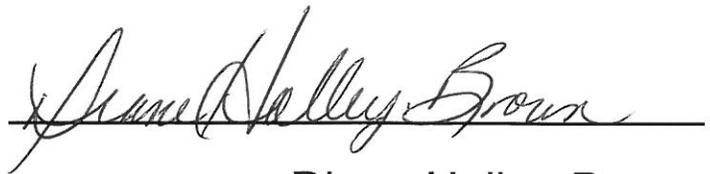


NOTICE

Please note that this bid from Alliance Consulting, Inc. for CRFQ ADJ16*20 was received at the Purchasing Division office prior to the established bid opening date and time on April 21, 2016 as noted on the coversheet, but was unable to load properly through wvOASIS at the public bid opening. This bid has since been loaded and is now posted.

A handwritten signature in cursive script, reading "Diane Holley-Brown", is written over a solid horizontal line.

Diane Holley-Brown
Assistant Purchasing Director



April 22, 2016

April 21, 2016 1:30 PM Electronic Solicitation Responses (ESRs)

ISSUE

On Thursday, April 21, 2016 1:52 PM, the Purchasing Division contacted the wvOASIS Finance Team because five centralized solicitations closed at 1:30 PM, but no electronic solicitation responses (or “ESRs”) were received. At that time, a Finance Team member observed that the 1:30 PM sync cycle was complete and successful (See Exhibit 1). The team member also found one decentralized ESR that interfaced successfully during the 1:30 PM sync cycle (SR 0211 ESR0420160000005077; see Exhibit 2). Based on this information, the team member advised the Purchasing Division that everything appeared to be in order.

At 3:19, the Purchasing Division contacted wvOASIS again after noticing ESRs in the system relating to the five centralized solicitations: CRFQs ADJ160000020, CPR160000001, DOT160000083, DOT160000086, and DNR160000028.

Exhibit 1

Job ID	Item Type	Catalog Id	Catalog Name	Job Name	User ID	Start Time	End Time	Run Status	Return Code			
✓ 446257	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 16:31:49	04-21-2016 16:31:56	Complete	Successful	View Log		
446206	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 15:31:29	04-21-2016 15:31:32	Complete	Successful	View Log		
446129	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 14:29:59	04-21-2016 14:30:13	Complete	Successful	View Log		
446108	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 13:29:59	04-21-2016 13:30:03	Complete	Successful	View Log		
446063	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 12:29:49	04-21-2016 12:29:53	Complete	Successful	View Log		
445986	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 11:29:59	04-21-2016 11:30:01	Complete	Successful	View Log		
445963	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 10:29:59	04-21-2016 10:30:01	Complete	Successful	View Log		
445914	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 09:29:49	04-21-2016 09:29:54	Complete	Successful	View Log		
445824	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 08:29:49	04-21-2016 08:29:53	Complete	Successful	View Log		
445719	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 07:30:19	04-21-2016 07:30:40	Complete	Successful	View Log		

Exhibit 2

The screenshot displays a web-based procurement system interface. At the top, a header bar contains the text: "Solicitation Response(SR) Dept: 0211 ID: ESR04201600000005077 Ver.: 1 Function: New Phase: Final Modified by batch_04/21/2016". Below the header, there are tabs for "General Information", "Contact", "Default Values", "Discount", and "Document Information". The "General Information" tab is active, showing the following details:

- Procurement Folder: 209322
- Procurement Type: Agency Purchase Order
- Vendor ID: 000000199924
- Legal Name: F M PLE HARDWARE CO INC
- Alias/DBA:
- Total Bid: \$1,000.00
- Response Date: 04/20/2016
- Response Time: 15:46

On the right side of the interface, additional information is displayed:

- SO Doc Code: ARFQ
- SO Dept: 0211
- SO Doc ID: GSD1600000162
- Published Date: 4/15/16
- Close Date: 4/21/16 (highlighted with a red box)
- Close Time: 13:00 (highlighted with a red box)
- Status: Closed
- Solicitation Description: Toro Lawn Mower Parts

BACKGROUND

The wvOASIS system is a web-based, enterprise-wide financial application that runs on multiple servers. When a vendor submits a Solicitation Response document in the Vendor Self Service (VSS) portal, the document remains sealed in the VSS electronic lockbox until the solicitation closing date and time are reached. Then, the responses are copied from the lockbox to the procurement folder by a synchronizing interface. The Purchasing Division is not able to access electronic solicitation responses until they are exported from the lockbox to the procurement folder. The synchronizing interfaces, or sync cycle, run every hour at the bottom of the hour, from 7:30 AM to 5:30 PM weekdays.

ANALYSIS

Members of the wvOASIS Technical Team identified the cause of the issue relating to the April 21, 2016 1:30 PM ESR documents. The system clocks on two wvOASIS servers were out of sync by a matter of seconds. This caused the 1:30 PM sync cycle to begin at 1:29 PM. Because the ESRs relating to the five centralized solicitations were not eligible to be interfaced until after their 1:30 PM closing time, they were not copied to their respective procurement folders until the completion of the 2:30 PM sync cycle. It should be noted that the decentralized ESR shown in Exhibit 2 had a closing time of 1:00 PM, making it eligible to be interfaced at 1:29 PM.

CONCLUSION

After careful review, it is our conclusion that the ESR documents relating the five centralized solicitations were received in the wvOASIS system prior to the 1:30 PM closing time and should be considered valid bids by the Purchasing Division. The specific ESR documents are:

CRFQ 0603 ADJ1600000020

Solicitation Response SR,0603,ESR04061600000004696,1
Solicitation Response SR,0603,ESR04191600000005013,1
Solicitation Response SR,0603,ESR04191600000005025,1
Solicitation Response SR,0603,ESR04201600000005072,1
Solicitation Response SR,0603,ESR04201600000005074,1
Solicitation Response SR,0603,ESR04201600000005079,1

CRFQ 0203 CPR1600000001

No solicitation responses received

CRFQ 0803 DOT1600000083

Solicitation Response SR,0803,ESR03281600000004481,1

CRFQ DOT1600000086

Solicitation Response SR,0803,ESR04201600000005078,1

Solicitation Response SR,0803,ESR04201600000005081,1

CRFQ DNR1600000028

Solicitation Response SR,0310,ESR04211600000005085,1

Solicitation Response SR,0310,ESR04211600000005092,1



The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at ***wvOASIS.gov***. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at ***WVPurchasing.gov*** with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

Header

List View

General Information

Contact

Default Values

Discount

Document Information

Procurement Folder: 203105

Procurement Type: Central Purchase Order

Vendor ID:

Legal Name: ALLIANCE CONSULTING INC

Alias/DBA:

Total Bid: \$309,010.00

Response Date:

Response Time:

SO Doc Code: CRFQ

SO Dept: 0603

SO Doc ID: ADJ160000020

Published Date: 4/14/16

Close Date: 4/21/16

Close Time: 13:30

Status: Closed

Solicitation Description:

Total of Header Attachments: 0

Total of All Attachments: 0



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

**State of West Virginia
 Solicitation Response**

Proc Folder : 203105
Solicitation Description : ADDENDUM 1 BAT SURVEY-CAMP DAWSON
Proc Type : Central Purchase Order

Date issued	Solicitation Closes	Solicitation No	Version
	2016-04-21 13:30:00	SR 0603 ESR04191600000005013	1

VENDOR
000000210866 ALLIANCE CONSULTING INC

FOR INFORMATION CONTACT THE BUYER
 Crystal Rink
 (304) 558-2402
 crystal.g.rink@wv.gov

Signature X **FEIN #** **DATE**

All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Bat Survey-Endangered Species Mgmt Plan-Camp Dawson				\$309,010.00

Comm Code	Manufacturer	Specification	Model #
77111507			

Extended Description : Critical Fauna Survey and Endangered Species Management Plan for the Indiana Bat and the Northern Long-Eared Bat



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Request for Quotation

Proc Folder: 203105

Doc Description: BAT SURVEY-CAMP DAWSON

Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2016-03-28	2016-04-19 13:30:00	CRFQ 0603 ADJ1600000020	1

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Name, Address and Telephone Number:

FOR INFORMATION CONTACT THE BUYER

Crystal Rink
 (304) 558-2402
 crystal.g.rink@wv.gov

Signature X

FEIN # 550778450

DATE 4/20/16

All offers subject to all terms and conditions contained in this solicitation

ADDITIONAL INFORMATION:

THE STATE OF WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA ARMY NATIONAL GUARD'S CAMP DAWSON ARMY TRAINING SITE'S ENVIRONMENTAL OFFICE, IS SOLICITING BIDS TO ESTABLISH A CONTRACT TO PROVIDE ALL PROFESSIONAL AND TECHNICAL PERSONNEL, LABOR, FACILITIES, EQUIPMENT, MATERIALS, TRANSPORTATION, AND SUPPLIES NEEDED FOR A CRITICAL FAUNA SURVEY AND DEVELOPMENT OF AN ENDANGERED SPECIES MANAGEMENT PLAN FOR THE INDIANA BAT AND THE NORTHERN LONG-EARED BAT PER THE ATTACHED.

INVOICE TO		SHIP TO	
DIVISION ENGINEERING & FACILITIES ADJUTANT GENERALS OFFICE 1707 COONSKIN DR		FACILITY MAINTENANCE MANAGER CAMP DAWSON ARMY TRAINING SITE 240 ARMY RD	
CHARLESTON	WV25311	KINGWOOD	WV 26537-1077
US		US	

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Total Price
1	Bat Survey-Endangered Species Mgmt Plan-Camp Dawson				

Comm Code	Manufacturer	Specification	Model #
77111507			

Extended Description :

Critical Fauna Survey and Endangered Species Management Plan for the Indiana Bat and the Northern Long-Eared Bat

SCHEDULE OF EVENTS

Line	Event	Event Date
1	VENDOR QUESTION DEADLINE	2016-04-11

ADJ160000020	Document Phase Draft	Document Description BAT SURVEY-CAMP DAWSON	Page 3 of 3
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ADDITIONAL TERMS AND CONDITIONS

See attached document(s) for additional Terms and Conditions

INSTRUCTIONS TO VENDORS SUBMITTING BIDS

1. REVIEW DOCUMENTS THOROUGHLY: The attached documents contain a solicitation for bids. Please read these instructions and all documents attached in their entirety. These instructions provide critical information about requirements that if overlooked could lead to disqualification of a Vendor's bid. All bids must be submitted in accordance with the provisions contained in these instructions and the Solicitation. Failure to do so may result in disqualification of Vendor's bid.

2. MANDATORY TERMS: The Solicitation may contain mandatory provisions identified by the use of the words "must," "will," and "shall." Failure to comply with a mandatory term in the Solicitation will result in bid disqualification.

3. PREBID MEETING: The item identified below shall apply to this Solicitation.

A pre-bid meeting will not be held prior to bid opening

A **NON-MANDATORY PRE-BID** meeting will be held at the following place and time:

A **MANDATORY PRE-BID** meeting will be held at the following place and time:

All Vendors submitting a bid must attend the mandatory pre-bid meeting. Failure to attend the mandatory pre-bid meeting shall result in disqualification of the Vendor's bid. No one person attending the pre-bid meeting may represent more than one Vendor.

An attendance sheet provided at the pre-bid meeting shall serve as the official document verifying attendance. The State will not accept any other form of proof or documentation to verify attendance. Any person attending the pre-bid meeting on behalf of a Vendor must list on the attendance sheet his or her name and the name of the Vendor he or she is representing.

Additionally, the person attending the pre-bid meeting should include the Vendor's E-Mail address, phone number, and Fax number on the attendance sheet. It is the Vendor's responsibility

to locate the attendance sheet and provide the required information. Failure to complete the attendance sheet as required may result in disqualification of Vendor's bid.

All Vendors should arrive prior to the starting time for the pre-bid. Vendors who arrive after the starting time but prior to the end of the pre-bid will be permitted to sign in, but are charged with knowing all matters discussed at the pre-bid.

Questions submitted at least five business days prior to a scheduled pre-bid will be discussed at the pre-bid meeting if possible. Any discussions or answers to questions at the pre-bid meeting are preliminary in nature and are non-binding. Official and binding answers to questions will be published in a written addendum to the Solicitation prior to bid opening.

4. VENDOR QUESTION DEADLINE: Vendors may submit questions relating to this Solicitation to the Purchasing Division. Questions must be submitted in writing. All questions must be submitted on or before the date listed below and to the address listed below in order to be considered. A written response will be published in a Solicitation addendum if a response is possible and appropriate. Non-written discussions, conversations, or questions and answers regarding this Solicitation are preliminary in nature and are nonbinding.

Submitted e-mails should have solicitation number in the subject line.

Question Submission Deadline: April 11, 2016 at 4:00 PM EST

Submit Questions to: Crystal Rink, Senior Buyer
2019 Washington Street, East
Charleston, WV 25305
Fax: (304) 558-4115 (Vendors should not use this fax number for bid submission)
Email: Crystal.G.Rink@wv.gov

5. VERBAL COMMUNICATION: Any verbal communication between the Vendor and any State personnel is not binding, including verbal communication at the mandatory pre-bid conference. Only information issued in writing and added to the Solicitation by an official written addendum by the Purchasing Division is binding.

6. BID SUBMISSION: All bids must be submitted electronically through wvOASIS or signed and delivered by the Vendor to the Purchasing Division at the address listed below on or before the date and time of the bid opening. Any bid received by the Purchasing Division staff is considered to be in the possession of the Purchasing Division and will not be returned for any reason. The Purchasing Division will not accept bids, modification of bids, or addendum acknowledgment forms via e-mail. Acceptable delivery methods include electronic submission via wvOASIS, hand delivery, delivery by courier, or facsimile.

The bid delivery address is:
Department of Administration, Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

A bid that is not submitted electronically through wvOASIS should contain the information listed below on the face of the envelope or the bid may be rejected by the Purchasing Division.:

SEALED BID:
BUYER: Crystal Rink
SOLICITATION NO.: CRFQ ADJ1600000020
BID OPENING DATE: April 19, 2016
BID OPENING TIME: 1:30 PM EST
FAX NUMBER: 304-558-3970

In the event that Vendor is responding to a request for proposal, the Vendor shall submit one original technical and one original cost proposal plus n/a convenience copies of each to the Purchasing Division at the address shown above. Submission of a response to a request for proposal is not permitted in wvOASIS. Additionally, the Vendor should identify the bid type as either a technical or cost proposal on the face of each bid envelope submitted in response to a request for proposal as follows:

BID TYPE: (This only applies to CRFP)
 Technical
 Cost

7. BID OPENING: Bids submitted in response to this Solicitation will be opened at the location identified below on the date and time listed below. Delivery of a bid after the bid opening date and time will result in bid disqualification. For purposes of this Solicitation, a bid is considered delivered when confirmation of delivery is provided by wvOASIS (in the case of electronic submission) or when the bid is time stamped by the official Purchasing Division time clock (in the case of hand delivery).

Bid Opening Date and Time: April 19, 2016 at 1:30 PM EST

Bid Opening Location: Department of Administration, Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

8. ADDENDUM ACKNOWLEDGEMENT: Changes or revisions to this Solicitation will be made by an official written addendum issued by the Purchasing Division. Vendor should acknowledge receipt of all addenda issued with this Solicitation by completing an Addendum Acknowledgment Form, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

9. BID FORMATTING: Vendor should type or electronically enter the information onto its bid to prevent errors in the evaluation. Failure to type or electronically enter the information may result in bid disqualification.

10. ALTERNATES: Any model, brand, or specification listed in this Solicitation establishes the acceptable level of quality only and is not intended to reflect a preference for, or in any way favor, a particular brand or vendor. Vendors may bid alternates to a listed model or brand provided that the alternate is at least equal to the model or brand and complies with the required specifications. The equality of any alternate being bid shall be determined by the State at its sole discretion. Any Vendor bidding an alternate model or brand should clearly identify the alternate items in its bid and should include manufacturer's specifications, industry literature, and/or any other relevant documentation demonstrating the equality of the alternate items. Failure to provide information for alternate items may be grounds for rejection of a Vendor's bid.

11. EXCEPTIONS AND CLARIFICATIONS: The Solicitation contains the specifications that shall form the basis of a contractual agreement. Vendor shall clearly mark any exceptions, clarifications, or other proposed modifications in its bid. Exceptions to, clarifications of, or modifications of a requirement or term and condition of the Solicitation may result in bid disqualification.

12. COMMUNICATION LIMITATIONS: In accordance with West Virginia Code of State Rules §148-1-6.6, communication with the State of West Virginia or any of its employees regarding this Solicitation during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited without prior Purchasing Division approval. Purchasing Division approval for such communication is implied for all agency delegated and exempt purchases.

13. REGISTRATION: Prior to Contract award, the apparent successful Vendor must be properly registered with the West Virginia Purchasing Division and must have paid the \$125 fee, if applicable.

14. UNIT PRICE: Unit prices shall prevail in cases of a discrepancy in the Vendor's bid.

15. PREFERENCE: Vendor Preference may only be granted upon written request and only in accordance with the West Virginia Code § 5A-3-37 and the West Virginia Code of State Rules. A Vendor Preference Certificate form has been attached hereto to allow Vendor to apply for the preference. Vendor's failure to submit the Vendor Preference Certificate form with its bid will result in denial of Vendor Preference. Vendor Preference does not apply to construction projects.

16. SMALL, WOMEN-OWNED, OR MINORITY-OWNED BUSINESSES: For any solicitations publicly advertised for bid, in accordance with West Virginia Code §5A-3-37(a)(7) and W. Va. CSR § 148-22-9, any non-resident vendor certified as a small, women-owned, or minority-owned business under W. Va. CSR § 148-22-9 shall be provided the same preference made available to any resident vendor. Any non-resident small, women-owned, or minority-owned business must identify itself as such in writing, must submit that writing to the Purchasing Division with its bid, and must be properly certified under W. Va. CSR § 148-22-9 prior to contract award to receive the preferences made available to resident vendors. Preference for a non-resident small, women-owned, or minority owned business shall be applied in accordance with W. Va. CSR § 148-22-9.

17. WAIVER OF MINOR IRREGULARITIES: The Director reserves the right to waive minor irregularities in bids or specifications in accordance with West Virginia Code of State Rules § 148-1-4.6.

18. ELECTRONIC FILE ACCESS RESTRICTIONS: Vendor must ensure that its submission in wvOASIS can be accessed by the Purchasing Division staff immediately upon bid opening. The Purchasing Division will consider any file that cannot be immediately opened and/or viewed at the time of the bid opening (such as, encrypted files, password protected files, or incompatible files) to be blank or incomplete as context requires, and are therefore unacceptable. A vendor will not be permitted to unencrypt files, remove password protections, or resubmit documents after bid opening if those documents are required with the bid.

19. NON-RESPONSIBLE: The Purchasing Division Director reserves the right to reject the bid of any vendor as Non-Responsible in accordance with W. Va. Code of State Rules § 148-1-5.3, when the Director determines that the vendor submitting the bid does not have the capability to fully perform, or lacks the integrity and reliability to assure good-faith performance.”

20. ACCEPTANCE/REJECTION: The State may accept or reject any bid in whole, or in part in accordance with W. Va. Code of State Rules § 148-1-4.5. and § 148-1-6.4.b.”

21. YOUR SUBMISSION IS A PUBLIC DOCUMENT: Vendor’s entire response to the Solicitation and the resulting Contract are public documents. As public documents, they will be disclosed to the public following the bid/proposal opening or award of the contract, as required by the competitive bidding laws of West Virginia Code §§ 5A-3-1 et seq., 5-22-1 et seq., and 5G-1-1 et seq. and the Freedom of Information Act West Virginia Code §§ 29B-1-1 et seq.

DO NOT SUBMIT MATERIAL YOU CONSIDER TO BE CONFIDENTIAL, A TRADE SECRET, OR OTHERWISE NOT SUBJECT TO PUBLIC DISCLOSURE.

