



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

**Solicitation**

NUMBER
DEP16309

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
FRANK WHITTAKER 304-558-2316

RFQ COPY

TYPE NAME/ADDRESS HERE

VENDOR

Watershed Assessment Associates  
 1861 Chrisler Ave.  
 Schenectady, NY 12303

SHIP TO

ENVIRONMENTAL PROTECTION  
 DEPARTMENT OF  
 DIV OF WATER AND WASTE MGT  
 601 57TH STREET SE  
 CHARLESTON, WV  
 25304 304-926-0499

DATE PRINTED
11/07/2013

BID OPENING DATE: 12/12/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
REQUEST FOR SOLICITATION (RFQ)						
THE WEST VIRGINIA PURCHASING DIVISION, ON BEHALF OF THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING BIDS FROM QUALIFIED VENDORS FOR AN "OPEN-END CONTRACT" TO PROVIDE PROCESSING AND IDENTIFICATION OF BENTHIC MACROINVERTEBRATE SAMPLES COLLECTED FROM WEST VIRGINIA WATERS PER THE ATTACHED SPECIFICATIONS AND BID SCHEDULE.						
0001	1	LS	961-48		\$135.00	\$67,500.00
				SAMPLE IDENTIFIED TO GENUS LEVEL		
0002	1	LS	961-48		\$0.00	\$0.00
				SAMPLE PICK UP/DELIVERY		
0003	1	LS	961-48		\$75.00	\$375.00
				PROFESSIONAL STAFF REPRESENTATION OF DATA IN LEGAL/		
12/11/13 10:21:34AM West Virginia Purchasing Division						

SIGNATURE		TELEPHONE	518-346-0225	DATE	12/10/2013
TITLE	President	FEIN		ADDRESS CHANGES TO BE NOTED ABOVE	

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



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 Department of Administration  
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304-558-2316

RFQ COPY

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Watershed Assessment Associates  
 1861 Chrisler Ave.  
 Schenectady, NY 12303

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ENVIRONMENTAL PROTECTION  
 DEPARTMENT OF  
 DIV OF WATER AND WASTE MGT  
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 CHARLESTON, WV  
 25304 304-926-0499

DATE PRINTED
11/07/2013

BID OPENING DATE: 12/12/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
	*****	THIS IS THE END OF RFQ		DEP16309	***** TOTAL:	\$67,875.00

SIGNATURE	TELEPHONE	DATE
	518-346-0225	12/10/2013
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
President		

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

# Watershed Assessment Associates

Environmental Services / Biomonitoring / Invertebrate Taxonomy / Professional Training



WV Purchasing Division  
2019 Washington St. E.  
Charleston, WV 25305

December 10, 2013

To whom it concerns:

Watershed Assessment Associates is pleased to submit the enclosed proposal (RFQ: DEP 16309) to provide taxonomy services to the West Virginia Department of Environmental Protection Division of Water and Waste Management. The DWWM is seeking professional benthic macroinvertebrate identification and enumeration of samples collected by the DEP. It requires a laboratory with dedicated, certified taxonomists and the capacity of processing large numbers of macroinvertebrates.

Watershed Assessment Associates (WAA) is able to offer the West Virginia DEP the professional expertise that it requires to complete this project. Our highly skilled, experienced taxonomists have a reputation for attention to detail, meticulous documentation, reliability, and timeliness. Only our qualified biologists and certified taxonomists will identify and enumerate the DEP samples. We follow strict quality control and are able to provide the expert legal testimony that the DEP might require.

We are eager to work with DWWM on this project, and will provide the DWWM with the level of expertise and commitment necessary to successfully complete its biomonitoring work.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Kelly Nolan', is written over a horizontal line.

