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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

### Request for Quotation

DEP14918

PAGE	
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ADD	RESS COR	RESPONE	ENCE:TO	ATTENT	ON OF:

CHUCK BOWMAN 304-558-2157

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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 FO.B. FREIGHT TERMS

02/16/2010

PID OPENING DATE: 04/07/2010 PID OPENING TIME 01:30PM

BID OPENING DATE: BID OPENING TIME 01:30PM 04/07/2010 CAT. UNIT PRICE AMOUNT QUANTITY UOP ITEM NUMBER LINE 962-73 JB 0001 1 RESTORATION OF LAND & OTHER PROPERTIES RECLAMATION: THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED CONTRACTORS FOR A CONTRACT TO PROVIDE ALL LABOR AND MATERIALS FOR THE RECLAMATION OF 1-ACRE ABANDONED MINE PROJECT KNOWN AS THE "PAINT BRANCH PORTALS" PROJECT, LOCATED IN SHARON, WEST VIRGINIA, (KANAWHA CO.). A MANDATORY ON SITE PREBID CONFERENCE SHALL BE HELD ON ALL INTERESTED PARTIES ARE 1:30 PM. REQUIRED TO ATTEND THIS MEETING. FAILURE TO ATTEND TH MANDATORY PRE-BID SHALL RESULT IN DISQUALIFICATION OF NO ONE PERSON MAY REPRESENT MORE THAN ONE ALSO, PREBIDS WILL INVOLVE EXTENSIVE FOOT TRAVEL OVER DIFFICULT TERRAIN AND/OR DURING INCLEMENT WEATHER. AN ATTENDANCE SHEET WILL BE MADE AVAILABLE FOR ALL POTENTIAL BIDDERS TO COMPLETE. THIS WILL SERVE AS THE OFFICIAL DOCUMENT VERIFYING ATTENDANCE AT THE MANDATORY FAILURE TO PROVIDE YOUR COMPANY AND PRE-BID. REPRESENTATIVE NAME ON THE ATTENDANCE SHEET WILL RESULT IN DISQUALIFICATION OF THE BID. THE STATE WILL NOT ACCEPT ANY OTHER DOCUMENTATION TO VERIFY ATTENDANCE. THE BIDDER IS RESPONSIBLE FOR ENSURING THEY HAVE COMPLETED THE INFORMATION REQUIRED ON THE ATTENDANCE THE PURCHASING DIVISION AND THE STATE AGENCY WILL NOT ASSUME ANY RESPONSIBILITY FOR A BIDDER'S FAILURE TO COMPLETE THE PRE-BID ATTENDANCE SHEET. SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE TELEPHONE SIGNATURE TITLE ADDRESS CHANGES TO BE NOTED ABOVE

### 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.

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- 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 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).



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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
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Charleston, WV 25305-0130

### Request for Quotation

DEP14918

PAGE	
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ADDRESS CORRESPONDENCE TO ATTENTION OF:

ADDRESS CHANGES TO BE NOTED ABOVE

CHUCK BOWMAN 304-558-2157

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ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