Submission of any bid, proposal, or other document to the Purchasing Division constitutes your explicit consent to the subsequent public disclosure of the bid, proposal, or document. The Purchasing Division will disclose any document labeled “confidential,” “proprietary,” “trade secret,” “private,” or labeled with any other claim against public disclosure of the documents, to

include any “trade secrets” as defined by West Virginia Code § 47-22-1 et seq. All submissions are subject to public disclosure without notice.

GENERAL TERMS AND CONDITIONS:

1. CONTRACTUAL AGREEMENT: Issuance of a Award Document signed by the Purchasing Division Director, or his designee, and approved as to form by the Attorney General's office constitutes acceptance of this Contract made by and between the State of West Virginia and the Vendor. Vendor's signature on its bid signifies Vendor's agreement to be bound by and accept the terms and conditions contained in this Contract.

2. DEFINITIONS: As used in this Solicitation/Contract, the following terms shall have the meanings attributed to them below. Additional definitions may be found in the specifications included with this Solicitation/Contract.

2.1. "Agency" or "Agencies" means the agency, board, commission, or other entity of the State of West Virginia that is identified on the first page of the Solicitation or any other public entity seeking to procure goods or services under this Contract.

2.2. "Bid" or "Proposal" means the vendors submitted response to this solicitation.

2.3. "Contract" means the binding agreement that is entered into between the State and the Vendor to provide the goods or services requested in the Solicitation.

2.4. "Director" means the Director of the West Virginia Department of Administration, Purchasing Division.

2.5. "Purchasing Division" means the West Virginia Department of Administration, Purchasing Division.

2.6. "Award Document" means the document signed by the Agency and the Purchasing Division, and approved as to form by the Attorney General, that identifies the Vendor as the contract holder.

2.7. "Solicitation" means the official notice of an opportunity to supply the State with goods or services that is published by the Purchasing Division.

2.8. "State" means the State of West Virginia and/or any of its agencies, commissions, boards, etc. as context requires.

2.9. "Vendor" or "Vendors" means any entity submitting a bid in response to the Solicitation, the entity that has been selected as the lowest responsible bidder, or the entity that has been awarded the Contract as context requires.

3. CONTRACT TERM; RENEWAL; EXTENSION: The term of this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below:

Term Contract

Initial Contract Term: This Contract becomes effective on _____ and extends for a period of _____ year(s).

Renewal Term: This Contract may be renewed upon the mutual written consent of the Agency, and the Vendor, with approval of the Purchasing Division and the Attorney General's office (Attorney General approval is as to form only). Any request for renewal should be submitted to the Purchasing Division thirty (30) days prior to the expiration date of the initial contract term or appropriate renewal term. A Contract renewal shall be in accordance with the terms and conditions of the original contract. Renewal of this Contract is limited to _____ successive one (1) year periods or multiple renewal periods of less than one year, provided that the multiple renewal periods do not exceed _____ months in total. Automatic renewal of this Contract is prohibited. Notwithstanding the foregoing, Purchasing Division approval is not required on agency delegated or exempt purchases. Attorney General approval may be required for vendor terms and conditions.

Delivery Order Limitations: In the event that this contract permits delivery orders, a delivery order may only be issued during the time this Contract is in effect. Any delivery order issued within one year of the expiration of this Contract shall be effective for one year from the date the delivery order is issued. No delivery order may be extended beyond one year after this Contract has expired.

Fixed Period Contract: This Contract becomes effective upon Vendor's receipt of the notice to proceed and must be completed within _____ days.

Fixed Period Contract with Renewals: This Contract becomes effective upon Vendor's receipt of the notice to proceed and part of the Contract more fully described in the attached specifications must be completed within _____ days.

Upon completion, the vendor agrees that maintenance, monitoring, or warranty services will be provided for one year thereafter with an additional _____ successive one year renewal periods or multiple renewal periods of less than one year provided that the multiple renewal periods do not exceed _____ months in total. Automatic renewal of this Contract is prohibited.

One Time Purchase: The term of this Contract shall run from the issuance of the Award Document until all of the goods contracted for have been delivered, but in no event will this Contract extend for more than one fiscal year.

Other: See attached.

4. NOTICE TO PROCEED: Vendor shall begin performance of this Contract immediately upon receiving notice to proceed unless otherwise instructed by the Agency. Unless otherwise specified, the fully executed Award Document will be considered notice to proceed.

5. QUANTITIES: The quantities required under this Contract shall be determined in accordance with the category that has been identified as applicable to this Contract below.

Open End Contract: Quantities listed in this Solicitation are approximations only, based on estimates supplied by the Agency. 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.

Service: The scope of the service to be provided will be more clearly defined in the specifications included herewith.

Combined Service and Goods: The scope of the service and deliverable goods to be provided will be more clearly defined in the specifications included herewith.

One Time Purchase: This Contract is for the purchase of a set quantity of goods that are identified in the specifications included herewith. Once those items have been delivered, no additional goods may be procured under this Contract without an appropriate change order approved by the Vendor, Agency, Purchasing Division, and Attorney General's office.

6. PRICING: The pricing set forth herein is firm for the life of the Contract, unless specified elsewhere within this Solicitation/Contract by the State. A Vendor's inclusion of price adjustment provisions in its bid, without an express authorization from the State in the Solicitation to do so, may result in bid disqualification.

7. EMERGENCY PURCHASES: The Purchasing Division Director may authorize the Agency to purchase goods or services in the open market that Vendor would otherwise provide under this Contract if those goods or services are for immediate or expedited delivery in an emergency. Emergencies shall include, but are not limited to, delays in transportation or an unanticipated increase in the volume of work. An emergency purchase in the open market, approved by the Purchasing Division Director, shall not constitute of breach of this Contract and shall not entitle the Vendor to any form of compensation or damages. This provision does not excuse the State from fulfilling its obligations under a One Time Purchase contract.

8. REQUIRED DOCUMENTS: All of the items checked below must be provided to the Purchasing Division by the Vendor as specified below.

BID BOND: All Vendors shall furnish a bid bond in the amount of five percent (5%) of the total amount of the bid protecting the State of West Virginia. The bid bond must be submitted with the bid.

PERFORMANCE BOND: The apparent successful Vendor shall provide a performance bond in the amount of _____. The performance bond must be received by the Purchasing Division prior to Contract award. On construction contracts, the performance bond must be 100% of the Contract value.

LABOR/MATERIAL PAYMENT BOND: The apparent successful Vendor shall provide a labor/material payment bond in the amount of 100% of the Contract value. The labor/material payment bond must be delivered to the Purchasing Division prior to Contract award. In lieu of the Bid Bond, Performance Bond, and Labor/Material Payment Bond, the Vendor may provide certified checks, cashier's checks, or irrevocable letters of credit. Any certified check, cashier's check, or irrevocable letter of credit provided in lieu of a bond must be of the same amount and delivered on the same schedule as the bond it replaces. A letter of credit submitted in lieu of a performance and labor/material payment bond will only be allowed for projects under \$100,000. Personal or business checks are not acceptable.

MAINTENANCE BOND: The apparent successful Vendor shall provide a two (2) year maintenance bond covering the roofing system. The maintenance bond must be issued and delivered to the Purchasing Division prior to Contract award.

INSURANCE: The apparent successful Vendor shall furnish proof of the following insurance prior to Contract award and shall list the state as a certificate holder:

Commercial General Liability Insurance: In the amount of \$1,000,000.00 or more.

Builders Risk Insurance: In an amount equal to 100% of the amount of the Contract.

The apparent successful Vendor shall also furnish proof of any additional insurance requirements contained in the specifications prior to Contract award regardless of whether or not that insurance requirement is listed above.

LICENSE(S) / CERTIFICATIONS / PERMITS: In addition to anything required under the Section entitled Licensing, of the General Terms and Conditions, the apparent successful Vendor shall furnish proof of the following licenses, certifications, and/or permits prior to Contract award, in a form acceptable to the Purchasing Division.

The apparent successful Vendor shall also furnish proof of any additional licenses or certifications contained in the specifications prior to Contract award regardless of whether or not that requirement is listed above.

9. WORKERS' COMPENSATION INSURANCE: The apparent successful Vendor shall comply with laws relating to workers compensation, shall maintain workers' compensation insurance when required, and shall furnish proof of workers' compensation insurance upon request.

10. LITIGATION BOND: The Director reserves the right to require any Vendor that files a protest of an award to submit a litigation bond in the amount equal to one percent of the lowest bid submitted or \$5,000, whichever is greater. The entire amount of the bond shall be forfeited if the hearing officer determines that the protest was filed for frivolous or improper purpose, including but not limited to, the purpose of harassing, causing unnecessary delay, or needless expense for the Agency. All litigation bonds shall be made payable to the Purchasing Division. In lieu of a bond, the protester may submit a cashier's check or certified check payable to the Purchasing Division. Cashier's or certified checks will be deposited with and held by the State Treasurer's office. If it is determined that the protest has not been filed for frivolous or improper purpose, the bond or deposit shall be returned in its entirety.

11. LIQUIDATED DAMAGES: Vendor shall pay liquidated damages in the amount of

n/a

for n/a

This clause shall in no way be considered exclusive and shall not limit the State or Agency's right to pursue any other available remedy.

12. ACCEPTANCE: Vendor's signature on its bid, or on the certification and signature page, constitutes an offer to the State that cannot be unilaterally withdrawn, signifies that the product or service proposed by vendor meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise indicated, and signifies acceptance of the terms and conditions contained in the Solicitation unless otherwise indicated.

13. FUNDING: This Contract shall continue for the term stated herein, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise made available, this Contract becomes void and of no effect beginning on July 1 of the fiscal year for which funding has not been appropriated or otherwise made available.

14. PAYMENT: Payment in advance is prohibited under this Contract. Payment may only be made after the delivery and acceptance of goods or services. The Vendor shall submit invoices, in arrears.

15. TAXES: The Vendor shall pay any applicable sales, use, personal property or any other taxes arising out of this Contract and the transactions contemplated thereby. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.

16. CANCELLATION: The Purchasing Division Director reserves the right to cancel this Contract immediately upon written notice to the vendor if the materials or workmanship supplied do not conform to the specifications contained in the Contract. The Purchasing Division Director may also cancel any purchase or Contract upon 30 days written notice to the Vendor in accordance with West Virginia Code of State Rules §§ 148-1-6.1.e.

17. TIME: Time is of the essence with regard to all matters of time and performance in this Contract.

18. APPLICABLE LAW: This Contract is governed by and interpreted under West Virginia law without giving effect to its choice of law principles. Any information provided in specification manuals, or any other source, verbal or written, which contradicts or violates the West Virginia Constitution, West Virginia Code or West Virginia Code of State Rules is void and of no effect.

19. COMPLIANCE: Vendor shall comply with all applicable federal, state, and local laws, regulations and ordinances. By submitting a bid, Vendor acknowledges that it has reviewed, understands, and will comply with all applicable laws, regulations, and ordinances.

20. PREVAILING WAGE: Vendor shall be responsible for ensuring compliance with prevailing wage requirements and determining when prevailing wage requirements are applicable.

21. ARBITRATION: Any references made to arbitration contained in this Contract, Vendor's bid, or in any American Institute of Architects documents pertaining to this Contract are hereby deleted, void, and of no effect.

22. MODIFICATIONS: This writing is the parties' final expression of intent. Notwithstanding anything contained in this Contract to the contrary no modification of this Contract shall be binding without mutual written consent of the Agency, and the Vendor, with approval of the Purchasing Division and the Attorney General's office (Attorney General approval is as to form only). Any change to existing contracts that adds work or changes contract cost, and were not included in the original contract, must be approved by the Purchasing Division and the Attorney General's Office (as to form) prior to the implementation of the change or commencement of work affected by the change.

23. WAIVER: The failure of either party to insist upon a strict performance of any of the terms or provision of this Contract, or to exercise any option, right, or remedy herein contained, shall not be construed as a waiver or a relinquishment for the future of such term, provision, option, right, or remedy, but the same shall continue in full force and effect. Any waiver must be expressly stated in writing and signed by the waiving party.

24. SUBSEQUENT FORMS: The terms and conditions contained in this Contract shall supersede any and all subsequent terms and conditions which may appear on any form documents submitted by Vendor to the Agency or Purchasing Division such as price lists, order forms, invoices, sales agreements, or maintenance agreements, and includes internet websites or other electronic documents. Acceptance or use of Vendor's forms does not constitute acceptance of the terms and conditions contained thereon.

25. ASSIGNMENT: Neither this Contract nor any monies due, or to become due hereunder, may be assigned by the Vendor without the express written consent of the Agency, the Purchasing Division, the Attorney General's office (as to form only), and any other government agency or office that may be required to approve such assignments. Notwithstanding the foregoing, Purchasing Division approval may or may not be required on certain agency delegated or exempt purchases.

26. WARRANTY: The Vendor expressly warrants that the goods and/or services covered by this Contract will: (a) conform to the specifications, drawings, samples, or other description furnished or specified by the Agency; (b) be merchantable and fit for the purpose intended; and (c) be free from defect in material and workmanship.

27. STATE EMPLOYEES: State employees are not permitted to utilize this Contract for personal use and the Vendor is prohibited from permitting or facilitating the same.

28. BANKRUPTCY: In the event the Vendor files for bankruptcy protection, the State of West Virginia may deem this Contract null and void, and terminate this Contract without notice.

29. PRIVACY, SECURITY, AND CONFIDENTIALITY: The Vendor agrees that it 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/default.html>.

30. YOUR SUBMISSION IS A PUBLIC DOCUMENT: Vendor's entire response to the Solicitation and the resulting Contract are public documents. As public documents, they will be disclosed to the public following the bid/proposal opening or award of the contract, as required by the competitive bidding laws of West Virginia Code §§ 5A-3-1 et seq., 5-22-1 et seq., and 5G-1-1 et seq. and the Freedom of Information Act West Virginia Code §§ 29B-1-1 et seq.

DO NOT SUBMIT MATERIAL YOU CONSIDER TO BE CONFIDENTIAL, A TRADE SECRET, OR OTHERWISE NOT SUBJECT TO PUBLIC DISCLOSURE.

Submission of any bid, proposal, or other document to the Purchasing Division constitutes your explicit consent to the subsequent public disclosure of the bid, proposal, or document. The Purchasing Division will disclose any document labeled "confidential," "proprietary," "trade secret," "private," or labeled with any other claim against public disclosure of the documents, to include any "trade secrets" as defined by West Virginia Code § 47-22-1 et seq. All submissions are subject to public disclosure without notice.

31. LICENSING: In accordance with West Virginia Code of State Rules § 148-1-6.1.e, Vendor 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, West Virginia Insurance Commission, or any other state agency or political subdivision. Upon request, the Vendor must provide all necessary releases to obtain information to enable the Purchasing Division Director or the Agency to verify that the Vendor is licensed and in good standing with the above entities.

32. ANTITRUST: In submitting a bid to, signing a contract with, or accepting a Award Document from any agency of the State of West Virginia, the Vendor agrees to 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 Vendor.

33. VENDOR CERTIFICATIONS: By signing its bid or entering into this Contract, Vendor certifies (1) that its bid or offer was made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, person or entity submitting a bid or offer for the same material, supplies, equipment or services; (2) that its bid or offer is in all respects fair and without collusion or fraud; (3) that this Contract is accepted or entered into without any prior understanding, agreement, or connection to any other entity that could be considered a violation of law; and (4) that it has reviewed this Solicitation in its entirety; understands the requirements, terms and conditions, and other information contained herein.

Vendor's signature on its bid or offer also affirms that neither it nor its representatives have any interest, nor shall acquire any interest, direct or indirect, which would compromise the performance of its services hereunder. Any such interests shall be promptly presented in detail to the Agency. The individual signing this bid or offer on behalf of Vendor certifies that he or she is authorized by the Vendor to execute this bid or offer or any documents related thereto on Vendor's behalf; that he or she is authorized to bind the Vendor in a contractual relationship; and that, to the best of his or her knowledge, the Vendor has properly registered with any State agency that may require registration.

34. PURCHASING CARD ACCEPTANCE: The State of West Virginia currently utilizes a Purchasing Card program, administered under contract by a banking institution, to process payment for goods and services. The Vendor must accept the State of West Virginia's Purchasing Card for payment of all orders under this Contract unless the box below is checked.

Vendor is not required to accept the State of West Virginia's Purchasing Card as payment for all goods and services.

35. VENDOR RELATIONSHIP: The relationship of the Vendor to the State shall be that of an independent contractor and no principal-agent relationship or employer-employee relationship is contemplated or created by this Contract. The Vendor as an independent contractor is solely liable for the acts and omissions of its employees and agents. Vendor shall be responsible for selecting, supervising, and compensating any and all individuals employed pursuant to the terms of this Solicitation and resulting contract. Neither the Vendor, nor any employees or subcontractors of the Vendor, shall be deemed to be employees of the State for any purpose whatsoever. Vendor shall be exclusively responsible for payment of employees and contractors for all wages and salaries, taxes, withholding payments, penalties, fees, fringe benefits, professional liability insurance premiums, contributions to insurance and pension, or other deferred compensation plans, including but not limited to, Workers' Compensation and Social Security obligations, licensing fees, etc. and the filing of all necessary documents, forms, and returns pertinent to all of the foregoing.

Vendor shall hold harmless the State, and shall provide the State and Agency with a defense against any and all claims including, but not limited to, the foregoing payments, withholdings, contributions, taxes, Social Security taxes, and employer income tax returns.

36. INDEMNIFICATION: The Vendor agrees to indemnify, defend, and hold harmless the State and the Agency, their officers, and employees from and against: (1) Any claims or losses for services rendered by any subcontractor, person, or firm performing or supplying services, materials, or supplies in connection with the performance of the Contract; (2) Any claims or losses resulting to any person or entity injured or damaged by the Vendor, its officers, employees, or subcontractors by the publication, translation, reproduction, delivery, performance, use, or disposition of any data used under the Contract in a manner not authorized by the Contract, or by Federal or State statutes or regulations; and (3) Any failure of the Vendor, its officers, employees, or subcontractors to observe State and Federal laws including, but not limited to, labor and wage and hour laws.

37. PURCHASING AFFIDAVIT: In accordance with West Virginia Code § 5A-3-10a, all Vendors are required to sign, notarize, and submit the Purchasing Affidavit stating that neither the Vendor nor a related party owe a debt to the State in excess of \$1,000. The affidavit must be submitted prior to award, but should be submitted with the Vendor's bid. A copy of the Purchasing Affidavit is included herewith.

38. ADDITIONAL AGENCY AND LOCAL GOVERNMENT USE: This Contract may be utilized by other agencies, spending units, and political subdivisions of the State of West Virginia; county, municipal, and other local government bodies; and school districts ("Other Government Entities"). Any extension of this Contract to the aforementioned Other Government Entities must be on the same prices, terms, and conditions as those offered and agreed to in this Contract, provided that such extension is in compliance with the applicable laws, rules, and ordinances of the Other Government Entity. If the Vendor does not wish to extend the prices, terms, and conditions of its bid and subsequent contract to the Other Government Entities, the Vendor must clearly indicate such refusal in its bid. A refusal to extend this Contract to the Other Government Entities shall not impact or influence the award of this Contract in any manner.

39. CONFLICT OF INTEREST: Vendor, its officers or members or employees, shall not presently have or acquire an interest, direct or indirect, which would conflict with or compromise the performance of its obligations hereunder. Vendor shall periodically inquire of its officers, members and employees to ensure that a conflict of interest does not arise. Any conflict of interest discovered shall be promptly presented in detail to the Agency.

40. REPORTS: Vendor shall provide the Agency and/or the Purchasing Division with the following reports identified by a checked box below:

Such reports as the Agency and/or the Purchasing Division may request. Requested reports may include, but are not limited to, quantities purchased, agencies utilizing the contract, total contract expenditures by agency, etc.

