



West Virginia University

Office of Sponsored Programs

August 30, 2010

Department of Administration  
Purchasing Division  
Building 15  
2019 Washington Street, East  
Charleston, WV 25305-0130

RE: "Ecology of Black Bears in Suburban/Urban Environments"

Dear Reader:

Transmitted herewith and recommended for your consideration are the appropriate number of copies of the referenced application as prepared by John Edwards, PhD, of the Davis College of Agriculture, Natural Resources and Design.

Questions of a programmatic nature should be directed to Dr. John Edwards while administrative or financial matters should be addressed to Kristen McKain in our Office of Sponsored Programs at (304) 293-3998 or e-mail [Kristen.McKain@mail.wvu.edu](mailto:Kristen.McKain@mail.wvu.edu)

Cordially,

Janet Boyles  
Manager Sponsored Programs  
Pre-Award

JB/lw  
Enclosure

cc: Dr. John Edwards (w/enclosure)  
File #11-117

RECEIVED

2010 AUG 31 A 10: 39

PURCHASING DIVISION  
STATE OF WV

## CONTACT INFORMATION

### Requesting Agency

**Request for Bid Quotes:** 2011 – 2013 Ph.D. Student in Wildlife Management  
West Virginia Division of Natural Resources  
Wildlife Resources Section

### **Signed bid submitted to:**

Department of Administration  
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**The bid should contain this information on the face of the envelope or the bid may not be considered:**

Sealed Bid  
Buyer: 44  
RFQ No.: DNR211002  
Bid Opening Date: 8/31/2010  
Bid Opening Time: 1:30 PM

### Vendor

West Virginia University  
886 Chestnut Ridge Road  
Morgantown, WV 26506  
Assistant VP for Research Administration for WVU  
Phone: 304-293-3998  
Email: alan.martin@mail.wvu.edu

**Primary Investigator:**

John Edwards, Division of Forestry and Natural Resources, West Virginia University, Morgantown, WV 26506. Phone: 304.293.3796. Fax 304.293.2441.  
Email: [jedwards@wvu.edu](mailto:jedwards@wvu.edu)

**Co-investigator:**

Michael P. Strager, Division of Resource Management, West Virginia University, Morgantown, WV 26506

**INVESTIGATOR QUALIFICATIONS**

**1. Summaries and references of published studies of black bears in eastern United States – J. W. Edwards will be the major advisor of the Ph.D. student**

Ryan, C.W., J.W. Edwards, and M.D. Duda. 2009. West Virginia residents' attitudes and opinions toward American black bear hunting. *Ursus* 20: 131–142.

Abstract: American black bear (*Ursus americanus*) hunting has come under close scrutiny over the past decade. As black bear populations have increased and expanded, wildlife agencies have been faced with new challenges on how to set population and harvest goals. Wildlife agencies have altered proposed regulations or have had seasons entirely stopped because of public opposition, necessitating a proactive approach to wildlife management based on a scientific understanding of public opinion rather than reactive decision-making in response to public resistance. In November–December 2006, we conducted a telephone survey of 1,206 West Virginia residents to determine their opinions and attitudes toward black bear populations and hunting seasons and to help strengthen the state's black bear management strategies. Although the majority of West Virginians, nearly 3 of 4 respondents in this study, indicated they know at least something about black bears in West Virginia, there were significant regional differences in the public's assessment of their knowledge of the species. Although most respondents thought the black bear population size was "about right," again, there were regional differences among respondents. In general, most respondents supported black bear hunting if the population was carefully monitored, if they knew the population was stable, or both; however, a number of regional and sociodemographic characteristics appeared to influence public opinion on black bear hunting and hunting seasons in the state, and support for specific seasons varied considerably according to hunting method. Interestingly, our study found that even among hunters, public opposition exceeded support for the current, year-round training season of black bear hunting dogs without harvesting animals in the state. Although it is important for wildlife managers to consider human dimensions and public opinion data in conjunction with biological data when making management decisions, we demonstrate that it also is important for managers to consider regional and sociodemographic differences with respect to attitudes and opinions when making management decisions and population objectives.