TERMS OF SALE SHIP VIA FO.B. FREIGHT TERMS DATE PRINTED 02/16/2010 BID OPENING DATE: BID OPENING TIME 04/07/2010 01:30PM CAT. QUANTITY ITEM NUMBER UNIT PRICE AMOUNT LINE UOP ADDITION, WE REQUEST THAT ALL POTENTIAL BIDDERS INCLUDE THEIR EMAIL ADDRESS AND FAX NUMBER. ALL POTENTIAL BIDDERS ARE REQUESTED TO ARRIVE PRIOR TO THE STARTING TIME FOR THE PRE-BID. BIDDERS WHO ARRIVE LATE, BUT PRIOR TO THE DISMISSAL OF THE TECHNIAL PORTION OF THE PRE-BID, WILL BE PERMITTED TO SIGN IN. BIDDERS WHO ARRIVE AFTER CONCLUSION OF THE TECHNICAL PORTION OF THE PRE-BID, BUT DURING ANY SUBSEQUENT PART OF THE PRE-BID, WILL NOT BE PERMITTED TO SIGN THE ATTENDANCE SHEET. DIRECTIONS TO PREBID: TRAVEL TO SHARON IN KANAWHA COUNTY. EXIT OFF INTERSTATE 7 AT EXIT 79 AND PROCEED UP PAINT BRANCH (RT. 79/6) APPROXIMATELY 3/10 OF A MILE. THE TIMBER BRIDGE PIERS ARE LOCATED ON THE RIGHT SIDE OF THE ROAD WHERE PAINT BRANCH CROSSES UNDER THE ROAD IN A CULVERT. THE THREE OPEN PORTALS ARE LOCATED APPROXIMATELY 80 FEET UP IN ELEVATION ALONG THE OLD MINE ROAD TO THE SOUTH OF THE BRIDGE PIERS. PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM WVDEP, OFFICE AML&R, 601 57TH ST., SE, CHARLESTON, WV 25304, PH. 304-926-0485 UPON PAYMENT OF \$10.00 NON-REFUNDABLE PAYMENT MUST BE MADE BY CHECK OR MONEY ORDER. NO CASH WILL BE ACCEPTED. EXHIBIT 5 WEST VIRGINIA CODE 21-1D-5 PROVIDES THAT: ANY SOLICI-TATION FOR A PUBLIC IMPROVEMENT CONSTRUCTION CONTRACT REQUIRES EACH VENDOR THAT SUBMITS A BID FOR THE WORK TO SUBMIT AT THE SAME TIME AN AFFIDAVIT OF COMPLIANCE THE ENCLOSED PURCHASING AFFIDAVIT MUST WITH THE BID. SEE REVERSE SIDE FOR TERMS AND CONDITIONS ELEPHONE SIGNATURE



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CHUCK BOWMAN

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25304 304-926-0499

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PAGE 4

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CHUCK BOWMAN 304-558-2157

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ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

SHIP VIA FOR FREIGHT TERMS DATE PRINTED TERMS OF SALE 02/16/2010 BID OPENING DATE: BID OPENING TIME 01:30PM 04/07/2010 UNIT PRICE AMOUNT QUANTITY UOP ITEM NUMBER LINE (XX) INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS \$250,000. ) BUILDERS RISK INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF BUILDERS RISK - ALL RISK INSURANCE IN AN AMOUNT EQUAL TO 100% OF THE AMOUNT OF THE CONTRACT. FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF (XX) BONDS: THE BID PAYABLE TO THE STATE OF WEST VIRGINIA, SHALL BE SUBMITTED WITH EACH BID AS A BID BOND. THE SUCCESSFUL BIDDER SHALL ALSO FURNISH A PERFORMANCE BOND AND LABOR/ MATERIAL BOND FOR 100% OF THE AMOUNT OF THE CONTRACT. BONDS MAY BE PROVIDED IN THE FORM OF A CERTIFIED CHECK IRREVOCABLE LETTER OF CREDIT, OR BOND FURNISHED BY A SOLVENT SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE OF WEST VIRGINIA. A LETTER OF CREDIT SUBMITTED IN LIEU OF A BOND WILL ONLY BE ALLOWED FOR PROJECTS UNDER \$100,000. PERSONAL OR BUSINESS CHECKS ARE NOT ACCEPTABLE IN LIEU OF THE 5% BID BOND, PERFORMANCE BOND, OR LABOR/MATERIAL BOND. ) MAINTENANCE BOND: A TWO (2) YEAR MAINTENANCE BOND COVERING THE ROOFING SYSTEM WILL BE A REQUIREMENT OF THE SUCCESSFUL VENDOR. REV. 11/00 AML CONTRACTOR INFORMATION FORM OMB #1029-0119 01/31/2010) IS ATTACHED. (EXPIRATION DATE: YOU MUST COMPLETE THIS ORIGINAL FORM TO OBTAIN AN AVS DATA SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE SIGNATURE TELEPHONE TITE FEIN ADDRESS CHANGES TO BE NOTED ABOVE



