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**On the cover**

The construction industry has been hit hard by the economic recession. Building, utility and highway contractors have withstood the downturn and are seeing signs of improvement. Each year West Virginia Construction News surveys public contracting officials regarding their forecasted construction programs. Enclosed is a synopsis of their comments. Pictured on the cover is the Kanawha Valley Community and Technical College built by BBL Carlton, LLC, Charleston. For full details, see page 6. Cover photo by Paul Knapick, BBL Corporate photographer.

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The Contractors Association of West Virginia is a nonprofit trade organization representing the building, highway, heavy and utility contracting industries in West Virginia. Its services include establishment of a close working liaison with state and federal agencies; worthwhile educational and informational programs; the regular dissemination of pertinent information to its members; strong legislative and media relations; as well as all other activities deemed necessary and proper to promote the general welfare of the construction industry. The CAWV is a certified chapter of the Associated General Contractors of America and the American Road and Transportation Builders Association.

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**November / December 2012**

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**Michael L. Clowser**

**Lindsay C. Stephens**

**EDITOR**

**ASSISTANT EDITOR**
The Friedlander Company

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In West Virginia, it is frequently said that our economic highs are not as high and our lows are not as low as they are on the national stage. That adage has proven true as contractors have worked to weather the economic storm which began several years ago. The construction industry has seen bidding levels fluctuate widely.

Contractors who depend upon public work were able to provide some stability for their employees during the past year due, in part, to the work of the Contractors Association of West Virginia. The association works continually to create consistent funding streams.

By and large, the agencies surveyed for the 2013 Construction Forecast report that their bidding programs will remain level or increase in the coming year.

One big exception is the WV Division of Highways whose program continues to fall. Declining gas tax receipts on the state and federal level, coupled with a delay in passing a highway bill have left the division with a program down over 30 percent from its five year high.

Military spending, which was a bright spot for contractors last year, is also predicting a smaller program. The financial effects of a war and mandated spending cuts have left the Department of Military Affairs and Public Safety with a significantly smaller bidding forecast and shelved projects.

Utility contractors will be pleased to note that the Clean Water State Revolving Fund (CWSRF), Drinking Water State Revolving Fund (DWSRF), USDA Rural Utilities Service and Infrastructure and Jobs Development Council are all forecasting larger bidding programs than in years past. CWSRF and DWSRF are predicting significantly larger programs for the coming year, at $148 million and $42 million, respectively.

Less encouraging, the Higher Education Policy Commission, School Building Authority and Department of Administration are all showing smaller programs than last year.

Interesting to note, private construction appears to be rebounding. New restaurants are opening, hospitals and churches are renovating and building new and the energy sector is ramping up. AGC Chief Economist Ken Simonson details the market in his comments.

A complete synopsis follows:
The West Virginia Department of Transportation is responsible for the various systems that allow movement of goods, people and information in the state of West Virginia. Roadways, ports, railways, buses and airports fall under the department’s purview.

Through its various divisions, the Department of Transportation is responsible for the maintenance and construction of 36,703 miles of roadway (the sixth highest state-maintained system in the nation), 35 airports and air navigation facilities, 23 regional Division of Motor Vehicle offices, the 88-mile West Virginia Turnpike and over 2,00 miles of active rail track. The Department of Transportation relies on both state and federal funds to administer their programs.

**Division of Highways**

The Division of Highways’ planned construction program for 2013 is estimated at $430 million. That figure will be influenced by the funding at both the federal and state levels, which is known to be stagnant or declining due to reduced gas tax receipts. Federal aid funding has been provided for only the next two years under the Moving Ahead for Progress in the 21st Century (MAP-21) legislation, thus long-term planning and authorization of construction projects beyond two years is challenging.

MAP-21 provides the state of West Virginia with funding through September 14, 2014, consolidates many programs into five areas: National Highway Performance Program, Surface Transportation Program, Highway Safety Improvement Program, Congestion Mitigation and Air Quality Program and Metropolitan Planning. Highlighted are major highway projects receiving federal aid over $1 million expected to be among the various program categories, with county location.

Largest of the program categories is the Paving Program at roughly $170 million, which includes an estimated $70 million State Funded Program, $30 million on the Interstate, $20 million on the Appalachian Highway System, $30 million for “Other Federal Aid Eligible” routes, and $20 million for the Pavement Preservation Program. These programs include both contract lettings and purchase orders.

The $120 million Major Roadway and Other projects include the East Beckley Bypass (Raleigh), Mileground (Monongalia), WV 10 (Logan) and I-64 six lane widening (Putnam).

Estimated at $90 million is the Bridge program which includes the Wheeling Suspension Bridge renovation (Ohio), Hi-Way Paving, Inc., Hilliard, Ohio, completed their work on Corridor H in October 2012, opening 5.5 miles of the road to traffic. The federal highway bill, MAP-21, locks $100 million into the Appalachian Development Highway Funding (APD). Corridor H is the only remaining APD project, and should be complete in 12 years at current funding levels.
east Huntington bridge / ramps clean and paint (Cabell), and Van Metre Ford Bridge (Berkeley).

Next is the $40 million Traffic and Safety Program category which includes signing and lighting renovation, striping and safety improvement projects throughout the state.

The last category is the Miscellaneous Program which includes slides and other routine maintenance projects such as drainage improvements.

The federal-aid projects and programs are identified in the WVDOT Statewide Transportation Improvement Program (STIP). The 2013-2018 version is available beginning in December 2012 and will be located at www.transportation.wv.gov.

Parkways Authority

In 2013, the West Virginia Parkways Authority will continue a major highway and bridge rehabilitation schedule that began in 2009 following the first across-the-board toll increase on the West Virginia Turnpike in 28 years. The Parkways Authority has been using these toll revenues to address the backlog of improvements and deferred maintenance that were needed on the Turnpike.

During the 2013 construction season, two major projects will be advertised for pavement rehabilitation: Paving between Mahan and Standard (MP 66 to 74 south), and mill and inlay work on high priority areas over the entire Turnpike. Other work to be performed is described as follows: Bridge painting, bridge deck overlays, bridge / facilities retrofit, guardrail replacement, culvert repair / replacement, sign replacement / overlays, pavement striping and markings, full depth repairs / undersealing, shotcrete repair and drainage pipe rehabilitation.

To summarize, during FY2013, the Parkways Authority intends to award over $29.7 million in contracts for major highway, bridge and facilities construction and upgrade projects as well as renewing an additional $2.7 million in contracts for bridge retrofit and pavement striping.

Public Port Authority

The Public Port Authority is proceeding with the construction of the new Heartland Intermodal Gateway facility at Prichard, Wayne County, with anticipated completion in mid-2014. The approximately $28 million project was awarded to Mountaineer Contractors, Inc., Kingwood. It was funded through a

In 2013 the West Virginia Parkways Authority intends to award nearly $30 million in construction contracts and renew an additional $2.7 million in contracts for bridge retrofit and pavement striping. Orders Construction Company, Inc., St. Albans, worked to slip-form a median barrier on the Turnpike as part of a project to upgrade a section from four lanes to six.
Transportation Infrastructure Generating Economic Recovery (TIGER) grant along with money created by the state legislature under the Special Rail and Intermodal Enhancement Fund (SRIE).

The Public Port Authority continues working with various other inland port districts to accept projects in 2013 and beyond that stimulate economic impacts for multimodal movement of freight, products and job creation.

Once projects are examined and reviewed for value added benefit, the projects then move to a funding priority based upon availability of funds in the SRIE. Projects then will be publicly advertised. A number of other prospective projects under consideration will also include public/private partnerships, just as the Heartland Intermodal Gateway did with Norfolk Southern Railroad.

**Aeronautics Commission**

The West Virginia Aeronautics Commission administers a grant matching program to encourage and support needed capital improvements to the state’s public airports. Airports meeting the criteria for Federal Aviation Administration (FAA) Airport Improvement Program funds also qualify for funding from the state program. The grant program is supported by the state tax on aircraft fuel and general aviation funds.