Ryan, C. W., M. R. Vaughan, J. B. Meldrum, R. B. Duncan, and J. W. Edwards. 2009. Retention time of telazol in black bears. *Journal of Wildlife Management* 73: 210-213.

**Abstract:** Telazol® (Fort Dodge Animal Health, Fort Dodge, IA) is an effective immobilization drug for American black bears (*Ursus americanus*) but concern exists regarding retention time of this drug in tissues relative to human consumption of bears. Therefore, we evaluated retention time of Telazol in captured American black bears immobilized with Telazol and held in captivity for 3 days, 7 days, 14 days, or 21 days. We detected Telazol in muscle and liver of one bear on day 7, in serum from 2 bears on day 7, and in urine of one bear each on day 3 and day 14. Our findings suggest Telazol is metabolized and eliminated quickly from the bear's system and should allow managers additional flexibility in mark-recapture studies and nuisance situations.

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## **2. Documentation of a GIS specialist – M. P. Strager will serve as a committee member and GIS specialist**

Dr. Michael P. Strager is an Assistant Professor of Spatial Analysis in the Division of Resource Management and Adjunct Assistant Professor in the Division of Forestry and Natural Resources at West Virginia University. His main responsibility in these positions is to enhance the teaching and research abilities of the Davis College of Agriculture, Natural Resources and Design by integrating geospatial technologies into the curriculum for students and to collaborate with faculty that have spatial data project needs. He teaches classes in all of the geospatial technologies including courses titled "Remote Sensing of the Environment", "Advanced Spatial Analysis", "GPS Use and

Applications", "Foundations for Applied GIS", "Applied GIS for the Natural Sciences", and "Applied GIS for the Social Sciences." He has over 15 years of experience working in the spatial technology field as a GIS Technician, GIS Analyst, Project Manager, and Research Coordinator in addition to his current position. His research program focuses on the development of spatial decision support systems to help resource managers evaluate the impact of different land use policies and alternatives.

**3. Summaries and references from at least 2 prior studies evaluating home range, movements, or habitat-related analysis of a wide-ranging wildlife species in eastern United States deciduous forest habitats – J. W. Edwards will be the major advisor of the Ph.D. student**

***Published Papers***

Whitaker, D. M., D. F. Stauffer, G. W. Norman, P. K. Devers, J. Edwards, W. M. Giuliano, C. Harper, W. Igo, J. Sole, H. Spiker, and B. Tefft. 2007. Factors associated with variation in home-range size of Appalachian Ruffed Grouse (*Bonasa umbellus*). *The Auk* 124: 1407–1424.

**Abstract.**—From 1996 to 2001, researchers at 10 Appalachian study sites collected radiotracking data sufficient to delineate 1,054 seasonal home ranges of Ruffed Grouse (*Bonasa umbellus*; hereafter “grouse”). Using information-theoretic model selection and paired comparison of home ranges from individual grouse, we evaluated individual, local, and landscape factors hypothesized to affect grouse home-range size. Females and juvenile males occupied home ranges that averaged  $>2\times$  larger than those of adult males, and home ranges of females averaged  $2.6\times$  larger during successful breeding seasons than during years of reproductive failure. Clearcuts and forest roads are considered high-quality covers, and both were more prevalent in smaller home ranges. Several factors operating at a regional and landscape scale were also important. Previous studies have reported that southern grouse use relatively large home ranges, and we observed a continuous decline in home-range size with increasing latitude across the 710-km range spanned by our study sites. Home-range size of males, particularly juvenile males, was positively related to an index of population density. Given the species’ “dispersed lekking” mating system, we interpret this as evidence of competition for preferred display sites. As has been reported for other game birds, all sex and age classes of grouse used smaller home ranges following closure of sites to hunting. Grouse inhabiting oak–hickory forests used larger home ranges than conspecifics in mixed mesophytic forests, and other factors interacted with forest type. In oak–hickory forests, female home-range size was inversely related to use of mesic bottomlands, which support important forage plants, and home ranges of adult grouse increased  $2.5\times$  following poor hard-mast crops. By contrast, home ranges of grouse inhabiting mixed mesophytic forests were unrelated to use of bottomlands, and the influence of hard mast was reduced. This is in line with the view that in Appalachian oak–hickory forests, grouse are under strong nutritional constraint. However, this constraint is reduced in mixed mesophytic forests, likely

