



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

**Solicitation**

NUMBER
DEP16275

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

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
06/11/2013

BID OPENING DATE: 06/18/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				ADDENDUM IS ISSUED:		
				1. TO PROVIDE ANSWERS TO QUESTIONS REGARDING THE SOLICITATION AND TO ADDRESS REVISIONS MADE TO THE SPECIFICATION.		
				2. TO PROVIDE VENDORS A COPY OF THE MANDATORY PRE-BID MEETING SIGN-IN SHEETS. REVISIONS, QUESTIONS AND ANSWERS AND THE PRE-BID SIGN-IN SHEETS ARE ATTACHED.		
				3. TO PROVIDE ADDENDUM ACKNOWLEDGEMENT. THIS DOCUMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO SIGN AND RETURN MAY RESULT IN THE DISQUALIFICATION OF YOUR BID.		
				***** END OF ADDENDUM NO. 1 *****		

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO SOLICITATION, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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

**Solicitation**

NUMBER
DEP16275

PAGE
2

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

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
06/11/2013

BID OPENING DATE: 06/18/2013 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		962-73		
RECLAMATION: RESTORATION OF LAND & OTHER PROPERTIES						
***** THIS IS THE END OF RFQ DEP16275 ***** TOTAL:						

SIGNATURE		TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO SOLICITATION, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**SOLICITATION NUMBER: DEP16275**  
**Addendum Number: 1**

---

The purpose of this addendum is to modify the solicitation identified as ("Solicitation") to reflect the change(s) identified and described below.

**Applicable Addendum Category:**

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

**Description of Modification to Solicitation:**

1. To provide answer to questions asked regarding the RFQ and to address revisions made to the specifications.
2. To provide a copy of mandatory pre-bid meeting sign-in sheet.
3. To provide Addendum Acknowledgement.

**Additional Documentation:** Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

**Terms and Conditions:**

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

# ATTACHMENT A

**DEP16275**  
**East Lynn II**  
**Addendum #1**

- Item 1: The Contractor shall have 210 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 210 days. However, the total performance period will be 365 days from the date of the Notice to Proceed for invoicing purposes.
- Item 2: Statement - Bat gate mine seals must be installed between the dates of May 1 and August 31.
- Item 3: Correction - On all Erosion and Sediment Control Sheets (Sheets 32 - 38), silt fence is required instead of straw wattles. The legends and drawings should have silt fence installed anywhere the symbol SW is shown. No straw wattles are specified on this project.
- Item 4: Statement - Splash pads may be sandstone or limestone, as long as the durability requirements are met. The length of the splash pads shall be 5' (feet).
- Item 5: Statement - Regarding Site 3: The contractor will be required to submit a written plan at the pre-construction meeting to the WVDEP for approval of the proposed work in the stream and channel. The written plan needs to detail how the work will be performed in order to minimize erosion and sediment discharge. The approval of the plan does not relieve the contractor of the responsibility of controlling the discharge of muddy water.
- Item 6: Correction - Regarding mine seal construction. The perforated pipe should stop within the bulkhead, and there should be non-perforated pipe through the earthen backfill.
- Item 7: Q - How are we supposed to dispose of the potentially hazardous material in the small building that is to be demolished?  
A - The WVDEP cannot confirm that there are any hazardous materials in any of the buildings to be demolished. However, should hazardous materials be identified, it is the contractor's responsibility to properly dispose of the material. The method of disposal must be approved by the WVDEP. Material handling and disposal costs will be considered to be incidental, and no extra payment will be made by the WVDEP.
- Item 8: Q - Where are the tied concrete blocks required?  
A - Flex-A-Mat lined channel is required on Site 3. Please refer to the plans for Channel No. 3-F on Sheet 15 for the designated area of installation.
- Item 9: Statement - Regarding Channel 3-F: The installation of Flex-A-Mat (Type 2, Tied Concrete Block Lined Channel - Bid Item 7.2) will be measured and paid for per square foot (SF) of properly installed channel. It is also noted that seeding of the channel is to be done before the lining is installed.
- Item 10: Q - Can the stone for the ditches be sandstone or limestone?  
A - The stone for the channels may be sandstone or limestone, as long as the durability requirements are met.