States compete for improvement project funds on a national level, therefore, improvement projects cannot be predicted a year in advance. State matching funds are awarded on a quarterly basis. The majority of funding is provided for construction projects, i.e., runway extensions and rehabilitations, taxiway improvements, resurfacing and building renovations.

Infrastructure projects planned for 2013, or underway at West Virginia airports, total over $18,411,300. Using 90 percent federal funding from the FAA, with ten percent state matching funds, the projects include:

- Braxton County Airport - Rehabilitate runway (construct drainage features) - $375,085
- Eastern West Virginia Regional Airport - Acquire land - $166,667
- Greenbrier Valley Airport - Rehabilitate terminal building, acquire friction measuring equipment - $1,111,111
- Jackson County Airport - Six unit t-hangar (multiyear grant) - $375,200
- Marshall County Airport - T-hangar site and building (construct only) - $550,808
- Mason County Airport - Rehabilitate airfield lighting - $107,202
- Mercer County Airport - Acquire snow removal equipment - $154,548
- Mid-Ohio Valley Regional Airport - Rehabilitate runway, environmental assessment and pavement evaluation - $305,000
- Mid-Ohio Valley Regional Airport - Install perimeter fencing - $575,972
- Morgantown Municipal Airport - Construct taxiway, rehabilitate access road, rehabilitate runway 18-36 - $1,257,582
- North Central West Virginia Airport - Wildlife Hazard Assessment - $77,014
- North Central West Virginia Airport - Acquire aircraft rescue and firefighting safety equipment, modify terminal building and rehabilitate airport beacons - $66,004
- Philippi-Barbour County Regional Airport - Construct 10 unit t-hangar - $166,666
- Raleigh County Memorial Airport - Wildlife Hazard Assessment - $81,014
- Raleigh County Memorial Airport - Expand apron (design/construct) - $2,765,533
- Summersville Airport - Tree removal and mitigation - $585,724
- Tri-State Airport - Conduct environmental study - $211,111
- Tri-State Airport - Acquire aircraft deicing equipment and snow removal equipment, install perimeter fencing and rehabilitate terminal building - $1,321,520
- Upshur County Airport - Construct box hangar - $166,666
- Wheeling-Ohio County Airport - Install perimeter fencing and rehabilitate runway - $1,021,932
- Yeager Airport - Remove obstructions - $6,967,968

**State Rail Authority**

The State Rail Authority planned construction projects for 2013 total approximately $4 million and include work on both the West Virginia Central Railroad and South Branch Valley Railroad.

On the West Virginia Central Railroad, projects will include installing ties, replacing light weight rail with heavier rail and upgrading a rail yard.

On the South Branch Valley Railroad, projects will include replacing bridge decks on three bridges, installing ties and building an addition to the locomotive shop.

**RANDY C. HUFFMAN**
**SECRETARY**
**WV DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The West Virginia Department of Environmental Protection administers many programs designed to promote a healthy environment. Air, land, water and waste pollution and control all fall under the department’s jurisdiction.

Work performed by contractors for the WVDEP improves communities and human health through mining reclamation and increasing the availability and cleanliness of water.

Projects are funded through various state and federal sources, such as the Clean Water State Revolving Fund Program, Abandoned Mine Lands reclamation program, forfeited bond collections and a portion of the tax placed on coal. Continued funding for these programs is critical and the WVDEP works diligently to ensure as many projects as possible are funded and implemented.

**Abandoned Mine Land Program**

The Office of Abandoned Mine Lands and Reclamation was created in 1981 to manage the reclamation of lands and waters affected by mining prior to passage of the Surface Mining Control and Reclamation Act (SMCRA) in 1977. The AML program is funded by a fee placed on coal, currently set at...
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The mission of the program is to protect public health, safety, and property from past coal mining and enhance the environment through reclamation and restoration of land and water resources. Funding from the 2013 grant is expected to be available in January 2013. The anticipated level of funding for 2013 should be similar to 2012 levels. This level of funding is predicted for the 2014 grant as well. The total estimated monies that will be available for non-water reclamation, emergency reclamation and waterline extension project construction from the 2013 grant is anticipated to be approximately $44 million.

The enclosed table includes a list of non-water reclamation projects with associated cost estimates and county locations that are currently in various stages of design. The table also includes a list of projects that are design complete that will go out to bid once funds are available. In addition, there are a number of AML-funded waterline projects that are nearing completion and will be ready to bid in 2013.

AML anticipates committing all available 2013 funds to construction projects this year. The funding balance of non-water reclamation, emergency and waterline projects will be determined as projects are design complete and ready for bid during the year. The projects will be put out to bid as completed with the remainder of the unfunded projects rolling into the 2014 grant funding cycle. AML is currently procuring additional consulting services for projects that will be in design in early 2013 for projects to be bid in the 2014 construction season.

**Office of Special Reclamation**

The Office of Special Reclamation reclaims land and treats water on all bond-forfeited coal mining permits in West Virginia to protect public health, safety and property. Bond-forfeited
Workers with HRI, Inc., State College, PA, work to prepare the foundation of the primary clarifier for the new Moorefield Wastewater Treatment Plant. The $28 million plant includes funding from the Clean Water State Revolving Fund program as part of the mandated Chesapeake Bay clean-up efforts. The Clean Water State Revolving Fund program includes $148 million in bidding projects in 2013. Photo courtesy of the Department of Environmental Protection.

Funding for the program comes from bond forfeitures, civil penalties and the Special Reclamation Tax on mined coal. The enclosed table lists OSR projects scheduled for competitive bidding in 2013. These projects, arranged by the quarter they are scheduled, are land and/or water projects. It is possible that more than one permit may be covered under one requisition.

**Clean Water State Revolving Fund**

The Clean Water State Revolving Fund (CWSRF) provides funding to municipal waste water systems to ensure West Virginia communities will have a safe and healthy environment.

The CWSRF program receives federal funding each year from the U.S. Environmental Protection Agency and a 20 percent state match is provided by the West Virginia Infrastructure and Jobs Development Council. Additional money is made available each year through repayments of previous loans and investment earnings.

Since the program began in 1991, more than $856 million has been loaned for 287 community projects for new or improved waste water treatment facilities. While much has been accomplished in the past, many more needs still must be addressed in the future. The 2008 Clean Watersheds Needs Survey documented West Virginia’s coal mine permits in West Virginia may be comprised of any combination of mining activity, including dangerous highwalls, unsealed underground portals, shafts, boreholes, leaking impoundments, ponds, refuse piles, abandoned prep plants and other infrastructure, debris, extensive unvegetated areas, and acid mine drainage. The OSR eliminates these hazards.

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>COUNTY</th>
<th>COST EST.</th>
<th>BID QTR.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy Marketing Company, Inc.</td>
<td>Barbour</td>
<td>$1,600,920</td>
<td>1</td>
</tr>
<tr>
<td>Carson One Mining, LLC</td>
<td>Upshur</td>
<td>1,583,875</td>
<td>1</td>
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<tr>
<td>Boomerang Coal, Inc.</td>
<td>Randolph</td>
<td>67,500</td>
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<tr>
<td>Royal Scot Minerals, Inc.</td>
<td>Greenbrier</td>
<td>115,105</td>
<td>2</td>
</tr>
<tr>
<td>Primrose Coal, Inc.</td>
<td>Preston</td>
<td>1,820,925</td>
<td>2</td>
</tr>
<tr>
<td>Energy Marketing Company, Inc.</td>
<td>Barbour</td>
<td>1,039,865</td>
<td>2</td>
</tr>
<tr>
<td>Solitaire Coal Corporation, Inc.</td>
<td>Webster</td>
<td>164,377</td>
<td>4</td>
</tr>
<tr>
<td>Zy Coal Co</td>
<td>Clay</td>
<td>132,092</td>
<td>4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$6,524,660</strong></td>
<td></td>
</tr>
</tbody>
</table>

WV Department of Environmental Protection
Office Of Special Reclamation Land and Water Projects
2013 Bidding Forecast
wastewater infrastructure needs at $3.2 billion. This is a $200 million increase over the 2004 Needs Survey.

