

Solicitation Response(SR) Dept: 0310 ID: ESR12212100000003849 Ver.: 1 Function: New Phase: Final

Modified by batch , 12/21/2021

Header  2

General Information   Contact   Default Values   Discount   Document Information   Clarification Request

<b>Procurement Folder:</b> 964117	<b>SO Doc Code:</b> ARFQ
<b>Procurement Type:</b> Agency Purchase Order	<b>SO Dept:</b> 0310
<b>Vendor ID:</b> 000000206725	<b>SO Doc ID:</b> DNR2200000015
<b>Legal Name:</b> CARPENTER RECLAMATION INC	<b>Published Date:</b> 12/14/21
<b>Alias/DBA:</b>	<b>Close Date:</b> 12/21/21
<b>Total Bid:</b> \$353,730.00	<b>Close Time:</b> 13:30
<b>Response Date:</b> 12/21/2021	<b>Status:</b> Closed
<b>Response Time:</b> 11:36	<b>Solicitation Description:</b> Addendum No.02 Chief Logan State Park Sewer Line Upgrades
<b>Responded By User ID:</b> rcarpen103	<b>Total of Header Attachments:</b> 2
<b>First Name:</b> Kelley	<b>Total of All Attachments:</b> 2
<b>Last Name:</b> Carpenter	
<b>Email:</b> rcarpen103@aol.com	
<b>Phone:</b> 304-984-1115	

**ADDENDUM ACKNOWLEDGMENT FORM**

**SOLICITATION NO.** DNR 22\*15-3

**INSTRUCTIONS:** Please acknowledge receipt of all addenda issued with this Solicitation by completing this Addendum Acknowledgment Form, uploading it, and submitting it electronically with your bid. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result I bid disqualification.

**ACKNOWLEDGMENT:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans, specifications, and other applicable bid documents.

Addendum Numbers Received:  
(Check the box next to each addendum received)

- |                |                                     |                 |
|----------------|-------------------------------------|-----------------|
| Addendum No. 1 | <input checked="" type="checkbox"/> | Addendum No. 6  |
| Addendum No. 2 | <input checked="" type="checkbox"/> | Addendum No. 7  |
| Addendum No. 3 | <input type="checkbox"/>            | Addendum No. 8  |
| Addendum No. 4 | <input type="checkbox"/>            | Addendum No. 9  |
| 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 the Vendor's representatives and any Department personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Carpenter Reclamation, Inc.  
Company

Kulley Carpenter  
Authorized Signature

12-21-21  
Date

NOTE: This addendum acknowledgment must be submitted with the bid to expedite document processing.

**SIGNATURE PAGE**

**DESIGNATED CONTACT:** The Vendor appoints the individual identified in this section as the Contract Administrator and point of contact for matters relating to this contract.

Kelley Carpenter - President  
Printed Name and Title

PO Box 13015 Chas., WV 25360  
Address

304 984-1115 304 984-2770  
Telephone Number and Fax Number

kcarpen103@aol.com  
E-Mail Address

**CERTIFICATION AND SIGNATURE:** By submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the Department that cannot be unilaterally withdrawn; that the combined service and goods proposed meets the mandatory requirements in the Solicitation for the project, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the Vendor to execute and submit this bid, offer or proposal or any documents related thereto on the Vendor's behalf; that I am authorized to bind the Vendor in a contractual relationship; and that, to the best of my knowledge, the Vendor has properly registered with any agency of the State that may require registration.

Carpenter Reclamation, Inc.  
Company

Kelley Carpenter President  
Printed Name and Title of Authorized Representative

Kelley Carpenter  
Signature

PO Box 13015 Chas., WV 25360  
Address

304 984-1115 304 984-2770  
Telephone Number and Fax Number

kcarpen103@aol.com  
E-Mail Address

WV 007728  
WV Contractor's License Number

# PROCUREMENT AFFIDAVIT

**CONSTRUCTION CONTRACTS:** Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

**ALL OTHER CONTRACTS:** 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"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 exceeds five percent of the total contract amount.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: Carpenter Reclamation, Inc.

Authorized Signature: Kelley Carpenter Date: 12-21-21

State of WV

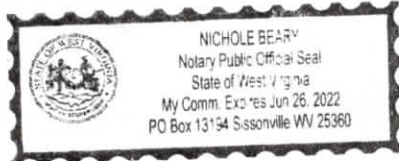
County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 21 day of Dec, 20 21.

My Commission expires June 26, 2022, 20     .