J. Kelly Nolan  
Director of Environmental Services  
Watershed Assessment Associates

Benthic Macroinvertebrate Sample Processing and Identification for the State of West  
Virginia RFQ DEP 16309

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Response to RFQ DEP 16309  
December 12, 2013

Submitted by: Watershed Assessment Associates  
1861 Chrisler Avenue  
Schenectady, NY 12303  
Phone: 518-346-0225 Fax: 518-630-5078  
Web: [www.rwaa.us](http://www.rwaa.us)

Project Contract Manager: J. Kelly Nolan, Director of Environmental Services  
Phone: 518-346-0225 Fax: 518-630-5078  
E-mail: [jkn@rwaa.us](mailto:jkn@rwaa.us)

#### Project Overview and Management

The West Virginia Department of Environmental Protection (DEP) Division of Water and Waste Management (DWWM) requires qualified taxonomists to process and identify benthic macroinvertebrate samples collected primarily from riffle/run habitats of West Virginia waters. Legal action based upon the benthic macroinvertebrate identification results is possible, and therefore the DEP requires strict quality control measures.

Watershed Assessment Associates (WAA) is an environmental consulting firm with the qualified personnel, experience, and meticulous attention to detail that the West Virginia DEP DWWM requires. The manager for this project will be J. Kelly Nolan, Director of Environmental Services and senior taxonomist. Mr. Nolan will oversee all aspects of the project, including specimen pickup from the DEP DWWM; adherence to, and documentation of, strict chain of custody; receipt of specimens at the WAA laboratory; sample sorting; macroinvertebrate identification, performed by the experienced, certified taxonomists identified in this proposal using DEP protocol; QA/QC, including strict sorting and identification quality control; accuracy of bench sheets and computerized data sheets; creation of voucher and reference collections; and return of all required materials to DEP DWWM.

#### Company Qualifications

Watershed Assessment Associates (WAA) is a woman-owned environmental consulting firm that has been providing water quality and benthic macroinvertebrate taxonomy services to state and county agencies, environmental organizations, institutions, and private consulting companies since 1998. Our facility houses a large macroinvertebrate processing laboratory, a separate washing/processing room, high grade dissecting and compound microscopes, fiberoptic light sources, all necessary equipment for benthic macroinvertebrate taxonomy (including fine-tipped forceps and probes, Petri dishes, 75% or greater ethanol, wash bottles, microscope slides and glass covers, CMCP-10 mounting medium, dry oven and fume hoods), computerized lab data sheets and centralized internal sample tracking system, and an extensive library of appropriate aquatic keys and references, including computer access to collegiate library references.

## Benthic Macroinvertebrate Sample Processing and Identification for the State of West Virginia RFQ DEP 16309

WAA is capable of processing 140-180 samples monthly, and we have ample capacity to process the West Virginia samples. Following are a selection of taxonomy projects completed by WAA.

Date	Project Name	Samples Processed	Project Description	Contact
2010	Vermont National Lake Assessment Program	88	Taxonomic identification of Vermont lakes aquatic macroinvertebrate samples as part of the National Lake Assessment (NLA) Program.	Vermont DEC 103 S. Main St. Waterbury, VT 05671-0409 Contact: Steve Fiske 802-241-1378
2010	Lake Champlain Benthic Macroinvertebrate Survey	93	Sorting, identification and enumeration of benthic macroinvertebrates collected by Van Veen sampler from Lake Champlain and Champlain Canal.	Tetra Tech 451 Presumpscot St. Portland, ME 04103 Contact: Brian Dresser 603-314-0756
2010	Great Lakes (Canada)	170	Sorting, identification and enumeration of benthic macroinvertebrates collected from Canadian Great Lakes for Environment Canada.	Subcontractor for: ESC Box 11437 Blacksburg, VA 24062 Contact: Stuart Lynde 540-552-0144
2009	NY DEC QA/QC	40	QA/QC on 40 samples; calculation of PTD and PTE and reporting per NYS DEC SBU protocol, including a summary report	NY DEC SBU 425 Jordan Rd. Troy, NY 12180 Contact: Alexander Smith 518-285-5627
2008	New York State Wadeable Stream Nutrient Criteria Project	100	Collection, sorting, identification and enumeration of benthic macroinvertebrates, analysis, interpretation, and reporting of biotic and abiotic variables from throughout NYS.	The Academy of Natural Sciences (Agent for NYS DEC) 19 <sup>th</sup> and Parkway, Logan Square Philadelphia, PA 19103 Contact: Roger Thomas 215-299-1105
2008	Pennsylvania DEP Macroinvertebrate Project	67	Sorting, identification and enumeration of 67 samples from the Allegheny and Monongahela Rivers. The subsample target was 400. Benthic macroinvertebrate identification to lowest possible taxonomic level (genus/species) included chironomidae and oligochaetes.	Pennsylvania DEP, Southwest Regional Office 400 Waterfront Drive Pittsburgh, PA 15222 Contact: Rick Spears 412-442-5874
2004-present	Orange County, NY Biomonitoring Water Quality Project	180	Collection, sorting, identification, enumeration, analysis, interpretation, and reporting of biotic and abiotic variables for OCWA's annual countywide biological stream monitoring program.	Orange County Water Authority 99 Main Street, Suite 1 Goshen, New York 10924 Contact: David Church 845- 615-3840
2006-present	Rockland County, NY Biomonitoring Water Quality Project	100	Collection, sorting, identification, enumeration, analysis and interpretation, and reporting of biotic and abiotic variables collected annually in Rockland County streams.	Rockland County SWCD 50 Sanatorium Rd., Bldg. P Pomona, NY 10970 Contact: Mary Hegarty 845-364-2669
2003-present	Battenkill Watershed (NY) Assessment	240	Collection, identification, enumeration, analysis and interpretation, and reporting of biotic and abiotic variables.	Battenkill Conservancy P.O. Box 327 Cambridge, NY 12816 Contact: Stuart Bartow 518-854-3355