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ADDRESS CORRESPONDENCE TO ATTENTION OF:

CHUCK BOWMAN

304-558-2157

**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 304-926-0499 25304

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PAGE 6

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CHUCK BOWMAN 304-558-2157

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DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV

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PAGE 7

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SH-P-C

ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

FREIGHT TERMS SHIP VIA F.O.B DATE PRINTED TERMS OF SALE 02/16/2010 BID OPENING DATE: BID OPENING TIME 01:30PM 04/07/2010 CAT. ITEM NUMBER UNIT PRICE AMOUNT QUANTITY LINE CONTRACTOR IN ANY OF THE WORK THAT DEVELOPS DURING THE GUARANTEE PERIOD SHALL BE CORRECTED BY THE CONTRACTOR AT ITS EXPENSE. (C) THE ONE-YEAR GUARANTEE PERIOD SHALL NOT BE CONSTRUED AS BEING AN EXTENSION OF THE PERFORMANCE TIME WORK UNDER THE CONTRACT. ALLOTTED FOR GUARANTEES CONCERNING REVEGETATION MAY BE (D) FURTHER DEFINED IN THE TECHNICAL SPECIFICATIONS CONTAINED HEREIN. TERMINATION: (3) (1) THIS CONTRACT MAY BE CANCELLED IN WHOLE OR IN PART IN WRITING BY THE DIRECTOR OF PURCHASING, WITHOUT PREJUDICE TO ANY OTHER RIGHT OR REMEDY IT MAY HAVE, PROVIDED THAT THE CONTRACTOR IS GIVEN NOT LESS THAN THIRTY CALENDAR DAYS WRITTEN NOTICE, (DELIVERED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED) OF INTENT TO TERMINATE. IT SHALL BE THE RESPONSIBILITY OF THE SUCCESSFUL (4) VENDOR TO: OBTAIN ALL NECESSARY DIVISION OF HIGHWAYS (A) PERMITS FOR ALL TRANSPORTATION OF EQUIPMENT AND MATERIALS TO AND FROM THE JOB SITE. OBTAIN ANY AND ALL REQUIRED CONSTRUCTION (B) PERMITS OR RELATED JOB PERMITS. TECHNICAL SPECIFICATIONS: ALL WORK UNDER THIS CONTRACT SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS PREPARED FOR THE RECLAMATION OF THE "PAINT BRANCH PORTALS" PROJECT. PLANS & SPECS ARE INCORPORATED HERE IN BY REFERENCE AND ALL PROVISIONS, CLAUSES AND CONDITIONS THEREIN ARE MADE PROPERLY A PART OF THIS CONTRACT, AND CONSISTS OF 10 DRAWINGS AS PREPARED BY TETRA TECH, INC. SEE REVERSE SIDE FOR TERMS AND CONDITIONS DATE TELEPHONE SIGNATURE

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Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130 Charleston, WV 25305-0130

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CHUCK BOWMAN 304-558-2157

**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV

25304 304-926-0499

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CHUCK BOWMAN 304-558-2157

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DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
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CHARLESTON, WV
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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130 Charleston, WV 25305-0130

# Request for Quotation

DEP14918

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ADDRESS CORRESPONDENCE TO ATTENTION OF

CHUCK BOWMAN 304-558-2157

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**ENVIRONMENTAL PROTECTION** DEPARTMENT OF OFFICE OF AML&R 601 57TH STREET SE CHARLESTON, WV 25304

304-926-0499

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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

### Request for Quotation

DEP14918

PAGE 11

ADDRESS:CORRESPONDENCE TO ATTENTION OF:

CHUCK BOWMAN 304-558-2157

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ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV

25304 304-926-0499

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DEPARTMENT OF
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601 57TH STREET SE
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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
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# Request for Quotation

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PAGE 13

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CHUCK BOWMAN 304-558-2157

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DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

TERMS OF SALE

# Request for Quotation

DEP14918

PAGE 14

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304-558-2157

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ENVIRONMENTAL PROTECTION
DEPARTMENT OF
OFFICE OF AML&R
601 57TH STREET SE
CHARLESTON, WV
25304 304-926-0499

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### AML CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an eligibility evaluation from the Office of Surface Mining to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and is found under OSM's regulations at 30 CFR 874.16.