**DEP16275**  
**East Lynn II**  
**Addendum #1**

- Item 11: Q - Is water treatment required for AMD?  
A - See specification 9.3.2, which requires the pH to be in the range of 6.0 to 9.0 while dewatering the mine/portals. No permanent active treatment of AMD is specified for this project. Soda ash briquettes are included as a bid item (item no. 9.6) and shall be utilized for AMD treatment during construction.
- Item 12: Q - How many bat gates are there on this project?  
A - For bidding purposes, there are 26.
- Item 13: Q - If construction starts this year, will we be paid twice for mobilization if the bat gates cannot be installed this year?  
A - No, mobilization and demobilization can only be paid once. See Item 14 below.
- Item 14: Q - Can the start date of the project be delayed until next year, since there are bat gates on this project that we will not be able to install this year?  
A - No. It is the WVDEP's intent to issue a Notice to Proceed this year, and construction is expected to begin this year.
- Item 15: Q - Is the solid conveyance pipe on bat gate seals considered to be an incidental item?  
A - Yes. Solid wall pipe to complete the mine seals, as shown on the details sheets, shall be considered incidental to construction. No additional payment will be made for this item.
- Item 16: Q - Are there any mine maps of the areas that include this project?  
A - Preliminary research indicates there was mining activity under sites 2, 3, and 4. If the contractor requests, any maps the WVDEP can find will be made available to the contractor that is awarded the project.
- Item 17: Q - What is the pH of the water from the portals?  
A - The results of five water samples taken at all four sites are in the specifications published for this project. The pH results ranged from 2.9 to 3.6.
- Item 18: Q - Are any of the portals impounding water?  
A - To the best of our knowledge, there are no portals that impound significant volumes of water. However, the contractor should use caution when excavating any collapsed portals, and provide a dewatering plan if necessary.
- Item 19: Q - Will a D.O.W. permit be required?  
A - A stormwater construction permit (NPDES) has been obtained for this project, as well as a Division of Highways encroachment permit (MM-109). A U.S. Army Corps of Engineers Permit has been applied for, and is still pending.
- Item 20: Q - Is the contractor responsible for water quality?  
A - The contractor is not responsible for permanent water quality. However, during construction, the contractor shall utilize best management practices (including erosion & sediment control, soda ash briquettes, etc.) to minimize contamination, pollution, and quality issues. Also see item 11 above, which refers to specification section 9.3.2.

**DEP16275**  
**East Lynn II**  
**Addendum #1**

Item 21: Q - Are there any piezometers on the project?

A - Yes. Piezometers were installed at Sites 1, 2 and 3. The piezometers are located where the borehole symbols are on the plan sheets, except on Site 2 at the two small refuse piles. Piezometers are required to be removed as part of this project.

Item 22: Q - What is the coal seam thickness?

A - The results of 7 borings are shown in the specifications published for this project. Thicknesses of the coal seams could not be determined from the borings, but void heights of 2' to 5' were observed.

Item 23: Q - Is this a two culvert portal?

A - According to sheet 15, portal 3-4 is a single bat gate (one culvert), wet mine seal.

Item 24: Q - Is this where the matting and ditch starts?

A - The area in question was Site 3, Sheet 15. The Flex-A-Mat lined channel, designated Channel No. 3-F, starts at station 0+00 (the county road culvert) and ends at station 8+77.60 (northeast of Portal 3-6). Note that the Site 3, Baseline "A" is used for cross sectional purposes.

Item 25: Q - How high is the backfill?

A - Per plans, the backfill is 10' minimum above the mine roof. Some of the portals are located in areas where it may be difficult and/or not practical to install the backfill 10' above the mine roof (i.e. a complete mine seal with regrade, soil cover, etc. at a 2:1 slope). In those conditions, it is expected that the contractor will provide a mine seal that seals the opening, provides a stable environment, and prevents water from being impounded. The WVDEP Engineer may be consulted for mine seal installation guidance.

Item 26: Q - Is this the area you mentioned that a written plan is required?

A - Yes. Site 3, Channel 3-F, Sheet 15 is the area mentioned in Item 5 above.

Item 27: Q - What is the length of the channel?

A - Channel 3-F is approximately 878' in length.

Item 28: Q - Does the creek stay in the same location here?

A - The area in question is near portal 3-5, Channel 3-F, approx. 3-F station 5+50 (Site 3, baseline "A" approx. station 6+00), where the stream bed is solid rock. In this general area, the cross sections indicate that the channel centerline is shifted approx. 5 to 10 feet to the east.

Item 29: Q - What is the unit of measurement for the Flex-A-Mat channel (Bid Item 7.2)?

A - Bid Item 7.2 is bid per square foot (SF).

Item 30: Q - Do you anticipate problems getting to the flow line of the ditch?

A - No.