Quarterly reports detailing the total quantity of purchases in units and dollars, along with a listing of purchases by agency. Quarterly reports should be delivered to the Purchasing Division via email at purchasing.requisitions@wv.gov.

41. BACKGROUND CHECK: In accordance with W. Va. Code § 15-2D-3, the Director of the Division of Protective Services shall require any service provider whose employees are regularly employed on the grounds or in the buildings of the Capitol complex or who have access to sensitive or critical information to submit to a fingerprint-based state and federal background inquiry through the state repository. The service provider is responsible for any costs associated with the fingerprint-based state and federal background inquiry.

After the contract for such services has been approved, but before any such employees are permitted to be on the grounds or in the buildings of the Capitol complex or have access to sensitive or critical information, the service provider shall submit a list of all persons who will be physically present and working at the Capitol complex to the Director of the Division of Protective Services for purposes of verifying compliance with this provision. The State reserves the right to prohibit a service provider's employees from accessing sensitive or critical information or to be present at the Capitol complex based upon results addressed from a criminal background check.

Service providers should contact the West Virginia Division of Protective Services by phone at (304) 558-9911 for more information.

42. PREFERENCE FOR USE OF DOMESTIC STEEL PRODUCTS: Except when authorized by the Director of the Purchasing Division pursuant to W. Va. Code § 5A-3-56, no contractor may use or supply steel products for a State Contract Project other than those steel products made in the United States. A contractor who uses steel products in violation of this section may be subject to civil penalties pursuant to W. Va. Code § 5A-3-56. As used in this section:

- a. "State Contract Project" means any erection or construction of, or any addition to, alteration of or other improvement to any building or structure, including, but not limited to, roads or highways, or the installation of any heating or cooling or ventilating plants or other equipment, or the supply of and materials for such projects, pursuant to a contract with the State of West Virginia for which bids were solicited on or after June 6, 2001.
- b. "Steel Products" means products rolled, formed, shaped, drawn, extruded, forged, cast, fabricated or otherwise similarly processed, or processed by a combination of two or more or such operations, from steel made by the open heath, basic oxygen, electric furnace, Bessemer or other steel making process. The Purchasing Division Director may, in writing, authorize the use of foreign steel products if:
- c. The cost for each contract item used does not exceed one tenth of one percent (.1%) of the total contract cost or two thousand five hundred dollars (\$2,500.00), whichever is greater. For the purposes of this section, the cost is the value of the steel product as delivered to the project; or
- d. The Director of the Purchasing Division determines that specified steel materials are not produced in the United States in sufficient quantity or otherwise are not reasonably available to meet contract requirements.

43. PREFERENCE FOR USE OF DOMESTIC ALUMINUM, GLASS, AND STEEL: In Accordance with W. Va. Code § 5-19-1 et seq., and W. Va. CSR § 148-10-1 et seq., for every contract or subcontract, subject to the limitations contained herein, for the construction, reconstruction, alteration, repair, improvement or maintenance of public works or for the purchase of any item of machinery or equipment to be used at sites of public works, only domestic aluminum, glass or steel products shall be supplied unless the spending officer determines, in writing, after the receipt of offers or bids, (1) that the cost of domestic aluminum, glass or steel products is unreasonable or inconsistent with the public interest of the State of West Virginia, (2) that domestic aluminum, glass or steel products are not produced in sufficient quantities to meet the contract requirements, or (3) the available domestic aluminum, glass, or steel do not meet the contract specifications. This provision only applies to public works contracts awarded in an amount more than fifty thousand dollars (\$50,000) or public works contracts that require more than ten thousand pounds of steel products.

The cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than twenty percent (20%) of the bid or offered price for foreign made aluminum, glass, or steel products. If the domestic aluminum, glass or steel products to be supplied or produced in a "substantial labor surplus area", as defined by the United States Department of Labor, the cost of domestic aluminum, glass, or steel products may be unreasonable if the cost is more than thirty percent (30%) of the bid or offered price for foreign made aluminum, glass, or steel products. This preference shall be applied to an item of machinery or equipment, as indicated above, when the item is a single unit of equipment or machinery manufactured primarily of aluminum, glass or steel, is part of a public works contract and has the sole purpose or of being a permanent part of a single public works project. This provision does not apply to equipment or machinery purchased by a spending unit for use by that spending unit and not as part of a single public works project.

All bids and offers including domestic aluminum, glass or steel products that exceed bid or offer prices including foreign aluminum, glass or steel products after application of the preferences provided in this provision may be reduced to a price equal to or lower than the lowest bid or offer price for foreign aluminum, glass or steel products plus the applicable preference. If the reduced bid or offer prices are made in writing and supersede the prior bid or offer prices, all bids or offers, including the reduced bid or offer prices, will be reevaluated in accordance with this rule.

CERTIFICATION AND SIGNATURE PAGE

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

Alliance Consulting Inc.
(Company)
Claudia E. Fox Claudia E. Fox President
(Authorized Signature) (Representative Name, Title)
304-255-0491 304-255-4232 4/10/16
(Phone Number) (Fax Number) (Date)

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CRFQ ADJ1600000020

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

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

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

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

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

Alliance Consulting Inc.
Company

Authorized Signature
4/20/16
Date

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

REQUEST FOR QUOTATION
CRFQ ADJ1600000020
Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-Eared Bats on Camp Dawson Army Training Site
Kingwood, WV (Preston Co.)

SPECIFICATIONS

- 1. PURPOSE AND SCOPE:** The West Virginia Purchasing Division is soliciting bids on behalf of West Virginia Army National Guard's Camp Dawson Army Training Site's Environmental Office to establish a contract providing all professional and technical personnel, labor, facilities, equipment, materials, transportation and supplies needed for a critical fauna survey and development of an endangered species management plan for the Indiana Bat and the Northern Long-Eared Bat.

The collection of natural resource baseline information at the Camp Dawson Collective Training Area (CDCTA) is required under the Sikes Act (16 USC 670a et seq.), Army Regulation (AR) 200-3, and Department of Defense Instruction 4715.3. General faunal surveys have been completed as required through previous contracts. However, the United States Fish and Wildlife Service (USFWS) requires specialized surveys for the Indiana bat (*Myotis sodalis*) and the Northern Long-Eared bat (*Myotis septentrionalis*). The specialized surveys must target this species and require accredited personnel to make the species identification determinations. A (USFWS) qualified survey team is needed to conduct surveys that will determine if this species occurs on the CDCTA and to meet USFWS requirements.

In accordance with Army Regulation (AR) 200-3, Chapter 11, any installation having a federally listed or proposed species or critical habitat onsite is required to prepare an Endangered Species Management Plan (ESMP) that includes procedures for managing and protecting the species.

The 3,797-acre Camp Dawson Collective Training Area is located just outside the City of Kingwood in central Preston County, West Virginia (Figure 1) and consists of four distinct tracts: Pringle Tract (1632 acres), Briery Tract (1251 acres), Camp Dawson Cantonment Area (410 acres), and Volkstone Tract (504 acres). All associated forests have been fragmented creating numerous habitat types, including upland and bottomland forests, disturbed riparian zones, open meadows (from reclaimed strip mines), successional shrubland, ephemeral and emergent wetlands, and developed areas. Forests range from regenerating to mature stands.

This project has two primary objectives, one is to determine if Indiana bats and/or Northern Long-Eared bats occur on site and to better characterize the species of bats present. The second objective is to develop an (ESMP) Endangered Species Management Plan that incorporates the WVARNG management philosophies, practices and mission requirements for the installation. The ESMP will be consistent with the (USFWS) Indiana Bat Draft Recovery Plan: First Revision (April 2007). The USFWS is a cooperator in the

REQUEST FOR QUOTATION

CRFQ ADJ1600000020

Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-Eared Bats on Camp Dawson Army Training Site Kingwood, WV (Preston Co.)

implementation of the Camp Dawson Integrated Natural Resources Management Plan (INRMP) in accordance with the Sikes Act. The USFWS, operating under Section 7 of the Endangered Species Act, concurred with the 2012 INRMP revision (USFWS Letter 12 June, 2013) because specialized surveys were up to date. Based on the data collected in the most recent survey (2013), the USFWS concurred that there is high likelihood of presence of Indiana bats at Camp Dawson (USFWS Letter 19 Dec, 2013). The presence of Northern Long-Eared bats was also confirmed. However, the USFWS considers presence/absence surveys current for only three years, these surveys must be conducted in the Spring/Summer of 2016.

Surveys will be conducted during the summer survey season on all suitable habitat located on the Camp Dawson Army Training Site. Surveys for this species should adhere to the guidelines outlined in the most current USFWS protocol. The contractor may choose to use either the mist-netting or acoustic survey method of presence/absence surveys. It will be the responsibility of the contractor to submit a draft study plan for all survey phases to the USFWS Field Office(s) for review and approval.

2. **DEFINITIONS:** The terms listed below shall have the meanings assigned to them below. Additional definitions can be found in section 2 of the General Terms and Conditions.
 - 2.1 **“Contract Services”** means preparing methodologies and work plan for the survey, coordinating field survey with Agency personnel, conducting the survey as approved, and preparing draft and final reports for submission to Agency, in addition develop an ESMP Endangered Species Management Plan.
 - 2.2 **“Qualified Biologist”** is an individual who holds a USFWS Recovery Permit (Federal Fish and Wildlife Permit) for Indiana and Northern Long-Eared bats in the state/region in which they are surveying and/or has been authorized by the appropriate state agency to mist-net for Indiana bats. Several USFWS offices maintain lists of qualified bat surveyors, and if working in one of those states with authorizations in lieu of a Recovery Permits, the individual will either need to be on that list or submit qualifications to receive USFWS approval prior to conducting any field work.
 - 2.3 **“Pricing Page”** means the pages upon which Vendor should list its proposed price for the Contract Services. The Pricing Page is either included on the last page of this RFQ or attached hereto as Exhibit A.
 - 2.4 **“Solicitation”** means the official notice of an opportunity to supply the State with goods or services that is published by the Purchasing Division.

REQUEST FOR QUOTATION

CRFQ ADJ1600000020

**Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-Eared Bats on Camp Dawson Army Training Site
Kingwood, WV (Preston Co.)**

3. QUALIFICATIONS: Vendor shall have the following minimum qualifications:

- 3.1.** Vendor must employ a qualified biologist who will select/approve survey locations, in areas that are most suitable for capturing Indiana and Northern Long-Eared bats. The qualified biologist must be physically present at each location throughout the survey period and confirm all bat species identifications.
- 3.2.** Vendor must provide, prior to award, a Certificate of Commercial General Liability Insurance in the amount \$1,000,000.00.

4. MANDATORY REQUIREMENTS:

4.1 Mandatory Contract Services Requirements and Deliverables: Contract Services must meet or exceed the mandatory requirements listed below.

4.1.1 Contract Services Deliverable #1- Task Definition-Surveys

4.1.1.1 After the completion of the contract award, the successful vendor must prepare a summer survey work plan proposal for the project, defining methodologies to be employed for the surveys; how data will be collected, stored, and analyzed; how results will be reported and reports formatted; a complete breakdown of costs; and a proposed schedule for all work submission of deliverables. The curriculum vitae of the primary researchers and technicians for the various surveys shall also be submitted with this project proposal.

4.1.1.2 Vendor will meet with Camp Dawson (CD) Environmental personnel to coordinate the field surveys, use of CD materials, and develop an outline for the work plan. The pre-work conference will be scheduled at Camp Dawson within fifteen (15) days, after the official award of the contract, but prior to the actual start of the work. The agency, Camp Dawson Environmental, will coordinate this meeting date with the vendor.

REQUEST FOR QUOTATION

CRFQ ADJ160000020

Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-Eared Bats on Camp Dawson Army Training Site Kingwood, WV (Preston Co.)

- 4.1.1.3** Vendor will complete the work plan as prepared for the survey period. All work plans will be coordinated in association with the USFWS prior to the start of the project.
- 4.1.1.4** Vendor will initiate coordination of the ESMP development with state, federal, and local natural resources management agencies and other interested parties by preparing a letter to be sent out on WVARNG letterhead. The letter will inform the agencies of the development of the ESMP for the Indiana and Northern Long-Eared bat and request their input as a natural resources management agency.
- 4.1.1.5** Vendor must prepare and submit a Draft Endangered Species Management Plan, the ESMP will be developed in accordance with Army Policy, the ESA of 1973, and the National Environmental Policy Act (NEPA) of 1969, as amended (42 USC 4321). At a minimum the draft plan for the Indiana and Northern Long-Eared bat will cover the following items, compliance, goals and objectives, species life history, species habitat requirements, management strategies and actions, consultation and coordination, inventory and monitoring, summary of available data sources, identification of data gaps, and acronyms. This plan will have line numbers on each page to aid in the review and comment process.
- 4.1.1.6** Vendor must prepare and submit a Final ESMP, WVARNG personnel will review the Draft ESMP and will provide vendor with written comments on the Draft ESMP. Vendor will revise the Draft ESMP based on the comments received from installation personnel and prepare the Final ESMP. The Final version will be bound in a three ring binder. All photographs, field notes, reports, maps, and other data generated by the vendor while completing the project are the property of the West Virginia National Guard and will be provided to the agency at the end of the project. Vendor may retain copies for their files but may not release this information without the written consent of the agency.

REQUEST FOR QUOTATION
CRFQ ADJ1600000020
Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-
Eared Bats on Camp Dawson Army Training Site
Kingwood, WV (Preston Co.)

4.1.2 Contract Services Deliverable #2- Reports

- 4.1.2.1** Vendor must submit their start-up letter and attached approved plan of work within thirty (30) days of official contract award.
- 4.1.2.2** Vendor must complete Surveys no later than August 15, 2016, and submit three (3) copies of the Draft Report and maps; two (2) in hard copy and one (1) electronically no later than September 15, 2016.
- 4.1.2.3** Vendor must submit three (3) copies of the Final Report and maps two (2) in hard copy and one (1) electronically, incorporating review comments, no later than October 15, 2016. All GIS SDSFIE 2.6 compliant data layers must be included in the electronic submission.
- 4.1.2.4** Vendor must provide (2) copies of the Draft ESMP Endangered Species Management Plan in hard copy and one (1) electronically by October 15, 2016.
- 4.1.2.5** Vendor must provide (3) copies of the Final ESMP Endangered Species Management Plan in hard copy and one (1) electronically by November 15, 2016.

5. CONTRACT AWARD:

5.1 Contract Award: The Contract is intended to provide Agency with a purchase price for the Contract Services. The Contract shall be awarded to the Vendor that provides the Contract Services meeting the required specifications for the lowest overall total cost as shown on the Pricing Pages.

5.2 Pricing Page: Vendor should complete the Pricing Page by entering their all inclusive lump sum quote to complete the task definition and work plan, to coordinate and complete the field surveys, and prepare and submit draft and final reports, including coordination of ESMP development, Draft ESMP and

**REQUEST FOR QUOTATION
CRFQ ADJ1600000020**

**Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-
Eared Bats on Camp Dawson Army Training Site
Kingwood, WV (Preston Co.)**

a Final ESMP, as specified herein. Vendor should complete the Pricing Page in full as failure to complete the Pricing Page in its entirety may result in Vendor's bid being disqualified.

Notwithstanding the foregoing, the Purchasing Division may correct errors as it deems appropriate. Vendor should enter the information into the Pricing Page to prevent errors in the evaluation.

6. **PERFORMANCE:** Vendor and Agency shall agree upon a schedule for performance of Contract Services and Contract Services Deliverables, unless such a schedule is already included herein by Agency.
7. **PAYMENT:** Agency shall pay in accordance with the schedule noted below, for all Contract Services performed and accepted under this Contract. Vendor shall accept payment in accordance with the payment procedures of the State of West Virginia.

Vendor will request payment by submitting detailed invoices, *in quintuplicate*, to:

**HQ WVARNG
ATTN: WVAR-F-EP
1703 Coonskin Drive
Charleston, WV 25311-1085**

There shall be two payments allowed under this scope of work.

Payment No. 1 equals fifty percent (50%) of the contract sum, less previous payments, upon successful completion of the Draft Summer Survey Report.

Payment No. 2 equals fifty percent (50%) of the contract sum, less previous payments, plus or minus any approved change orders, upon final inspection and acceptance of all tasks as outlined in this scope of work.

DELIVERABLES

DATE

PAYMENT SCHEDULE

Project Start Date	May/June 2016	
Weekly Progress Reports	Provided weekly or upon request	
Completion of Surveys	No Later Than August 15, 2016	
Completion of Draft Survey Report	No Later Than September 15, 2016	50%
Completion of Survey Report and Draft ESMP	No later than October 15, 2016	
Completion of Project & ESMP	No Later Than November 15, 2016	50%

REQUEST FOR QUOTATION
CRFQ ADJ1600000020
Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-
Eared Bats on Camp Dawson Army Training Site
Kingwood, WV (Preston Co.)

Upon completion of the project, all non-expended field supplies that were purchased with funds provided by Camp Dawson Army Training Site (CDATS) will become the sole property of the CDATS.

8. **TRAVEL:** Vendor shall be responsible for all mileage and travel costs, including travel time, associated with performance of this Contract. Any anticipated mileage or travel costs must be included in the lump sum total listed on Vendor's bid. Travel costs will not be paid by the Agency separately.
9. **FACILITIES ACCESS:** Performance of Contract Services may require access cards and/or keys to gain entrance to Agency's facilities. In the event that access cards and/or keys are required:
 - 9.1. Vendor must identify principal service personnel which will be issued access cards and/or keys to perform service.
 - 9.2. Vendor will be responsible for controlling cards and keys and will pay replacement fee, if the cards or keys become lost or stolen.
 - 9.3. Vendor shall notify Agency immediately of any lost, stolen, or missing card or key.
 - 9.4. Anyone performing under this Contract will be subject to Agency's security protocol and procedures.
 - 9.5. Vendor shall inform all staff of Agency's security protocol and procedures.

REQUEST FOR QUOTATION
CRFQ ADJ160000020
Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-
Eared Bats on Camp Dawson Army Training Site
Kingwood, WV (Preston Co.)

10. VENDOR DEFAULT:

10.1. The following shall be considered a vendor default under this Contract.

10.1.1. Failure to perform Contract Services in accordance with the requirements contained herein.

10.1.2. Failure to comply with other specifications and requirements contained herein.

10.1.3. Failure to comply with any laws, rules, and ordinances applicable to the Contract Services provided under this Contract.