		Tax Pay	ver ID No.:	
ldress: ty:	State <sup>,</sup>	Zip Code:	Phone:	
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rt B: Legal Structure				
) Corporation ( ) ) Other (please specify)	Sole Proprietors	ship () Partne	ership () L	LC ·
art C: Certifying and unledged only one of the following	pdating information options, for	ation in the Applic	ant/Violator Sys	stem (AVS). , and sign below.
(print name	)	, have the express	authority to cert	ify that:
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and must be upd AVS to this form	ated. If you sele	attached Entity OFT ct this option, you reprovide the missing t D.	nust attach an En	itity OF L from
	errantly has no in	formation in AVS.	If you select this	option, you mus
Our business cuprovide all infor	mation required	in Part D. Sign and	date below and	complete Part D.

IMPORTANT! In order to certify in Part C to the accuracy of existing information in AVS, you must obtain a copy of your business' Entity OFT. To obtain an Entity OFT, contact the AVS Office, toll-free, at 800-643-9748 or from the AVS website at https://avss.osmre.gov.

Pa	rŧ	D.

Contractor's Business Name:	

If the current Entity OFT information for your business is incomplete or incorrect in AVS, or if there is no information in AVS for your business, you must provide all of the following information as it applies to your business. Please make as many copies of this page as you require.

- Every officer (President, Vice President, Secretary, Treasurer, etc.);
- All Directors;
- All persons performing a function similar to a Director;
- Every person or business that owns 10% or more of the voting stock in your business;
- Every partner, if your business is a partnership;
- · Every member and manager, if your business is a limited liability company; and
- Any other person(s) who has the ability to determine the manner in which the AML reclamation project is being conducted.

Position/Title Telephone # % of Ownership
% of Ownership Ending Date:
Position/Title Telephone # % of Ownership
Ending Date:
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Position/Title Telephone # % of Ownership Ending Date:

#### PAPERWORK REDUCTION STATEMENT

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is necessary for all successful bidders prior to the distribution of AML funds, and is required to obtain a benefit.

Public reporting burden for this form is estimated to range from 15 minutes to 1 hour, with an average of 22 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement; Room 202 SIB, Constitution Ave., NW, Washington, D.C. 20240.

Instructions for Completing AML Contractor Form OMB #1029-01191

Part A: General Information. Part A should be completed by the AML Contractor.

Part B: Legal Structure. Part B should be completed by the AML Contractor.

Part C: Certifying and updating information in the Applicant/Violator System (AVS). Part C should be completed by the AML Contractor, selecting the statement that best describes their situation.

If information is accurate, complete and up-to-date, then check the first statement and sign and date. Attach the Entity OFT printout to the OMB #1029-0119 form and submit the form and attachment to the AML Contracting Officer your business is working with. <sup>2</sup>

Upon reviewing an Entity OFT printout, if you discover the information contained in AVS is not accurate, complete and up-to-date, then check the second statement and complete Part D to provide missing or corrected information that needs reflected in AVS. Attach the Entity OFT printout to the OMB #1029-0119 form and submit the form and attachment to the AML Contracting Officer your business is working with.

If your business does not appear to have any information in AVS, then check the third statement and complete Part D. Submit the OMB #1029-0119 form to the AML Contracting Officer your business is working with.

#### Part D:

If current Entity OFT information for your business is incomplete, incorrect, or if you believe there is no information currently in the AVS for your business, you must complete Part D. Submit the OMB #1029-0119 form to the AML Contracting Officer your business is working with.

<sup>1</sup> If you need any assistance completing OMB #1029-0119, please contact the AVS Office at 800.643.9748.