The 2013 bidding and construction forecast for sewer projects expected to be funded, in part, by the CWSRF program can be found on the chart included with this article. The estimated total project cost for these 20 sewer projects is $148 million. While the construction industry is certainly interested in the bidding forecast for 2013, the DEP is continually working on important projects currently in the planning and design phases that will eventually result in the next wave of construction projects going to bid in future years.

ROBERT W. DECREASE, P.E.
MANAGER
DRINKING WATER TREATMENT REVOLVING FUND
BUREAU FOR PUBLIC HEALTH
The Drinking Water Treatment Revolving Fund (DWTRF) program provides below market rate loans to public water systems for capital projects to ensure the public has drinking water that meets the requirements of the Safe Drinking Water Act. The DWTRF program receives funding for the construction of drinking water projects from the U.S. Environmental Protection Agency (EPA) and a 20 percent grant match from the WV Infrastructure and Jobs Development Council (IJDC). These funds combined with loan repayments and interest, become the construction fund which is used to make low interest loans and provide principal forgiveness to drinking water systems. Loan rates and principal forgiveness are dependent on user rates compared to the median household income of the customers.

Since the start of the program and through the end of Fiscal Year 2012, the DWTRF program has $166.3 million in the fund from the U.S. EPA, IJDC state match and repayments (including earned interest) to be used for drinking water construction loans.

In FY2012, the DWTRF program closed $11 million in loans for three projects. Through the end of FY2012, the DWTRF program has cumulatively closed loans on projects totaling $156 million. An additional EPA Grant in the amount of $8 million (including a state match) was received in September for construction projects. Binding commitments of $12.7 million have been made to drinking water projects with another $14 million in pending commitments. One of the DWTRF goals is for projects to begin construction within 12 months of receiving a binding commitment of funds.

Eight DWTRF funded water projects totaling $42.8 million will advertise bids in calendar year 2013. The projects include Cowen PSD

### Clean Water State Revolving Fund 2013 Bidding Forecast

<table>
<thead>
<tr>
<th>Project Name</th>
<th>County</th>
<th>Project Cost</th>
<th>Description</th>
<th>Bid Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charleston - Lick Branch</td>
<td>Kanawha</td>
<td>$11,613,300</td>
<td>CSO Rehabilitation</td>
<td>Winter 2012/13</td>
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<tr>
<td>Logan - Stollings</td>
<td>Logan</td>
<td>944,500</td>
<td>Collection System Extension</td>
<td>Winter 2012/13</td>
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<tr>
<td>Ohio County PSD</td>
<td>Ohio</td>
<td>1,604,370</td>
<td>Collection System Extension</td>
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<tr>
<td>Point Pleasant</td>
<td>Mason</td>
<td>4,430,000</td>
<td>Collection System Rehab/Replacement</td>
<td>Winter 2012/13</td>
</tr>
<tr>
<td>Sistersville</td>
<td>Tyler</td>
<td>1,100,000</td>
<td>Collection System Extension</td>
<td>Winter 2012/13</td>
</tr>
<tr>
<td>Welch</td>
<td>McDowell</td>
<td>4,015,964</td>
<td>CSO Rehabilitation</td>
<td>Winter 2012/13</td>
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<tr>
<td>War</td>
<td>McDowell</td>
<td>2,900,000</td>
<td>Collection System Extensions</td>
<td>Winter 2012/13</td>
</tr>
<tr>
<td>Pratt</td>
<td>Kanawha</td>
<td>1,196,000</td>
<td>Collection System Rehab/Replacement</td>
<td>Winter 2012/13</td>
</tr>
<tr>
<td>Philippi</td>
<td>Barbour</td>
<td>3,438,800</td>
<td>WWTP Upgrade</td>
<td>Spring 2013</td>
</tr>
<tr>
<td>Beckley - Phase III</td>
<td>Raleigh</td>
<td>3,269,000</td>
<td>Collection System Extension</td>
<td>Spring 2013</td>
</tr>
<tr>
<td>Greater Paw Paw PSD-Crown</td>
<td>Monongalia</td>
<td>1,314,000</td>
<td>Decentralized WWTP &amp; Collection Sys</td>
<td>Spring 2013</td>
</tr>
<tr>
<td>Huntington</td>
<td>Cabell</td>
<td>11,500,000</td>
<td>WWTP &amp; PS Rehab</td>
<td>Spring 2013</td>
</tr>
<tr>
<td>Preston Co. PSD - Valley Pt.</td>
<td>Preston</td>
<td>1,821,000</td>
<td>New WWTP &amp; Collection System (Green)</td>
<td>Summer 2013</td>
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<tr>
<td>Greater Harrison - Rt. 73</td>
<td>Harrison</td>
<td>12,563,000</td>
<td>WWTP &amp; Collection System Phase IIA</td>
<td>Summer 2013</td>
</tr>
<tr>
<td>Bluefield</td>
<td>Mercer</td>
<td>1,537,867</td>
<td>WWTP &amp; PS Rehab</td>
<td>Summer 2013</td>
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<tr>
<td>Flemington</td>
<td>Taylor</td>
<td>4,700,000</td>
<td>Collection System Extension</td>
<td>Summer 2013</td>
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<tr>
<td>New Haven PSD - Winona</td>
<td>Fayette</td>
<td>2,157,000</td>
<td>WWTP &amp; Collection System</td>
<td>Fall 2013</td>
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<tr>
<td>Benwood</td>
<td>Marshall</td>
<td>2,635,900</td>
<td>CSO Rehabilitation</td>
<td>Fall 2013</td>
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<td>Martinsburg</td>
<td>Berkeley</td>
<td>47,738,381</td>
<td>WWTP Upgrade</td>
<td>Fall 2013</td>
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<td>Ronceverte</td>
<td>Greenbrier</td>
<td>27,660,467</td>
<td>WWTP Upgrade</td>
<td>Fall 2013</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$148,139,549</strong></td>
<td></td>
<td></td>
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</tbody>
</table>
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upgrading its distribution system and replacing meters, Gilmer County PSD extension to Cox’s Mill/Wolf Pen, the Town of Camden on Gauley replacing its distribution system, the Town of Capon Bridge replacing its distribution system, the City of Stonewood replacing its distribution system, the Huttonsville PSD extending water service to Valley Head and Mingo communities, Jefferson County PSD replacing its distribution system, and Preston County PSD #4 extension from Hudson to the state line. The total project costs and tentative bid dates for these projects are listed in the forecast table.

It is anticipated an additional $8 million will be available in the fall of calendar year 2013 for new construction projects which will be advertising contract bids in 2014.

ROBERT D. LEWIS
WEST VIRGINIA STATE DIRECTOR
USDA RURAL DEVELOPMENT

The U.S. Department of Agriculture (USDA), through its Rural Development mission area, administers various programs designed to strengthen rural economies with the expansion of water and sewer infrastructure in rural areas. Rural Development’s Water and Environmental Program (WEP) provides loans and grants for drinking water, sanitary sewer, solid waste, and storm drainage facilities in rural areas and cities and towns with populations of 10,000 or less. This federal program is intended to finance the construction of such projects and also to provide supervised credit.

Each fiscal year, the program receives a loan and grant allocation for supporting projects throughout the state of West Virginia. During fiscal year 2012, Rural Development committed loan funds totaling $41,624,500 and grant funds totaling $9,829,370 to 25 projects within the state. These federal funds, along with state and local funds, will benefit approximately 44,370 households, businesses, and schools throughout rural West Virginia.

JIM ELLARS
EXECUTIVE DIRECTOR
WV INFRASTRUCTURE AND JOBS DEVELOPMENT COUNCIL

Enacted in 1994 by the West Virginia Legislature, the WV Infrastructure and Jobs Development Council (IJDC) was created to be West Virginia’s funding clearinghouse for water and wastewater projects. Any utility wishing to obtain funds from any state agency must first submit a preliminary application for review by IJDC.

