



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  
**DEP14934**

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: **04/15/2010**                      BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 ***** ADDENDUM ISSUED FOR THE DAVID MORGAN PORTALS PROJECT TO DISTRIBUTE THE SIGN-IN SHEETS AND THE Q/A RESULTING FROM THE MANDATORY PRE-BID MEETING ON 03/18/2010. BID OPENING DATE AND TIME REMAIN UNCHANGED AS 04/15/10 AT 1:30 PM. ***** NO OTHER CHANGES *****						
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						
***** THIS IS THE END OF RFQ DEP14934 ***** 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.

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### 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  
David Morgan Portals  
DEP14934**

The following comments and questions were identified from the Pre-Bid Conference. The answers provided herein take precedence over verbal answers at the PBC should there be any conflict between the two.

**Comments:**

1. Work hours on this project shall be between 7:00 am and 7:00 pm Monday through Saturday. Work on Sundays and major holidays shall not be allowed.
2. Due to changes in the NPDES requirements silt fence will be required along any areas that would allow drainage to leave the project site. The approximate quantity of silt fence will be 550 lf and shall be bid under Section 5 Sediment control. No additional quantity is needed for this item.

**Questions:**

1. **Q.** Can we dry the wet material in an area outside the construction limits?  
**A.** No. We can only work within the existing construction limits.
2. **Q.** Where does the cut timber need to be stacked for property owner?  
**A.** We do not know the exact location that he will want it placed so plan on placing it by the main road at the access point where the PBC was held.
3. **Q.** Do we need to clear cut the area where the refuse is located?  
**A.** Plan on only removing the trees that are necessary for the completion of the construction work.
4. **Q.** Can we bury the concrete building remains on the project site?  
**A.** Yes, but only the concrete blocks. No other material associated with the building can be buried.
5. **Q.** Are there any hazardous materials in the drums located on the project site?  
**A.** We do not know of any hazardous materials that are located on this site. But you need to be aware if any are discovered they must be handled by the hazardous waste standards for disposal.

Pre-Bid Conference – David Morgan Portals  
DEP14934

6. **Q.** Will water treatment be required on this project?
  - A. Yes. Must meet pH and iron standard. A bid item for soda ash is included in the bid schedule.
  
7. **Q.** What will be the final condition of the access road once the project is completed?
  - A. It will be put back to the original grassed condition.

The Contractor shall have 90 days from the date of the Notice to Proceed to complete construction activities on the project. The \$250.00 per day liquidated damages 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 # : DEP14934

Bid Open Date: April 15, 2010

Project: David Morgan Portals

Pre-Bid Date: March 18, 2010

Name : Steve Jurasko  
 Company: Polino Contracting, INC  
 Address: PO 230  
Elkins WV 26241

Phone #: 304-636-3886  
 Fax #: 304-636-5108  
 Email : JBROWN@Polino.com

Name : Jeffrey S. Lavetta  
 Company: SCJL Co-Leasing Corp, Inc  
 Address: 8 Hunter Lane Rd  
Frankfort WV 26031

Phone#: 304 890 4698  
 Fax #: 304 254 2852  
 Email : JLAVETTA@SCJL.com

Name : Don Vincent  
 Company: Breakaway, Inc  
 Address: 1025 26th Turnpike Rd  
Sutton, WV. 26001

Phone #: 304-765-5317  
 Fax #: 304-765-5389  
 Email : breakaway\_inc@verizon.net

Name : JAMES ALLEN  
 Company: J F ALLEN CO  
 Address: PO Box 2049  
Buckhannon WV 26204

Phone#: 304 472 8890  
 Fax #: 304 472 8897  
 Email JAMES.ALLEN@JFALLENCO.com

Name : Ty Martin  
 Company: Solo Rock Ex. Inc  
 Address: 3106 Huason Rd  
Albright WV 26519