**Benthic Macroinvertebrate Sample Processing and Identification for the State of West Virginia RFQ DEP 16309**

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**Staff Qualifications**

All benthic macroinvertebrate processing and identification for the WV DEP DWWM will be performed by the experienced, certified benthic macroinvertebrate taxonomists listed in this response. Our sorting staff consists of degreed biologists with extensive sorting experience, all of whom are certified taxonomists or working towards taxonomist certification. The taxonomists assigned to this project are degreed biologists and dedicated taxonomists with multiple certifications from the North American Benthological Society, and more than 10 years of experience in the sorting, identification and enumeration of benthic macroinvertebrates. They also routinely train professionals in benthic macroinvertebrate taxonomy. If necessary, the project taxonomists will be available to attend legal proceedings and provide expert testimony regarding work performed for this project. Resumes and Society for Freshwater Science (SFS) certifications are attached to this document.

**WV DEP DWWM Benthic Macroinvertebrate Processing and Identification Project  
Taxonomist certifications/length of time working with benthic macroinvertebrates**

Taxonomist	Years of Experience Identifying Benthic Macroinvertebrates	SFS Certifications/Regions	Certification Dates
J. Kelly Nolan	15 years	EPT Genus Level/Eastern North America	2008/2013
		EPT Genus Level/Western North America	2009
		Chironomidae Genus Level/Eastern North America	2008/2013
		Chironomidae Genus Level/Western North America	2009
Christopher Fishel	18 years	EPT Genus Level/Eastern North America	2007/2013
		EPT Genus Level/Western North America	2007/2013
		General Arthropods Genus Level/Eastern North America	2009
		General Arthropods Genus Level/Western North America	2009
		Oligochaeta Genus Level/North America	2009

**Deliverables**

Completed results will be delivered to the WV DEP/DWWM on the following schedule:

- Samples submitted by 4/1 will be delivered by 8/31
- Samples submitted by 8/31 will be delivered by 12/1
- Samples submitted by 12/31 will be delivered by 2/28
- Results of smaller, site-specific projects will be delivered within 1 month of sample receipt or within another negotiated time period

Submissions will include the following for each sample:

- Benthic macroinvertebrate identifications reported in MS Excel or Access on a data template provided by the DWWM Watershed Assessment Branch (WAB)

## Benthic Macroinvertebrate Sample Processing and Identification for the State of West Virginia RFQ DEP 16309

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- Copies of bench sheets completed during identifications
- All organisms identified (except reference taxa specimens, which will be returned when the contract or project is complete)
- All QA/QC information associated with sorting and identification of the samples

### Scope of Work

Watershed Assessment Associates recognizes the importance meticulous attention to quality control in completing this project. We will maintain strict quality control measures in all phases of this project, including maintaining chain of custody, transportation and processing of samples (sorting, identification, enumeration), and reporting.