The IJDC includes the Governor as chairman, governor-appointed public members from each congressional district, and representatives from the state’s funding and regulatory agencies. This participation coordinates the various funding sources available to maximize the number of water and wastewater projects that go to construction, ultimately providing a better quality of life in West Virginia.

The IJDC has 46 projects with finding commitments in various pre-bid stages. These projects total $76 million in Infrastructure Council funds and are listed on the enclosed table.
## BINDING COMMITMENTS

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>PROJECT #</th>
<th>ENGINEER</th>
<th>BID DATE</th>
<th>CONSTRUCTION</th>
<th>IJDC TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greater Marion PSD</td>
<td>2012S-1320</td>
<td>Rummel, Klepper &amp; Kahl</td>
<td>Winter 2012</td>
<td>Spring 2013</td>
<td>$1,025,000</td>
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<td>Norton Harding Jimtown PSD</td>
<td>2012S-1329</td>
<td>Thrasher Engineering</td>
<td>Winter 2012</td>
<td>Spring 2013</td>
<td>2,400,000</td>
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<td>Cowen PSD</td>
<td>2011S-1271</td>
<td>Pentree</td>
<td>Winter 2012</td>
<td>Spring 2013</td>
<td>862,000</td>
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<tr>
<td>Preston County PSD #4</td>
<td>2011W-1241</td>
<td>Greenhome &amp; O’Mara</td>
<td>Spring 2013</td>
<td>Summer 2013</td>
<td>290,500</td>
</tr>
<tr>
<td>Preston County Sewer PSD</td>
<td>2011S-1272</td>
<td>Thrasher Engineering</td>
<td>Spring 2013</td>
<td>Summer 2013</td>
<td>70,000</td>
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<tr>
<td>Wetzel County PSD #1</td>
<td>2011W-1290</td>
<td>Hornor Brothers</td>
<td>Spring 2013</td>
<td>Summer 2013</td>
<td>1,144,000</td>
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<tr>
<td>Boone County PSD</td>
<td>2009W-1120</td>
<td>Potesta &amp; Associates</td>
<td>Spring 2013</td>
<td>Summer 2013</td>
<td>260,800</td>
</tr>
<tr>
<td>Camden On Gauley Water Works</td>
<td>2012W-1335</td>
<td>Triad Engineering</td>
<td>Spring 2013</td>
<td>Summer 2013</td>
<td>1,300,000</td>
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<tr>
<td>Cowen PSD</td>
<td>2011W-1274</td>
<td>Pentree</td>
<td>Spring 2013</td>
<td>Summer 2013</td>
<td>137,850</td>
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<tr>
<td>Page Kincaid PSD</td>
<td>97S-360b</td>
<td>Pentree</td>
<td>Spring 2013</td>
<td>Summer 2013</td>
<td>600,000</td>
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<tr>
<td>Hardy County PSD</td>
<td>2005S-885</td>
<td>Thrasher Engineering</td>
<td>Summer 2013</td>
<td>Fall 2013</td>
<td>1,900,000</td>
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<tr>
<td>New Haven PSD</td>
<td>2011W-1286</td>
<td>Stafford Consultants</td>
<td>Summer 2013</td>
<td>Fall 2013</td>
<td>69,350</td>
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<tr>
<td>Page Kincaid PSD</td>
<td>2012W-1361</td>
<td>Pentree</td>
<td>Spring 2013</td>
<td>Fall 2013</td>
<td>205,911</td>
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<tr>
<td>Preston County PSD #1</td>
<td>2010W-1214SC</td>
<td>Hatch Mott MacDonald</td>
<td>Summer 2013</td>
<td>Winter 2013</td>
<td>85,900</td>
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<tr>
<td>Preston County PSD #1</td>
<td>2011W-1285</td>
<td>Hatch Mott MacDonald</td>
<td>Summer 2013</td>
<td>Winter 2013</td>
<td>500,000</td>
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<tr>
<td>Eastern Wyoming PSD</td>
<td>2011W-1305</td>
<td>EL Robinson</td>
<td>Summer 2013</td>
<td>Winter 2013</td>
<td>315,000</td>
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<tr>
<td>Eastern Wyoming PSD</td>
<td>2012W-1362</td>
<td>EL Robinson</td>
<td>Summer 2013</td>
<td>Winter 2013</td>
<td>125,000</td>
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<tr>
<td>Elkins Municipal Water Dept</td>
<td>2012W-1336</td>
<td>Chapman Technical</td>
<td>Winter 2013</td>
<td>Spring 2014</td>
<td>15,500,000</td>
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<tr>
<td>Kanawha County RDA (UKVPDS)</td>
<td>2010W-1213SC</td>
<td>Potesta &amp; Associates</td>
<td>Fall 2013</td>
<td>Spring 2014</td>
<td>101,000</td>
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<td>Lincoln PSD</td>
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<td>Fall 2013</td>
<td>Spring 2014</td>
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<td>Eastern Wyoming PSD</td>
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<td>EL Robinson</td>
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<td>Summer 2014</td>
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<td>Pocahontas County PSD</td>
<td>2009S-1090</td>
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<td>Fall 2014</td>
<td>Spring 2015</td>
<td>7,047,000</td>
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</tbody>
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**SUB TOTAL**

$36,134,419

## PARTIAL COMMITMENTS

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>PROJECT #</th>
<th>ENGINEER</th>
<th>BID DATE</th>
<th>CONSTRUCTION</th>
<th>IJDC TOTAL</th>
</tr>
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<tbody>
<tr>
<td>Oakvale Road PSD</td>
<td>2011W-1308</td>
<td>Stafford Consultants</td>
<td>Spring 2013</td>
<td>Summer 2013</td>
<td>321,718</td>
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<tr>
<td>Brooke County PSD</td>
<td>2000S-538b</td>
<td>Thrasher Engineering</td>
<td>Summer 2013</td>
<td>Fall 2013</td>
<td>5,862,000</td>
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<tr>
<td>Flemington, Town of</td>
<td>2008S-1050</td>
<td>Thrasher Engineering</td>
<td>Summer 2013</td>
<td>Fall 2013</td>
<td>125,000</td>
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<tr>
<td>Chestnut Ridge PSD</td>
<td>2004W-824</td>
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<td>Summer 2013</td>
<td>Fall 2013</td>
<td>1,230,000</td>
</tr>
<tr>
<td>Boone County PSD</td>
<td>2009W-1102</td>
<td>Potesta &amp; Associates</td>
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<td>Fall 2013</td>
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<tr>
<td>Summersville, City of</td>
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<td>Fall 2013</td>
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<td>Eastern Wyoming PSD</td>
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<td>Winter 2013</td>
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<td>Belington, City of</td>
<td>2012W-1315</td>
<td>Chapman Technical</td>
<td>Summer 2013</td>
<td>Winter 2013</td>
<td>1,319,375</td>
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<tr>
<td>Claywood Park PSD</td>
<td>2006S-955</td>
<td>Cerrone &amp; Associates</td>
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<td>Spring 2014</td>
<td>512,000</td>
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<td>Romney, City of</td>
<td>2012S-1349</td>
<td>Thrasher Engineering</td>
<td>Winter 2013</td>
<td>Spring 2014</td>
<td>2,203,768</td>
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<tr>
<td>Putnam County Building Comm</td>
<td>2008W-1029a</td>
<td>Terradon Corporation</td>
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<td>Spring 2014</td>
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<tr>
<td>Kanawha County RDA</td>
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<td>WVAWC</td>
<td>Winter 2013</td>
<td>Spring 2014</td>
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<td>Lewis Co. Comm./Lewis Co. EDA</td>
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<td>Thrasher Engineering</td>
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<td>Spring 2014</td>
<td>1,216,000</td>
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<tr>
<td>Grandview-Doolin PSD</td>
<td>2011W-1289</td>
<td>Thrasher Engineering</td>
<td>Winter 2013</td>
<td>Spring 2014</td>
<td>6,813,051</td>
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<tr>
<td>Harman, Town of</td>
<td>2009W-1092</td>
<td>Michael Baker Jr., Inc.</td>
<td>Fall 2013</td>
<td>Spring 2014</td>
<td>2,743,000</td>
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<tr>
<td>McDowell County PSD</td>
<td>2010S-1193</td>
<td>EL Robinson</td>
<td>Spring 2014</td>
<td>Summer 2014</td>
<td>690,000</td>
</tr>
<tr>
<td>McDowell County PSD</td>
<td>2012S-1366</td>
<td>Stafford Consultants</td>
<td>Spring 2014</td>
<td>Summer 2014</td>
<td>500,000</td>
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<tr>
<td>Lashmeet PSD</td>
<td>2011W-1302</td>
<td>Stafford Consultants</td>
<td>Spring 2014</td>
<td>Summer 2014</td>
<td>789,130</td>
</tr>
<tr>
<td>Kanawha County RDA</td>
<td>2008W-1032</td>
<td>WVAWC</td>
<td>Winter 2014</td>
<td>Spring 2015</td>
<td>2,280,000</td>
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<td>Kanawha County RDA</td>
<td>2010W-1188</td>
<td>WVAWC</td>
<td>Winter 2014</td>
<td>Spring 2015</td>
<td>618,000</td>
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</table>