**DEP16275  
East Lynn II  
Addendum #1**

- Item 31: Q - Do we seed the channel after the Flex-A-Mat lining is installed?  
A - No. As per the notes on Detail Sheet 48, seed must be applied directly to the prepared soil prior to Flex-A-Mat installation.
- Item 32: Q - Where is the soil borrow area for site 3?  
A - The potential soil borrow area is shown on Sheet 15, on the western edge of the site.
- Item 33: Q - Are the metal pipes we observed on Site 3 active gas lines?  
A - We believe the observed pipes on Site 3 are abandoned, however, it is the Contractor's responsibility to contact all utility companies prior to construction to determine what active lines may be in the project area. Note: There is an active gas well near Site 3 that is outside the limits of construction. It is located on the access road past the location of the piezometer.
- Item 34: Q - What are the size of the portals.  
A - Please refer to Sheets 10 through 16, Detail Sheet 46, and the Bid Sheet for a listing of portal sizes. Note that all bat gates use a multiple of 36 inch corrugated plastic pipe.
- Item 35: Q - Is the gas line we observed and crossed on Site 4 active?  
A - Yes.
- Item 36: Q - Where is the access to Site 4?  
A - Site 4 access crosses the stream at the same location we walked across. A temporary stream crossing is indicated on Sheet 16.
- Item 37: Q - Do we have to maintain the fence that is on Site 4?  
A - All fences on the project must be left in the same, or better condition at the end of project construction activities. There may also be fences that need to be maintained during construction to keep livestock in.
- Item 38: Statement: The concrete bridge that crosses the stream on Site 2, shown on Sheet 13, must be protected from damage. The property owner wants the deck of the bridge covered with material that will protect the surface from track marks, etc. before construction begins, or transport track equipment over the bridge on rubber tired vehicles. The protective material will need to be removed after project completion.
- Item 39: Q - Are any of the collapsed portals draining?  
A - During our visits to the sites, the majority of the portals have been open, and some are draining. There are collapsed portals with drainage and collapsed portals without drainage. Our previous observations may or may not be valid at the time of construction. As indicated in Item 18, to the best of our knowledge, there are no portals that impound significant volumes of water. However, the contractor should use caution when excavating any collapsed portals, and provide a dewatering plan if necessary.



**DEP16275**  
**East Lynn II**  
**Addendum #1**

Item 40: Q - Can we access Site 2 from either above or below?

A - Site 2 (i.e. portals along the left side of the creek along the left side of the moto-cross facility) may be accessed from either above, or below the portals. Both areas are within the construction limits.

Item 41: Q - On Site 1, do we need to make provisions to maintain a water supply for livestock?

A - No.

Item 42: Statement: On Site 2, regarding all property that is owned by Rockspring Development, Inc. (the mining company). All timber and brush that is cleared and grubbed must be burned to ash. This will require the Contractor to obtain a burning permit for the affected areas.

REQUEST FOR QUOTATION NO. DEP16275

**SIGN IN SHEET**

Page 1 of 4

East Lynn II

PLEASE PRINT

Date: May 30, 2013

\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>CONCRETE WP INC</u> Rep: <u>DENNIS G. ELBON</u> Email Address: <u>DCE-CONCRETEWP@EARTHINK.NET</u>	<u>PO Box 243</u> <u>SNAPSON, WV 26435</u>	PHONE <u>304-739-4372</u> TOLL FREE FAX <u>304-739-4401</u>
Company: <u>GREEN MOUNTAIN COMPANY</u> Rep: <u>DAVID H. BOWMAN</u> Email Address: <u>DHB722@yahoo.com</u>	<u>511 50<sup>th</sup> STREET</u> <u>Charleston WV</u> <u>25304</u>	PHONE <u>304-925-0253</u> TOLL FREE FAX <u>304-925-9230</u>
Company: <u>MCCOY CONST CO</u> Rep: <u>GREG MCCOY</u> Email Address: <u>wvc310R@aol.com</u>	<u>RT 1 Box 1-1A</u> <u>SALT ROCK WV</u> <u>25559</u>	PHONE <u>304 736 3528</u> TOLL FREE FAX <u>304 733-5714</u>
Company: <u>FOSTER SUPPLY</u> Rep: <u>DERRICK SEARS</u> Email Address: <u>dsears@fosterSupply.com</u>	<u>PO Box 488</u> <u>SCOTT DEPOT WV 25560</u>	PHONE <u>304-755-8241</u> TOLL FREE FAX <u>304-755-8280</u>
Company: <u>EAGE EXCAVATION INC.</u> Rep: <u>GEORGE FRESHOUR</u> Email Address: <u>NONE</u>	<u>P.O. BOX 218</u> <u>KENNA WV</u> <u>25248</u>	PHONE <u>(304) 372-4378</u> TOLL FREE FAX <u>(304) 372-4378</u>

