



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  
**DEP14913**

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 |
|--------------|---------------|----------|--------|---------------|
| 03/28/2010   |               |          |        |               |

BID OPENING DATE: **04/14/2010**                      BID OPENING TIME **01:30PM**

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER  | UNIT PRICE | AMOUNT |
|------|----------|-----|--------|--|------------|--------|
|      |          |     |        | ADDENDUM NO. 1   |            |        |
|      |          |     |        | ADDENDUM ISSUED FOR THE WYMER PORTALS PROJECT TO DIS-<br>TRIBUTE THE SIGN-IN SHEETS, THE Q/A RESULTING FROM<br>THE MANDATORY PRE-BID MEETING ON 03/16/10, AND THE<br>REVISED BID SCHEDULE AS ATTACHED. |            |        |
|      |          |     |        | BID OPENING DATE AND TIME REMAIN UNCHANGED AS 04/14/10<br>AT 1:30 PM.  |            |        |
|      |          |     |        | NO OTHER CHANGES   |            |        |
| 0001 | 1        | JB  |        | 962-73   |            |        |
|      |          |     |        | RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES  |            |        |
|      |          |     |        | ***** THIS IS THE END OF RFQ DEP14913 ***** 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. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
  4. 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.
  5. Payment may only be made after the delivery and acceptance of goods or services.
  6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
  7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
  8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
  9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
  10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
  11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
  12. **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.
  13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at [www.state.wv.us/admin/purchase/vrc/hipaa.htm](http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) and 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.
  14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
  15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
  16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.
- I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

### INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. 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. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. 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
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).

**Addendum #1 - Questions During Pre-Bid Meeting  
For DEP14913  
Wymer Portals & AMD Project**

The Contractor's work hours for this project will be 7:00 a.m. to 7:00 p.m. Monday through Saturday. Work on Sunday and major holidays shall not be allowed on this project.

- 1.) The sediment barrier pay items for this project shall only pertain to the Silt Fence Detail shown on Sheet 36 of the plans. Sediment barrier may either be silt fence with straw bale reinforcement or silt fence without straw bale reinforcement. A separate bid item is provided for each on the bid schedule. Which type to install at the locations shown on the plans for sediment barrier shall be as directed by the WV Department of Environmental Protection (WVDEP). Diversion barrier shall be installed at the locations shown on the plans or as directed by the WVDEP and is not to be confused with sediment barrier.
- 2.) If the block building shown on Sheet 5 of the plans has been demolished by the time construction activities commence on this project, then the Regrading Plan in the general vicinity of where the building stood shall be modified as directed by the WVDEP to backfill more of the highwall in this location to the extent that additional material is available due to the removal of the building. Cinder blocks left on site from the demolition of the building shall be incorporated into the backfill and buried at least one foot below finished grade.

This project shall be bid in accordance with the attached **Revised Bid Schedule**.

The Contractor shall have 270 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 270 days. However, the total performance period will be 365 days from the date of the Notice to Proceed for invoicing purposes.