**SUB TOTAL**

$40,597,542

**TOTAL**

$76,731,961
The School Building Authority (SBA) has the responsibility of evaluating the state’s school building needs and selecting specific capital outlay projects that assure effective and efficient use of state’s capital improvement investments. Each year, school districts submit to the Authority a specific project proposal from their approved Comprehensive Educational Facilities Plan for funding consideration.

The SBA is the conduit for the distribution of funds for school construction and renovation and has established a plan to deliver more funds, on an annual basis, to address school needs. In addition to West Virginia schools benefiting greatly by having more funding available for improvements, the state and local economies benefit through the increase in jobs and spending associated with construction projects.

The future of West Virginia will rely on the growth of the permanent economy by exporting goods and services or replacing imports with local production. The SBA realizes that public and private construction dollars are a proven way to direct dollars to the local economy and are circulated at a rate of 4 or 6 to 1 when both the closely related and non-related industries are considered. Direct construction costs such as materials and labor also affect non-related businesses such as finance and real estate.

Through the SBA, construction funds are distributed throughout the state. Public projects such as these are often smaller in size than commercial ventures so it is easier for local contracting companies to compete. Spin-off subcontractors that do specialized work such as electrical wiring, plumbing, mechanical operations, landscaping, HVAC systems and other construction-related functions can also flourish.
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Charleston, WV 25301
wvlaw.net

We know construction.
The Department of Military Affairs and Public Safety oversees 12 agencies, including the West Virginia National Guard. Pictured is the new maintenance and fuel hanger constructed at the 130th Airlift Wing in Charleston by BBL-Carlton, LLC, Charleston. DMAPS is forecasting a slightly smaller construction program for 2013 at $33 million. Photo by Paul Knapick, BBL Corporate photographer.

The SBA takes pride in structuring their bids to allow West Virginia contractors to be able to stretch their bonding capacity to participate in the state's school construction program.

The SBA awarded several new projects in 2012. More frequent, continuous, and sustainable expenditures over an extended period of time will have a cumulative effect on the local economy through employment, taxes and local production. The construction generated by the SBA funds will alleviate the need for reactive expenditures created by emergency repairs that only provide short-term solutions to health and safety issues.

The school construction program in West Virginia is nationally recognized as one of the most successful in the nation. The long term financial commitment to economic future of our state is shared by the Governor’s office, Legislature, county boards and the tax payers in West Virginia. The continued support and participation of West Virginia’s construction industry is essential to the continued success of this model school construction program. The SBA is appreciative of the important role our contractors play in continuing the success of West Virginia’s school construction program.

### Department of Military Affairs and Public Safety
#### West Virginia Army National Guard
#### 2013 Bidding Forecast

<table>
<thead>
<tr>
<th>Project</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buckhannon Military Vehicle Parking</td>
<td>$100,000</td>
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<tr>
<td>Camp Dawson Electric Design</td>
<td>100,000</td>
</tr>
<tr>
<td>Coonskin Armory Door Replacement/Storefront</td>
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</tr>
<tr>
<td>Buckhannon Roof Replacement</td>
<td>150,000</td>
</tr>
<tr>
<td>Williamson Armory Lift Station</td>
<td>200,000</td>
</tr>
<tr>
<td>Glen Jean Generator</td>
<td>500,000</td>
</tr>
<tr>
<td>AASF #1 HVAC Replacement</td>
<td>500,000</td>
</tr>
<tr>
<td>Marshall County Readiness Center HVAC Replace</td>
<td>500,000</td>
</tr>
<tr>
<td>Charleston Add/Alt</td>
<td>500,000</td>
</tr>
<tr>
<td>Camp Dawson Access Control Point</td>
<td>3,300,000</td>
</tr>
<tr>
<td>Logan/Mingo Readiness Center</td>
<td>13,000,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$19,000,000</strong></td>
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### Department of Military Affairs and Public Safety
#### Division of Corrections Bidding Forecast

<table>
<thead>
<tr>
<th>Facility</th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anthony Correctional Ctr.</td>
<td>Roof and HVAC</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Charleston Correctional Ctr.</td>
<td>Build Out</td>
<td>9,000,000</td>
</tr>
<tr>
<td>Denmar Correctional Ctr.</td>
<td>Water Storage Tank</td>
<td>400,000</td>
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<tr>
<td>Denmar Correctional Ctr.</td>
<td>Generator and Transfer Switch</td>
<td>400,000</td>
</tr>
<tr>
<td>Huttonsville Correctional Ctr.</td>
<td>WWTP UV Disinfection System</td>
<td>100,000</td>
</tr>
<tr>
<td>Huttonsville Correctional Ctr.</td>
<td>Grease Trap Interceptor</td>
<td>200,000</td>
</tr>
<tr>
<td>Lakin Correctional Ctr.</td>
<td>Lightening Protection System</td>
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<tr>
<td>Mount Olive Correctional Ctr.</td>
<td>Roof Replacement (15 Buildings)</td>
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<tr>
<td>Parkersburg Correctional Ctr.</td>
<td>Grease Trap Interceptor</td>
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<td>Parkersburg Correctional Ctr.</td>
<td>Phase II Build Out</td>
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<tr>
<td>Pruntytown Correctional Ctr.</td>
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<td>Pruntytown Correctional Ctr.</td>
<td>Security Enhancements</td>
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</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$21,100,000</strong></td>
</tr>
</tbody>
</table>
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The WV Department of Military Affairs and Public Safety (DMAPS) oversees twelve agencies that handle the state’s military, public safety and homeland security. Divisions include Homeland Security and Emergency Management, Veterans Affairs, Regional Jail and Correctional Facility Authority, Division of Corrections, Division of Juvenile Services, Parole Board, Criminal Justice Division, Protective Services, State Police, West Virginia National Guard and State Fire Marshal. Together, they assist local emergency managers and first responders in emergency response, disaster recovery and protection of life and property.

DMAPS oversees each agency’s facilities planning. Projects are bid by the independent agency, with most following state purchasing procedures, although some National Guard and Veteran’s Affairs projects are bid using federal procurement procedures. Included is a list of major projects and their anticipated cost.

It is the goal of the department to provide a safe and comfortable environment for all state employees to administer the necessary programs and services more efficiently, while maintaining a pleasant atmosphere for those visiting the State Capitol and state-owned facilities maintained by the Department of Administration.