because of the presence of high-quality alternative foods (e.g., cherry [*Prunus* spp.] and birch [*Betula* spp.]).

Campbell, T. A., C. A. Langdon, B. R. Laseter, W. M. Ford, J. W. Edwards, and K. V. Miller. 2006. Movements of female white-tailed deer to bait sites in West Virginia, USA. *Wildlife Research* 33:1-4.

**Abstract.**—We present a comparison of movements of adult female white-tailed deer (*Odocoileus virginianus*) in response to seasonal bait sites in the central Appalachians of West Virginia, USA. Our objectives were to compare bait-site use among seasons, evaluate home-range and core-area sizes between baiting and non-baiting periods, and compare distance from the geographic centres of activity to nearest bait site between baiting and non-baiting periods. From June 2000 to May 2001, we radio-monitored 52 deer and determined their use of 29 seasonal bait sites with automated camera systems. We collected 6461 locations and 1333 photographic observations of radio-collared deer. Bait-site use did not differ among four seasonal baiting periods. Additionally, home-range and core-area sizes did not differ between baiting and non-baiting periods. However, deer shifted their centres of activity closer to bait sites during baiting periods. High variability in deer behaviour should be considered when implementing deer-management activities that require all deer to use bait sites, such as infrared-triggered camera surveys.

Menzel, J. M., W. M. Ford, J. W. Edwards, and M. A. Menzel. 2006. Homorange and habitat use of the endangered Virginia northern flying squirrel in the Central Appalachians. *Oryx* 40:204-210.

**Abstract.**—The Virginia northern flying squirrel *Glaucomys sabrinus fuscus* is a Vulnerable sciurid that has experienced a 90% reduction of suitable high elevation boreal montane forest habitat over the last century in the central Appalachians of West Virginia and Virginia, USA. Using radiotelemetry and GIS analyses we examined the species' home range size and habitat use in the Monongahela National Forest, Kumbrabow State Forest and the MeadWestvaco Ecosystem Research Forest in West Virginia during the summers of 2000–2003. The mean home range sizes of male and female squirrels were 54.2 and 15.3 ha, respectively, based on the adaptive kernel method. Euclidean distance analysis indicated the squirrels used spruce, mixed spruce-northern hardwood, and open habitats more than was available across the landscape. Selection of spruce and mixed spruce-northern hardwood habitats indicates that forest management activities designed to restore and increase these types in the central Appalachian landscape are required to conserve and increase this vulnerable species.

Tirpak, J. M., W. M. Giuliano, C. A. Miller, T. J. Allen, S. Bittner, J. W. Edwards, S. Friedhof, W. K. Igo, D. F. Stauffer, G. W. Norman. 2006. Ruffed grouse nest success and habitat selection in the central and southern Appalachians. *Journal of Wildlife Management* 70: 138-144.