Phone #: 304.276-2371  
 Fax #: 304-379-9502  
 Email : Solo-rock@frontier.net

Name : Gary E. Stanley  
 Company: Stanley Ind. Inc  
 Address: 7 Maple Lake  
Bridgport WV  
26330

Phone#: 304-842-8540  
 Fax #: 304-842-8409  
 Email : GStanley@ma.rr.com

Name : DENNIS COOK  
 Company: COOK BROS INC.  
 Address: RT 1 Box 196-D  
FRANKFORT WV  
26554

Phone #: 304-287-7109  
 Fax #: 304-287-7693  
 Email : COOKBROINC@AOL.COM

Name : Robin Collins Sr.  
 Company: Collins Building & Contracting Inc  
 Address: 3490 Coyle Farm Rd  
Frankfort, WV  
26031

Phone#: 304-765-2921  
 Fax #: 304-765-2921  
 Email : Collins Building & Contracting, Inc.

## MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14934

Bid Open Date: April 15, 2010

Project: David Morgan Portals

Pre-Bid Date: March 18, 2010

Name : DAVID H. Bowman  
 Company: Green Mountain Co  
 Address: 511 50th Street  
Chas WJ 25304

Phone #: 304-925-0253  
 Fax #: 925 9230  
 Email : Jody.May@AOL.com

Name : Kirk Natericola  
 Company: Natericola's Masonry LLC  
 Address: 626 Maryland Ave  
Fairmont WV 26554

Phone #: 304-672-1979  
 Fax #: 304-534-8234  
 Email : Kirk.Natericola@gmail.com

Name : Robert Barnes  
 Company: Barnes EXC. INC.  
 Address: P.O. Box 13384  
Sissonville  
WV. 25360

Phone #: 304-984-1725  
 Fax #: 304-984-0074  
 Email : BarnesEXC@AOL.com

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

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

Name : LES BOLEN  
 Company: ASPEN CORPORATION  
 Address: 2400 RITER DRIVE  
DANIELS WV 25822

Phone#: 304-763-4573  
 Fax #: 304-763-4571  
 Email : lboLEN@aspEN-golf.com

Name : GEORGE FRESHOUR  
 Company: EAGLE EXCAVATION INC.  
 Address: P.O. BOX 218  
KENNA WV  
25248

Phone#: 304 372-4378  
 Fax #: 304 372-4378  
 Email :

Name : Randy Carpenter  
 Company: Carpenter Reclamation  
 Address: PO Box 13015  
Sissonville, WV  
25350

Phone#: 304-984-1115  
 Fax #: 784-3770  
 Email : Rcarp@rcr2001.com

Name : Bennie McCourt  
 Company: Mountain Movers  
 Address: 216 South Maine  
Weston 26452

Phone#: 504-269-2449  
 Fax #: 304 269-5003  
 Email : 304 269-2449

# MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14934

Bid Open Date: April 15, 2010

Project: David Morgan Portals

Pre-Bid Date: March 18, 2010

Name : Spencer C Wooddell  
 Company: Conard Co Inc  
 Address: PO Box 243  
Simpson WV

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

Phone #: 504 739 4397  
 Fax #: 304 739 4401  
 Email : Spencer.wooddell@conardco.com

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

Name : Kelli Corp with Adams  
 Company: Kelli Corp  
 Address: 3075 Point Marion Rd  
Morgantown WV 26505

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

Phone #: 304 292 8102  
 Fax #: 304 292 8608  
 Email : adamsmka@concep.net

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

Name : Mark Mitchell  
 Company: Eastern Area Corp  
 Address: PO Box 4108  
Charleston WV  
25364

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

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

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

Name : Chad Bilotta  
 Company: Anderson Excavating LLC  
 Address: 343 Williams Rd  
Morgantown WV 26507

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

Phone #: 304-983-2296  
 Fax #: 304-983-4755  
 Email : Chilotta@AndersonExcavatingLLC.com

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