10.1.4. Failure to remedy deficient performance upon request.

10.2. The following remedies shall be available to Agency upon default.

10.2.1. Cancellation of the Contract.

10.2.2. Cancellation of one or more release orders issued under this Contract.

10.2.3. Any other remedies available in law or equity.

11. MISCELLANEOUS:

11.1. **Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: Braden Hoffman
Telephone Number: 304-255-0491 ext. 146
Fax Number: 304-255-4232
Email Address: bhoffman@aci-wv.com

Figure 1:

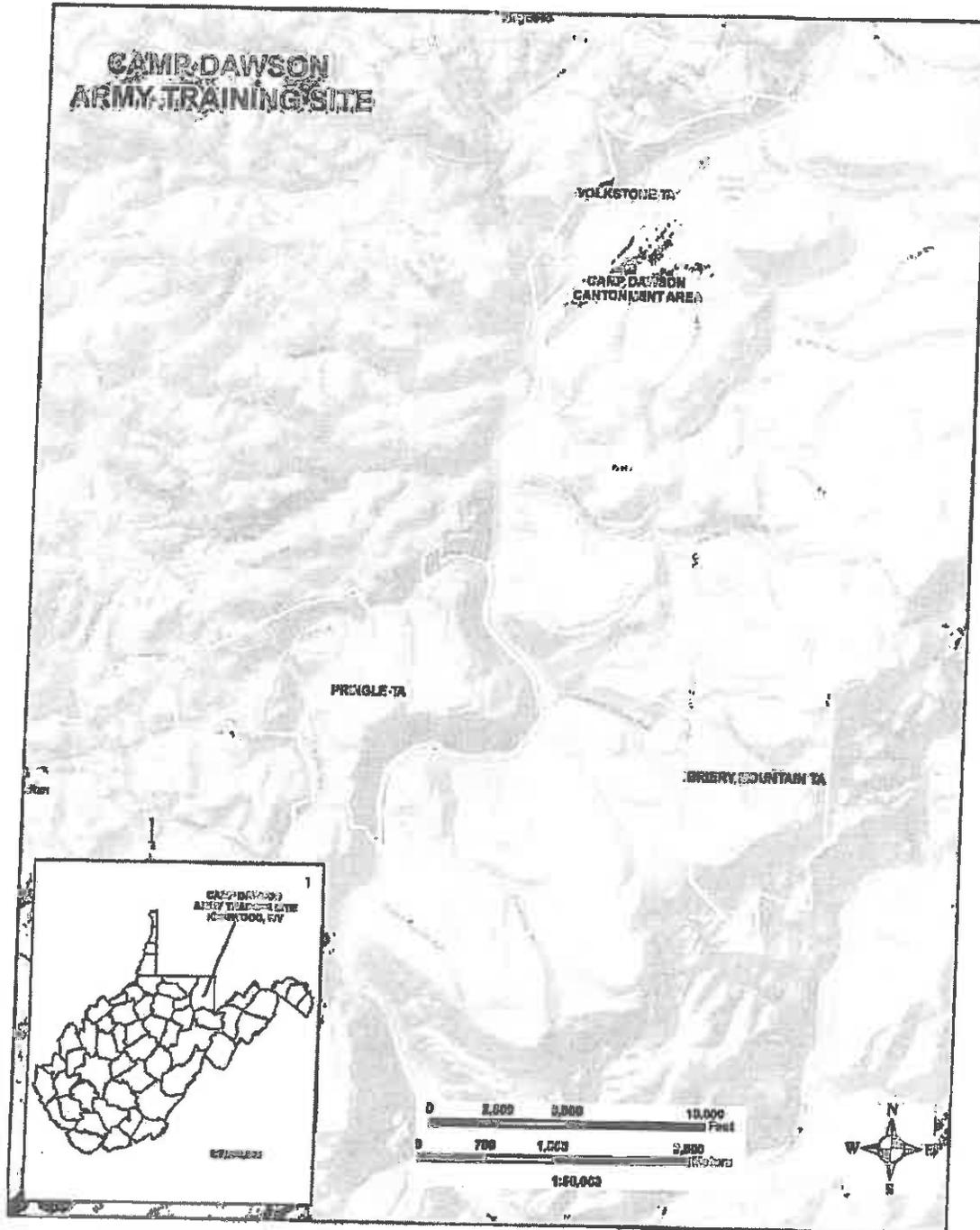


EXHIBIT A
CRFQ ADJ1600000020

ALL LABOR, MATERIALS, EQUIPMENT, AND SUPPLIES NECESSARY TO CONDUCT CRITICAL FAUNA SURVEY AND ENDANGERED SPECIES MANAGEMENT PLAN FOR THE INDIANA BAT AND NORTHERN LONG-EARED BAT, ON CAMP DAWSON ARMY TRAINING SITE AT KINGWOOD, WV

BID FORM

The undersigned, hereafter called the Bidder, being familiar with and understanding the bidding documents; and being familiar with the required qualifications and the mandatory requirements of the Project with regards to the deliverables and associated timelines, hereby proposes to furnish labor, material, equipment, supplies, and transportation to perform the work as described in the bidding documents

BIDDERS COMPANY NAME: Alliance Consulting Inc

VENDOR ADDRESS: 124 Philpott Lane
Beaver WV 25813

TELEPHONE: 304-255-0491

FAX NUMBER: 304-255-4232

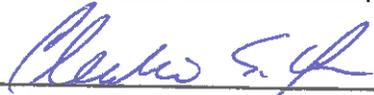
E-MAIL ADDRESS: bhoffman@aci-wv.com

CONTRACT TOTAL BID:

Three hundred and nine thousand and ten dollars
(\$ 309,010.00) ***(Contract bid to be written in words and numbers.)

The contract will be awarded to the Bidder with the lowest contract total bid meeting all of the specifications. Bidder understands that to the extent allowed by the West Virginia Code, the OWNER reserves the right to waive any informality or irregularity in any bid, or bids, and to reject any and all bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the bidding documents; to reject any conditions of the bid by the Bidder that is any way inconsistent with the requirements, terms, and conditions of the bidding documents; or to reject a bid that is in any way incomplete or irregular.

Failure to use this bid form may result in bid disqualification.

SIGNATURE:  DATE: 4/20/16

NAME: Cecelia E. Von
(Please Print)

TITLE: President

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 Vendor Preference, if applicable.

1. Application is made for 2.5% 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% 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% 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% 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% 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% 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.

7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with West Virginia Code §5A-3-59 and West Virginia Code of State Rules.

Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

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: Alliance Consulting Co.

Signed: [Signature]

Date: 4-20-16

Title: President

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

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

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

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

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Alliance Consulting, Inc.

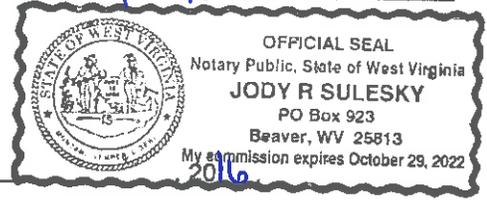
Authorized Signature: [Signature] Date: 4/20/16

State of West Virginia

County of Raleigh, to-wit:

Taken, subscribed, and sworn to before me this 20th day of April

My Commission expires Oct. 29, 2022, 2022



AFFIX SEAL HERE

NOTARY PUBLIC [Signature]
Purchasing Affidavit (Revised 07/01/2012)

EXHIBIT A
CRFQ ADJ160000020

ALL LABOR, MATERIALS, EQUIPMENT, AND SUPPLIES NECESSARY TO CONDUCT CRITICAL FAUNA
SURVEY AND ENDANGERED SPECIES MANAGEMENT PLAN FOR THE INDIANA BAT AND
NORTHERN LONG-EARED BAT, ON CAMP DAWSON ARMY TRAINING SITE AT KINGWOOD, WV

BID FORM

The undersigned, hereafter called the Bidder, being familiar with and understanding the bidding documents; and being familiar with the required qualifications and the mandatory requirements of the Project with regards to the deliverables and associated timelines, hereby proposes to furnish labor, material, equipment, supplies, and transportation to perform the work as described in the bidding documents

BIDDERS COMPANY NAME: Alliance Consulting, Inc

VENDOR ADDRESS: 124 Philpott Lane
 Beaver, West Virginia 25813

TELEPHONE: 304-255-0491

FAX NUMBER: 304-255-4232

E-MAIL ADDRESS: bhoffman@aci-wv.com

CONTRACT TOTAL BID: Option 1

 Five Hundred Fifty Three Thousand and Fifty Dollars

(\$ 553,050.00) ****(Contract bid to be written in words and numbers.)*

The contract will be awarded to the Bidder with the lowest contract total bid meeting all of the specifications. Bidder understands that to the extent allowed by the West Virginia Code, the OWNER reserves the right to waive any informality or irregularity in any bid, or bids, and to reject any and all bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the bidding documents; to reject any conditions of the bid by the Bidder that is any way inconsistent with the requirements, terms, and conditions of the bidding documents; or to reject a bid that is in any way incomplete or irregular.

Failure to use this bid form may result in bid disqualification.

SIGNATURE: *Cecilia E. Von* DATE: 4/20/16

NAME: Cecilia E. Von
(Please Print)

TITLE: President

Mr. Bossart has over 16 years of experience as a wildlife biologist and is a U.S. Fish and Wildlife Service (USFWS) approved Indiana bat (*Myotis sodalis*) and Northern Long-eared bat (*Myotis septentrionalis*) surveyor. His fields of experience and research include the assessment and management of threatened and endangered species, wetlands and streams, forested communities, vernal pools, and freshwater fisheries. He has experience in both Section 7 formal and informal agency consultation; Section 10 agency consultation; National Environmental Policy Act; Endangered Species Act; USF&WS survey techniques; and various state agency survey techniques.

Mr. Bossart has completed numerous federally and state endangered and threatened species surveys ranging from aquatic organisms to small mammals for oil/gas wells and pipelines, mineral extraction projects, public transportation projects, timber removal projects, wind farm development, transmission line permitting, and land development projects located in Texas, Tennessee, Kansas, Pennsylvania, West Virginia, Maryland, New York, Ohio, Illinois, New Mexico, Virginia, and Vermont. In addition, Mr. Bossart has played an integral part in the protection of many northeastern bat populations, notably the Indiana bat and Eastern Small-footed bat (*Myotis leibii*). This included hibernacula protection by the erection of steel gates in cave/mine entrances, and maternity site protection by establishing artificial maternity colony roosts.

Mr. Bossart has used aerial and surface based radio telemetry to successfully determine migration routes, critical habitat, foraging territories, and nursery colonies of federally endangered species. In addition to wildlife surveys, Mr. Bossart has participated in many habitat evaluations for both sensitive and non-sensitive species.

Mr. Bossart has completed habitat assessments and presence/absence surveys for federal and state listed birds in PA, VA, NM, and TX. He has completed bird point count studies to determine species diversity for NEPA documents and environmental compliance. Mr. Bossart has assisted with 10 Bald eagle nest searches both aerial and land based. He has also been a long term construction monitor at active bald eagle nests during pipeline and highway construction projects in Texas.

Mr. Bossart has experience in determining the presence/absence of Essential Fish Habitat (EFH), the occurrence of species managed by National Marine Fisheries Service (NMFS), EFH report preparation, and agency consultation related to EFH with NMFS. Additionally, he has identified and verified side-scan sonar imagery to determine and assess oyster reef and seagrass colonies during surveys to determine population boundaries, densities, health, and to explore possible techniques to minimize disturbances from construction. Mr. Bossart has acted as a biological monitor for many investigative resource studies including seismic surveys, surface mine placement, highway alignments, and pipeline installation on both federal and private land.

Mr. Bossart has performed wetland and stream identifications, assessments, and jurisdictional determinations for a variety of clients including private individuals, corporations, and government agencies. He has successfully permitted many USACE Section 404 and state 401 Joint Permit Applications, Nationwide permit applications and General permit applications. Mr. Bossart has completed various aspects of the permitting process including evaluations of environmental resource values and functions, investigation into alternative site designs, preparation of mitigation plans, and planting plans. He has also overseen the construction and monitoring of both stream and wetland mitigation areas.

Mr. Bossart has completed water and sediment quality assessments for USACE dredging permits and routine discharge permits including collections of water, sediment, pore water, elutriate and tissue samples. He has participated and helped develop techniques to assess dioxin-loading levels from storm water runoff entering small tributaries. He has also developed sampling

protocols and implemented sampling efforts to determine point source loading of bacteria and ammonia from illicit discharges during dry weather periods and corresponding wet weather flushing events by storm water runoff.

With regard to NEPA, Mr. Bossart has been an instrumental part of preparing Environmental Assessments (EA), Biological Assessments (BA), Biological Opinions (BO), and Environmental Impact Statements (EIS). His main responsibilities have included participating in multiple-discipline field crews to evaluate the proposed project, assemblage of data into reports, and final preparation and submittal of the various documents to the appropriate lead governmental agencies.

PROJECT EXPERIENCE

- ***Potomac Appalachian Transmission Highline, West Virginia, Virginia, Maryland***
Mr. Bossart acted as the overall sensitive species project lead for the entire 275 mile new 765kV transmission line. The project involved coordination with the U.S. Fish and Wildlife Service, U.S. National Forest Service, U.S. National Park Service, and various state agencies. Mr. Bossart coordinated with agencies staff, field survey crews, land agents, private land owners, and the overall clients throughout the 2 year permitting process. Both state and federally listed species were addressed during this time frame. Notable consultation efforts included the following species: Indiana bat, Running Buffalo clover, Bald eagle, Madison Cave isopod, Cheat Mt. Salamander, and Wood turtle.
- ***Confidential Client, Wind Farm, Ohio***
Mr. Bossart completed presence/probable absence Indiana bat mist net surveys for a proposed 200 mile² wind farm in central Ohio. The mist net survey, which was completed in accordance with Ohio wind siting protocol, consisted of 15 survey sites, 60 net nights. The survey resulted in the capture of over 300 bats and the identification of a large Little Brown bat maternity colony. Based upon the survey, the client received concurrence from the USF&WS and the Ohio DNR that the project would “not likely to adversely affect”.
- ***Confidential Client, Wind Farm, Pennsylvania***
Mr. Bossart assisted with a Section 10 Incidental Take permit for a proposed 80.5 MW wind facility in Pennsylvania. As part of the Section 10 HCP permitting process Mr. Bossart working for the USFWS to draft an Environmental Assessment in support of the proposed Indiana Bat Habitat Conservation Plan. His duties include agency correspondence, avoidance, minimization, and mitigation planning, public interactions, HCP team participation, and document preparation.
- ***The Trans-Allegheny Interstate Transmission Line (TrAIL) Project Threatened and Endangered Species Surveys VA, WV, and PA***
Mr. Bossart oversaw all aspects of an Indiana bat (*Myotis sodalis*) and Virginia Big-eared bat (*Corynorhinus townsendii virginianus*) presence/probable absence mist net survey for the Trans-Allegheny Interstate Line (TrAIL). The TrAIL project consisted of the installation of over 200 miles of new 500 kV transmission line. The mist net survey consisted of 440 mist net sites in VA, WV, and PA. 2,250 bats representing 8 different species were captured and identified during the summer of 2008. The survey also resulted in the identification of 2 previously unknown bat hibernacula’s in WV. Based upon the survey, the client received concurrence from the USF&WS that the project would “not likely to adversely affect”.
- ***The Ohio River Clean Fuel (ORCF) LLC / Beard Energy – Coal and Biomass-to-Liquids Plant, Ohio***
Mr. Bossart oversaw all of the wetland and stream assessments, delineations, and permitting associated with the ORCF project. Additionally he completed the Indiana bat

Presence/Probable Absence mist net survey. Based upon the Indiana bat survey the client received concurrence from the USF&WS that the project would “not likely to adversely affect” and both the USACE and Ohio EPA issued 404/401 and isolated wetlands permits for the project.

- **Confidential Client, Surface Mine Expansion, Pennsylvania**

Mr. Bossart served as the project manager for an endangered Indiana bat (*Myotis sodalis*) Presence/Probable Absence mist net survey for an approximate 1,200-acre mine expansion area. The initial survey included 8 mist net survey sites as approved by the USFWS. During the survey, one lactating adult female Indiana bat was captured. Mr. Bossart affixed a radio transmitter to the bat and tracked it for 5 days to a new Indiana bat maternity colony. The tracking also revealed several satellite roost trees, foraging areas, travel corridors and nightly patterns. As directed by the USFWS Mr. Bossart completed additional mist net surveys and telemetry work in the project vicinity resulting in five more Indiana bats being captured and tracked.

- **Confidential Client, Surface Mine Complex, West Virginia**

Mr. Bossart served as the project manager for a 30 day Indiana bat Presence/Probable Absence mist net survey over an approximately 3,000-acre proposed surface mine complex. The mist net survey consisted of 22 survey sites which resulted in the capture of over 200 bats representing 6 species. Ultimately, the client received final concurrence of “not likely to adversely affect” and the project developed.

EDUCATION

B.S. in Biology
Shippensburg University

PUBLICATIONS

Seed Color Preference in Selected Northern Birds, Journal of the Pennsylvania Academy of Science, 2000, Volume: 74 (2)

PROFESSIONAL AFFILIATIONS

- Northeast Bat Working Group (NEBWG)

TRAINING

- Sonobat – Acoustic Bat Call Identification
- Wetland Training Institute USACE 1987 Manual
- Texas Freshwater Fish Identification
- WVDEP – Updated Indiana bat / Endangered Species Protocol
- ArcGIS I
- Texas DOT Precertification: TxDOT ESN #9880
- Texas DOT Categories
- Ohio DOT Certified

Brian L. Cooper

Project Scientist



Mr. Cooper is a U.S. Fish and Wildlife Service (USFWS) approved Indiana bat (*Myotis sodalis*) and Northern Long-eared bat (*M. septentrionalis*) surveyor, and a Pennsylvania QBS (Qualified Bat Surveyor). He has completed numerous federal and state endangered and threatened species surveys ranging from small mammals to reptiles and amphibians for the oil/gas industry, mineral extraction projects, wind farm development, transmission line permitting, and land development projects located in Pennsylvania, West Virginia, Ohio, Virginia, and Illinois.

Mr. Cooper specializes in presence / absence surveys for the Indiana Bat and Northern Long-eared bat. He has completed 175 mist net sites and 74 fall portal surveys throughout the Northeast, Midwest, and Virginia. He has successfully handled and identified over 3,500 Vespertilionidae including the Indiana bat, Gray bat (*M. grisescens*), Northern Long-eared bat and Virginia Big-eared bat (*Corynorhinus townsendii virginianus*).

Mr. Cooper has completed bat surveys using various methodologies including: mist nets, harp traps, acoustic detectors, night vision cameras, and butterfly nets (bridge roost surveys). The surveys were completed to determine presence / absence, species diversity, hibernacula usage, emergence / dispersal, and habitat usage. Additional field activities included the following: banding, measuring, weighing, transmitter attachment, photo documentation, tracking of transmitter equipped bats, and identifying bats to species.

Mr. Cooper has used surface based radio telemetry to successfully determine critical habitat, foraging territories, and nursery colonies of federally endangered bat species. In addition to wildlife surveys, Mr. Cooper has participated in many habitat evaluations for both sensitive and non-sensitive species.

Mr. Cooper also has extensive experience with wetland and aquatic resource surveys, and has performed many wetland and stream identifications, assessments, and delineations for a variety of clients including private individuals, corporations, and government agencies. These surveys have taken place in West Virginia, Pennsylvania, and Ohio, and included both Army Corps of Engineers and EPA required data collection, assessment, and report writing.

PROJECT EXPERIENCE

- **Bruce Mansfield – Glenwillow Transmission Line Project, Ohio**

Mr. Cooper acted as a Team Leader for a 115 mile transmission line. The project involved presence/probable absence mist net surveys, habitat assessments to document both foraging and roosting habitat for Indiana bats within known Indiana bat management areas, and potential winter bat habitat investigations. The mist net survey required a total of 57 mist net sites which resulted in the capture of 692 bats. Based upon the results of the mist net survey and habitat assessment the client received concurrence from the USFWS that the project was “not likely to adversely affect”.

Brian L. Cooper

Project Scientist

Page 2



- **Confidential Client, Surface Mine, West Virginia**

Mr. Cooper acted as the overall Project Lead to complete presence/probable absence Indiana bat mist net surveys for a proposed 1,000 acre surface mine in southern WV. The mist net survey consisted of 8 survey sites, 32 net nights. The survey resulted in the capture of 66 bats. Based upon the survey results, the client received concurrence from the USFWS and the WV DEP that the project was “not likely to adversely affect”.

- **Confidential Client, Stone Quarry, Pennsylvania**

Mr. Cooper acted as the field scientist to complete presence/probable absence Allegheny Woodrat (*Neotoma magister*) surveys and potential winter bat hibernacula surveys for a proposed 250 acre stone quarry in southwest PA. The Woodrat surveys identified both active and potential Woodrat activity centers as well as delineated core Woodrat habitat areas, following the Pennsylvania Game Commission Allegheny Woodrat protocol. The hibernacula surveys consisted of harp trapping several natural cave entrances to determine use by bats. Based upon the survey results we assisted the client with development of a mitigation and monitoring plan for the Allegheny Woodrat.