**REVISED ADDENDUM NO. 1**  
**WYMER PORTALS & AMD PROJECT**  
**Requisition DEP14913**

Contractor's Bid Sheet

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

**The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.**

| ITEM NO. | QUANTITY         | DESCRIPTION   | UNIT PRICE | AMOUNT |
|----------|------------------|---|------------|--------|
| 1.0      | 1 L.S.           | Mobilization and Demobilization (not to exceed 10% of total amount bid) |            | \$     |
| 2.0      | 1 L.S.           | Construction Layout Stakes (not to exceed 5% of total amount bid)       |            | \$     |
| 3.0      | 1 L.S.           | Quality Control (not to exceed 3% of total amount bid)                  |            | \$     |
| 4.1      | 1 L.S.           | Site Preparation (not to exceed 10% of total amount bid)                |            | \$     |
| 4.2      | 4,000 L.F.       | Aggregate Access Road   |            | \$     |
| 4.3      | 1 EA.            | Single Barricade Gate   |            | \$     |
| 5.1      | 8,000 L.F.       | Reinforced Sediment Barrier   |            | \$     |
| 5.2      | 2,000 L.F.       | Silt Fence Sediment Barrier   |            | \$     |
| 5.3      | 3,350 L.F.       | Diversion Barrier   |            | \$     |
| 6.0      | 21 Acres         | Revegetation  |            | \$     |
| 7.1      | 80 L.F.          | Type 1 Open Limestone Channel   |            | \$     |
| 7.2      | 390 L.F.         | Type 2 Open Limestone Channel   |            | \$     |
| 7.3      | 750 L.F.         | Type 3 Open Limestone Channel   |            | \$     |
| 7.4      | 705 L.F.         | Type 4 Open Limestone Channel   |            | \$     |
| 7.5      | 530 L.F.         | Improved Roadside Ditch   |            | \$     |
| 7.6      | 40 L.F.          | 15-Inch HDPE Pipe Culvert   |            | \$     |
| 7.7      | 60 L.F.          | 24-Inch HDPE Pipe Culvert   |            | \$     |
| 7.8      | 340 L.F.         | 36-Inch HDPE Pipe Culvert   |            | \$     |
| 8.0      | 75,000 C.Y.      | Unclassified Excavation   |            | \$     |
| 9.1      | 9 EA.            | Typical Wet Seal  |            | \$     |
| 9.2      | 1 EA.            | Modified Wet Seal   |            | \$     |
| 9.3      | 1 L.S.           | CMP Bat Gate and Pipe Arch  |            | \$     |
| 9.4      | 2 EA.            | HDPE Bat Gate   |            | \$     |
| 9.5      | 2,250 L.F.       | 12-Inch PVC Mine Water Conveyance Pipe                                  |            | \$     |
| 9.6      | 1 L.S.           | Subsidence Crack Abatement  |            | \$     |
| 9.7      | 50 Fifty lb Bags | Soda Ash Briquettes   |            | \$     |
| 11.0     | 500 L.F.         | Underdrain  |            | \$     |
| 12.0     | 130 V.L.F.       | 4' ID Manhole   |            | \$     |
|          |                  |   |            |        |
|          |                  |   |            |        |
|          |                  | <b>TOTAL</b>  |            | \$     |

## MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14913  
 Project: WYMER PORTALS

Bid Date: 4/14/10  
 Pre-Bid Date: 3/16/10

Name : Stewart Whitehair  
 Company: Morgantown Excavators  
 Address: 500 Hartman Run Road  
Morgantown WV 26505  
 Phone #: 304-292-3489  
 Fax #: 304-292-6746  
 Email : Swhitehair@mei.wv.com

Name : Steve Szabo  
 Company: Pro Contracting, Inc.  
 Address: P.O. Box 2442  
Clarksburg WV  
 Phone#: 304 622-2400  
 Fax #: 622 2410  
 Email : PROCON.SS@ma.net.com

Name : Rob Seese  
 Company: Morgantown Excavators  
 Address: 500 Hartman Run Road  
Morgantown WV 26505  
 Phone #: 304-292-3489  
 Fax #: 304-292-6746  
 Email : rseese@mei.wv.com

Name : Chad Bilotta  
 Company: Anderson Excavating Inc  
 Address: 213 Williams Rd  
Morgantown WV 26501  
 Phone#: 304-983-2296  
 Fax #: 304-983-4755  
 Email : Chilotta@AndersonExcavatingInc.com

Name : Steve Jurasto  
 Company: Polino Contracting  
 Address: PO 230  
Elkins WV 26241  
 Phone #: 304-636-3886  
 Fax #: 304-636-5108  
 Email : JBrown@polino.com

Name : Jeffrey S. Laurita  
 Company: SCJL Co. Leasing Corp  
 Address: 8 Hunter Zan Rd.  
Fairmont WV 26554  
 Phone#: 304 290 4608  
 Fax #: 304 296 8252  
 Email : JSLAURITA@Yahoo.com

Name : Mike Furrows  
 Company: ATK Assoc.  
 Address: 3 TRINA BANK  
BENNINGTON, NJ 08016  
 Phone #: 330-620-1232  
 Fax #: 609-386-7951  
 Email : MICHAEL.FURROWS@  
ATKASSOCIATES.COM

Name : DENNIS COOK  
 Company: COOK BROS INC.  
 Address: RT 1 Box 191-D  
Fairmont WV  
26554  
 Phone#: 304-287-7109  
 Fax #: 304-287-7493  
 Email : COOKBROSINC@AOL.COM

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 14913  
 Project: WYMER PORTALS

Bid Date: 4/14/10  
 Pre-Bid Date: 3/16/10

Name : Robert L. 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 : Barrie F. Foster  
 Company: EAGLE CONTRACTING LLC  
 Address: 1721 WINDFIELD RUN  
WINDFIELD WV 25213  
 Phone#: 304-552-7781  
 Fax #: 304-755-3150  
 Email : \_\_\_\_\_

Name : DAVID H. Bowman  
 Company: GREEN MOUNTAIN  
 Address: 511 50<sup>th</sup> STREET  
CHARS WV 25304  
 Phone #: 304-925-0253  
 Fax #: 925-9230  
 Email : Jody May @ AOL.COM