The General Services and Real Estate Division of the department anticipate construction and renovation projects totaling approximately $51.2 million during the 2013 calendar year. The projects listed on the enclosed table include not only construction or renovation of state-owned buildings, but also projects that are anticipated on spaces leased by the Department of Administration. Projects on state-owned buildings are announced and bid through the West Virginia Office Building – New Construction Clarksburg 18,600,000

State Parks Section

The Natural Resources Conservation Service (NRCS) in West Virginia is ready for another busy construction season. NRCS is actively involved in various phases of the following types of construction projects: Flood control structures, emergency watershed protection projects, acid mine drainage projects, dam rehabilitation and repair projects, mitigation

<table>
<thead>
<tr>
<th>Park</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blackwater Falls State Park</td>
<td>Snow making system for sled run</td>
</tr>
<tr>
<td></td>
<td>Well for snow making system</td>
</tr>
<tr>
<td>Cacapon Resort State Park</td>
<td>Lodge renovation and guest room addition</td>
</tr>
<tr>
<td></td>
<td>Waste water treatment plant improvements</td>
</tr>
<tr>
<td></td>
<td>Golf course drainage and bunker renovation</td>
</tr>
<tr>
<td></td>
<td>Park electric service upgrade</td>
</tr>
<tr>
<td>Canaan Valley Resort State Park</td>
<td>Surface conveyor - base lodge to lift area</td>
</tr>
</tbody>
</table>

Wv Division of Natural Resources

STATE PARKS AND FORESTS

West Virginia State Parks and Forest’s mission is to “promote conservation by preserving and protecting natural areas of unique or exceptional scenic, scientific, cultural, archaeological or historical significance and to provide outdoor recreational opportunities for the citizens of this state and its visitors.” This mission statement, embodied in state law, has been the guiding principal for operating the West Virginia park System since its inception in the late 1920s.

The West Virginia park system is composed of 35 state parks, seven state forests, five wildlife management areas, the Greenbrier River Trail and the North Bend Rail Trail. Projects are bid through the Purchasing Division.

AMY STONEBRAKER

CONTRACTING OFFICER
NATURAL RESOURCES CONSERVATION SERVICE

The Natural Resources Conservation Service (NRCS) in West Virginia is ready for another busy construction season. NRCS is actively involved in various phases of the following types of construction projects: Flood control structures, emergency watershed protection projects, acid mine drainage projects, dam rehabilitation and repair projects, mitigation
measures and wetland restorations. NRCS dedicates a considerable number of staff to these types of projects.

For fiscal year 2013 (October 2012 – September 2013), NRCS anticipates soliciting for work relating to the Lost River Flood Water Retarding Earthfill Dam, Site 16- Hardy County, Upper Deckers Creek Dam Rehabilitation Site 1, and Salem Fork Dam Rehabilitation Site 11 and 11a. It is anticipated that this work will be solicited and performed in various phases. NRCS anticipates soliciting for easement acquisition services relating to the Grassland Reserve Program (GRP) and Wetland Reserve Program (WRP).

NRCS uses Fed Biz Opps (www.fbo.gov) for posting all contract opportunities that total $25,000 or more. Contractors can register to receive notification on all federal contract opportunities. This site allows the contractor to review pre-solicitation notices, view and download solicitation packages and amendments, and receive notice when contracts have been awarded.

RICHARD DONOVAN
DIRECTOR OF FACILITIES
HIGHER EDUCATION POLICY COMMISSION

The WV Higher Education Policy Commission (WVHEPC) is responsible for developing, establishing, and overseeing the implementation of a public policy agenda for the state’s four-year colleges, universities and community and technical colleges. It is charged with oversight of higher education institutions to ensure they are accomplishing their missions and implementing the provisions set by state statute.

The WVHEPC also oversees construction at the state’s higher education institutions. The anticipated level of higher education construction activity in 2013 has declined from what was reported in the previous year since most of the higher education lottery revenue bond projects are under construction or are complete. It is difficult to predict when the projects listed will actually bid in 2013, but they are scheduled to bid in the quarter identified in the forecast.

COLONEL STEVEN T. MCGUGAN
COMMANDER
U.S. ARMY CORPS OF ENGINEERS
HUNTINGTON DISTRICT

The Huntington District, U.S. Army Corps of Engineers, encompasses 45,000 square miles in parts of five states including West Virginia, Ohio, Kentucky, Virginia and North Carolina. It is responsible for 311 navigable miles along the Ohio River, which includes the nation’s largest inland waterway port, the port of Huntington. The locks and dams built and operated by the corps make efficient year-round navigation transportation possible not only in the Tri-State area, but across the Nation.

The Huntington District employs over 830 people. They have built 35 dams, more than any other Corps district, and 29 floodwall/levee systems that have resulted in over $11 billion in flood damage reduction benefits throughout the Ohio River basin. In addition to riverfront improvements, flood risk management initiatives, environmental mitigation, and infrastructure activities, the District’s robust Civil Works program in West Virginia also includes improving existing or building new water and wastewater treatment systems.

The Huntington District recently broke its record for contract awards to small
For more than 90 years, Bowles Rice has been a respected legal resource for businesses throughout the region. On that solid foundation, we have assembled a powerful Construction Law Team, led by experienced lawyers who focus their legal practices in construction-related matters and construction litigation.

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madkins@bowlesrice.com
(304) 347-1768

Carl L. Fletcher, Jr.
cfletcher@bowlesrice.com
(304) 347-1149

Charles R. Hughes
chughes@bowlesrice.com
(304) 347-1160

Marc A. Monteleone
mmonteleone@bowlesrice.com
(304) 347-1132

Tracey A. Rohrbaugh
trohrbaugh@bowlesrice.com
(304) 264-4202

Kenneth E. Webb, Jr.
kwebb@bowlesrice.com
(304) 347-1737

Timothy C. Wills
twills@bowlesrice.com
(859) 422-7501

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Over $100 million in federal funds went to small businesses in fiscal year 2012, breaking the District's record set two years ago when $90 million went to small business. More than 75 percent of these award dollars went to small firms located in distressed areas of the country, including areas in West Virginia.

One of the largest contracts was awarded to Heeter Construction Company, Inc., Spencer, who is currently working for the corps in Logan on the Island Creek flood risk reduction project. Their new contract will take them to the Bluestone Dam where they will be working to place multi-strand rock anchors through the dam. The contract and an initially exercised option are worth over $54.81 million. It also includes eight potential options that, if exercised, will make the total worth over $94.74 million. This work involves installing 115 high capacity multi-strand rock anchors. The majority of the anchors will be 61 strands and up to 270 feet in length. The award of the remaining options for additional 163 anchors will be made over the next two to three years subject to funding. The total number of anchors for the base contract and all options is 278.

Corps-built floodwalls, levees and flood risk management projects provide areas for economic development that enhance the regional economy. The corps’ efforts and accomplishments result in contractor employment and significant purchases of products, materials and services throughout the region.

### HIGHER EDUCATION POLICY COMMISSION CONSTRUCTION FORECAST FOR 2013

<table>
<thead>
<tr>
<th>COLLEGE/UNIVERSITY</th>
<th>PROJECT</th>
<th>CONST. COST ESTIMATE</th>
<th>EST. BID QTR</th>
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<td>Bluefield State College</td>
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<tr>
<td></td>
<td>Roof Replacements</td>
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</tr>
<tr>
<td>Bridgemont Community &amp; Technical College</td>
<td>Davis Hall Renovations</td>
<td>2,000,000</td>
<td>4th</td>
</tr>
<tr>
<td>Marshall University</td>
<td>Twin Towers Reroof</td>
<td>750,000</td>
<td>1st</td>
</tr>
<tr>
<td></td>
<td>Buskirk Hall HVAC Upgrade</td>
<td>500,000</td>
<td>1st</td>
</tr>
<tr>
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<td>Welcome Center Elevator</td>
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<td>CCA I IT Mechanical Room HVAC</td>
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<td>McMurran Hall Fire Alarm Upgrade</td>
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<td>Scarborough Library Carpet</td>
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<td>Knutti Gutters and down spouts</td>
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<td>Roof Coating for JCC Administration Building</td>
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<td>3rd</td>
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<td></td>
<td>Replace Shingles on JCC Classroom Building</td>
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<td></td>
<td>Re-Model Restroom</td>
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<td>Replace Some Exterior Doors</td>
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<td>Pave East End of West Parking Lot</td>
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<td>Amphitheater - Stage/Seating</td>
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<td>Complete Access Control</td>
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Will ’13 Be Lucky for West Virginia Contractors?
By Ken Simonson, Chief Economist, AGC of America

West Virginia has always gone its own way—for better and for worse—and 2012 was no exception. While job growth in most of the U.S. was sluggish early in the year but then accelerated, the Mountain State’s peak employment occurred in January. By October, employment was down by more than 2 percent as mining and government sectors shed jobs.