**AFFIX SEAL HERE**

**NOTARY PUBLIC**



Nichole Bear  
*Procurement Affidavit (Revised 08/11/2017)*

STATE OF WEST VIRGINIA  
Purchasing Division

# PURCHASING AFFIDAVIT

**MANDATE:** Under W. Va. Code §5A-3-10a, 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: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. 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.

**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.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"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 exceeds five percent of the total contract amount.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: Carpenter Reclamation, Inc.

Authorized Signature: Kulley Carpenters Date: 12-21-2021

State of WV

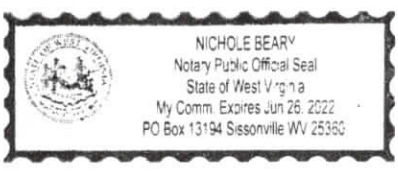
County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 21 day of Dec, 2021

My Commission expires June 26, 2022

**AFFIX SEAL HERE**

**NOTARY PUBLIC** Nichole Beary





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

I, Kelley Carpenter, after being first duly sworn, depose and state as follows:

- 1. I am an employee of Carpenter Reclamation, Inc.; and,  
(Company Name)
- 2. I do hereby attest that Carpenter Reclamation, Inc.  
(Company Name)

maintains a written plan for a drug-free workplace policy and that such plan and policy are in compliance with **West Virginia Code** §21-1D.

The above statements are sworn to under the penalty of perjury.

Printed Name: Kelley Carpenter  
 Signature: Kelley Carpenter  
 Title: President  
 Company Name: Carpenter Reclamation, Inc.  
 Date: 12-21-21

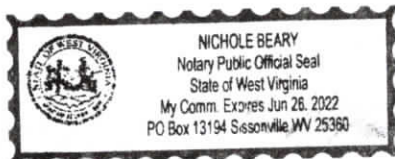
STATE OF WEST VIRGINIA,

COUNTY OF Kanawha, TO-WIT:

Taken, subscribed and sworn to before me this 21 day of Dec, 2021.

By Commission expires June 26, 2022

(Seal)



Nichole Beary  
 (Notary Public)

ABANDONED MINE LANDS (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 Reclamation and Enforcement (OSMRE) to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and can be found under OSMRE's regulations at 30 CFR 874.16. **NOTE:** This form must be signed and **dated within 30 days** of submission to be considered for a current bid.

**Part A: General Information**

Business Name: Carpener Reclamation, Inc.  
Tax ID #: 55-0693493  
Address: PO Box 13015  
City, State, & Zip: Charleston, WV 25360  
Phone Number: 304-984-1115  
Email Address: rcarpen103@aol.com

**Part B: Obtain an Organizational Family Tree (OFT) from the Applicant Violator System (AVS)**

If you plan to certify the existing AVS information or submit updates under Part C, you must include an OFT. To obtain an OFT, you may contact the AVS Office at 800-643-9748 or from the AVS website at: <https://avss.osmre.gov/>. Instructions for how to download an OFT from the AVS can be found at: <https://www.osmre.gov/programs/AVS/aml-instructions.pdf>.

**Part C: Certifying and updating information in the AVS**

Select only one of the following options, follow the instructions for that option, and sign and date below.

I, Kelley Carpenter, have express authority to certify that:  
(Print Name)

1. Our business is in the AVS and is accurate, complete, and up-to-date. If you select this option, you must attach an Entity OFT from the AVS to this form. Do not complete Part D.
2. Our business is in the AVS but needs to be updated. If you select this option you must attach an Entity OFT from the AVS to this form. Use Part D to provide the missing or corrected information.
3. Our business is not in the AVS and needs to be added. Complete Part D.

12-21-21

Date

Kelley Carpenter  
Signature

President

Title

**Part D.**

Contractor's Business Name: Carpenter Reclamation, Inc.

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.

Name	<u>N/A</u>	Position/Title	<u></u>
Address	<u></u>	Telephone #	<u></u>
	<u></u>	% of Ownership	<u></u>
Begin Date:	<u></u>	Ending Date:	<u></u>

Name	<u></u>	Position/Title	<u></u>
Address	<u></u>	Telephone #	<u></u>
	<u></u>	% of Ownership	<u></u>
Begin Date:	<u></u>	Ending Date:	<u></u>

Name	<u></u>	Position/Title	<u></u>
Address	<u></u>	Telephone #	<u></u>
	<u></u>	% of Ownership	<u></u>
Begin Date:	<u></u>	Ending Date:	<u></u>

Name	<u></u>	Position/Title	<u></u>
Address	<u></u>	Telephone #	<u></u>
	<u></u>	% of Ownership	<u></u>
Begin Date:	<u></u>	Ending Date:	<u></u>

