



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

Request for Quotation

RFQ NUMBER:
 DEP15796

PAGE:
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 GUY NISBET
 304-558-8802

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

RBR Consulting, Inc.
 Risk Based Remedies
 650 Shady Drive
 Beaver Falls, PA 15010

SHIP TO

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 ENVIRONMENTAL REMEDIATION
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/01/2012				

BID OPENING DATE: 04/10/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	HR		946-36	75	52,500
ENVIRONMENTAL RISK ASSESSOR REQUEST FOR QUOTATION THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S DIVISION OF LAND RESTORATION, SEEKS BIDS TO PROVIDE ENVIRONMENTAL RISK ASSESSMENT SERVICES TO DETERMINE ECOLOGICAL AND HUMAN HEALTH RISK THAT MAY BE ASSOCIATED WITH PROJECTS IN THE VOLUNTARY REMEDIATION AND REDEVELOPMENT PROGRAM. INQUIRIES: WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH 4PM ON THURSDAY, MARCH 15, 2012. QUESTIONS MAY BE SENT VIA: USPS, FAX, COURIER OR EMAIL. IN ORDER TO ASSURE THAT NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, EMAIL QUESTIONS ARE PREFERRED. ANY TECHNICAL QUESTIONS RECEIVED WILL BE ANSWERED BY FORMAL WRITTEN ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE QUESTION SUBMITTAL DEADLINE HAS LAPSED. ADDRESS INQUIRIES TO: GUY NISBET DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST						

RECEIVED
 2012 APR -6 AM 9:53
 WV PURCHASING
 DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE: *[Signature]* TELEPHONE: 724-816-4096 DATE: 4-3-12

TITLE: President FEIN: 25-1776973 ADDRESS CHANGES TO BE NOTED ABOVE

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

GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.html and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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VENDOR

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 Risk Based Remedies
 650 Shady Drive
 Beaver Falls, PA 15010

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BID OPENING DATE: 04/10/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				CHARLESTON, WV. 25305 FAX: 304.558.4115 EMAIL: GUY.L.NISBET@WV.GOV		
				EXHIBIT 3		
				LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE AWARD AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.		
				UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.		
				RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.		
				CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.		
				OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
<i>Guy Nisbet</i>	724-846-4096	4-3-12
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President	25-1771073	

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<p>AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THIS CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p>						

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SIGNATURE *[Signature]* TELEPHONE 724-846-4096 DATE 4-3-12
 TITLE President FEIN 25-1771073 ADDRESS CHANGES TO BE NOTED ABOVE

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VENDOR

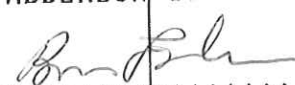
RBR Consulting, Inc.
 Risk Based Remedies
 650 Shady Drive
 Beaver Falls, PA 15010

SHIP TO

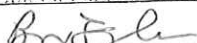
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				REQUISITION NO.: DEP15796		
				ADDENDUM ACKNOWLEDGEMENT		
				I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.		
				ADDENDUM NO.'S:		
				NO. 1		
				NO. 2		
				NO. 3		
				NO. 4		
				NO. 5		
				I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.		
				VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.		
						
			 SIGNATURE		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE 	TELEPHONE 724-846-4096	DATE 4-3-12
TITLE President	FEIN 28-1771073	ADDRESS CHANGES TO BE NOTED ABOVE

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RBR Consulting, Inc.
 Risk Based Remedies
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				RBR Consulting Inc. COMPANY 4-3-12 DATE		
<p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: GN-23</p> <p>RFQ. NO.: DEP15796</p> <p>BID OPENING DATE: 4/10/2012</p> <p>BID OPENING TIME: 1:30 PM</p>						

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SIGNATURE *[Signature]* TELEPHONE 724-846-4096 DATE 4-3-12

TITLE *President* FEIN 25-1771073 ADDRESS CHANGES TO BE NOTED ABOVE

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<p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: <i>call 724-846-4096</i></p> <p style="text-align: center;">NO FAX <i>email bruce.fishman@riskbasedremedies.com</i></p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): <i>Bruce Fishman</i></p> <p>ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT: (1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERETO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION.</p>						
***** THIS IS THE END OF RFQ DEP15796 *****					TOTAL:	

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**Bid Schedule
DEP15796**

Company Name: RBR Consulting, Inc.
Risk Based Remedies
 Address: 650 Shady Drive
Beaver Falls, PA 15010

The DEP reserves the right to request additional information and supporting documentation regarding unit prices when the unit price appears to be unreasonable.