- **Various Clients, Natural Gas Pipelines, Ohio**

Mr. Cooper has identified and delineated streams and wetlands along numerous proposed oil and gas Right-Of-Ways for permanent underground pipelines and above ground temporary lines. In addition to the wetland and stream delineations he has collected the required Ohio EPA aquatic resource data. The collected Ohio EPA data included stream and wetland metrics as well as aquatic macroinvertebrate samples and metrics. The data collected was used to classify streams and wetlands according to Ohio EPA standards.

EDUCATION

B.S. in Biology, with a Minor in Environmental Studies.

Bucknell University – May, 2011

PROFESSIONAL AFFILIATIONS

- North Eastern Bat Working Group (NEBWG)
- Bat Conservation International (BCI)

TRAINING

- SonoBat Acoustic Field Techniques Workshop – Bat Conservation International
- Acoustic Field Techniques and Call Analysis Workshop – Sanders Environmental
- Wetland Training – Richard Chinn Environmental Training, Inc.

Ms. Dreibelbis is a U.S. Fish and Wildlife Service (USFWS) approved Indiana bat (*Myotis sodalis*) surveyor and has completed over 35 presence/probable absence survey projects for the oil and gas industries, mineral extraction projects, wind farm development, transmission line permitting, and land development projects located in Illinois, New York, Ohio, Pennsylvania, Virginia, and West Virginia.

Ms. Dreibelbis specializes in presence/absence surveys for the Indiana Bat. She has completed 124 mist net sites, and 9 fall portal surveys throughout the Northeast, and Midwest. She has successfully handled and identified over 1,900 Vespertilionidae including the Indiana bat and Northern Long-eared bat (*Myotis septentrionalis*).

Ms. Dreibelbis has completed bat surveys using various methodologies including: mist nets, harp traps, and acoustic detectors. The surveys were completed to determine presence/absence, species diversity, hibernacula usage, emergence/dispersal, and habitat usage. Additional field activities included the following: banding, measuring, weighing, transmitter attachment, photo documentation, tracking of transmitter equipped bats, and identifying bats to species.

Ms. Dreibelbis has used surface based radio telemetry to successfully determine critical habitat, daytime roost use, foraging territories, and nursery colonies of federally endangered bat species. Additionally, she has entered and analyzed foraging data using LOAS and Biotas to determine critical foraging habitat for state threatened and endangered bat species. She has also participated in habitat evaluations for both sensitive and non-sensitive species.

Ms. Dreibelbis has completed a 38 hour Army Corps of Engineers wetland delineation training program and has performed stream and wetland identification, assessments and delineations for private individuals, corporations, and government agencies.

Ms. Dreibelbis also has five years of experience working for an environmental forensics laboratory as an assistant engineer scientist. During these five years she was active both in the lab and in the field. In both settings she was responsible for sample collection, preparation, analysis, data interpretation, client communications, project management, and report writing.

PROJECT EXPERIENCE

- ***Confidential Client, Surface Mine Complex, West Virginia***

Ms. Dreibelbis served as the project lead for an Indiana bat (*M. sodalis*) Presence/Probable Absence mist net survey. The approximate 790-acre proposed surface mine complex consisted of 10 survey sites and one abandoned mine portal. During the course of this survey 119 bats were captured representing five species; no Indiana bats were captured.

- **Confidential Client, Surface Mine Complex, West Virginia**

Ms. Dreibelbis served as a team lead for an endangered Indiana bat (*M. sodalis*) Presence/Probable Absence mist net survey on an approximate 784-acre proposed surface mine complex. The survey consisted of 12 mist net sites over a ten day period. During this survey 257 bats were captured representing five species; no Indiana bats were captured.

- **Confidential Client, Indiana Bat Hibernacula Monitoring, New Jersey**

Ms. Dreibelbis has participated in seven fall swarm surveys of a known Indiana bat hibernacula from 2012 through 2014 using USFWS and the New Jersey Department of Environmental Protection (NJDEP) survey protocols. During the course of the surveys she deployed harp traps and acoustic bat detectors, collected morphological data, banded and photo documented bats, and actively collected acoustic voucher calls.

- **Confidential Client, Hurricane Katrina Remediation, Louisiana**

Ms. Dreibelbis served as a project manager for five months at a building remediation site in Metairie, Louisiana. During this time she coordinated with clients, contractors, and insurance representatives to complete remediation of commercial properties in a timely and cost effective manner. She also completed in depth inspections of properties before and after remediation to assess damage and ensure proper repairs had been completed.

EDUCATION

B.S. in Wildlife and Fisheries Science

Pennsylvania State University – December 2013

PROFESSIONAL AFFILIATIONS

- Northeast Bat Working Group (NEBWG) – December, 2013

TRAINING

- ArcGIS
- Wetland Training – Richard Chinn Environmental Training, Inc.
- Northeastern Herbaceous and Woody Forest Plant Identification
- Northeastern Reptile and Amphibian Identification
- Invertebrate Identification
- Occupational Health Basic Training Module, Pennsylvania State University, 2015.
- Acoustics Workshop, Bat Conservation and Management, 2014

Ms. Veron is a US Fish and Wildlife Service (USFWS) approved Indiana bat (*Myotis sodalis*) surveyor. She has completed numerous presence/probable absence mist net surveys and fall swarm surveys. She has worked on large scale projects for the oil/gas industry, transmission line permitting, and mineral extraction projects in Pennsylvania, Ohio, West Virginia, Virginia, New York, and Illinois.

Ms. Veron specializes in presence/absence surveys for the Indiana bat. She has completed 70 mist net sites and 54 fall portal surveys throughout the Northeast, and Midwest. She has successfully handled and identified over 2,000 Vespertilionidae including the Indiana bat and Northern Long-eared bat (*Myotis septentrionalis*).

Ms. Veron has completed bat surveys using various methodologies including; mist nets, harp traps, and acoustic detectors. The surveys were completed to determine presence/absence, species diversity, hibernacula usage, emergence/dispersal, and habitat usage. Additional field activities included the following: banding, measuring, weighing, photo documentation, tracking of transmitter equipped bats, and identifying bats to species. Ms. Veron has used surface based radio telemetry to successfully determine critical habitat and foraging territories of rare bat species.

Ms. Veron has completed Indiana bat roosting and foraging habitat assessments as well as emergence surveys for USFWS concurrence. She has also performed wetland and stream identifications, assessments, and delineations for a variety of clients including private individuals, corporations, and government agencies.

Ms. Veron has assisted with a multitude of environmental studies from water quality sample collection to macroinvertebrate surveys. Ms. Veron has completed a 38 hour Army Corps of Engineers wetland delineation training program and has assisted in numerous wetland and stream identifications, delineations, and resource assessments. Ms. Veron has also completed an Ohio Department of Transportation (ODOT) Office Of Environmental Services course for Ecological Surveys Prequalification Training. Other duties for Ms. Veron include collection of sub-meter GPS data, assembling field data, GPS data, writing technical reports, submittal of agency consultation letters and project review letters, and assisting with preparation of 404/401 permit applications.

PROJECT EXPERIENCE

- ***Values of Boulder Top Plant Communities – Pennsylvania State University, Hazleton, PA***

As a field technician Ms. Veron worked with Dr. Christopher Goguen to design and complete a study on the values of boulder top plant communities focusing on the idea of them being a refuge from deer herbivory. She gained knowledge of herbaceous and woody plant identification along with the sampling methods used to collect and manipulate data. She then compiled the findings from this project into the format of a scientific paper and presented the findings to the public and judges at undergraduate research symposiums held at the Hazleton, and Lehigh campuses.

Genavie M. Veron

Staff Scientist

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- **Fairmont Tool, Carrollton, Ohio**

Ms. Veron aided in the identification and delineation of Waters of the U.S. for the expansion of the existing rail yard and manufacturing facility. Her responsibilities included recording submeter GPS points for wetland and stream delineations, preparation of the Waters of the U.S. Delineation Report, and preparation of the U.S. Army Corps of Engineers (USACE) Nation Wide Permit.

- **Atlantic Sunrise, Natural Gas Pipeline, Pennsylvania**

Ms. Veron assisted several USFWS approved Indiana bat surveyors in completing presence/probable absence mist net surveys in 2014. In 2015 she conducted presence/probable absence mist net surveys on this project as a team leader. She also completed 4 nights of foraging telemetry on an Eastern Small-footed bat (*Myotis leibii*) in 2014 and 4 nights of foraging telemetry on an Eastern Small-footed bat in 2015 for this project.

EDUCATION

B.S. in Wildlife and Fisheries Science

Pennsylvania State University – December, 2013

PROFESSIONAL AFFILIATIONS

- Northeast Bat Working Group (NEBWG)

TRAINING

- Acoustic Field Techniques and Call Analysis Workshop – Sanders Environmental
- Wetland Training – Richard Chinn Environmental Training, Inc.
- Ecological Surveys Prequalification Training – ODOT Office Of Environmental Services

Mr. Okon is a recent graduate of the Pennsylvania State University. During his academic career he completed two undergraduate research projects in addition to receiving his B.S in Wildlife and Fisheries Science. As a research assistant he studied the values of brush piles as insulating refuges for small mammals during seasonal temperature extremes. Mr. Okon also assisted with a research project studying river otter populations in Nescopeck State Park. Mr. Okon then compiled the results of both studies into the format of a scientific paper and presented the findings to the public and judges at an undergraduate research symposium held at the Pennsylvania State University Hazleton campus.

Mr. Okon worked as a bat mist netting technician for summer presence/probable absence surveys and was hired as a full time staff scientist in August 2015. As a technician for PWE he assisted several different U.S. Fish and Wildlife Service (USFWS) approved Indiana bat (*Myotis sodalis*) team leaders. During the summers of 2013, 2014, and 2015 he assisted with 158 nights of mist netting throughout the Northeast and Midwest. His duties included mist net site setup, removal of bats from mist nets, assisting with the processing of captured bats, field data collection, site photographs, and training new staff.

Additionally, Mr. Okon was taught to affix radio transmitters to endangered bats, deploy acoustic bat detectors, perform day time telemetry on transmittered bats and perform night time telemetry on Indiana and Northern Long-eared (*Myotis septentrionalis*) bats. In the fall of 2013, 2014, and 2015 he assisted with 7 fall swarm surveys at a known Indiana bat hibernaculum. During this work he assisted with the setup of harp traps, the processing of captured bats, banding of endangered bats, deployment of acoustic bat detectors, and photo documentation of endangered bats. To date Mr. Okon has handled 1,018 bats including 312 Indiana bats and 18 Northern Long-eared bats.

As a Staff Scientist with PWE, Mr. Okon has assisted with many environmental studies from Indiana bat habitat assessments to wetland delineations. He has completed 7 Indiana bat roosting and foraging habitat assessments as well as 15+ emergence surveys for USFWS concurrence. Other duties for Mr. Okon include collection of sub-meter GPS data, assembling field data, GPS data, writing technical reports, gear upkeep and management, and vehicle maintenance.

PROJECT EXPERIENCE

- ***Values of Brush Piles as Insulated Refuges – The Pennsylvania State University, Hazleton, PA***

As a field technician, Mr. Okon worked with Dr. Christopher Goguen to design and complete a study on the values of natural and man-made brush piles. The study focused on the idea of brush piles being insulated refuges for small mammals during seasonal temperature extremes. He gained knowledge on brush pile construction and maintenance as well as the sampling methods used to collect and analyze data. He then wrote as scientific paper summarizing his findings from the study and presented the findings to the public and judges at the undergraduate research fair held at the Hazleton campus.

- ***Confidential Client, Indiana Bat Hibernacula Monitoring, New Jersey***

Mr. Okon has participated in three fall swarm surveys of a known Indiana bat hibernacula from 2013 through 2015 using USFWS and the New Jersey Department of Environmental Protection (NJDEP) survey protocols. During the course of the surveys he deployed harp traps and acoustic bat detectors, collected morphological data, banded and photo documented bats, and actively collected acoustic voucher calls.

- ***Rover, Natural Gas Pipeline, Ohio***

In 2015 Mr. Okon assisted several USFWS approved Indiana bat surveyors in completing presence/probable absence mist net surveys for a total of 40 net nights. He also completed 9 days of radio telemetry and 8 nights of emergence counts on 4 transmittered Northern Long-eared bats.

- ***Scott Lateral, Guernsey County, Ohio***

Mr. Okon aided in the identification and delineation of Waters of the U.S. for construction and expansion of a pipeline and gas wellpads. His responsibilities included recording sub-meter GPS points for wetland and stream delineations, review of wetland and stream data sheets, and preparation of the Waters of the U.S. Delineation Report.

EDUCATION

B.S. in Wildlife and Fisheries Science

Pennsylvania State University – December 2014

PROFESSIONAL AFFILIATIONS

- Northeast Bat Working Group (NEBWG)

Christopher Sanders, QBS, President

Sanders Environmental, Inc. Bellefonte, PA

Discipline/Specialty

Bat Specialist
Allegheny Woodrat
Large Project Logistics

Organizations Registrations Permits Held

Indiana bat permitted USFWS Region 3 [REDACTED] USFWS
range wide [REDACTED] NY, NJ, MD, VA, WV, PA, and OH
Bat Conservation International Workshop Instructor

Safety Certifications

CPR/First Aid, 2016

Training Certifications

USFWS Qualified Bat Surveyor (QBS)
ACCA/BCI Cave Gate Certified

Education

Bachelor of Science, Pennsylvania State University 1994

SUMMARY OF QUALIFICATIONS

Mr. Sanders has over 20 years of professional experience in designing, supervising, and running projects to meet USFWS Section 7 and 10 (ESA) Indiana bat (*Myotis sodalis*) consultation needs. He is the President of Sanders Environmental, Inc. and the Lead Technical Scientist and manager of up to 16 concurrently sampling mist netting teams, including 40 employees. He has lead Sanders Environmental to complete mist net sampling on over 30 proposed wind facilities on the east coast. On a yearly basis Mr. Sanders is responsible for sampling up to 500 summer mist net sites and 80 fall and spring mine surveys. He oversees employees providing surveys covering most of the wildlife needs of project development, including multi-year mortality surveys (wind farms), mist net surveys, breeding bird point and area counts, wood rat surveys, raptor migration counts, bat acoustic surveys, telemetry surveys according to USFWS and/or PGC criteria, cave and mine project area evaluations, small-footed bat (*Myotis leibii*) habitat evaluations, and artificial roost design and creation. Mr. Sanders has worked extensively across the eastern states.

RELEVANT EXPERIENCE AND PROJECTS

Eastern Wind Facilities, 2005 - Present

Netted for Indiana bats or responsible for employees netting over 500 sites of effort at more than 30 different wind facilities in the eastern US.

Gas Pipelines, Marcellus Shale Region, 2008-present

Managed Indiana Bat sampling and telemetry and sampled on many pipelines in the Marcellus Shale region. Top level clients include Anadarko, Talisman, Pennsylvania General Electric, Antero, National Fuel Gas, Penn Virginia Resource Partners, Inergy Midstream, and MarkWest. Total number of net sites is in excess of 500.

PATH – Potomac-Appalachian Transmission Highline, 2010 PA, WV, MD

Project manager responsible for Indiana bat sampling at 200 net sites in one season on this 765-kilovolt, 275-mile transmission project from Putnam County, W.Va., to Frederick County, Md.

Susquehanna to Roseland Transmission Line, 2009

Responsible for sampling at 136 net sites in summer of 2009 including telemetry on T&E bat species captured.

TRAIL – Trans Allegheny Interstate Powerline, 2008 PA, WV, VA

Responsible for sampling at 217 net sites in summer of 2009 including telemetry on T&E bat species captured.

Monongahela National Forest – Forest wide sampling, 1996-2015 Eastern WV

Project Supervisor on this sampling project which has involved over 700 net sites of effort, over 30 Indiana bat captures and associated telemetry.

Elise Merrill, QBS

Sanders Environmental Inc. Bellefonte, PA

Discipline/Specialty

- Bat Biologist
- Acoustic Survey Specialist

Organizations Registrations/Permits Held

- Listed on Indiana bat sampling permits in Pennsylvania, West Virginia, New York, New Jersey, Ohio, and Maryland.
- Listed on USFWS Region 3 Permit # [REDACTED]

Training Certifications Permits

- USFWS Qualified Bat Surveyor since 2014
- Sonobat, 2012
- Adult CPR/AED/First Aid, 2015
- Endangered Species Act of 1973 – Overview Course, 2016

Education

- B.S., Biology, Concentration in Environmental Science and minor in Spanish, Saint Francis University, 2010

SUMMARY OF QUALIFICATIONS

Since 2011, Ms. Merrill has had the opportunity to handle over 4,200 bats of 14 different species through experiences in mist netting, harp trapping, bridge surveys, acoustic training and management of surveys, and wind farm post-construction mortality surveys. She has also had the opportunity to expand her knowledge through acoustic training and management of acoustic surveys. Ms. Merrill has surveyed for bats approximately 360 nights of mist netting and harp trapping. During these surveys, she has had the opportunity to observe and implement skills in bat identification, capture, data collection and net deployment techniques. She has worked on twenty-five different projects in eight states.

Ms. Merrill has observed the attachment of several radio transmitters as well as personally attaching twenty on small-footed, northern long-eared and Indiana bats. In addition, she has assisted in over 250 hours of radio tracking northern long-eared, small-footed and Indiana bats. During these experiences, she has located and photographed day roosts, performed emergence counts, and conducted foraging telemetry. She has applied over 350 bands and has collected morphological data on many bats.

Ms. Merrill has implementation experience with several detector manufacturers and identification software programs such as Analoow, Echoclass, Sonobat and Kaleidoscope. She has managed three pre-construction wind farm acoustic projects in addition to managing acoustic sampling concurrent to mist netting at a 26 site project in New York. She has managed 14 acoustic detectors stations, deployed to detect the northern long-eared bat leaving the landscape of West Virginia in the fall. She has also been involved in conducting searcher efficiency and carcass removal trials at six different wind facilities, following the PGC Protocol to Monitor Bat & Bird Mortality at Industrial Wind Turbines Sites, under the Wind Energy Cooperative Agreement.

RELEVANT EXPERIENCE

Acoustic Sampling Projects – Wind Farms, PA, NY, and OH, 2011-2013

Project leader responsible for managing, collecting and analyzing collected bat call data from passive long-term monitoring projects on several proposed wind farms.

Gas Pipelines, Marcellus Shale Region, 2011-2015

Qualified Bat Surveyor, Bat Identifier or technician for Indiana Bat sampling and telemetry on pipelines in the Marcellus Shale region. Top level clients include Anadarko, Talisman, Pennsylvania General Electric, Antero, National Fuel Gas, Penn Virginia Resource Partners, Inergy Midstream, Williams and MarkWest. Total number of net sites is in excess of 300.

Monongahela National Forest – Forest wide sampling, 2011-2015, Eastern WV

Team leader on this sampling project which involves over 700 net sites of effort, 30+ Indiana bat captures and associated telemetry.

Aaron Covalt, Qualified Bat Surveyor

Sanders Environmental Inc. Bellefonte, PA

Discipline/Specialty

- Bat Biologist

Organizations Registrations/Permits Held

- Listed on Indiana bat sampling permits in Pennsylvania, West Virginia, Virginia, New York, New Jersey, Ohio, and Maryland.
- Listed on USFWS Region 3 Permit [REDACTED] since 2012

Training Certifications

- USFWS Qualified Bat Surveyor since 2014
- Acoustic Training, 2014 and 2015
- CPR and First Aid, 2016

Education

- B.S., Wildlife and Fisheries Science, Penn State, 2008

SUMMARY OF QUALIFICATIONS

Mr. Covalt has been working with bats from the summer of 2009 to the present. Over the past seven years he has personally handled and identified over 4,000 bats, including the Indiana, Northern Long-eared, Small-footed, and Virginia Big-eared bats. During this time he has become skilled in sampling with mist nets, harp traps, and acoustic detectors. He has sampled over 250 sites with these varying sampling methods. While conducting these surveys he has gained skills in taking morphological measurements, tissue samples, hair samples and photographing bats.