**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.





## AVS OFT Report - 2/4/2020 12:17:23 PM

All OFT's where the selected entity is listed as an entity or related entity  
 Entity Selected (140618) Carpenter Reclamation Inc

Parent Entity	Relationship	Description	Related Entity	% Ownership	Begin Date	End Date
(140618) Carpenter Reclamation Inc	President		(140616) Kelley Carpenter		10/4/1989	
(140618) Carpenter Reclamation Inc	Owner		(140616) Kelley Carpenter	50%	10/4/1989	
(140618) Carpenter Reclamation Inc	Secretary		(262334) Randy Carpenter		10/8/2016	
(140618) Carpenter Reclamation Inc	Vice President		(262334) Randy Carpenter		10/8/2016	
(140618) Carpenter Reclamation Inc	Owner		(262712) Thadis Carpenter	50%	10/8/2016	
(140618) Carpenter Reclamation Inc	Manager		(262334) Randy Carpenter		10/8/2016	
(140618) Carpenter Reclamation Inc	Treasurer		(140616) Kelley Carpenter		10/4/1989	
(140618) Carpenter Reclamation Inc	Secretary		(140617) Mary Carpenter		10/4/1989	10/8/2016
(140618) Carpenter Reclamation Inc	Owner		(140617) Mary Carpenter	50%	10/4/1989	10/8/2016
(140618) Carpenter Reclamation Inc	Vice President		(140617) Mary Carpenter		10/4/1989	10/8/2016
(140618) Carpenter Reclamation Inc	Vice President		(262334) Randy Carpenter		10/4/1989	10/8/2016

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Carpenter Reclamation, Inc  
of PO Box 13015 Sissonville, WV 25360, as Principal, and The Cincinnati Insurance Company  
of PO Box 145496, Cincinnati OH 45014-5141 a corporation organized and existing under the laws of the State of Ohio  
with its principal office in the City of Cincinnati, as Surety, are held and firmly bound unto the State  
of West Virginia, as Obligee, in the penal sum of Five Percent (\$ 5% ) for the payment of which,  
well and truly to be made, we jointly and severally bind ourselves, our heirs, administrators, executors, successors and assigns.

The Condition of the above obligation is such that whereas the Principal has submitted to the Purchasing Section of the  
Department of Administration a certain bid or proposal, attached hereto and made a part hereof, to enter into a contract in writing for  
DNR2200000015 Chief Logan State Park Sewer Line Upgrades  
according to plans and specifications.

NOW THEREFORE,

- (a) If said bid shall be rejected, or
- (b) If said bid shall be accepted and the Principal shall enter into a contract in accordance with the bid or proposal attached  
hereto and shall furnish any other bonds and insurance required by the bid or proposal, and shall in all other respects perform the  
agreement created by the acceptance of said bid, then this obligation shall be null and void, otherwise this obligation shall remain in full  
force and effect. It is expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event,  
exceed the penal amount of this obligation as herein stated.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no  
way impaired or affected by any extension of the time within which the Obligee may accept such bid, and said Surety does hereby  
waive notice of any such extension.

IN WITNESS WHEREOF, Principal and Surety have hereunto set their hands and seals, and such of them as are corporations  
have caused their corporate seals to be affixed hereunto and these presents to be signed by their proper officers. This  
14th day of December, 2021.

Principal Corporate Seal

Carpenter Reclamation  
(Name of Principal)  
By Kelley Carpenter  
Kelley Carpenter (Must be President or  
Vice President)  
President  
(Title)

Surety Corporate Seal

The Cincinnati Insurance Company  
(Name of Surety)  
Sheila Midkiff  
Sheila Midkiff Attorney-in-Fact

IMPORTANT – Surety executing bonds must be licensed in West Virginia to transact surety insurance. Corporate seals must be affixed,  
and a power of attorney must be attached.

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Ross E. Johnson; Taylor R. Johnson; Bradley P. Bobersky; Patrick B. Kee; Shella M. Mickiff and/or Brady A. Campbell

of Charleston, West Virginia

its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to Twenty Five Million and No/100 Dollars (\$25,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 8th day of March, 2017.



STATE OF OHIO ) ss:  
COUNTY OF BUTLER )

THE CINCINNATI INSURANCE COMPANY

*Stephen A. Justice*  
Vice President

On this 8th day of March, 2017, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



*Mark J. Holler*  
MARK J. HOLLER, Attorney at Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio, this 14th day of December 2021



BN-1005 (3/17)

*Steve D. Dan*  
Secretary