Abstract.—Ruffed grouse (*Bonasa umbellus*; hereafter, grouse) populations in the central and southern Appalachians are experiencing declines, which may be linked to deteriorating recruitment. Because nest success is an important component of recruitment, understanding the influence of habitat on nest success is important for developing regional grouse management strategies. Therefore, our objectives were to determine grouse nest success rates, characterize nest site selection, and identify habitat characteristics associated with successful nests in this region. From 1995 to 2002, we located 234 nests, of which 147 (63%) were successful (≥1 egg hatched). We characterized habitat at 167 of these nests and compared successful and unsuccessful nests using logistic regression and Akaike's Information Criterion (AIC). Similarly, we characterized nest site selection by pairing 73 nests with 1–8 nearby systematic sites and conducting a matched-pairs logistic regression followed by AIC. Eleven of 25 candidate models of nest success were supported; distance to a road or opening, ground cover, deciduous canopy cover, coarse woody debris, and basal area were increasingly important predictors of nest success. Increases in basal area, coarse woody debris, and deciduous canopy cover improved the odds of nest success. Alternatively, greater amounts of ground cover and increased distance to a road or opening decreased the odds of a nest being successful. The two supported models of habitat selection were basal area with coarse woody debris and basal area alone. Odds of a habitat being selected increased with both variables. Selection of these habitat elements likely reflects the tendency for females to nest at the base of large trees, stumps, or logs, which can reduce their exposure to predators and seems to improve nest success. Increased ground cover may reduce the female's ability to detect a predator and increase the susceptibility of a nest. We recommend managers ensure coarse woody debris is available for nest sites, particularly when logging operations (e.g., clearcuts, thinnings) remove a high proportion of the standing basal area.

Edwards, J. W., D. G. Heckel, and D. C. Guynn, Jr. 1998. Niche overlap in sympatric populations of fox and gray squirrels. *Journal of Wildlife Management* 62:354-363.

Abstract.—Resource overlap between fox squirrels (*Sciurus niger*) and gray squirrels (*S. carolinensis*) has been reported, but quantitative measures of niche overlap in sympatric populations are unavailable. We examined niche breadth and niche overlap in habitat and nest characteristics among sympatric fox and gray squirrels in central Georgia during 1989-90. We used radiocollared squirrels to locate nests and record locations within forested stands. We classified habitat and nest characteristics into 12 niche dimensions: 2 nest and 10 habitat. On several dimensions, fox squirrels occupied narrower niches relative to gray squirrels. Gray squirrels nested in a greater variety of tree species and selected stands with broader ranges in midstory pine (*Pinus* spp.) stems per hectare and overstory species. Intraspecific niche overlap between species was greater ( $P < 0.05$ ) than interspecific overlap on 9 of 12 dimensions. Intraspecific and interspecific niche overlap did not differ ( $P > 0.05$ ) on overstory hardwood stems per hectare, overstory pine per hectare, and midstory tree species. These findings suggest that coexistence between fox and gray squirrels was maintained, in part, through niche partitioning on several dimensions.

### ***Student Dissertations and Thesis under my direction***

Ryan C.W. 2009. Population ecology, residents' attitudes, hunter success, economic impact, modeling management options and retention time of Telazol of West Virginia black bears. Ph.D. Dissertation

Owen, S.F. 2003. Ecology and management of raccoons within an intensively managed forest in the central Appalachians. Ph.D. Dissertation

Menzel, M. A. 2003. An examination of factors influencing the spatial distribution of foraging bats in pine stands in the southeastern United States. Ph.D. Dissertation

Crimmins, S.M. 2008. Ecology of a central Appalachian white-tailed deer herd at low density. M.S. Thesis

Johnson, J.B. 2002. Spatial and predictive foraging models for gray bats in northwest Georgia and a comparison of two acoustical bat survey techniques. M.S. Thesis

### **PROJECT DESIGN AND TIMELINE**

The project design and timeline are acceptable to the vendor.

### **SPECIFIC REQUIREMENTS**

The travel to meetings, committee member and co-author requirements are acceptable to the vendor.

### **REPORTING REQUIREMENTS**

The reporting requirements are acceptable to the vendor.

