q. If pumping is the method used for diversion, would it have to be continued around the clock?
A. Probably so.
- 4.) Q. Can the existing channel be utilized for dewatering?
A. Don't see how that would work.
- 5.) Q. Does the water have to be treated?
A. No.
- 6.) Q. Can the underdrain stone be limestone?
A. Yes.
- 7.) Q. If the wingwall is damaged during removal, is the contractor responsible for replacing?
A. Not if he exercises reasonable care during the removal procedure.
- 8.) Q. Can the riprap be reused?
A. Yes.
- 9.) Q. Is the bedding the same under both drains?
A. Yes.
- 10.) Q. What is the grade of the existing pipe?
A. Unknown.
- 11.) Q. Is the flag pole shown on the Plans?
A. Yes.
- 12.) Q. Where can the diversion water be discharged?
A. Downstream to the river.
- 13.) Q. Will stormwater discharge require treatment?
A. No.

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.



State of West Virginia
DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT
West Virginia Code §21-1D-5

STATE OF _____

COUNTY OF _____, TO-WIT:

I, _____, after being first duly sworn, depose and state as follows:

- 1. I am an employee of _____; and,
(Company Name)
- 2. I do hereby attest that _____
(Company Name)

maintains a valid written drug free workplace policy and that such policy is in compliance with **West Virginia Code §21-1D-5**.

The above statements are sworn to under the penalty of perjury.

(Company Name)

By: _____

Title: _____

Date: _____

Taken, subscribed and sworn to before me this _____ day of _____.

By Commission expires _____

(Seal)

(Notary Public)

THIS AFFIDAVIT MUST BE SUBMITTED WITH THE BID IN ORDER TO COMPLY WITH WV CODE PROVISIONS. FAILURE TO INCLUDE THE AFFIDAVIT WITH THE BID SHALL RESULT IN DISQUALIFICATION OF THE BID.