Since 2009 Mr. Covalt has worked on multiple telemetry projects organizing triangulations (night time foraging data), finding day roosts, and conducting emergence counts. Over the years he has placed over ten transmitters on three different species (Indiana, Small-footed, and Northern Long-eared bats). During the past seven years he has conducted all night foraging telemetry on more than ten different bats and has found day roosts, and conducted emergent counts on over twenty bats. Mr. Covalt has also analyzed telemetry data for reports and prepared data collected by using LOAS (Location of a Signal) and Biotas.

Mr. Covalt has experience using acoustic detectors and the programs associated with them. He took part in acoustic workshops in 2014 and 2015. The workshops focused on the equipment, placement of the equipment, and how to use software to identify calls. He has also gained experience with acoustics in the field on several different projects.

Over the years Mr. Covalt has been a part of many different types of projects. He has conducted bat surveys for wind farms, pipelines, power lines, and population monitoring. He has been a part of several big pipeline projects in Northern and Eastern Pennsylvania. He has also worked on a long term monitoring survey on the Monongahela National Forest in West Virginia.

Mr. Covalt has also conducted small-footed bat habitat survey. He has constructed Small-footed habitat exclusions to prevent Small-footed bats from returning to potential roosts during the maternity season.

RELEVANT EXPERIENCE

Gas Pipelines, Marcellus Shale Region, 2009-present

QBS, BI, or Technician on Indiana Bat sampling and telemetry on many pipelines in the Marcellus Shale region. Top level clients include Anadarko, Talisman, Pennsylvania General Electric, Antero, National Fuel Gas, *Penn Virginia Resource* Partners, Inergy Midstream, Williams, and MarkWest.

Wind Farms, PA, OH, and NY 2009-present

QBS, BI, or Technician on Indiana bat sampling and telemetry on many projects. Participated in many hours of both foraging and roost telemetry on Small-footed and Northern Long-eared bats.

Monongahela National Forest – Forest wide sampling, 2008-2015 Eastern WV

Team lead on this sampling project which has involved over 700 net sites of effort, 30+ Indiana bat captures and associated telemetry.

Vance Nepomuceno, Bat Identifier

Sanders Environmental Inc. Bellefonte, PA

Discipline/Specialty

- Bat Biologist
- Outdoor Educator

Education

- B.S., Wildlife Science, Minor in Forestry, Virginia Tech, 3.21 GPA, 2011

Training Certifications Permits

- Permitted to sample for bats in WV since 2016.
- Wilderness First Aid, 2014
- Adult and Infant CPR/AED/First Aid, 2016

SUMMARY OF QUALIFICATIONS

Since 2014 Mr. Nepomuceno has surveyed over 150 nights for bats by mist netting and/or harp trapping. He has sampled in Virginia, West Virginia, Ohio, Pennsylvania, and New Jersey. Mr. Nepomuceno has positively identified eleven different eastern bat species. The species included are the Indiana, Little Brown, Northern Long-eared, Small-footed, Virginia Big-eared, Big Brown, Evening, Silver-haired, Hoary, Red, and Tri-colored bats.

Mr. Nepomuceno has personally weighed and taken the pertinent measurements (right forearm, ear, tragus, foot) of over 200 bats. He has also taken diagnostic photos (face, quarter face, foot) of several species including the Little Brown bat and Indiana bat. And additionally has applied bands to multiple individuals while at a hibernaculum in New Jersey.

He has also observed and aided in the attachment of several radio transmitters and assisted in hundreds of hours of radio tracking Northern Long-eared, Small-footed, Evening, and Indiana bats. Mr. Nepomuceno has located and documented roost sites, performed emergence counts, and conducted foraging telemetry.

RELEVANT EXPERIENCE

Natural Gas Pipeline, 2014-2015, Central PA

Bat technician on a proposed pipeline in Central PA.

Survey spanning hundreds of miles, involving telemetry for Small-footed, Evening, and Northern Long-eared bats.

Natural Gas Pipeline, 2015, WV & VA

Bat technician on a proposed pipeline in West Virginia and Virginia.

Survey spanning over 300 miles, involving telemetry for Northern Long-eared bats.

Monongahela National Forest – Forest wide sampling, 2014, Eastern WV

Technician on this sampling project which involves over 700 net sites of effort, 30+ Indiana bat captures and associated telemetry.

Wind Farm, 2015 Ohio

Bat technician on a proposed wind farm in Ohio

Survey involving telemetry for Northern Long-eared bats

OTHER EXPERIENCE

Virginia Tech Jaguar Project- Mountain Pine Ridge, Cayo, Belize, 2016

Project Manager for a 430 km² camera trapping survey for large carnivores with a 5 member crew.

Camp Don Lee North Carolina, 2015

Outdoor Educator for sailing, canoeing, and swimming, challenge courses, ocean ecology classes, coastal bird classes, and classes forest ecology classes. Class sizes 6-35, ages 8 to adult.

South Mountain YMCA, 2014

Outdoor Educator for a high ropes course, climbing tower, low ropes course, challenge courses, wildlife ecology classes, tracks and traces classes, and survival classes. Class sizes 6-35, ages 8 to adult.

Kodie Smith, Bat Identifier

Sanders Environmental Inc. Bellefonte, PA

Discipline/Specialty

Bat Technician

Training Certifications Permits

Permitted to sample for bats in WV since 2016

Education

B.S. Wildlife and Fisheries Science, Penn State, Expected
Graduation 2016

Adult CPR/ First Aid, 2016

SUMMARY OF QUALIFICATIONS

During the last two years Ms. Smith has gained experience with 118 nights of mist netting, 27 days and nights of telemetry and emergence counts, and 12 days at a hibernaculum monitoring site. Since 2014 she has handled nine eastern species of bat including *Myotis septentrionalis* and *Myotis sodalis*.

Ms. Smith has assisted in the selection of net locations in a variety of habitats throughout multiple states including Pennsylvania, West Virginia, and Ohio. She is proficient at processing bats and collecting data such as weight, forearm, hind foot, tragus, and ear measurements. Along with these measurements she has sexed, aged, checked reproductive status, applied bands, and photographed many bats.

Ms. Smith assisted in gluing transmitters to bats and tracking individuals to their day roosts. She has located specific roost trees and participated emergence counts.

In 2015, Ms. Smith participated in the set up and tear down of acoustic monitoring equipment. She then used voucher calls under the supervision of an experienced biologist to examine the collected data.

In addition to field experience, Ms. Smith has worked with multiple computer programs for data entry and processing. She is proficient in Microsoft Word and Excel, Terrain Navigator, and Picasa to aid in the creation of project reports, and Microsoft Access for data entry.

RELEVANT EXPERIENCE

Gas Pipeline, Pennsylvania

Technician aiding in bat sampling and telemetry on a pipeline in Eastern Pennsylvania. Aided with the processing, identification, tagging, tracking, and counting of bats for the project.

Wind Farm Projects, Ohio

Bat technician on a proposed wind farms with a series of sites.

Long-Term Fall Monitoring – New Jersey

Technician assisting in the mist netting and harp trapping at the Mount Hope Mine Entrance. Aided in the capture, processing, and banding of over 100 bats.

Monongahela National Forest – West Virginia

Technician on this long-term monitoring project that re-visits established sites and net sets annually. Conducted radio-telemetry on *Myotis septentrionalis*.

Keith Christenson, QBS, Project Manager, Wildlife Biologist

Sanders Environmental Inc. Bellefonte, PA

Discipline/Specialty

- Bat project manager and non-game mammal biologist

Organizations Registrations/Permits Held

- Listed on Indiana bat sampling permits in Pennsylvania, West Virginia, Virginia, New York, New Jersey, and Ohio.
- Listed on USFWS Region 3 Permit # [REDACTED]

Training Certifications

- USFWS Qualified Bat Surveyor
- National Cave Rescue Commission

Education

- B.S., Wildlife and Fisheries Science, Penn State, 1996

SUMMARY OF QUALIFICATIONS

Mr. Christenson began working with bats and non-game mammals in 1992 for the Pennsylvania Game Commission (PGC) as a Wildlife Technician. In 1998 he left the PGC and began doing contract work. Although the work was varied, summer mist netting was a key feature and dominated by netting at pipeline and wind energy projects. He currently is Senior Project Manager for this work and supervises teams of Technicians and Bat Identifiers, while also running sites, identifying and photographing bats, gluing radio telemetry transmitters, conducting night time foraging telemetry and daytime roost location and emergence surveys. In addition to this work, Mr. Christenson also has served as a biologist and photographer for international expeditions.

During the course of his career, Mr. Christenson has handled and identified to species over 10,000 bats from 10 different families and 40+ genera among 10 different countries. Techniques used include mist nets, harp traps, trip lines, hand nets, pole nets, and hand capture. Additional work includes mapping woodrat colonies, tagging woodrats, flying squirrel surveys, yellow-nosed vole surveys, West Virginia water shrew surveys, etc. His work with Indiana bats includes spring harp trapping and radio telemetry, summer mist netting and radio telemetry, and fall harp trapping among PA, WV, and Ohio at many sites. And finally, he has also done radio telemetry on small-footed bats, northern long-eared, and silver-haired bats.

RELEVANT EXPERIENCE AND PROJECTS

Pipeline Projects – Pennsylvania, and West Virginia

Project Manager responsible for coordinating permissions and data management, selecting and setting up net sites, managing a team(s) of bat identifiers and technicians, and identifying bats captured. Coordinate and execute radio-telemetry.

Wind Farm Projects – Pennsylvania, Ohio, and West Virginia

Project Manager responsible for coordinating permissions and data management, selecting and setting up net sites, managing a team(s) of bat identifiers and technicians, and identifying bats captured. Coordinate and execute radio-telemetry.

Long-Term Fall Monitoring – Pennsylvania and New Jersey

Project leader responsible for verifying bat identifications at New Jersey's Mt. Hope Mine both in the first year and 2013. Bat Identifier at Canoe Creek Mine in Pennsylvania for over 5 years.

Radio-telemetry Experience – Pennsylvania, Ohio, and West Virginia

Over the past 10 years Mr. Christenson has performed the full spectrum of radio telemetry skills. He has glued on many transmitters, and tracked at least 30 *Myotis sodalis*, 20 *Myotis septentrionalis*, 5 *Myotis leibii* and 1 *Lasiurus noctivagans*. While doing this he also runs the actual telemetry project by coordinating with landowners and technicians plus doing all-night computer analysis of the data to determine where each bat is throughout the night. He has also tracked many bats to their roost during the day, and manages teams of technicians to be at individual trees at sunset for emergence counts.

Alliance Consulting, Inc.

Engineers Constructors Scientists



BRADEN A. HOFFMAN

Sr. Project Manager

Degrees Held

B.S. Environmental Science, Minor in Political Science, Allegheny College, Meadville, PA,
Masters Business Administration, West Virginia University, Morgantown, WV

Professional Licenses and Training:

West Virginia Scientific Collection Permit holder for collection of Endangered Bat Species
Federal Fish and Wildlife Scientific Collection Permit No. [REDACTED]
Indiana Bat and Coal Mining Recovery Plan- West Virginia
Workshop for Updated Indiana Bat/Endangered Species Protocols
Anabat Acoustic Workshop
Sonobat Acoustic Workshop

General Background:

June 2002 – Present: Sr. Project Manager, Alliance Consulting Inc., Beckley, West Virginia

During his time at Alliance, Mr. Hoffman has written and/ or assisted in the writing of four Biological Assessment and Protection and Enhancement Plan for the Indiana Bat as part of the Section 7 Consultation Process. During this time, Mr. Hoffman has captured and identified every species of bat found in West Virginia and worked extensively with the regulatory agencies in the preparation of NEPA compliant documentation to address any endangered species captured on a given project.

Relevant Project Experience:

Mr. Hoffman has been completing Threatened and Endangered Bat surveys since 2006 and has handled and identified every bat found in West Virginia. During the nine years of survey experience he has identified the Virginia Big-eared bat, Indiana bat, Northern Long Ear bat, and the Grey Bat, while completing surveys and/or volunteer work within three states.

Starting as a mist net technician in 2006 he was responsible for assisting in the setup of mist nets, removing bats from mist nets, and recording morphological data. Starting in 2009, Mr. Hoffman was responsible for mist net site selection, mist net placement, identification of all bats captured to species, and oversight of new mist net technicians. Since 2011 Mr. Hoffman has been a West Virginia permit holder for the collection of endangered bats. Mr. Hoffman has personally captured and identified a total of 28 Indiana bats. Identification of the first Indiana bat occurred on a portal survey with the National Park Service in the New River Gorge during the fall of 2007. Mr.

Beckley, WV
Raleigh County Airport Industrial Park 124 Philpott Lane
Beaver, WV 25813-9502
Telephone: (304) 255-0491

Hoffman also identified 4 Indiana bats during mist net surveys during the summer of 2011 while working in Franklin County, Mr. Hoffman also identified an additional 3 Indiana Bats during the summer of 2012 in Southern Illinois. During the 2013 summer survey season Mr. Hoffman captured and identified an additional 6 Indiana Bats and 5 additional Indiana Bats during the summer of 2015 while working in Franklin County, Illinois.

During the Sumer of 2015, Mr. Hoffman at the request of the U.S. FWS conducted mist net surveys in the Cypress Creek National Wildlife Refuge as part of a research effort in the park, during this survey a total of 9 Indiana Bats, were captured and identified. Mr. Hoffman has also identified 16 Grey bats during the fall of 2012 during fall swarm at Park Mammoth Resort in Kentucky.

During the winter of 2012 and 2013 Mr. Hoffman assisted the WVDNR on hibernacula surveys of caves in Monroe and Pendleton Counties in West Virginia with Mr. Craig Stihler and Mr. Jack Wallace of the West Virginia Department of Natural Resources. During these surveys Mr. Hoffman personally observed approximately 24 *M. sodalis*, 136 *C. townsendii virginianus*, and an additional 317 *M. lucifugus*. Additionally during the fall of 2007, 2009, 2010 and 2012 Mr. Hoffman assisted the National Park Service in harp trapping abandoned underground mines in the New River Gorge, West Virginia. During these surveys Mr. Hoffman handled and identified approximately 620 individual bats. Including *C. townsendii virginianus* (1), *M. sodalis* (1), *M. leibii* (54), *M. lucifugus* (153), *M. septentrionalis* (196), *P. subflavus* (210) and *E. fuscus* (5).

In total Mr. Hoffman has personally identified 27 *M. sodalis* prior and handled an additional 8 *M. sodalis* (Not including winter hibernacula surveys). Additionally, Mr. Hoffman has identified and/or handled 75 Small-footed bats (*Myotis leibii*) and approximately five hundred Northern Long Ear Bats.

Mr. Hoffman has completed five summers worth of Indiana bat tracking and telemetry (a total of 26 radio tagged *M. sodalis* which resulted in the identification of 21 Indiana Bat Roost Trees and the discovery of two colonies of *M. sodalis* (one in Franklin County and the other in Williamson County, Illinois) approximately 50+ and 35+ Indiana bats respectively.

Mr. Hoffman has worked with the Fish and Wildlife Service to complete four protection and enhancement plans for the Indiana Bat (two in West Virginia, two in Illinois) all of which were associated with *M. sodalis* captures, and were not assumed presence. Additionally, Mr. Hoffman assisted the FWS in the completion of the Biological Assessment and Opinion for the Black Castle Surface Mine in Boone County, WV. Since 2014 Mr. Hoffman has worked with the U.S.FWS in the preparation and approval of 31 Myotid Bat Conservation Plans and Habitat assessments associated with oil and gas operations in Northern West Virginia.

Mr. Hoffman has worked on the following projects during his survey career.

2006 – 20 sites (2 Projects)

2007 – 48 sites (7 Projects)

2007 – 16 portal sites (3 Projects) and volunteer work with the National Park Service

2008 – 10 sites (1 Project)

2008 – 4 portal sites (1 Project)

2009 – 6 sites (2 Projects)

Beckley, WV

Raleigh County Airport Industrial Park 124 Philpott Lane

Beaver, WV 25813-9502

Telephone: (304) 255-0491

- 2010 – 65 sites (2 Projects with Indiana Bat Capture and Protection and Enhancement Plan Preparation) with tracking of Indiana bats for 16 days
- 2010 – 3 portals (1 Project) with National Park Service
- 2011 – 30 sites (4 Projects) with capture of 10 Indiana Bats and tracking for 10 days
- 2012 - 17 sites (6 Projects) Indiana bat Captures and Tracking on two separate projects with Protection and Enhancement Plan generation in Illinois
- 2012 - 2 portal sites - National Park Service volunteer and Park Mammoth Resort Seminar Volunteer
- 2012 – Winter Hibernacula Survey with WV- DNR, Minor Rexrode Cave Pendleton County, WV Identification and observation of 8 *M. sodalis* and 136 *C. townsendii virginianus*
- 2013- 5 Projects – 6 Indiana Bat Captures and 10 days of tracking in Southern Illinois
- 2013- 3 Portals (1 Project)
- 2013 – Winter Hibernacula Survey with WV-DNR, Greenville Saltpeter Cave, Monroe County, WV – Identification and observation of 317 *M. lucifugus*, 16 *M. sodalis*, and 2 *M. leibii* along with other species
- 2014—4 Summer Survey Projects in Illinois and West Virginia
- 2014—24 Portals (7 Projects) 15 *M. Leibii* captured among other species
- 2014-- Winter Hibernacula Survey with WV-DNR Oregon Cave, Greenbrier County, WV, Identification and observation of 67 *M. lucifugus*, 10 *M. sodalis*, and 7 *M. leibii* along with other species
- 2015—4 Summer Survey projects in Illinois, and West Virginia resulting in the capture of 14 Indiana Bats, and 18 Northern Long Ear Bats with associated tracking and reporting

West Point Military Reservation – New York

Pittsburgh Wildlife & Environmental, Inc. (PWE) was contracted by Mission and Installation Contracting Command – West Point to complete summer surveys for the federally endangered Indiana bat (*Myotis sodalis*) and federally threatened northern long-eared bat (*M. septentrionalis*) at the West Point Military Reservation (WPMR). The WPMR consists of approximately 16,000 acres and is located within the lower Hudson Valley in Orange County, New York.

The 2015 WPMR bat survey was completed as part of the ongoing bat population monitoring program previously established. PWE conducted the survey following the 2015 federal survey guidelines; however, the minimum level of effort was not met for documenting species absence as per the existing WPMR Bat Monitoring Program.

The bat summer mist net survey was conducted by PWE in July, 2015. The mist netting consisted of both a desktop review and field work conducted by PWE biologists. The survey consisted of 22 sites and 88 mist net nights. PWE coordinated daily with Range Control to adjust the survey schedule as to not interfere with ongoing operations. During the survey 340 bats were captured representing 5 species, including 2 northern long-eared bats. Species captured included big brown bats (*Eptesicus fuscus*), eastern red bats (*Lasiurus borealis*), little brown bats (*M. lucifugus*), northern long-eared bats, and eastern small-footed bats (*M. leibii*).

Acoustic detectors were also used at a minimum of one per mist net site; a total of 23 acoustic detectors were deployed during the survey period. The detectors were set to start recording a half hour before sunset and stop recording five hours after sunset. Sonobat™ 3.1.4 NE Suite bat call analysis program was used to process recorded files. A total of 7,610 bat calls were recorded, of which 6,438 were identifiable to species or *Myotis* genus level. Of these identifiable calls, 8 species were identified, with a 9th group only being identifiable to the *Myotis* genus. These 8 species included: big brown bats, hoary bats (*Lasiurus cinereus*), eastern red bats, silver-haired bats (*Lasionycteris noctivagans*), tri-colored bats (*Perimyotis subflavus*), eastern small-footed bats, little brown bats, and northern long-eared bats. There were no Indiana bats captured or calls identified.

