



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
DEP15305

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
CHUCK BOWMAN
304-558-2157

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

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
02/28/2011				

BID OPENING DATE: **03/15/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>***** ADDENDUM NO.1 *****</p> <p>ADDENDUM ISSUED FOR THE WAYNE KISLING HIGHWALL & POND PROJECT TO DISTRIBUTE THE PRE-BID SIGN-IN SHEETS AND Q/A RESULTING FROM THE MANDATORY PRE-BID MEETING ON 02/17/2011, AS ATTACHED.</p> <p>THE BID OPENING DATE AND TIME REMAIN UNCHANGED AS 03/15/2011 AT 1:30 PM.</p> <p>***** NO OTHER CHANGES *****</p>						
0001	1	JB		962-73		
<p>RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES</p>						
<p>***** THIS IS THE END OF RFQ DEP15305 ***** TOTAL: _____</p>						

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 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 DEP 15305

Wayne Kisling Highwall and Pond

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. The specification for the grout mixture has changed and is noted under section 7.2.2 of the Technical Specifications.
2. The riprap headwall work at the upstream side of the driveway culvert going into Mr. Robey's property will be paid as incidental to Item 4.3 Gravel Road Rehabilitation.
3. The access road from the gate at the driveway to the borrow area will require 3" of 1 ½ " crusher run stone at the completion of the construction project. Any stone necessary to keep the road useable during construction will be the contractor's responsibility.

Questions:

1. **Q.** If mining equipment is found in the pond will it need to be removed?
A. No. All mining equipment (if any exists) will remain in the pond and be covered with the shot rock backfill. The only equipment, if encountered, that would be removed is anything that would prohibit the construction work required. Everything else will remain in place.
2. **Q.** Is filter fabric required over the shot rock fill before soil backfill?
A. No. There is no filter fabric required during the backfill.

The Contractor shall have 120 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 120 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 # : DEP15305
Project: Kisling HW & Pond

Bid Open Date: March 15, 2011
Pre-Bid Date: February 17, 2011

Name : Jason Upton
Company: Upton Const. Co. Inc
Address: P.O. Box 39 Tokalaha Rd
 Dulles, WV

Phone #: 304-744-4627
Fax # : 304-744-4626
Email : UCCI0119@hotmail.com

Name : Mike Gray
Company: GRALAN Corp.
Address: 10301 SR #149
 Fox Run, W.V. 26027

Phone# : 518-772-3826
Fax # : 518-745-8117
Email : GRALAN Corp @ Yahoo.com

Name : Chuck Pickens
Company: Pickens Excavating
Address: 174 Rabbit Hill Rd
 Teeland WV
 26376

Phone #: 1-304-881-1595
Fax # : 1-304-452-8812
Email : cpickens@wvds1.net

Name : Doug Vincent
Company: Breakaway Inc
Address: 1075 Old Turnpike Rd
 Sutton WV 26601

Phone# : 765-5317
Fax # : 765-5389
Email : Doug@breakawaywv.com

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 : Edward Wolfe
Company: Wolfe Run Excavating LLC
Address: 110 Wolfe Run Rd.
 Tunnelton WV 26444

Phone# : 304-698-4977
Fax # : 304-892-3314
Email :

Name : Greg Bell
Company: break-a-way LLC
Address: 11347 Brandonville Pike
 Albright WV 26519
 civ (304) 282-4686

Phone #: (304) 379-3387
Fax # : (304) 379-3386
Email : breakawayllc@aol.com

Name : Mike Robey
Company: Robey Excavating
Address: P.O. Box 429
 Lumberport WV 26356

Phone# :
Fax # :
Email :

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP15305
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Name : Neil Williams
 Company: Triple 7 Const LLC
 Address: HE 71 Box 81
Elkmore WVA.
 Phone #: 304 472 3962
 Fax #: 304 472 3962
 Email : carrie.m.l.l.hughes.net

Name : Spencer C Woodde II
 Company: Cowgirl Up Inc
 Address: Po Box 243
Simpson WVA 26435
 Phone#: 304-739-4397
 Fax #: 304 739-4401
 Email : scw-cowgirlup@earthlink.net