The state’s construction industry also differed from national patterns, but in a positive way. State construction employment grew solidly every month compared with a year earlier, whereas U.S. construction employment barely budged. As of October 2012, West Virginia was one of only seven states, plus the District of Columbia, that experienced year-over-year growth in construction employment for at least 12 straight months.

There is reason to believe the industry’s good fortune will continue in 2013. Although enthusiasm for the Marcellus shale has subsided somewhat along with natural gas prices, the Utica shale formation is now generating plenty of construction opportunities in West Virginia and nearby parts of Ohio and Pennsylvania. The actual drilling counts as mining, not construction, but each well requires construction of an access road, site preparation, a storage pond, and facilities for pumping and processing. Nearby communities benefit from added spending by the drilling companies, their workers and landowners, who have receive a stream of royalties. Suppliers of pipe, fracking sand, equipment and services, along with downstream businesses such as pipelines, trucking and rail facilities, and ethane crackers and petrochemical plants may all contribute to demand for construction.
in West Virginia, even if the petrochemicals are drilled elsewhere. The good news about oil and gas is coming partly at the expense of West Virginia’s coal.

Utilities have been rapidly shifting from coal to natural gas as a fuel source, leading to layoffs and shutdowns at coal mines and the communities, rail lines and other businesses that are tied to them.

Recently, coal has become cheap enough that European utilities have begun buying more to offset high imported natural gas prices, but the pickup is unlikely to be strong enough to keep coal-related construction from sliding further in 2013.

West Virginia has historically supplied construction workers to the D.C. market. In recent months, D.C. itself has outstripped every state in year-over-year construction employment gains. But construction employment in the Virginia and Maryland suburbs that are most easily reached from West Virginia has leveled off.

Upcoming cuts in federal spending will likely dampen demand for federal facilities and office space for defense and other federal contractors, in West Virginia itself and the D.C. region.
In addition, the firm is engaged in a diversified civil practice and represents clients from all areas of the business community. Daniels Law Firm is a member of the following organizations:

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- Associated Builders & Contractors, Inc.
- West Virginia Coal Association
- National Utility Contractors Association
- West Virginia Rural Water Association
- West Virginia Society of Certified Public Accountants
- American Arbitration Association

When you need help with construction related legal matters, you want a firm that understands the industry and has the know-how and experience required to provide cost-effective solutions. Daniels Law Firm, PLLC focuses on meeting the legal services needs of construction businesses in West Virginia and surrounding states. Our firm represents a broad spectrum of clients, including heavy highway, utility and building contractors, coal mining companies, and construction suppliers. We offer a wide range of services and can handle almost any type of legal problem for our clients. We excel in these and other areas:

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The Economic Impact of Construction in the United States and West Virginia

Economic Impact of Investment in Nonresidential Construction:
- An additional $1 billion invested in nonresidential construction would add $3.4 billion to Gross Domestic Product (GDP), $1.1 billion to personal earnings and create or sustain 28,500 jobs.
  - About one-third (9,700) of these jobs would be on-site construction jobs.
  - About one-sixth (4,600) of the jobs would be indirect jobs from supplying construction materials and services. Most jobs would be in-state, depending on the project and the mix of in-state suppliers.
  - About half (14,300) of the jobs would be induced jobs created when the construction and supplier workers and owners spend their additional incomes. These jobs would be a mix of in-state and out-of-state jobs. Conversely, investments elsewhere would support some indirect and induced jobs in the state.

Nonresidential Construction Spending:
- Nonresidential spending in the U.S. in 2011 totaled $533 billion ($283 billion public, $258 billion private).
- Private nonresidential spending in West Virginia totaled $926 million in 2011. (Public spending is not available by state.)
- Nonresidential starts in West Virginia totaled $1.8 billion in 2010 and 1.9 billion in 2011, according to Reed Construction Data.

Construction Employment (Seasonally Adjusted):
- Construction (residential + nonresidential) employed 5.5 million workers in August 2012, an increase of 17,000 (0.3%) from August 2011 and a decrease of 2.2 million (29%) from April 2006 when U.S. construction employment peaked.
- Construction employment in West Virginia in August totaled 36,200, an increase of 8.7% from August 2011 and a decrease of 10% from the state’s peak in December 2006.

Construction Industry Pay:
- In 2011, annual pay of all construction workers in the United States averaged $50,700, 6% more than the average for all private sector employees.
- Construction workers’ pay in West Virginia averaged $47,000, 22% more than all private sector employees in the state.

Small Business:
- The United States had 682,700 construction firms in 2010, of which 92% employed fewer than 20 workers.
- West Virginia had 3,700 construction firms in 2010, of which 93% were small (<20 employees).

Source: Ken Simonson, Chief Economist, AGC of America, simonsonk@agc.org, from Prof. Stephen Fuller, George Mason University (investment); Census Bureau (spending); Reed Construction Data (starts); Bureau of Labor Statistics (jobs, pay); Small Business Administration (small business)
West Virginia’s population growth slipped from sluggish—0.24 percent per year between 2000 and 2010—to nearly nonexistent—0.05 percent between July 2010 and July 2011. If this trend reverses, West Virginia is not likely to experience the same demand surge for new housing, especially multifamily, as the rest of the nation. With a near-stagnant population, West Virginia also has less demand than growing states do for new schools, retail or other structures.

House prices have begun to revive in most states, including West Virginia, which will spur some homebuilding. The latest analysis of transactions involving loans from Freddie Mac and Fannie Mae, issued by the Federal Housing Finance Agency on November 26, showed prices increased 2 percent in West Virginia, and 4 percent nationally, from the third quarter of 2011 to the third quarter of 2012.

But the recovery in prices is far from universal or uniform. Any rebound in homebuilding is likely to be similarly spotty. Prices rose 3 percent in the Morgantown metro area; 2 percent in the Cumberland, Md.-W. Va. metro area and the Parkersburg-Marietta-Vienna, W. Va.-Ohio region; 1 percent in the Charleston metro area and the tri-state Huntington-Ashland area; were static in the Wheeling, W. Va.-Ohio area; but fell 2 percent in the Hagerstown, Md.-Martinsburg and Winchester, Va.-W. Va. metro areas; and dropped 3 percent in the Steubenville, Ohio-Weirton area.

For the nation as a whole, much is riding on how—and whether—Congress and the White House can avoid dragging the economy into a sudden, steep recession. If they can, construction should be able to repeat the roughly 10 percent growth in spending that it will record in 2012, which was the first positive year since 2006.

West Virginia contractors will also see expanded opportunities, with the strongest growth again related to oil and gas and the weakest areas being tied to coal. Thus, '13 will be lucky for some, but not all.
Just before 1:00 p.m. on December 11, a 20" natural gas pipeline exploded near Sissonville in Kanawha County. The magnitude of the blast leveled homes, destroyed the landscape, left a huge crater in the earth and charred a section of one of West Virginia’s major interstates. The inferno burned like a blow torch for over an hour, leaving an 800-foot section of both northbound and southbound I-77 decimated.

Once the gas line was shut off, the fire stopped and emergency responders surveyed the damage. No one was injured, but four houses in the immediate area were destroyed and the area had to be evacuated. The explosion created a blast zone about a quarter-mile wide from east to west. Emergency management personnel quickly released detour routes and closed the interstate from the I-77/I-79 split at Charleston to Exit 114, Pocatalico.