Mine Complex – West Virginia

PWE and Alliance Consulting, Inc. (Alliance), were contracted to complete a presence/probable absence survey for the federally endangered Indiana bat for a proposed mine project. The project site consisted of an approximately 3,047 acre land tract located in Monongalia County, West Virginia. The 2012 bat survey was completed based on the U.S. Fish & Wildlife Service (Region 3) *Indiana bat (Myotis sodalis) DRAFT Recovery Plan*, dated April 2007.

The summer mist net survey was conducted by PWE and Alliance in June, 2012. The survey consisted of 22 sites (96 mist net nights). During this time, 286 bats were captured representing 6 species, including 102 northern long-eared bats. Species captured included eastern red bats, northern long-eared bats, little brown bats, tri-colored bats, big brown bats, and hoary bats. No Indiana bats were captured during the survey. All bats captured were released alive and unharmed.

Transmission Line – West Virginia, Maryland, Virginia

In 2010, PWE acted as the overall sensitive species project lead for a 275 mile 765kV transmission line located in West Virginia, Maryland, and Virginia. The project involved coordination with the U.S. Fish and Wildlife Service (USFWS), the U.S. National Forest Service, the U.S. National Park Service, and various state agencies. PWE coordinated with the various agency staff, field survey crews, land agents, private land owners, sub-consultants, and the overall clients throughout the permitting process.

PWE teamed with Sanders Environmental, Inc. (Sanders) to complete 295 mist net sites for approximately 124 miles of right-of-way and 203 miles of access roads. Surveys were completed by as many as 12 crews each night. A total of 1,779 bats consisting of nine different species were captured, including 10 Rafinesque's big-eared bats (*Corynorhinus rafinesquii*). No endangered bat species were captured. One of the captured female Rafinesque's big-eared bats was fitted with a radio transmitter. The bat survey crews tracked the female to an occupied dwelling, where a total of 55 bats were counted emerging. Three abandoned mines and one cave feature were identified within 500 feet of the proposed project route. These areas were surveyed in September 2010, and no endangered bats were captured.

Wind Farm - Pennsylvania

Sanders and PWE were contracted to complete multiple surveys and environmental permitting for a proposed industrial wind farm located in Somerset County, Pennsylvania. Multiple investigations were completed by Sanders and PWE ranging from listed plants and animals to wetland and streams to investigate project layout options, project infrastructure designs, environmental permitting constraints, landowner concerns, and wildlife avoidance, minimizations, mitigation.

Multiple years of mist netting surveys were completed; thirteen sites were surveyed in 2010 and 20 sites were surveyed in 2012. A total of 306 bats consisting of eight species were captured. Several state listed small-footed bats were captured and radio-tagged in order to complete a foraging area study. The bats were each tracked for 5 nights around the landscape; analysis was performed to determine foraging areas.

Passive Acoustic surveys were conducted from April to November in 2010. Two detectors were placed on the top of MET towers to record calls in the proposed rotor sweep zone. Calls were downloaded and processed and used to determine bat activity trends.

Sanders conducted breeding bird surveys in 2010 and 2012. A total of 79 breeding bird point count surveys were completed. Each point was visited three different times over the song bird breeding season and monitored for activity. Species were recorded and analysis was performed to help determine density. Area counts were also conducted to target species difficult to detect during standard point counts. Over 85 species were detected during the surveys.

PWE and Sanders also surveyed the project area for potential Allegheny Woodrat use.

Sanders developed a Habitat Conservation Plan (HCP) and an Avian and Bat Protection Plan for the project. During that development process, discussions on methods to minimize impacts were investigated and determined to be feasible to implement to avoid impacts to the degree where a HCP would not be needed.

Pipeline Project - Pennsylvania

Sanders was contracted to complete a presence/probable absence mist-netting survey for the federally endangered Indiana bat, the federally threatened northern long-eared bat and the state threatened small-footed bat for a proposed pipeline. The proposed pipeline was approximately

193 miles long, and located throughout multiple Counties in Pennsylvania. The 2014-2015 bat surveys were completed based on the USFWS 2014 and 2015 Range-wide Indiana Bat Summer Survey Guidelines.

Sanders teamed with PWE to complete a total of 311 mist net sites were surveyed for the project during 2014 and 2015, and 3,127 individuals representing nine species of bat were captured. No Indiana bats were captured during this sampling, while 70 northern long-eared bats were captured. The remaining 3,057 captures consisted of 2,523 big brown bats, 482 eastern red bats, 26 hoary bats, 10 silver-haired bats, 8 eastern small-footed bats, 3 little brown bats, 3 tri-colored bats, and 2 evening bats (*Nycticeius humeralis*).

Of the 70 northern long-eared bats captured, 52 were tagged with a radio transmitter to locate day roosts and, when possible, to conduct emergence counts on located roosts. Out of the eight eastern small-footed bats (listed as threatened in Pennsylvania) that were captured during summer sampling, five were tagged with a radio transmitter to track nightly activity, locate roosts, and perform emergence counts.

Desktop and field searches for potential portals within 1100 feet of the centerline of the project were undertaken to locate potential hibernacula. Eighteen potential entries to hibernacula were sampled for bats. Thirteen of the potential entries to hibernacula were surveyed during the fall of 2014. Six potential entries to one hibernacula were surveyed during the fall of 2015. This includes one portal that was surveyed both years.

Wind Farm - Pennsylvania

Sanders was contracted to conduct multiple surveys for a wind farm located largely on reclaimed strip mine land in Somerset County, Pennsylvania. Sanders was involved in this project from development through post-construction and consulted regularly with the client and associated wildlife agencies through the development and monitoring of the project.

Instead of conducting a passive acoustic monitoring study, the client volunteered to conduct a radio-telemetry study to determine the spring and fall migration patterns of the Indiana bat population known to use a hibernaculum close to the proposed wind farm. Sanders partnered with another company to conduct this study in the spring and fall of 2007. Fifteen Indiana bats were radio-tagged in the spring and tracked to roost trees. A total of 38 roost trees were located

and emergence counts were conducted at 25 of the trees. In the fall, 17 Indiana bats were radio-tagged and tracked across the landscape to determine foraging areas and examine home range in relation to the hibernaculum.

In July of 2007 Sanders surveyed 13 sites with mist nets on the proposed location for the wind farm. A total of 107 bats were captured. No Indiana bats were captured during this sampling.

The wind farm was subsequently built in 2009. Working with the Pennsylvania Game Commission (PGC) Wind Energy Voluntary Cooperative Agreement (WEVCA), the wind farm conducted post-construction mortality surveys. Sanders developed search grids under ten active turbines and managed searchers to locate bird and bat carcasses. Searches were conducted daily from April through December in 2010, and April through November in 2011 and 2012. Over 500 carcasses were located during the three-year study. Additionally, Sanders reported monthly to the PGC, wrote detailed annual reports, and conducted searcher efficiency and scavenger trials to analyze the collected carcass data.

Also, as part of the WEVCA, Sanders conducted a raptor migration study for eighteen weeks in the fall of 2010. A surveyor monitored migrating raptors five days per week from August through November. Over 5,000 raptors were documented during this time.

National Forest – West Virginia

Sanders was contracted to do mist netting and long term monitoring on a National Forest located in West Virginia. Sanders has held the contract for 15 years (2000-2015). The annual mist netting effort consisted of 20 to 50 mist net sites, two to ten bridge surveys, and telemetry on up to 5 bats. Sampling has been conducted June 1 through August.

Over the past 15 years, 10,631 bats were captured, comprised of 10 different species. This includes over 100 federally endangered Virginia big-eared bats (*Corynorhinus townsendii virginianus*), 47 federally endangered Indiana bats, and more than 4,000 federally threatened northern long-eared bats.

During this time, Sanders also designed and constructed bat-friendly gates on approximately 15 mine entrances in the forest.

April 15, 2016

Project No. B16-158-0000

DEPARTMENT OF ADMINISTRATION

Purchasing Division
2019 Washington Street East
Charleston, WV 25305-0130

Critical Fauna Survey & Endangered Species Plan
Indiana Bats and Northern Long-Eared Bats
Camp Dawson Army Training Site
Solicitation No.: CRFQ ADJ1600000020

To Whom It May Concern:

Alliance Consulting, Inc. (Alliance) is pleased to provide the West Virginia Purchasing Division this proposal for ecological services associated with the Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-Eared Bats on Camp Dawson Army Training Site. The Camp Dawson Collective Training Area (CDCTA) is located outside of the City of Kingwood in Preston County, West Virginia.

Alliance has teamed with Pittsburgh Wildlife & Environmental, Inc. (PWE) and Sanders Environmental Inc. (Sanders) to perform the duties requested in the Solicitation CRFQ ADJ1600000020. These duties include two primary objectives. The first objective is to determine if Indiana bats (*Myotis sodalis*) and/or northern long-eared bats (*Myotis septentrionalis*) are present on site, and to better characterize the usage of the CDCTA by the above species of bats. The second objective is the development of an Endangered Species Management Plan (ESMP) that incorporates the West Virginia Army National Guard (WVARNG) management philosophies, practices and mission requirements for the installation.

This proposal includes our scope of services with two options for completing the project objectives that were stated above. These two options include Option 1, mist-netting as the primary presence/probable absence survey method, and Option 2, acoustics as the primary presence/probable absence survey method. Both options include the writing of an ESMP. Included in this bid packet are the Bid Forms for each option, Vendor Preference Certificate, Purchasing Affidavit, Proof of Commercial General Liability Insurance, Certification and Signature Page, Addendum Acknowledgement Form, Request For Quotation, résumés of the qualified biologists who may be completing these surveys, and project summaries showing related project experiences.

ASSUMPTIONS

- We will use the previously established Habitat Assessment from the 2013 survey report for determining suitable habitat, and will be provided with any other products from the

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2013 survey efforts

- Copies of the most recent Camp Dawson Integrated Natural Resources Management Plan (INRMP) will be provided prior to the start of the Draft ESMP

Scope of Services

If Alliance is selected for this work we will attend an initial planning meeting with Camp Dawson Environmental personnel to coordinate the field surveys, use of Camp Dawson materials, and to develop an outline for the work plan. We will coordinate daily with Range Control to adjust the survey schedule as to not interfere with ongoing operations.

Alliance has prepared this scope of services based on the U.S. Fish and Wildlife Service (USFWS) *Range-wide Indiana Bat Summer Survey Guidance* (USFWS, 2016). These guidelines also provide methodology for presence/probable absence surveys of the northern long-eared bat for the 2016 summer survey season. The guidelines are written as a phased approach, and include Phases 1-4, with each Phase containing multiple Steps.

Phase 1, “Initial Project Screening”, has a total of three Steps. Step 1 includes coordinating with the USFWS and local state agencies to determine if your project is located within a known Indiana bat area and if it is already covered under an existing Endangered Species Act (ESA) incidental take authorization. If your project is located within a known Indiana bat area or a potential Indiana bat area and not covered under an existing ESA authorization, you proceed to Step 2. Step 2 is utilized to determine if suitable Indiana bat summer habitat is present. If suitable Indiana bat summer habitat is present you proceed to Step 3. Step 3 is to assess the potential for adverse effects to Indiana bats; if a project does not meet the conditions set forth in Step 3 and suitable habitat is present, Phase 2 must be initiated.

As documented by the previous 2013 survey report, Phase 1 has already been completed. Alliance will use the information gathered during the 2013 habitat assessment to fulfill the requirements of Phase 1, Step 2. The suitable habitat documented from that habitat assessment will be used when determining factors required in Phase 2 of the Summer Survey Guidelines.

Phase 2 consists of Presence/Probable Absence summer surveys within all suitable summer habitat. This Phase consists of either Step 4, Mist-Netting Surveys, or Steps 5-7, Acoustic Surveys. The methodology of conducting the presence/probable absence surveys outlined in Phase 2 are described in detail further within this document.

When evidence of Indiana bats occurring on the landscape is confirmed from Steps 5-7 (Acoustic), Phase 3 must be initiated. Phase 3 is conducting a mist-netting survey to capture Indiana Bats when netting was not initially conducted as the Presence/Probable Absence Survey method. Since the mist-netting during this Phase is not considered to be part of a Presence/Probable Absence survey (Phase 2), there are no minimum mist-netting requirements within the survey protocol. However, the minimum level of effort for a mist-net area site (42 net nights) has been shown by USFWS to have a similar chance of detecting listed bat presence as an acoustic area site (4 detector nights, two locations for two nights each). Therefore we propose



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to use 21 mist-net nights per acoustic positive location as the minimum effort to attempt to capture detected listed bats. If an Indiana bat is captured during Phase 3 or during the presence/probable absence mist-net survey (Phase 2, Step 4), Phase 4 must be initiated.

Phase 4 is comprised of radio-tracking and emergence surveys. It is required when any Indiana bat is captured. This phase will be applied to fifteen female northern long-eared bats as the data is critical to the ESMP. A radio transmitter will be affixed to the bat and then the transmitted bat will be tracked to its daily roost. The process of Phase 4 is detailed further within this document.

Alliance has prepared cost estimates for both Steps 4 (Option 1) and Steps 5-7 (Option 2) of Phase 2, and can perform whichever method is deemed suitable by the West Virginia Purchasing Division. The costing and methods are detailed below starting with Step 4, Mist-netting, followed by Steps 5-7, Acoustics.

Option 1 (Mist-netting)

Background

Phase 2 of the Summer Survey Guidelines requires a Presence/Probable Absence Survey to be completed within suitable habitat either with Step 4, Mist-Netting Surveys, or with Steps 5-7, Acoustic Surveys. While both mist-net and acoustic surveys are approved by the USFWS as suitable presence/probable absence survey techniques, mist-netting can provide several benefits over acoustic surveys.

The first objective of this study is to determine if Indiana bats and/or northern long-eared bats are present on site, and to better characterize the species of bats present. Both mist-netting and acoustic surveys can accomplish this objective; however, mist-netting allows for species identification of bats in hand where acoustic presence is determined by Maximum Likelihood Estimator (MLE) statistics models rather than individual calls being captured. With mist-netting if a federally listed bat is captured, the USFWS approved and state permitted biologist can positively identify the bat to species based upon its morphological characteristics. Vouchers for proof of species identification are taken via digital photography. These types of evidence are not available when acoustic surveys alone are used to determine presence/probable absence.

The second objective, development of an ESMP that incorporates the WVARNG management philosophies, practices and mission requirements for the installation, requires that detailed information regarding listed bat occurrences, population size, habitat usage, and distribution across the CDCTA be collected. A mist-net survey creates the opportunity to gather morphological data such as age, sex, and reproductive status, at the same time of the presence/probable absence survey. The large amount of data gathered from mist-net surveys will allow for a more comprehensive ESMP to be prepared.

Furthermore, if a listed bat is identified during a mist-net survey, that bat is already captured. It can be immediately fitted with a radio transmitter. If solely acoustic surveys are completed to



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determine presence/probable absence, follow-up netting is required to attempt to capture listed bats, if follow up netting fails to capture the target bat an accurate ESMP will be difficult to craft. By following radio-tagged bats, biologists are able to determine a precise location for a summer roost or a maternity roost tree and population size. This information can be used to manage bat populations by identifying what specific areas of the CDCTA Indiana bats and northern long-eared bats use for reproduction, roosting, and foraging.

Methodology

Alliance proposes to complete Mist-Net Surveys as outlined in Step 4 of Phase 2 of the 2016 USFWS Summer Survey Guidelines. Upon acceptance of this bid, we will contact the WVDNR for the purpose of amending our Scientific Collection Permit. An in depth study plan will also be developed for this survey and submitted to the USFWS for approval.

The mist-netting summer season in West Virginia is set from June 1 through August 15. Under current USFWS survey guidelines, the minimum level of effort is 42 net nights per 123 acres of suitable summer habitat. The 2013 habitat assessment identified 27 bat sampling areas (approximately 123 acres each) across the CDCTA. For this survey, a minimum of 1,134 net nights are proposed, an average of five (5) crews will be sampling on the project each night, with a minimum of one (1) appropriately permitted biologist per crew.

The specific site locations of mist-nets will be selected in the field by permitted biologists. The most effective places to net include travel corridors such as streams, roads below a forest canopy, and over ponds or other drinking water sources or foraging areas. Mist-nets designed for bat capture will be used (the physical design of mist-nets is different for bird vs bat capture studies). Each mist-net is made of 75 denier, 2 ply (denoted 75/2), with a mesh size of approximately 1 ½ inches (38 mm). Net sets to be used are at least 2.5 m to 9 m high consisting of one or more nets stacked on top of one another and from 3 m to 18 m wide. Bat morphometric data and site specific information such as GPS coordinates, site habitat and weather events will be recorded.

The sample period for each net setup begins at dusk and continues for at least 5 hours. Nets will be checked approximately every 10 minutes, and disturbance near the nets will be kept to a minimum of checking nets and removing bats. It is thought that small bats avoid using areas that are brightly lit, such as open areas when the moon is half-full or greater. Therefore, it is suggested in the federal guidelines to keep nets out of these types of areas and areas illuminated by artificial light.

To minimize potential for disease transmissions, specifically White-nose Syndrome, the *National White-Nose Syndrome Decontamination Protocol - Version 04.12.20 16* (USFWS) will be followed.

Per West Virginia scientific collecting permit requirements, little brown and Indiana bats will be banded.

We propose when an Indiana bat or reproductive female or juvenile northern long-eared bat is



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captured a radio transmitter will be attached as long as the weight of the transmitter does not exceed 6% of the bats body weight (Per USFWS guidance). See the *Telemetry* section below for details about Phase 4 - Conducting Radio-tracking and Emergence Surveys.

Severe Weather

Negative surveys combined with any of the following weather conditions throughout all or most of a sampling period will require an additional night of mist-netting: (a) temperatures that fall below 50°F (10°C); (b) precipitation, including rain and/or heavy fog, that exceeds 30 minutes or continues intermittently during the survey period; and (c) sustained wind speeds greater than 9 miles/hour (4 meters/seconds; 3 on Beaufort scale) for 30 or more minutes.

Due to these uncontrollable conditions, survey efforts may require additional time to complete. We estimate that one severe weather night per week is likely to occur during the mist-net survey. We estimate a total of 20 severe weather nights (four nights for each of the five crews) will occur during the entire mist-net survey.

Telemetry

The USFWS survey guidelines require that if an Indiana bat is captured, surveyors must proceed to Phase 4, which consists of the radio-tracking and emergence surveys. All telemetry will follow the radio-tracking protocol detailed in the survey guidelines. As part of our overall Survey Study Plan we propose to track all captured Indiana bats that meet the requirement of the transmitter weight not exceeding 6% of the bats body weight (A restriction placed by USFWS to avoid undue stress on the tracked bats.). We will perform daily radio telemetry searches for roosts and emergence counts on located roost trees for 7 days. If the roost tree cannot be located on any given day, a search on foot and/or vehicle will be done for a minimum of 4 hours. We will complete a USFWS Indiana Bat Roost Data Sheet for every new roost that is located and every roost will have an emergence count conducted.

Radio-tracking of northern long-eared bats is not required by USFWS. However, to provide data for the ESMP on this federally listed species, we propose to track up to 15 captured reproductive female or juvenile northern long-eared bats that meet the requirement of the transmitter weight not exceeding 6% of the bats body weight. We will follow the same guidelines detailed for radio-tracking Indiana bats, although the level of effort will be lessened. We propose that per 123 acre block of suitable habitat, a maximum of two (2) northern long-eared bats (reproductive females or juveniles) be transmittered and tracked to a roost. Two (2) days of tracking and one (1) emergence count per roost would be performed in order to locate maternity colonies.