#### **Step 1: Receipt of sample at specified location**

Watershed Assessment Associates will pick up and return specimens collected by the DWWM from a specified facility in Charleston, WV. WAA acknowledges that sample containers will be 1 gallon jars and that the total number of samples collected annually will be approximately 500. WAA will anticipate and schedule 4-5 sample pick-ups yearly, transport the specimens to our laboratory, and maintain a strict chain of custody for the specimens.

Upon receipt, samples will be checked against the chain of custody, recorded in the sample log book, and assigned a unique sample tracking number. Any discrepancies in sample information will be noted and DWWM will be contacted by phone or electronically regarding such discrepancies. All field samples will also be checked for proper preservation and re-preserved in 75% ethanol if found to be less than adequately preserved. Any vials received leaking or broken will be replaced, and noted in the sample log book. A copy of the chain of custody will be retained by Watershed Assessment Associates.

Watershed Assessment Associates will maintain a record of the identification results for 5 years.

#### **Step 2: Sorting benthic macroinvertebrate samples**

Watershed Assessment Associates recognizes the significance of appropriate and accurate sorting of macroinvertebrates from benthic survey samples in order to generate accurate, meaningful study data and conclusions. Because of this, our sorting staff for this project consists of degreed biologists with extensive sorting experience who are either certified taxonomists or working towards taxonomist certification. We feel strongly that using experienced, knowledgeable staff during the sorting process will provide added-value to the DWWM study results.

We will follow the procedures outlined in the WV DEP Watershed Assessment Branch- Standard Operating Procedures for Processing Benthic Macroinvertebrate Samples, as follows:

- For the majority of samples: 200 (+/- 20%) a subsample of benthic macroinvertebrate organisms will be removed from a sample. Any vertebrates encountered during subsampling will be retained with the sample, but not identified. Specimens will be stored in appropriate jars with screw caps.

## Benthic Macroinvertebrate Sample Processing and Identification for the State of West Virginia RFQ DEP 16309

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- Occasionally, the entire sample will need to be sorted and identified. The DEP DWWM will notify WAA of these special cases.
- As part of a thorough QA/QC process, WAA will examine sorting efficiency for 5% of all submitted samples, and follow a robust QA/QC process, as described in the QA/QC section.
- Our taxonomists are fully knowledgeable of M.T. Barbour et al.'s "Rapid Bioassessment Protocols for Use in Streams and Wadeable Rivers: Periphyton, Benthic Macroinvertebrates and Fish," and routinely use these protocols for stream bioassessments. Macroinvertebrate specimens will be processed by the taxonomists listed in this proposal using the DWWM protocol derived from this publication (as outlined in RFQ DEP 15456) with the following exception:

Bottle labels are generated by computer on 28 pound stock paper. The improved legibility of these labels enhances quality assurance. The only handwritten parts of the label are the initials of the sample processor, the number of grids sorted, and the number of organisms in the final sample. These are recorded using archival quality indelible ink pens.

### Step 3: Identification of Benthic Macroinvertebrates

The benthic macroinvertebrate samples will be identified in accordance with procedures outlined in "Standard Operating Procedures for Identifying Macroinvertebrate Samples" with the following exceptions:

1. The number of organisms in each taxon is entered directly into an electronic database, dispensing with the need for handwritten bench sheets, unless required by the WV DEP.
2. WAA uses CMCP-10 mounting media for the mounting of Chironomidae.

Only the dedicated, SFS-certified taxonomists listed in this proposal will identify specimens. All Chironomidae larvae will be identified to genus by the taxonomist listed in this proposal with SFS certification in chironomidae.

All aquatic insects (including Diptera), crustaceans, and mollusks will be identified to genus-level. *Hydropsyche* individuals will be separated into *Hydropsyche* versus *Ceratopsyche*, according to Merritt, Cummins, and Berg (2008). Oligochaeta, Turbellaria, and Hirudinea will be identified to family level. Nemertea, Nematoda, and Bryozoa will be identified to phylum and Hydroida to order. Mature specimens may be identified to a lower level, if possible. Vertebrates and terrestrial organisms will not be identified.