### **BID REQUIREMENTS AND PAYMENT**

Project Dates: January 2011 – October 1, 2013

<b>Item</b>		<b>Direct Cost</b>
<b>2011</b>	<b>January – December</b>	
Ph.D. Tuition (Cost is waived for students on assistantship)	Resident = \$6670 Non-resident = \$18,376	0
Ph.D. Stipend	\$1500 per month / \$18,000 annual	18,000
Fringe 6.6%	\$99 per month / \$1188 annual	1188
Travel to Mid-App Meeting		150
PI salary 0.5 month		4261
Fringe 25%		1065



GIS faculty salary 0.5 month		3812
Fringe 25%		953
Travel for student to scientific meeting		1000
Miscellaneous supplies		500
<b>Subtotal</b>		<b>30,929</b>
<b>2012</b>	<b>January – December</b>	
Ph.D. Tuition (Cost is waived for students on assistantship)	Resident = \$6670 Non-resident = \$18,376	0
Ph.D. Stipend	\$1500 per month / \$18,000 annual	18,000
Fringe 6.6%	\$99 per month / \$1188 annual	1188
Travel to Mid-App Meeting		150
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<b>Subtotal</b>		
<b>2013</b>	<b>January – October</b>	<b>30,929</b>
Ph.D. Tuition (Cost is waived for students on assistantship)	Resident = \$6670 Non-resident = \$18,376	0
Ph.D. Stipend	\$1500 per month / \$18,000 annual	13,500
Fringe 6.6%	\$99 per month / \$1188 annual	891
Travel to Mid-App Meeting		150
PI salary 0.5 month		4261
Fringe 25%		1065
GIS faculty salary 0.5 month		3812
Fringe 25%		953
Travel for student to scientific meeting		1000
Miscellaneous supplies		500
<b>Subtotal</b>		<b>26,132</b>
<b>TOTAL</b>		<b>87,990</b>
<b>26% overhead</b>	\$22,877	0
<b>GRAND TOTAL</b>		<b>\$87,990</b>

**ANNUAL TUITION AND STIPEND AND BID SCENERIO COMBINED TOTAL: \$30,929**

## CONTACT INFORMATION

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***Primary Investigator:***

John Edwards, Division of Forestry and Natural Resources, West Virginia University, Morgantown, WV 26506. Phone: 304.293.3796. Fax 304.293.2441.

Email: [jedwards@wvu.edu](mailto:jedwards@wvu.edu)

***Co-investigator:***

Michael P. Strager, Division of Resource Management, West Virginia University, Morgantown, WV 26506

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Abstract.—The Virginia northern flying squirrel *Glaucomys sabrinus fuscus* is a Vulnerable sciurid that has experienced a 90% reduction of suitable high elevation boreal montane forest habitat over the last century in the central Appalachians of West Virginia and Virginia, USA. Using radiotelemetry and GIS analyses we examined the species' home range size and habitat use in the Monongahela National Forest, Kumbrabow State Forest and the MeadWestvaco Ecosystem Research Forest in West Virginia during the summers of 2000–2003. The mean home range sizes of male and female squirrels were 54.2 and 15.3 ha, respectively, based on the adaptive kernel method. Euclidean distance analysis indicated the squirrels used spruce, mixed spruce-northern hardwood, and open habitats more than was available across the landscape. Selection of spruce and mixed spruce-northern hardwood habitats indicates that forest management activities designed to restore and increase these types in the central Appalachian landscape are required to conserve and increase this vulnerable species.

Tirpak, J. M., W. M. Giuliano, C. A. Miller, T. J. Allen, S. Bittner, J. W. Edwards, S. Friedhof, W. K. Igo, D. F. Stauffer, G. W. Norman. 2006. Ruffed grouse nest success and habitat selection in the central and southern Appalachians. *Journal of Wildlife Management* 70: 138-144.