Name : PAUL THOMPSON  
 Company: REMAC AMERICA, INC.  
 Address: 10860 SPRING KNOLL DR  
POTOMAC MD 20854  
 Phone#: 800 600 9608  
 Fax #: 301 299 5990  
 Email : thompson@remac.com

Name : Chris M. Wolfe  
 Company: Core Bar Crete LLC  
 Address: P.O. Box 104  
Roanoke WV 26405  
 Phone #: (304) 669-1722  
 Fax #: (304) 457-1622  
 Email : cm Wolfe T3 @ yahoo.com

Name : Ann Klawnski  
 Company: EASTERN ARROW  
 Address: PO Box 4108  
CHARLESTON, WV  
25301  
 Phone#: 304-414-0255  
 Fax #: 0256  
 Email : \_\_\_\_\_

Name : Mike Jarrett  
 Company: Mt. Haus Properties Inc.  
 Address: 305 301<sup>st</sup> St  
Charleston WV 25304  
 Phone #: 304-545-0408  
 Fax #: 304-925-4032  
 Email : Mike Jarrett @ y  
mike.jarrett1805@yahoo.com

Name : Randy Carpenter  
 Company: Carpenter Reclamation  
 Address: PO Box 13015  
Sissonville, WV  
25360  
 Phone#: 304-984-1115  
 Fax #: 984-2770  
 Email : Rcarpen16@aol.com

## MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 14913  
 Project: WYMER PORTALS

Bid Date: 4/14/10  
 Pre-Bid Date: 3/16/10

Name : GEORGE FRESHOUR  
 Company: EAGLE EXCAVATION INC.  
 Address: P.O. BOX 218  
KENNAH, WV  
25248  
 Phone #: (304) 372-4378  
 Fax #: (304) 372-4378  
 Email : ~~GEORGE~~

Name : Matt Adams  
 Company: Kelli Corp  
 Address: 3075 Point Marion Rd  
MORGANTOWN WV 26505  
 Phone #: 304 297 8102  
 Fax #: 304 297-8608  
 Email : adamsmka@comcast.net

Name : Cary Long  
 Company: McCourt & Son Const.  
 Address: 2790 Centralia Rd  
Sutton WV 26601  
 Phone #: 304 765-5388  
 Fax #: 304 765-5293  
 Email : \_\_\_\_\_

Name : Don Vincent  
 Company: Breen Kaway, Inc.  
 Address: 1075 Old Turnpike Road  
Sutton, WV 26601  
 Phone #: 304-765-5317  
 Fax #: 304-765-5389  
 Email : breakaway-inc@verizon.net

Name : Spencer C Wooddell  
 Company: Converg Up Inc.  
 Address: PO Box 243  
Simpson WVa 26435  
 Phone #: 304 739 4397  
 Fax #: 304 739 4401  
 Email : scw\_convergup@earthlink.net

Name : KEVIN HARSHBERGER  
 Company: RB JERGENS  
 Address: 11418 N. DIXIE DRIVE  
VANDALIA OH 45377  
 Phone #: 937-669-9799  
 Fax #: 937-669-5025  
 Email : Kevin.harshberger@rbjergens.com

Name : Joe Kubin  
 Company: Aspen Corporation  
 Address: 2400 Ritter Drive  
Daniels WV 25832  
 Phone #: 304-763-4573  
 Fax #: 304-763-4591  
 Email : jkubin@aspengolf.com

Name : JAMES ALLEN  
 Company: JF ALLEN CO  
 Address: PO BOX 2049  
Buckhannon WV 26201  
 Phone #: 304 472 8890  
 Fax #: 304 472 8897  
 Email : JAMES.ALLEN@JFALLENCO.COM

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP 14913  
Project: WYMER

Bid Date: 4/14/10  
Pre-Bid Date: 3/16/10

Name : Roger Collins Jr.  
Company: Collins Building & Contracting Inc.  
Address: 3404 Conly-Corn Rd.  
Flametts, WV  
26021  
Phone #: 304-765-3521  
Fax #: 304-765-3521  
Email : collins@collinsbuilding.com

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : Timothy Rogers  
Company: Rogers Excavating  
Address: 183 Old Chest Rd  
Mgtn, WV 26008  
Phone #: 288-6504  
Fax #: 296-0661  
Email : LALARDM772@Verizon.net

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : Orion Contracting LLC  
Company: Greg Thomas  
Address: PO Box 346  
Buxton Mills WV 26025  
Phone #: 304-379-2639  
Fax #: 304-379-3845  
Email : Ultimate26@aol.com

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_

Name : \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_

Phone #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Email : \_\_\_\_\_

Phone# : \_\_\_\_\_  
Fax # : \_\_\_\_\_  
Email : \_\_\_\_\_