Name : Joe Williams
 Company: Williams Excavating LLC
 Address: RR1 Box 126
Belington, WV
26250
 Phone #: 304-614-8887
 Fax #: NA
 Email : Williamsexcavating@gmail.com

Name : LEONDIS GILKERSON
 Company: G.L. STONE INC
 Address: 24 FIRST STREET
HAMLIN WV
25323
 Phone#: 304 824 3800
 Fax #: 304 824 3848
 Email : leondisg@yahoo.com

Name : GARY LONG
 Company: McCourt & Son Const.
 Address: 2790 Centralia Rd
Sutton WV 26601
 Phone #: 304 765-5288
 Fax #: 304 765-5293
 Email : glong@wirefire.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 : DAVID H. BOWMAN
 Company: GREEN MOUNTAIN CO
 Address: 511 50th STREET
CHAS W 25304
 Phone #: 304 925 0253
 Fax #: 925 9230
 Email : Jody May AOL.com

Name : ANN WARDELL
 Company: EASTERN ARROW
 Address: PO BOX 4108
CHARLESTON WV
25304
 Phone#: 304-414-0255
 Fax #: 0256
 Email : easternarrow@hotmail.com

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RFQ # : DEP15305
Project: Kisling HW & Pond

Bid Open Date: March 15, 2011
Pre-Bid Date: February 17, 2011

Name : Kevin W Houck
Company: Pineville Paving + Excavating Inc
Address: PO Box 1290
Pineville, WV 24874

Phone #: (304) 732-8303
Fax # : (304) 732-7855
Email : tony ppi @ Aol. 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 : ~~XXXXX~~

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 : Charlene Pretzel
Company: JL Pretzel Contracting
Address: 274 Harseshoe Dr.
Bruceton Mills WV
26525

Phone #: 304-379-7789
Fax # : 379-7788
Email : cpretzel@aol.com

Name : James Puckland
Company: B+B Transit
Address: P.O. Box 720
BEAVER, WV 25813

Phone# : 304 255 2505
Fax # : " 253 4533
Email : BBTRANSITINC@Yahoo.com

Name : LOUNIE WALTON
Company: BEAR CONTRACTING
Address: P.O. Box 1194
BRIDGEPORT WV
26330

Phone# : 304-842-3002
Fax # : 304-842-9433
Email : _____

Name : Todd H. Linger
Company: TODD H. LINGER EXCAVATING, LLC
Address: 1376 BROAD RUN ROAD
JANESVILLE, WV 26378

Phone# : 301-884-7576
Fax # : 301-884-7576
Email : BDPACIOUS.598@YAHOO.COM

Name : MIKE FURLONG
Company: ATC ASSOC
Address: 3 TRAIL HANES
DUBLINGTON, NJ

Phone# : 380-620-1232
Fax # : 609-386-7951
Email : _____

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP15305
 Project: Kisling HW & Pond

Bid Open Date: March 15, 2011
 Pre-Bid Date: February 17, 2011

Name : Rodney Sweeney
 Company: Doss Enterprises
 Address: 14793 US Hwy 33W
LINN WV 26384

Phone #: 304-269-5895
 Fax #: 304-269-4025
 Email : dossenterprises@hugobol.net

Name : Adam Atkins
 Company: Aspen Corp.
 Address: 2400 Ritter Drive
Daniels, WV 25832

Phone #: (304) 763-4573
 Fax #: (304) 763-4951
 Email : aadkins@aspen-golf.com

Name : Dennis Cook
 Company: COOK BROS INC
 Address: Rt 1 Box 196-D
Farmport WV 26524

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

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

Phone #: 304-983-2296
 Fax #: 304-983-4755
 Email : cbilotta@AndersonExcavating.com

Name : _____
 Company: _____
 Address: _____

 Phone#: _____
 Fax #: _____
 Email : _____

Name : _____
 Company: _____
 Address: _____

 Phone#: _____
 Fax #: _____
 Email : _____

Name : _____
 Company: _____
 Address: _____

 Phone#: _____
 Fax #: _____
 Email : _____

Name : _____
 Company: _____
 Address: _____

 Phone#: _____
 Fax #: _____
 Email : _____