Abstract.—Ruffed grouse (*Bonasa umbellus*; hereafter, grouse) populations in the central and southern Appalachians are experiencing declines, which may be linked to deteriorating recruitment. Because nest success is an important component of recruitment, understanding the influence of habitat on nest success is important for developing regional grouse management strategies. Therefore, our objectives were to determine grouse nest success rates, characterize nest site selection, and identify habitat characteristics associated with successful nests in this region. From 1995 to 2002, we located 234 nests, of which 147 (63%) were successful (≥1 egg hatched). We characterized habitat at 167 of these nests and compared successful and unsuccessful nests using logistic regression and Akaike's Information Criterion (AIC). Similarly, we characterized nest site selection by pairing 73 nests with 1–8 nearby systematic sites and conducting a matched-pairs logistic regression followed by AIC. Eleven of 25 candidate models of nest success were supported; distance to a road or opening, ground cover, deciduous canopy cover, coarse woody debris, and basal area were increasingly important predictors of nest success. Increases in basal area, coarse woody debris, and deciduous canopy cover improved the odds of nest success. Alternatively, greater amounts of ground cover and increased distance to a road or opening decreased the odds of a nest being successful. The two supported models of habitat selection were basal area with coarse woody debris and basal area alone. Odds of a habitat being selected increased with both variables. Selection of these habitat elements likely reflects the tendency for females to nest at the base of large trees, stumps, or logs, which can reduce their exposure to predators and seems to improve nest success. Increased ground cover may reduce the female's ability to detect a predator and increase the susceptibility of a nest. We recommend managers ensure coarse woody debris is available for nest sites, particularly when logging operations (e.g., clearcuts, thinnings) remove a high proportion of the standing basal area.

Edwards, J. W., D. G. Heckel, and D. C. Guynn, Jr. 1998. Niche overlap in sympatric populations of fox and gray squirrels. *Journal of Wildlife Management* 62:354-363.

Abstract.—Resource overlap between fox squirrels (*Sciurus niger*) and gray squirrels (*S. carolinensis*) has been reported, but quantitative measures of niche overlap in sympatric populations are unavailable. We examined niche breadth and niche overlap in habitat and nest characteristics among sympatric fox and gray squirrels in central Georgia during 1989-90. We used radiocollared squirrels to locate nests and record locations within forested stands. We classified habitat and nest characteristics into 12 niche dimensions: 2 nest and 10 habitat. On several dimensions, fox squirrels occupied narrower niches relative to gray squirrels. Gray squirrels nested in a greater variety of tree species and selected stands with broader ranges in midstory pine (*Pinus* spp.) stems per hectare and overstory species. Intraspecific niche overlap between species was greater ( $P < 0.05$ ) than interspecific overlap on 9 of 12 dimensions. Intraspecific and interspecific niche overlap did not differ ( $P > 0.05$ ) on overstory hardwood stems per hectare, overstory pine per hectare, and midstory tree species. These findings suggest that coexistence between fox and gray squirrels was maintained, in part, through niche partitioning on several dimensions.

### ***Student Dissertations and Thesis under my direction***

Ryan C.W. 2009. Population ecology, residents' attitudes, hunter success, economic impact, modeling management options and retention time of Telazol of West Virginia black bears. Ph.D. Dissertation

Owen, S.F. 2003. Ecology and management of raccoons within an intensively managed forest in the central Appalachians. Ph.D. Dissertation

Menzel, M. A. 2003. An examination of factors influencing the spatial distribution of foraging bats in pine stands in the southeastern United States. Ph.D. Dissertation

Crimmins, S.M. 2008. Ecology of a central Appalachian white-tailed deer herd at low density. M.S. Thesis

Johnson, J.B. 2002. Spatial and predictive foraging models for gray bats in northwest Georgia and a comparison of two acoustical bat survey techniques. M.S. Thesis

### **PROJECT DESIGN AND TIMELINE**

The project design and timeline are acceptable to the vendor.

### **SPECIFIC REQUIREMENTS**

The travel to meetings, committee member and co-author requirements are acceptable to the vendor.

### **REPORTING REQUIREMENTS**

The reporting requirements are acceptable to the vendor.