You may obtain your business' Entity OFT for certification purposes two ways. One way is to contact the AVS Office at 800.643.9748 and request the information. The second way is to access the AVS from your personal computer by visiting <a href="https://avss.osmre.gov">https://avss.osmre.gov</a>. Click "Access AVS", and then Login as Guest. Place your cursor on the "Entity" Module and "Click". Type your business name in search box and press enter key. If more than one entity record appears, select your company and then "Click" on the "relationship" tab to display your Entity OFT information. Print the Entity OFT from AVS.

Agency\_\_\_\_ REQ.P.O#\_

SID SID	BOND
KNOW ALL MEN BY THESE PRESENTS, That we, the	undersigned,
-t	as Principal, and
of	a corporation organized and existing under the laws of the State of
the transfer of affice in the City of	as Surety, are held and firmly bound unto the State
Mart Virginia as Oblinee in the penal sum of	(\$) for the payment of which
ell and truly to be made, we jointly and severally bind ourselves	s, our heirs, administrators, executors, successors and assigns.
The Condition of the above obligation is such that when	eas the Principal has submitted to the Purchasing Section of the hereto and made a part hereof, to enter into a contract in writing for
epartment of Administration a certain bid or proposal, attached	
NOW THEREFORE,  (a) If said bid shall be rejected, or	
hereto and shall furnish any other bonds and insurance require agreement created by the acceptance of said bid, then this obliforce and effect. It is expressly understood and agreed that the exceed the penal amount of this obligation as herein stated.  The Surety, for the value received, hereby stipulates way impaired or affected by any extension of the time within waive notice of any such extension.	all enter into a contract in accordance with the bid or proposal attached by the bid or proposal, and shall in all other respects perform the ligation shall be null and void, otherwise this obligation shall remain in the liability of the Surety for any and all claims hereunder shall, in no ever and agrees that the obligations of said Surety and its bond shall be in which the Obligee may accept such bid, and said Surety does hereby
IN WITNESS WHEREOF, Principal and Surety have	hereunto set their hands and seals, and such of them as are corporati
have caused their corporate seals to be affixed hereunto and	these presents to be signed by their proper officers, this
day of, 20	
·	,
Principal Corporate Seal	(Name of Principal)
	. Ву
	(Must be President or Vice President)
	* **
	(Title)
Surety Corporate Seal	(Name of Surety)
	Attorney-in-Fact

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised corporate seals must be affixed, a power of attorney must be attached.

WV State Agency

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NOTE:

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(C) of (D)	· , _ (E)		
s Principal, andO	indeed existing under the love		
APD SCORDOVALION ULVAL	lized and existing ender the laws		
of the State of with its pro-	and firmly bound unto The State		
(J) , as Surety, are neid	and fiffilly bound tinto The State		
of West Virginia, as Obligee, in the penal sum	Cubich well and truly to be made		
(\$ (L) ) for the payment of	ien administrators executors		
we jointly and severally bind ourselves, our ne	ins, administrators, executors,		
successors and assigns.	n is such that whereas the Principal		
The Condition of the above obligation of the	Department of Administration		
has submitted to the Furchasing dection of the	made a part hereof to enter into a		
a certain oid of proposal, attached herete and			
contract in writing for			
NOW THEREFORE.			
(a) If said hid shall be rejected, or			
(b) If said hid shall be accepted and	I the Principal shall enter into a		
	al attached hereto and shall lumish		
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at a manage norform the agreement created	1 by the acceptance of Said big then		
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Surety for any and all claims hereunder shall	i, in no event, exceed the penal		
amount of this obligation as herein stated	the simulator and screen that the		
The Surety for value received, her	eby supulates and agrees that the		
obligations of said Surety and its bond shall	be in no way impaned or arrected by		
any extension of time within which the Obi	L extension		
Surety does hereby waive notice of any suc	n exicusion.		
IN WITNESS WHEREOF, Princip			
hands and seals, and such of them as are co	a to be signed by their proper officers		
	, 20 (P)		
this (N) day of (U)	, 20		
n I de Comondo Sool	(O)		
Principal Corporate Seal	(Name of Principal)		
ADV.	By(S)		
(R)	(Must be President or		
	Vice President)		
	(T)		
	Title		
AP.			
	(V)		
Surety Corporate Seat	(Name of Surety)		
	(Name of Surety)		
(	KNOW ALL MEN BY THESE PRES  (C) of (D) s Principal, and (F) of (H) , a corporation organ of the State of (D) with its pri (J) , as Surety, are held of West Virginia, as Obligee, in the penal sum (S (L) ) for the payment of we jointly and severally bind ourselves, our he successors and assigns.  The Condition of the above obligation has submitted to the Purchasing Section of the a certain bid or proposal, attached hereto and contract in writing for  (M)  NOW THEREFORE.  (a) If said bid shall be rejected, or (b) If said bid shall be accepted and contract in accordance with the bid or propose any other bonds and insurance required by the other respects perform the agreement created this obligation shall be null and void, otherw force and effect. It is expressly understood a Surety for any and all claims hereunder shal amount of this obligation as herein stated  The Surety for value received, her obligations of said Surety and its bond shall any extension of time within which the Obl Surety does hereby waive notice of any suc IN WITNESS WHEREOF, Princi hands and seals, and such of them as are co seals to be affixed hereto and these present this (N) day of (O)  Principal Corporate Seal		