Watershed Assessment Associates has included a complete bibliography of publications used by our taxonomists for the identification of specimens at the end of this response. Our laboratory utilizes most of the references listed in the attached operating procedure and has access to a collegiate reference library, if needed. WAA will provide a bibliography of publications used in the identification of specimens to DEP DWWM.

WAA will create a reference collection for DEP DWWM and a voucher collection of all specimens in the 200 organism subsample that have not been included in the reference collection.



## Benthic Macroinvertebrate Sample Processing and Identification for the State of West Virginia RFQ DEP 16309

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Macroinvertebrate identification results (no analysis will be performed, per WV DEP) on the paper form styles provided by DEP DWWM, and in electronic format (Microsoft excel or Access using the template provided by WVDEP), voucher specimens, and WV DEP WAB benthic macroinvertebrate lab sheets will be submitted to the DEP DWWM. All QA/QC associated with sorting and identification will also be submitted with the results.

WAA will maintain preservation of the samples and will return all sample jars, voucher specimens, and reference collections to the DEP DWWM. Unless directed otherwise by WV DEP, unused sample residues will be disposed by WAA.

### **Step 4: Quality Control**

Quality assurance and quality control is of paramount importance to our work. Rigorous QA/QC measures are followed by all of our taxonomists, including the following:

#### Reference and voucher collections

- WAA will retain all voucher specimens and establish reference collections for the project. Reference collections will be arranged/curated based on taxonomic and/or phylogenetic order
- Any specimens removed from the voucher collection for purposes of building the reference collection will be documented on paper and electronic reporting forms.
- The reference taxa specimens will be delivered to the DEP DWWM at the end of the contract/project period, or upon request if desired earlier.
- Retention of specimens for any purpose will be fully documented on laboratory bench sheets.
- WAA will compile genus-level reference and voucher collections for submission to DEP DWWM at the end of the contract period or upon request for DEP DWWM use.
- All specimens identified in the 200-organism subsample will be returned to DEP DWWM. Slide mounted specimens will be labeled to indicate, at a minimum, DEP sample ID, lab number, count of organisms on the slide, and general groupings of organisms (e.g. Chironomidae, Oligochaeta). All other organisms will be stored in a single sample vial.

#### Sorting QA/QC

- The qualified sorting biologists will sort all the DWWM specimens to ensure the highest sorting efficacy.
- 5% of the specimens from each taxonomist are resorted to ensure a 90% sorting efficacy.
- If less than 90% sorting efficacy is discovered, the sample is resorted. The sample then undergoes a *second* quality assurance re-evaluation.
- A record of all samples sorted, a list of quality control checks, and documentation of any corrective action taken will be maintained by WAA to document the process. The information will be provided each time the taxonomic results are submitted to DEP DWWM.

#### Identification QA/QC

- 5% of each taxonomist's samples will be randomly selected for re-identification by a second taxonomist listed in this proposal.

## Benthic Macroinvertebrate Sample Processing and Identification for the State of West Virginia RFQ DEP 16309

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- Any errors will be brought to the attention of the original taxonomists and subsequent identifications will be subject to scrutiny until errors are resolved.
- A record of all samples re-identified, a list of quality control checks, and documentation of any corrective action will be maintained by WAA to document the process. All reports documenting QA/QC will be submitted to DEP DWWM with all other completed results in the delivery group or upon request.
- We maintain professional contacts with numerous research taxonomists and systematists for taxonomic verification of unusual or rare specimens. Any uncertain or unusual taxa will be sent to one or more of these experts for verification. All samples subject to outside verification will be recorded in the QA/QC report..
- If any significant changes in taxonomy occur during the life of this contract, the vendor shall notify DWWM and provide supporting references.
- We will anticipate that DEP biologists and/or another contract laboratory will verify identifications for a minimum of 2.5% of the samples, selected randomly from all proposal taxonomists.

### **Step 4- Legal Testimony**

The taxonomists completing the work for this project will be prepared to legally testify, if necessary, to the time of notification by the DEP DWWM of sample shipment and by whom, condition of the sample, how the sample was preserved by the firm, dates of analysis and by whom, chain of custody procedures within the laboratory, methods used, and results of sorting, identification, and internal QA/QC processes.