### **BID REQUIREMENTS AND PAYMENT**

Project Dates: January 2011 – October 1, 2013

<b>Item</b>		<b>Direct Cost</b>
<b>2011</b>	<b>January – December</b>	
Ph.D. Tuition (Cost is waived for students on assistantship)	Resident = \$6670 Non-resident =\$18,376	0
Ph.D. Stipend	\$1500 per month / \$18,000 annual	18,000
Fringe 6.6%	\$99 per month / \$1188 annual	1188
Travel to Mid-App Meeting		150
PI salary 0.5 month		4261
Fringe 25%		1065



GIS faculty salary 0.5 month		3812
Fringe 25%		953
Travel for student to scientific meeting		1000
Miscellaneous supplies		500
<b>Subtotal</b>		<b>30,929</b>
<b>2012</b>	<b>January – December</b>	
Ph.D. Tuition (Cost is waived for students on assistantship)	Resident = \$6670 Non-resident = \$18,376	0
Ph.D. Stipend	\$1500 per month / \$18,000 annual	18,000
Fringe 6.6%	\$99 per month / \$1188 annual	1188
Travel to Mid-App Meeting		150
PI salary 0.5 month		4261
Fringe 25%		1065
GIS faculty salary 0.5 month		3812
Fringe 25%		953
Travel for student to scientific meeting		1000
Miscellaneous supplies		500
<b>Subtotal</b>		
<b>2013</b>	<b>January – October</b>	<b>30,929</b>
Ph.D. Tuition (Cost is waived for students on assistantship)	Resident = \$6670 Non-resident = \$18,376	0
Ph.D. Stipend	\$1500 per month / \$18,000 annual	13,500
Fringe 6.6%	\$99 per month / \$1188 annual	891
Travel to Mid-App Meeting		150
PI salary 0.5 month		4261
Fringe 25%		1065
GIS faculty salary 0.5 month		3812
Fringe 25%		953
Travel for student to scientific meeting		1000
Miscellaneous supplies		500
<b>Subtotal</b>		<b>26,132</b>
<b>TOTAL</b>		<b>87,990</b>
26% overhead	\$22,877	0
<b>GRAND TOTAL</b>		<b>\$87,990</b>

**ANNUAL TUITION AND STIPEND AND BID SCENERIO COMBINED TOTAL: \$30,929**

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application\* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

- 1. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
4. X Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: West Virginia University
Date: 8/30/10

Signed: [Signature]
Title: Assistant Vice President

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

West Virginia Code §5A-3-10a states: 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 the debt owed is an amount greater than one thousand dollars in the aggregate.

**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.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "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.

**EXCEPTION:** The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this 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.

Under penalty of law for false swearing (*West Virginia Code §61-5-3*), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: West Virginia University

Authorized Signature: [Signature] Date: 8/30/10

State of WV

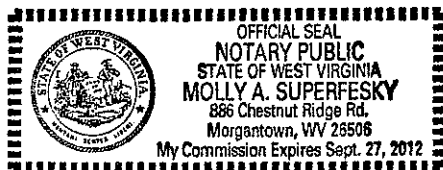
County of MONONGALIA, to-wit:

Taken, subscribed, and sworn to before me this 30 day of AUGUST, 20 10

My Commission expires September 27, 20 12

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]



State of West Virginia

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Bidder: West Virginia University Signed: [Signature]
Date: 8/30/10 Title: Assistant Vice President

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

STATE OF WEST VIRGINIA  
Purchasing Division

**PURCHASING AFFIDAVIT**

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"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.

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**WITNESS THE FOLLOWING SIGNATURE**

Vendor's Name: West Virginia University

Authorized Signature: [Signature] Date: 8/30/10

State of WV

County of MONONGALIA, to-wit:

Taken, subscribed, and sworn to before me this 30 day of AUGUST, 2010

My Commission expires September 27, 2012

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