ITEM NO.	* QUANTITY	DESCRIPTION	HR	TOTAL
1.0	700	Risk Assessor per hour	75	\$ 52,500
		TOTAL		\$ 52,500

* Quantities are estimated for bidding purposes. Actual will vary.

Signature: _____

Bruce Fisher

Date: _____

4-3-12

Rev. 09/08

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. **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: RBR Consulting Inc. Signed: Bruce Felder
 Date: 4-3-12 Title: President

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

The University of Connecticut

To all to whom these presents may come greeting

Be it known that

Bruce Elliott Fishman

having satisfied the requirements for the Degree of

Doctor of Philosophy

in the

Graduate School

has been admitted to that degree with all the
honors, privileges, and obligations thereto appertaining
In Testimony Whereof the seal of the University and the signatures
as authorized by the Board of Trustees are hereunto affixed

Given at Storrs on the thirty-first
day of August, A.D., 1987.



Will. A. O'R.

Risk-Based Remedies

RBR Consulting, Inc.

650 Shady Drive
Beaver Falls, PA 15010

BRUCE E. FISHMAN, Ph.D. DABT

Consulting Toxicologist in Human Health and Ecological Risk Assessment, Applied Toxicology, Statistical Analyses and Risk Communication

EDUCATION

- . 1980 B.S., Zoology, University of Massachusetts
- . 1983 M.S., Pharmacology, University of Rhode Island
- . 1987 Ph.D., Toxicology, University of Connecticut

PROFESSIONAL APPOINTMENTS AND REGISTRATIONS

- . Diplomate of the American Board of Toxicology (DABT); Appointed 1993; Recertified 2007
- . SETAC Technical Committee 2007-2012
- . Cleanup Standards Science Advisory Board, Pennsylvania Land Recycling Program, Risk Assessment Committee Member
- . Hazmat International Conference Advisory Board, 1993-1997
- . Who's Who in Science and Engineering, 1997-1998

PROFESSIONAL SOCIETY MEMBERSHIPS

- . Society of Toxicology (SOT)
- . Society for Risk Analysis (SRA)
- . Society of Environmental Toxicology and Chemistry (SETAC)
- . American Chemical Society (ACS)
- . Air and Waste Management Association (AWMA)

EMPLOYMENT HISTORY

August, 1995 - Present, Director of Risk-Based Remedies, RBR Consulting, Inc., a niche-focused environmental company specializing in health risk assessment, risk communication, ecological risk assessment, applied toxicology and statistical analyses.

July, 1991 - July, 1995, Senior Project Manager and Chief Toxicologist, ICF Kaiser Engineers, Inc.: Dr. Fishman was the founder, business developer, business and technical manager for a ten member technical professional group of biologists, toxicologists, ecologists, statisticians and health physicists.

June, 1990 - July, 1991, Project Manager and Senior Toxicologist, ENSR Consulting and Engineering: Dr. Fishman provided expert witness support and managed and directed large risk assessments and risk-based investigations.

BRUCE E. FISHMAN, PH.D. (continued)

May, 1988 - May, 1990, Project Manager and Environmental Toxicologist, McLaren Environmental Engineering. Dr. Fishman provided management, expert witness and other technical support on litigation projects, permitting and site risk assessment.

May, 1987 - May, 1988, Senior Scientist, Smithkline Beecham Corporation. Dr. Fishman conducted innovative research projects to assess the pharmacology and toxicology of investigational new drugs.

May, 1983 - September, 1983, Graduate Student Toxicology Intern, Sandoz Research Institute. Dr. Fishman conducted preclinical safety assessments on investigational new drugs.

EXPERIENCE

Dr. Fishman has 30 years of experience in:

- Health Risk Assessment and Risk Management
- Risk-Based Rationales for Appropriate Remedy Selection
- Risk Communication
- Regulatory Affairs, Response, and Compliance
- Litigation Support and Expert Witness
- Ecological Risk Assessment
- Applied Toxicology and Pharmacology
- Legislative Review
- Statistical Analyses of Large and Complex Data Sets
- Program and Project Management

Dr. Fishman's primary focus is the application of site-specific risk assessment approaches to establish the potential for adverse effect upon exposure to potentially toxic substances and to optimize appropriate remedy selection. Dr. Fishman manages comprehensive human health risk assessments, literature-based or field ecological risk assessments, health-based environmental investigations, remedial analyses, and permitting efforts internationally. As a technical expert, he has presented courtroom testimony and directed, prepared, or reviewed hundreds of quantitative human health and ecological risk assessments. His main technical focus is on site-specific, multipathway, multimedia risk assessments for permitting projects and environmental site investigations. His work has included legislative development and review and negotiation of realistic remedial options and health standards.