IMPORTANT - Surety executing bonds must be licensed in West Virginia to transact surety insurance. Raised Corporate Seals must be affixed and a Power of Attorney must be attached.

Attorney-in-Fact



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

STA"	TE OF
cou	NTY OF, TO-WIT:
I, state	, after being first duly sworn, depose and
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 <b>West Virginia Code</b> §21-1D-5.
The	above statements are sworn to under the penalty of perjury.
	(Company Name)
	Ву:
	Title:
	Date:
Tak	en, subscribed and sworn to before me this day of
Ву (	Commission expires
(Se	al)
	(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.

RFQ No.	
RFQ No.	

### STATE OF WEST VIRGINIA Purchasing Division

### **PURCHASING AFFIDAVIT**

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

#### **DEFINITIONS:**

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

### WITNESS THE FOLLOWING SIGNATURE

Vendor's Name:		
Authorized Signature:	Date:	
State of		
County of, to-wit:		
Taken, subscribed, and sworn to before me this	lay of	, 20
My Commission expires	, 20	
AFFIX SEAL HERE	NOTARY PUBLIC	

# **Paint Branch Portals** Requisition # DEP14918 Contractor's Bid Sheet

			14
The DEP reserves the right to request additiona	I information and supporting	g documentation regarding	sunit prices

Vendors Name:

The DEP reserves the right to request additional transfer of the control of the c when the unit price appears to be unreasonable.

Item No.	Quantity	Description	Unit Price	Amount
1.0	4	Mobilization and Demobilization, per lump sum (Limited to 10%	LS	\$
1.0 1	1	of Total Bid)	<u></u>	
2.0	1	Construction Layout, per lump sum (Limited to 5% of Total Bid)	LS	\$
3.0	1	Quality Control, per lump sum (Limited to 3% of Total Bid)	LS	\$
4.1	1	Site Preparation, per lump sum (Limited to 10% of Total Bid)	LS	\$
4.2	1	Demolition of Bridge Piers (Estimated qty. 42), per lump sum	LS	\$ .
5.0	1	Sediment Control, per lump sum	LS	\$
6.0	1	Re-Vegetation, per lump sum	LS	\$
8.0	1	Unclassified Excavation, per lump sum	LS	\$
9.1	1	Bat Gate Mine Seal #1 (including splash pad)		\$
9.2	1	Bat Gate Mine Seal #2 (including splash pad)		\$
9.3	1	Bat Gate Mine Seal #3 (including splash pad)		\$
				:
		:		
90.000				
		TOTAL		\$