REQUEST FOR QUOTATION NO. DEP16275

**SIGN IN SHEET**

Page 2 of 4

East Lynn II

PLEASE PRINT

Date: May 30, 2013

\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>Barnes EXC. INC</u>	<u>P.O. Box 13384</u>	PHONE <u>304 984-1725</u>
Rep: <u>Robert L. Barnes</u>	<u>Sissonville</u>	TOLL FREE
Email Address: <u>Barnes EXC @ AOL.COM</u>	<u>WV 25360</u>	FAX <u>304-984-0074</u>
Company: <u>EAST TERN ARROW</u>	<u>PO Box 4108</u>	PHONE <u>304-414-0255</u>
Rep: <u>Ann Warshawel</u>	<u>CHARLESTON WV</u>	TOLL FREE
Email Address: <u>easternarrow@hotmail.com</u>	<u>25364</u>	FAX <u>0256</u>
Company: <u>Raynes &amp; Sons</u>		PHONE <u>545-3433</u> <u>304-824-3445</u>
Rep: <u>David A. Atkins</u>		TOLL FREE
Email Address: <u>DATracking24@zoominternet.net</u>		FAX <u>304-824-3445</u>
Company: <u>Enviro Pro Inc.</u>	<u>40 Judge Drive</u>	PHONE <u>606--358-3040</u>
Rep: <u>Doug Gilkerson</u>	<u>Easterw, Ky</u>	TOLL FREE <u>606-424-2763</u>
Email Address: <u>enviropro1@hotmail.com</u>	<u>41622</u>	FAX <u>606-358-3398</u>
Company: <u>All-CON LLC</u>	<u>124 PHILPOTT LANE</u>	PHONE <u>304 7310190</u>
Rep: <u>DAVID IRIE</u>	<u>BEAVER WV 25813</u>	TOLL FREE
Email Address: <u>DIRLEC@CI-WV.COM</u>		FAX <u>304 255 4252</u>

REQUEST FOR QUOTATION NO. DEP16275  
East Lynn II

**SIGN IN SHEET**

PLEASE PRINT

Page 3 of 4

Date: May 30, 2013

\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>McCourt &amp; Son Const.</u> Rep: <u>GARY LONG</u> Email Address: <u>glong@windfire.com</u>	<u>2790 Centralia Rd</u> <u>Seton WV 26601</u>	PHONE <u>304 765-5288</u> TOLL FREE FAX <u>304 765-5293</u>
Company: <u>WISEMAN EXCAVATING</u> Rep: <u>BRAD WISEMAN</u> Email Address: _____	<u>RT 1 Box 190 Liberty WV</u> <u>25124</u>	PHONE <u>304 586 3736</u> TOLL FREE FAX <u>304 586 3780</u>
Company: <u>Aspen Corporation</u> Rep: <u>Richard Koger II</u> Email Address: <u>rkoger@aspen-golf.com</u>	<u>2400 Ritter Drive</u> <u>Daniels WV 25832</u>	PHONE <u>304-887-0108</u> TOLL FREE FAX <u>304-763-4591</u>
Company: <u>Thaxton Construction Co, Inc.</u> Rep: <u>Dustin Thaxton</u> Email Address: <u>thaxtonconstruction@gmail.com</u>	<u>P.O. Box 13279</u> <u>Charleston, WV 25360</u>	PHONE <u>304-984-2299</u> TOLL FREE FAX <u>304-984-2334</u>
Company: <u>5 Star Contracting</u> Rep: <u>Charlie Horn</u> Email Address: <u>5starcontracting@suddenlink.net</u>	<u>PO Box 326</u> <u>Kermit WV 25674</u>	PHONE <u>304-784-6713</u> TOLL FREE FAX <u>304-393-1524</u>

REQUEST FOR QUOTATION NO. DEP16275

**SIGN IN SHEET**

Page 4 of 4

East Lynn II

PLEASE PRINT

Date: May 30, 2013

\* PLEASE BE SURE TO PRINT LEGIBLY - IF POSSIBLE, LEAVE A BUSINESS CARD

FIRM & REPRESENTATIVE NAME	MAILING ADDRESS	TELEPHONE & FAX NUMBERS
Company: <u>Carpenter Reclamation</u>	<u>PO Box 13015</u>	PHONE <u>304 984-1115</u>
Rep: <u>Randy Carpenter</u>	<u>Sissonville, WV</u>	TOLL FREE
Email Address: <u>Rcarpen103@aol.com</u>		FAX <u>984-2770</u>
Company: <u>Breakaway Inc</u>	<u>1075 Old Turnpike Rd</u>	PHONE <u>765-5317</u>
Rep: <u>Doug Vincent</u>	<u>Sutton WV 26601</u>	TOLL FREE
Email Address: <u>doug@breakawaywv.com</u>		FAX <u>765-5389</u>
Company: <u>Foster Supply</u>		PHONE <u>755-8241</u>
Rep: <u>Kerry Cole</u>		TOLL FREE
Email Address: <u>Kerrycole@foster supply.com</u>		FAX
Company: _____	_____	PHONE
Rep: _____	_____	TOLL FREE
Email Address: _____	_____	FAX
Company: _____	_____	PHONE
Rep: _____	_____	TOLL FREE
Email Address: _____	_____	FAX

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: DEP16275**

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |   |  |
|---|--|
| <input type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6  |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7  |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8  |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9  |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor’s representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

\_\_\_\_\_  
Company

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date