BRUCE E. FISHMAN, PH.D. (continued)

PUBLICATIONS AND PRESENTATIONS

Application of the Site-Specific Standard of Act 2 in the Vapor Intrusion Guidance. Presented as a portion of a training course conducted by PADEP to users of the Voluntary Land Recycling Program (Act 2) Harrisburg, PA. January, 2004

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"Accumulation of Metals in Vegetation from an Alkaline Artificial Soil". (2001) M.B. Griffith, K.S. Super, W. Lynch and B.E. Fishman. J. Environ. Sci. Health A36(1) 49-61.

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"Application of Risk Assessment for Optimization of Developable Land". International Right-of-Way Society Conference. Pittsburgh, PA. June, 1994.

Workshop Instructor for "Risk Assessment - Concept and Applications" International Hazardous Materials Conference. Philadelphia, PA June, 1994.

BRUCE E. FISHMAN, PH.D. (continued)

Session Chairman for "RCRA and the RCRA Facility Investigation: Approaches for Optimizing the Process and Controlling Costs." International Hazardous Materials Conference. Atlantic City, NJ. June, 1993.

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"Quantitative Risk Assessment: Cost Effective Strategies for Site Remediation". Babst, Calland, Clements and Zomnir Environmental Forum, November, 1992.

Session Chairman for "Innovations in Site Characterization, Risk Assessment, and Remedy Selection: Focus on Novel Scientific Approaches" International Hazardous Materials Conference. Atlantic City, NJ. June, 1992.

"The Risk-Based Remedial Investigation and the Conceptual Site Model: Cost-Effective Approaches to Site Characterization and Remediation" International Hazardous Materials Conference. Atlantic City, NJ June, 1992.

Allen, K.S., McLean, E.T., and Fishman, B.E. "Potential impacts of chromium on the Blue Crab, Callinectes sapidus". Society of Environmental Toxicology and Chemistry, Cleveland, OH, November, 1992.

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"California AB2588 and the Federal Clean Air Act: Comparisons and Strategic Opportunities for Risk Assessment of Air Toxics" California Clean Air Regulation and Compliance Conference, San Francisco, CA. April, 1991.

"Strategic Opportunities in Risk Assessment and Applied Toxicology" ENSR Washington, D.C. Breakfast Seminar Series, February, 1991.

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"Essential Components of Chemical Risk Assessment for Human Health and Wildlife" Fifth Annual West Coast Hazardous Materials Conference, Long Beach, CA., November, 1989.

"Chemical Risk Assessment: The Consultant's Role" University of California at Irvine, Department of Environmental Toxicology, November, 1989.

"Human Health Risk Assessment Approaches: Case History" Air and Waste Management Association Channel Islands Conference on Air Toxics, Ventura Beach, CA. November, 1989.

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"Managing Contaminated Soil and Groundwater Problems. The Role of Risk Assessment: Case History", Hazmacon Focus, Oakland, CA. October, 1989.

"Biochemical and Behavioral Neurotoxicology of the Isomers of Hexachlorocyclohexane (Lindane)" at the Department of Reproductive and Developmental Toxicology, Smith, Kline and French Laboratories, King of Prussia, PA, February, 1987.

"In Vitro Biochemical Actions of Different Hexachlorocyclohexane (Lindane) Isomers" at Agricultural Chemical Research Division, American Cyanamid Co., Princeton, NJ, January, 1987.

"Contrasting Central Nervous System Pharmacological Effects of Different Hexachlorocyclohexane (Lindane) Isomers" at the Department of Pharmacology and Toxicology, Medical College of Albany, Albany, NY, January, 1987.

"Related Mechanisms of Action of a Variety of Drugs and Chemicals at the GABA-A-Receptor Linked Chloride Channel" at the Department of Pharmacology and Toxicology, University of Rhode Island, Kingston, RI, June, 1986.

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RFQ No. DEP 15796

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 exceed 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: _____

Authorized Signature: Bruce Fishman Date: 4.4.2012

State of PA

County of Beaver, to-wit:

Taken, subscribed, and sworn to before me this 4 day of April, 2012

My Commission expires 10.26., 2013

AFFIX SEAL HERE

NOTARY PUBLIC Wendy L. Flgas

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Wendy L. Flgas, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Oct. 26, 2013

Member, Pennsylvania Association of Notaries