For costing purposes, Alliance estimates that we will capture one (1) Indiana bat and fifteen (15) suitable northern long-eared bats and will perform telemetry and emergence surveys on all of these individuals.



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Report

A survey report will be prepared covering all phases of this survey. The report will describe the methodology and findings of the presence/probable absence survey in accordance with state and federal agency requirements and all requirements set forth within the Solicitation. The report will include detailed maps, the locations of the bat survey sites, all field data sheets, copies of the scientific collection permits used during the surveys, copies of all agency correspondence used for the surveys, and photographs of representative bats captured.

Scheduling

The mist-net survey can only occur from June 1 to August 15. Alliance proposes to begin the survey on or soon after June 1, 2016. With an average of five (5) crews sampling the project and typical weather we anticipate the survey taking 60-65 nights, including telemetry efforts. In the case of extreme weather additional crews would be added to the project to ensure completion with ample buffer prior to the end of the survey season (August 15th).

Costing

Alliance proposes to complete this work as a lump sum. The estimated total cost for the authorization from USFWS and WVDNR, bat mist-net survey, severe weather nights, telemetry, and Mist-Net Survey Report is \$503,050.00, plus \$50,000.00 for the ESMP.

Option 2 (Acoustic)

Background

We propose using acoustics survey techniques as made possible by the USFWS in the *Range-wide Indiana Bat Summer Survey Guidance* (USFWS, 2016) to evaluate presence of the Indiana bat and the northern long-eared bat within the boundaries of the CDCTA. Detecting bats via acoustic surveys is a new and exciting avenue for determining presence of bat species within an area. Recently, automated call identification programs have become available and certified for use in presence/probable absence surveys. Since many of the myotids exhibit great call plasticity, these programs have implemented a maximum likelihood estimator (MLE) to determine presence rather than basing presence on one call sequence. Basically a MLE takes the known rate of misidentifications of a species and uses that percentage coupled with the likely call identifications of calls recorded in the field to determine if a bat species is actually present. For example if a software program miss-identifies red bats as Indiana bats 10% of the time, and we record 95 calls, with the software identifying 90 of them as red bats and 5 of them as Indiana bats, the MLE would likely reject the presence of Indiana bats as the 5 identified calls are within the known percentage of identification error for these two species. This means a “positive” or “hit” or “presence” is gained only from the MLE results, not actual individual call identifications.

Based upon the MLE we will hand verify and vet the high frequency recordings to ensure that



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the MLEs are based upon quality myotis bat calls. If there is no visual confirmation of gross error, presence of a listed bat will be assumed and then follow-up mist-netting will be conducted near locations with positive MLE results with the goal of capturing the species assumed present.

Acoustics, although an accepted survey method, is still a new methodology when used in this context. Different analysis programs frequently yield different results (as seen in the 2013 Dawson survey) with base wide management of lands being determined by the presence/absence survey, a methodology less prone to false positives such as mist-netting may be a preferable alternative.

Acoustics, although likely to result in management actions in the EMSP restricting base use due to false positives is cheaper in cost than mist-netting.

Methodology

Alliance proposes to complete Acoustic Surveys as outlined in Steps 5-7 of Phase 2 of the USFWS Summer Survey Guidelines for determining presence/probable absence of listed bat species. Upon acceptance of this bid, an in-depth study plan will be developed for this survey and submitted to the USFWS for approval.

Per the requirements of a non-linear project, surveys must be conducted for a minimum of 4 detector nights per 123 acres of suitable summer habitat. The 2013 habitat assessment identified 27 bat sampling area sites (approximately 123 acres each) across the CDCTA. We propose surveying the same 27 sites for consistency. This leads to detectors being deployed for a minimum of 108 successful detector nights.

Pettersson D500x ultrasound, full-spectrum detectors will be used. For each site, detectors will be located in the most suitable habitat with the best deployment techniques to increase the likelihood of detecting Indiana bats and northern long-eared bats. Microphones will be elevated at least 10 feet from ground level. Site specific information such as GPS coordinates, site habitat, and weather events will be recorded.

Automated acoustic analyses will be conducted by night by site with Kaleidoscope zero-cross analysis 3.1.0 (Wildlife Acoustics, Inc.). The approved acoustic identification program has implemented a maximum likelihood estimator (MLE). If the analysis of collected calls at a given site on a given night results in the probable presence of Indiana bats and/or northern long-eared bats with high levels of certainty ($P < 0.05$), then the collected calls will undergo qualitative analysis. If there is no visual confirmation of gross error (such as two calls on top of each other being identified, noise being identified as endangered bat calls, etc.) then presence is assumed and mist-netting to capture Indiana bat and/or northern long-eared bat presence will be conducted.

Severe Weather – Acoustic

Via standards set in the USFWS protocol, if any of the following weather events occur at a



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survey site during the sampling period then the acoustic sampling for that night will be repeated: (a) temperature falls below 50°F (10°C) during the first 5 hours of the survey period; (b) precipitation, including rain and/or fog, that exceeds 30 minutes or continues intermittently during the first 5 hours of the survey period; and (c) sustained wind speeds greater than 9 miles/hour (4 meters/seconds; 3 on Beaufort scale) for 30 minutes or more during the first 5 hours of the survey period. A surveyor will be located on base during the first 5 hours of the survey period to record any weather events. We estimate that one severe weather night per week may occur, adding up to a total of two (2) severe weather nights.

Mist-netting

Per USFWS protocol at sites where MLE results indicate an acoustic positive for a listed bat, follow-up mist-netting will occur. Based on results from the 2013 survey we predict that 57% of the detector locations will require follow-up mist-netting. Sampling will remain within 500 meters of the detection location and within good habitat. Mist-netting will prioritize sampling close to the detection point. A minimum of 21 net nights will be used per positive detection location. Surveys will be performed with a minimum of one (1) WV DNR permitted biologist per crew.

The specific site locations of mist-nets will be selected in the field by permitted biologists. The most effective places to net include travel corridors such as streams, roads below a forest canopy, and around ponds or other drinking water sources or foraging areas. Survey grade nets will be used, and are 75 denier, 2 ply (denoted 75/2), with a mesh size of approximately 1 ½ inches (38 mm). Net sets to be used are at least 5 m to 9 m high consisting of two or more nets stacked on top of one another and from 4 m to 18 m wide. Bat morphometric data and site specific information such as GPS coordinates, site habitat and weather events will be recorded.

The sample period for each net setup begins at sunset and continues for at least 5 hours. Nets will be checked every 10 minutes, and disturbance near the nets will be limited to checking nets and removing bats. It is thought that small bats avoid using areas that are brightly lit, such as open areas in moon light. Therefore, it is suggested in the federal guidelines to keep nets out well-lit areas, especially when the moon is half-full or greater.

To minimize potential for disease transmissions, specifically White-nose Syndrome, any equipment that comes in contact with bats will be kept clean and disinfected in accordance with the *National White-Nose Syndrome Decontamination Protocol - Version 04.12.2016* (USFWS).

Per West Virginia scientific collecting permit requirements, little brown and Indiana bats will be banded.

We propose that when an Indiana bat or reproductive female or juvenile northern long-eared bat is captured a radio transmitter will be attached as long as the weight of the transmitter does not exceed 6% of the bats body weight. See the *Telemetry* section below for details about Phase 4 - Conducting Radio-tracking and Emergence Surveys



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Severe Weather – Mist-netting

Negative surveys combined with any of the following weather conditions throughout all or most of a sampling period will require an additional night of mist-netting: (a) temperatures that fall below 50°F (10°C); (b) precipitation, including rain and/or heavy fog, that exceeds 30 minutes or continues intermittently during the survey period; and (c) sustained wind speeds greater than 9 miles/hour (4 meters/seconds; 3 on Beaufort scale) for 30 or more minutes.

Due to these uncontrollable conditions, survey efforts may require additional time to complete. We estimate that one severe weather night per week is likely to occur during the mist-net survey. We estimate a total of 20 severe weather nights (four nights for each of the five crews) will occur during the entire mist-net survey.

Telemetry

The USFWS survey guidelines require that if an Indiana bat is captured, surveyors must proceed to Phase 4, which consists of the radio-tracking and emergence surveys. All telemetry conducted will follow the radio-tracking protocol detailed in the survey guidelines. As part of our overall Survey Study Plan we propose to track all captured Indiana bats that meet the requirement of the transmitter weight not exceeding 6% of the bats body weight. We will perform daily radio telemetry searches for roosts and emergence counts on located roost trees for 7 days. If the roost tree cannot be located on any given day, a search on foot and/or vehicle will be done for a minimum of 4 hours, or an aerial-search will be done for a minimum of 1 hour. We will complete a USFWS Indiana Bat Roost Data Sheet for every new roost that is located and every roost will have an emergence count conducted.

Radio-tracking of northern long-eared bats is not required by USFWS. However, to provide data for the ESMP on this federally listed species, we propose to track all captured reproductive female or juvenile northern long-eared bats that meet the requirement of the transmitter weight not exceeding 6% of the bats body weight. We will follow the same guidelines detailed for radio-tracking Indiana bats, although the level of effort will be lessened. We propose that per 123 acre block of suitable habitat, a total of two (2) northern long-eared bats (reproductive females or juveniles) be transmitterd and tracked to a roost. A maximum of two (2) days and one (1) emergence count would be performed in order to locate maternity colonies.

For costing purposes, Alliance estimates that we will capture one (1) Indiana bat and fifteen (15) suitable northern long-eared bats and will perform telemetry and emergence surveys on all of these individuals.

Report

A survey report will be prepared for all phases of this survey that describes the methodology and findings of the acoustic presence/probable absence survey, follow-up mist-netting and telemetry. This report will be written in accordance with state and federal agency requirements and any requirements set forth within the Solicitation. The report will include detailed maps, the



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locations of the acoustic bat detector survey sites, all field data sheets, copies of the scientific collection permits used during the surveys, copies of all agency correspondence used for the surveys, and photographs of representative bats captured.

Scheduling

The acoustic survey can only occur from May 15 to August 15. Alliance proposes to conduct the survey between May 15 and June 15th, 2016. The survey will take seven to ten nights with 5 to 10 detectors deployed each night. The bat acoustic survey will be completed during the appropriate time period and under suitable weather conditions.

Based on a 57% positive detection level of listed bats we expect Phase 3 netting and associated telemetry to take approximately five (5) weeks to complete. The mist-net survey can only occur from June 1 to August 15. Alliance proposes to begin the Phase 3 survey soon after results from the presence/absence acoustic survey are available. With an average of five (5) crews sampling the project and typical weather we anticipate the survey taking 30-35 nights, including telemetry efforts. In the case of extreme weather additional crews would be added to the project to ensure completion with ample buffer prior to the end of the survey season (August 15th).

Costing

Alliance proposes to complete this work as a lump sum. The estimated total cost for the authorization from USFWS and WVDNR, bat acoustic survey, severe weather nights, Phase 3 mist-netting, telemetry, and Acoustic Survey Report is \$259,010.00, plus \$50,000.00 for the ESMP.

Endangered Species Management Plan

Background

As required by Army Regulation (AR) 200-3, Chapter 11, if a federally listed species and/or critical habitat are present on an installation, an Endangered Species Management Plan (ESMP) must be prepared. The ESMP will incorporate the West Virginia Army National Guard (WVARNG) management philosophies, practices and mission requirements for the installation, which was stated as the second objective of this project. As specified in the Solicitation, the ESMP will also be consistent with the U.S Fish and Wildlife Service *Indiana Bat Draft Recovery Plan: First Revision* (April 2007) and be developed in accordance with Army Policy, the ESA of 1973, and the National Environmental Policy Act (NEPA) of 1969, as amended (42 USC 4321).

Methodology

We plan to work closely with the installation engineers, environmental director, resource managers, and other representative staff from the installation in the preparation of the ESMP. We will prepare a letter on WVARNG letterhead requesting input on the development of the ESMP from federal, state, and local natural resources management agencies and other interested



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parties. Any input from these agencies will be considered while drafting the ESMP.

Unless directed otherwise, the ESMP will be drafted following guidelines from *The Manual for the Preparation of Installation Endangered Species Management Plans* (March 13, 1995) prepared by Science Applications International Corporation for U.S. Army Environmental Center. We will follow Section 3.0 “Plan Format” defined in the Manual. This section details the format of the document and describes all sections that are to be included in the ESMP.

A title page, approval page, table of contents, all tables, figures, and acronyms/abbreviations will be created as specified in the Plan Format. An Executive Summary will include all necessary information regarding background information concerning items such as the Endangered Species Act (ESA) and agency coordination, current status of the federally listed species, habitat requirements and limiting factors, management objectives, conservation goals, actions needed, and total estimated cost of conservation actions. An introduction outlining the purpose of the plan, and a brief overview of the species, including but not limited to, its status, threats to survival, and reasons for listing will also be included.

We will give an in depth species description in the “Species Information” section of the ESMP. The information in this section will be formatted similarly to the suggested formatting in the Manual, and will include information that has been prepared by the installation in compliance with consultation requirements of Section 7 of the ESA. It will also parallel the installation’s biological assessment of the species and with the USFWS’s biological opinions. This section will include the following, a detailed description of the listing of the species, the species morphological characteristics and how to identify them, recent and historical descriptions of the species distribution, information preferred and critical habitat for all life stages of the species, the species life history, overview of the reasons the species is federally listed, and any conservation measure that are currently taking place.

A section on “Conservation Goals” will be included and describe the installation’s conservation goals for the federally listed bat species and/or associated critical habitat. We will consult with USFWS and use information provided in the 2007 *Indiana bat Draft Recovery Plan* when establishing these goals. The goals established in this ESMP will be heavily dependent on the results of the presence/probable absence survey.

When calculating conservation goals, we will take various factors into consideration in order to maximize conservation without limiting current and future missions of the installation. Some of these factors will include but are not limited to, amount and distribution of current and future installation and tenant unit missions, the amount and distribution of current and future suitable habitat on and off of the installation, and the current size and distribution of the species population. Within the conservation goals, a population goal will be established based on the estimated population size of the listed species obtained from the presence/probable absence survey. The population goal will determine the required species management intensity level.

We will provide a section on “Management Prescriptions and Actions” to detail what actions will need to occur to meet the conservation goals. We will coordinate with Major Army Command



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or Department of the Army Headquarters as necessary, as well as USFWS, to create a list of management actions that will satisfy all agency guidelines. These actions will be area-specific, and will be based on scientific knowledge of listed bats. Prescriptions and actions will be clearly defined, and could include items such as biological assessments, building and maintaining bat boxes, and surveying for winter habitat. This section will also outline training that is required for personnel who may have contact with listed species or their habitats.

The ESMP will include a section for the “Monitoring Plan”. This will detail how and when Camp Dawson personnel will estimate population size, habitat size and suitability, the spread of white-nose syndrome, and other aspects of population vigor. Information provided in this section will be based on listed bat behavior and preferred habitat.

A section titled “Time, Costs, and Personnel” will provide estimates of the time, costs, and personnel needed to meet conservation goals. This information will be determined in part through coordination with the installation commander. Guidance on funding will come from the most current Environmental Compliance Achievement Program RCS-1383. A breakdown of funding will include categories of work performed, equipment and materials. Other items included in this section, but are not limited to, bat surveys, training and monitoring, and consultation with the USFWS.

To assess Camp Dawson compliance with the ESMP, a “Checklist” section will be included. This will identify actions, tasks, and steps required to implement the ESMP, as well as conservation goal milestones and primary conservation measures. Items on the checklist will incorporate other training, management, or installation plans to avoid potential conflicts.

Scheduling

Coordination with USFWS and other required agencies and personnel will begin upon the capture of an Indiana bat or northern long-eared bat during the presence/probable absence surveys.

Three copies (two hard copies and one electronic copy) of a Draft ESMP will be provided no later than October 15, 2016. Three copies (two hard copies and one electronic copy) of the Final ESMP will be provided no later than November 15, 2016.

Costing

Alliance proposes to complete this work as a lump sum. The estimated total cost for coordination with USFWS and other required agencies and personnel, desktop research, and report writing will be \$ 50,000.00.

Overall Schedule

If Option 1 is chosen the mist-net survey can only occur from June 1 to August 15. The survey will take a minimum of 243 survey nights. The bat mist-net survey will be completed during the



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appropriate time period and under suitable weather conditions. At this time we anticipate starting the survey during June.

If Option 2 is chosen the acoustic survey can occur from May 15 to August 15. The survey will take approximately 10 survey nights. At this time we anticipate starting the survey during May or early June. Follow-up mist-netting can occur from June 1 to August 15. The survey will take a minimum of 29 survey nights. At this time we anticipate starting the mist-net survey during June. All surveys will be completed during the appropriate time period and under suitable weather conditions.

Reports will be completed and submitted as detailed in the Request For Quotation. Progress reports can be provided weekly or upon request. Three copies (two hard copies and one electronic copy) of a Draft Survey Report and maps for the mist-net or acoustic survey detailed above will be provided no later than September 15, 2016. Three copies (two hard copies and one electronic copy) of a Final Survey Report, and three copies (two hard copies and one electronic copy) of a Draft ESMP will be provided no later than October 15, 2016. Three copies (two hard copies and one electronic copy) of the Final ESMP will be provided no later than November 15, 2016.

Costing

Alliance proposes to complete this work as a lump sum. The total cost of the mist-net survey, reporting, and the preparation of the ESMP is \$553,050 for Option 1. The total cost of the acoustic survey, reporting, and the preparation of the ESMP is \$309,010 for Option 2. A detailed break out of the costs associated with Option 1 and Option 2 is provided below.

Option 1 – Mist-netting to determine Presence/Probable Absence

1. Mist-netting (1,134 net nights, 243 <i>survey nights</i>)	\$ 413,100.00
2. Severe Weather	\$ 32,900.00
3. Telemetry (1 Indiana bat, 7 <i>days</i> / 15 NLEB, 2 <i>days</i>)	\$ 46,250.00
4. Report	\$ 10,800.00
5. ESMP	\$ 50,000.00
TOTAL	\$ 553,050.00

Option 2 – Acoustic to determine Presence/Probable Absence

1. Acoustic (54 sampling locations)	\$ 16,500.00
2. Mist-netting (441 net nights, 98 <i>survey nights</i>)	\$ 166,660.00
3. Severe Weather (Mist-netting)	\$ 18,800.00
4. Telemetry (1 Indiana bat, 7 <i>days</i> / 15 NLEB, 2 <i>days</i>)	\$ 46,250.00
5. Report	\$ 10,800.00
6. ESMP	\$ 50,000.00
TOTAL	\$ 309,010.00



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Closing

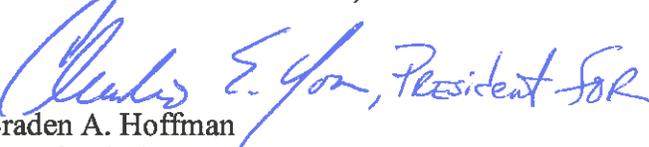
We sincerely appreciate the opportunity to provide this proposal to you and look forward to assisting you with the successful completion of this project. We hope that we have clearly outlined our scope of services regarding Option 1 (mist-netting) and Option 2 (acoustics).

Included in this bid packet are the Bid Forms for each option, Vendor Preference Certificate, Purchasing Affidavit, Proof of Commercial General Liability Insurance, Certification and Signature Page, Addendum Acknowledgement Form, Request For Quotation, résumés of the qualified biologists who may be completing these surveys, and project summaries showing related project experiences.

If you have any questions or require any additional information, please contact me at (304) 255-0491.

Sincerely,

ALLIANCE CONSULTING, INC.


Braden A. Hoffman
Sr. Scientist/Project Manager

BAH

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