Crews from the West Virginia Division of Highways made it to the scene at about 1:30 p.m. Special Projects Manager Jimmy Wriston assessed the damage, estimated the resources required and reported his findings to Department of Transportation Secretary Paul Mattox, Jr.

“The surface of the roadway was basically melted,” Wriston said. “The oil based asphalt material was literally baked right out the mixture. The guardrail, posts and signs were all burned beyond function. The pavement was essentially burned up, as if by a giant blow torch,” he said. “The site resembled an area in which a bomb had exploded. All the vegetation and roadside appenditures, as well as the roadway itself, were scorched earth. I’ve never seen anything quite like it before.”

Secretary Mattox and Governor Earl Ray Tomblin arrived on the scene by helicopter. They addressed the media, received a detailed assessment from Wriston and approved the recommended work plan.

Paving Crews Complete Restoration in Record Time
“Walking across the pavement was like walking across cinders,” said Secretary Mattox. “It was just crunchy. The guardrail had melted. It was something like I have never seen before, and I hope I never see again” he said. “There was rock and debris strewn all over the interstate. It was quite a mess.”

Secretary Mattox immediately contacted Willie Crane of West Virginia Paving, securing the two main resources necessary for work to begin – a contractor and asphalt.

“We got the notice about the possibility of the need to pave at 2:00 pm,” said West Virginia Paving’s Operations Manager Chet Rodabaugh. “We started immediately making calls to get things set up. At 4:00 p.m. we were informed that the roadway was safe to be on and we headed toward the site.”

Jack Withrow, environmental director for West Virginia Paving, noted that by this time of year all of their asphalt plants are usually shut down for the winter.

“Luckily, we have two plants in the area that are still hot and able to run asphalt mix. If not, it takes an asphalt plant about two days to heat up so it can run hot mix asphalt,” he said.

“The intense fire burned the asphalt off the top of the roadway,” Rodabaugh said. “The aggregate was left burnt and charred. We had to replace 800 feet both northbound and southbound. Arriving on the job and seeing the rocks and dirt on the roadway, along with all the damage, was very shocking. It was hard to imagine it would be that bad. The images of the incinerated trees will stick in my head for a long time.”

West Virginia Paving’s crew and equipment began arriving on the job at 5:00 p.m. and cleaning the roadway. Milling began at 6:00 p.m.

“Constant communications between the gas company representatives, West Virginia Division of Highways, West Virginia Paving and emergency
Crews worked in freezing weather throughout the night to repave the badly damaged section of I-77. All told, over 900 tons of asphalt were needed to reconstruct the roadway.

response workers was maintained throughout every stage of planning, coordinating, and executing the work,” Wriston said. “Two hours into the restoration work, we were informed that the gas company would need to perform a pressure test on the gas line, an operation that would take approximately four hours and require all personnel and equipment to be 1,500 feet from the damaged roadway.”

A quick ten-minute meeting between DOH’s onsite crews and West Virginia Paving personnel yielded a plan to deal with the pressure test. Working together, the crews negotiated a strategy to reduce the stop time and allow work to resume sooner.

“A feasible approach to turn the site over to the gas company at 11:30 p.m. was agreed to, provided the contractor could get back to work by 1:00 a.m.,” Wriston said. “We staked the work to fit the new time frame and further reduced the closure time.
Despite predictions for a road to be closed for a significant amount of time, crews opened the major interstate artery around 8:00 a.m. the next morning.

The northbound lanes were opened to traffic around 3:30 a.m. once crews were able to get back onto the road and Highway Safety, Inc., Huntington, repainted the lines, said Withrow.

“A badly damaged 300 foot section in the southbound lanes closest to the pipe explosion and fire required more milling. We laid roughly 300 tons of HMA Base 2 in that section. Total tonnage, which included both the Base and Surface mixes, was 931 tons,” Withrow said.

West Virginia Paving’s crews finished the roadway shortly before 8:00 a.m. and opened it to traffic at about 8:15 a.m.

“On the ground, quick decisions made in consultation with the experienced expected. The gas company encountered difficulties with their operations due to the cold temperatures and fog, but paving resumed at 2:05 a.m.”

This Charley West cartoon ran on the front page of the December 12, 2012 edition of the Charleston Daily Mail.
paving contractor and the West Virginia Division of Highways’ engineers led to the work being completed and roadway reopened a full ten hours sooner than initially expected," Wriston said.

“We have very good employees that do whatever it takes to get the job done,” Rodabaugh said. “They were eager to be out there and get the road opened up for the traveling public. This is what those guys do and I was confident that they wouldn’t have any trouble solving whatever problems we ran into that night.”

Withrow added that the temperatures dropped into the 20s that night, “but not one person complained. Every one of those guys were extremely cold when they finished the job. We were very grateful to the Red Cross and Gino’s Pizza in Sissonville who made sure the paving crew was fed and supplied with coffee.”

In addition to West Virginia Paving, PDK Construction, Inc., Pomeroy, OH, did the guardrail work; Highway
Safety, Inc., Huntington, performed the painting; and American Asphalt of West Virginia supplied the asphalt.

Wriston called the efforts amazing, stating, “This operation was carried out successfully by good, hard-working, dedicated West Virginians working together toward a common goal with urgency.”

“I would like to commend the efforts of our employees, along with the state employees and other workers, that helped out,” said Rodabaugh. “I think what was accomplished that night is a prime example of how West Virginians are. Everyone banded together and accomplished a goal in a short period of time, not for self-satisfaction, but to help out in a time of crisis.”

“It only took that one phone call to Willie Crane to get the ball rolling,” said Secretary Mattox. “I thank the industry for being so responsible in getting this major artery reopened in record time.”

by Lindsay Stephens
CONSTRUCTION BRIEFS

A private development company will finance a new student housing facility planned for West Virginia State University. Mantra LLP, a Miami-based developer, was retained by WVSU in 2011 to perform a comprehensive assessment of its student housing program. In its final report, Mantra delivered to the school a comprehensive student housing strategy which included the following recommendations: A new, 300-bed residence hall should be developed; two of the oldest residence halls are functionally obsolete and should be razed; and to attract and retain students and faculty, the new residence hall should be configured with suite-style and apartment-style unit typologies. President Brian Hemphill told the university’s board of governors the cost will be between $16 million and $19 million.

The project will be financed with private funds but the university still must solicit competitive bids for any construction and other fees accrued during project. WVSU plans to break ground by June 2013. The project is expected to be completed and ready for students by fall of 2014...

Kanawha County Commissioners voted to allow the Regional Development Authority to expand water service to a section of Fayette County. The Collinsdale water project will extend into about 2.5 square miles of Fayette County in the Mahan area. The $4.1 million project will provide water to about 53 customers in Kanawha and Fayette counties. The project is funded by the Abandoned Mine Lands program. The state Infrastructure Jobs Development Council provided $100,000 for the water extension, and the commission allocated $100,000 in coal severance money. The county will ask for about $65,000 from the West Virginia Turnpike Authority because the project could provide service to two travel plazas ...

Famco, Inc., Huntington, has broken ground on the Huttonsville Public Service District’s new water treatment plant. The PSD had to buy water from other sources and customers often relied on well water that wasn’t necessarily that good. The water treatment plant will use a new water impoundment nearby to supply...
water to customers in southern Randolph County. The PSD has more than $7 million in loans and grants from the USDA. The plant should be finished February of 2014 ...

- Charleston Area Medical Center officials are taking steps to borrow $50 million for several of the hospital’s upcoming projects. The five projects include a $40 million cancer center, the addition of 48 acute-care beds at CAMC Memorial, energy upgrades at CAMC General, a four-suite addition to the Ambulatory Surgery Center at General and upgrades to existing physician spaces at Memorial and General ...

- Wheeling City Council is preparing to spend nearly $2.4 million for engineering and design of a new water treatment plant in Warwood in what would be the first significant expense toward replacing a facility built almost 90 years ago. The $2.37 million for engineering is included in the estimated $36 million to $37 million cost for the project. If all goes according to plan, the new plant’s construction will begin in the summer and is expected to take about two years.
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