The taxonomists will not be required to respond to, nor will they respond to, questions concerning the interpretation of results.

### **Subcontractors**

Watershed Assessment Associates will be solely responsible for the satisfactory completion of this contract. We are not subcontracting the project. Any unforeseen changes in project staff would be submitted to DEP DWWM by WAA for review and approval.

### **Confidentiality**

Any and all data, analyses, materials, reports and other oral/written information prepared by Watershed Assessment Associates with respect to this requisition shall, except for information that has been made publicly available, be treated as confidential and shall not be utilized, released, published, or disclosed, by WAA at any time for any purpose whatsoever other than to provide consultation or other service to the DWWM.

Benthic Macroinvertebrate Sample Processing and Identification for the State of West  
Virginia RFQ DEP 16309

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List of taxonomic references

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- , 1961b. "A revision of the genus *Ephemerella* (Ephemeroptera: Ephemerellidae). II. The subgenus *Caudatella*." Annals of the Entomological Society of America, 54: 603-612.
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Benthic Macroinvertebrate Sample Processing and Identification for the State of West  
Virginia RFQ DEP 16309

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- Needham, J. G., M. J., Westfall, Jr., M. L. May. 2000. Dragonflies of North America. Scientific Publishers, Gainesville, FL. 939 pp.
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Benthic Macroinvertebrate Sample Processing and Identification for the State of West  
Virginia RFQ DEP 16309

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DEP16309  
 BID SHEET

Item No.	Quantity	Description	Unit Price	Amount
1	500	Per sample un-sorted, identified to Genus level: 200-organism subsample	\$135	\$67,500
2	4	Per each "sample pick-up/delivery" not "per sample" (Assume 100 samples per pickup)	\$0.00	\$0.00
3	5 hr	Cost/hour for professional staff representation of data in legal/administrative setting	\$75.00	\$375.00

TOTAL = \$67,875

Contractor: Watershed Assessment Associates

Signature: 

Date: 12/10/2013

**Quantities listed on the bid schedule are for bid evaluation purposes only and are not a guarantee of quantities to be ordered over the life of the contract. Actual quantities ordered may be more or less than those stated on this schedule.**

**VENDOR PREFERENCE CERTIFICATE**

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

1. **Application is made for 2.5% resident vendor preference for the reason checked:**

- Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
- Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
- Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,

2. **Application is made for 2.5% resident vendor preference for the reason checked:**

- Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

3. **Application is made for 2.5% resident vendor preference for the reason checked:**

- Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

4. **Application is made for 5% resident vendor preference for the reason checked:**

- Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,

5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**

- Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,

6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**

- Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.


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: Watershed Assessment Associates Signed:   
Date: 12/10/2013 Title: President

RFQ No. DEP/6309

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: Watershed Assessment Associates

Authorized Signature: [Signature] Date: 12/10/13

State of New York

County of Schenectady to-wit:

Taken, subscribed, and sworn to before me this 10<sup>th</sup> day of December, 2013

My Commission expires December 16, 2014.

**AFFIX SEAL HERE**

**NOTARY PUBLIC**

[Signature]

Heather Folds  
Notary Public, State of New York  
No. 01FO6084521  
Qualified in Schenectady County  
Commission Expires Dec. 16, 2014

*Purchasing Affidavit (Revised 07/01/2012)*



**CERTIFICATION AND SIGNATURE PAGE**

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

Watershed Assessment Associates

(Company)



(Authorized Signature)

John Kelly Nolan, President

(Representative Name, Title)

518-346-0225

(Phone Number)

518-6305078

(Fax Number)

12/10/2013

(Date)

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: DEP16309**

**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:**

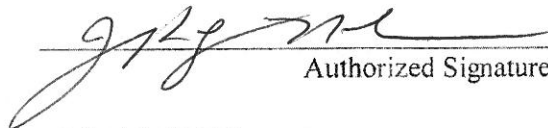
(Check the box next to each addendum received)

- |   |  |
|---|--|
| <input 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.

Watershed Assessment Associates

Company



Authorized Signature

12, 10/2013

Date

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