



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

**Solicitation**

NUMBER
DJS140015

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
TARA LYLE
304-558-2544

\*214132429      304-234-4470  
 FERDA BRIAN T INVESTIGATIVE CO  
 1101 MARKET ST STE 3  
 WHEELING WV 26003

VENDOR

DIVISION OF JUVENILE SERVICES  
 SECOND FLOOR  
 1200 QUARRIER STREET  
 CHARLESTON, WV  
 25301      304-558-6029

SHIP TO

DATE PRINTED
11/26/2013

BID OPENING DATE: 12/19/2013

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	LS		990-70		
POLYGRAPH TESTING SERVICES						
OPEN END CONTRACT						
THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV DIVISION OF JUVENILE SERVICES, IS SOLICITING BIDS TO PROVIDE POLYGRAPH EXAMINATIONS AT THE SAM PERDUE JUVENILE CENTER LOCATED IN PRINCETON, WV, PER THE ATTACHED SPECIFICATIONS.						
ATTACHMENTS INCLUDE:						
1. INSTRUCTIONS TO VENDORS SUBMITTING BIDS.						
2. GENERAL TERMS AND CONDITIONS.						
3. DJS140015 SPECIFICATIONS.						
4. CERTIFICATION AND SIGNATURE PAGE.						
5. PURCHASING AFFIDAVIT.						
6. RESIDENT VENDOR PREFERENCE (RVP) FORM.						
***** THIS IS THE END OF RFQ DJS140015 ***** TOTAL:						
12/09/13 09:54:23AM West Virginia Purchasing Division						

SIGNATURE 	TELEPHONE 304-234-4470	DATE 12/7/13
TITLE Polygraph Examiner	ADDRESS CHANGES TO BE NOTED ABOVE	

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

REQUEST FOR QUOTATION  
DJS140015 POLYGRAPH TESTING SERVICES

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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:** Brian FERDA  
**Telephone Number:** 304-234-4470  
**Fax Number:** 304-234-4478  
**Email Address:** \_\_\_\_\_

**Vendor Bid Submission Form Pricing Page**  
**Exhibit A**  
**DJS140015**

	UNIT PRICE	ESTIMATED ANNUAL USAGE *	ESTIMATED ANNUAL COST
INDIVIDUAL POLYGRAPH EXAMINATION	\$685. <sup>00</sup>	45 each	\$30,825. <sup>00</sup>

VENDOR NAME	Brian T. FERDA
VENDOR ADDRESS	1101 Suite 3 Market Street
	Wheeling WV 26003
PHONE NUMBER	304-234-4470
E-MAIL CONTACT	—

\*The number of tests estimated for the year is 45, this is only an estimate and does not guarantee any particular number of tests, but is only an estimate for bidding purposes.

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

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

- 1. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,

- 2. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

- 3. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

- 4. Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,

- 5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,

- 6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

- 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: Brian FERON

Signed: [Signature]

Date: 12/7/13

Title: Polygraph Examiner



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 exceed 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: Brian T. FERDA

Authorized Signature: [Signature] Date: 12/6/13

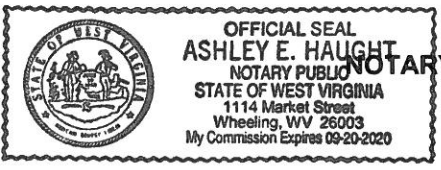
State of West Virginia

County of Ohio, to-wit:

Taken, subscribed, and sworn to before me this 6 day of December, 2013.

My Commission expires 9/20, 2020.

**AFFIX SEAL HERE**




[Signature]  
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.

Investigative Consultant  
(Company)

  
(Authorized Signature)

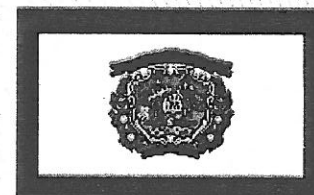
Brian Ferrell - Polygraph Examiner  
(Representative Name, Title)

304-234-4470      304-234-4478  
(Phone Number)              (Fax Number)

12/7/13  
(Date)



WEST VIRGINIA DIVISION OF LABOR  
POLYGRAPH EXAMINERS LICENSE  
CLASS I



Presented to

*BRIAN T. FERDA*

IS DULY QUALIFIED AND AUTHORIZED TO ADMINISTER  
POLYGRAPH, LIE DETECTOR OR OTHER SIMILAR TESTS UTILIZING  
MECHANICAL MEASURES OF PHYSIOLOGICAL REACTIONS TO  
EVALUATE TRUTHFULNESS.

June 30, 2014

This license expires on the above date

*David W. Mullins*

Commissioner of Labor,  
State of West Virginia





# ARGENBRIGHT INTERNATIONAL INSTITUTE OF POLYGRAPH



In recognition of successful completion of the academic requirements of the Professional Polygraph Examiner Training Course, the Argenbright International Institute of Polygraph hereby designates

*Brian J. Ferda*  
as a

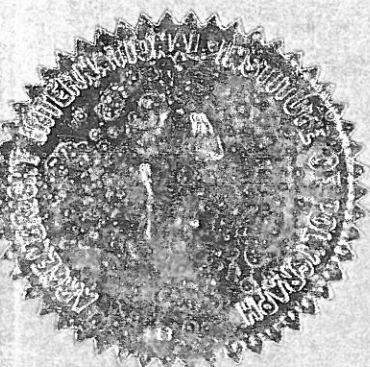
**GRADUATE**

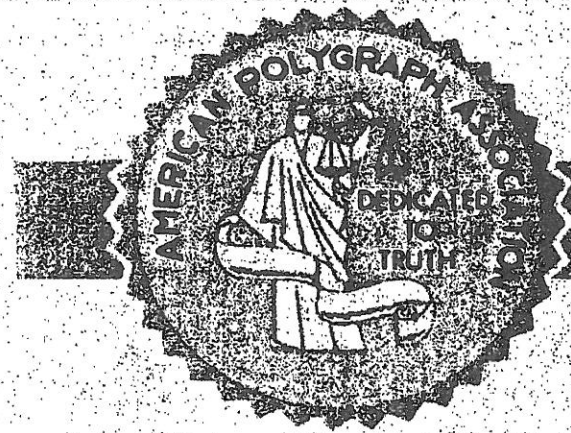
and issues this **DIPLOMA** as witness thereof.

Given under our hand and seal this 9 day of Nov., 19 90,  
at College Park, Georgia.

*Frank A. Argenti, Jr.*  
President

*Daniel E. Sosnowski*  
Director





# AMERICAN POLYGRAPH ASSOCIATION

## Certificate of Membership

Know all men by these presents that

Brian J. Ferda

is a member in good standing

Class of membership Member

### AIMS AND PURPOSES

Dedicated to  
the improvement of the Qualifications  
of Polygraph Examiners through high standards of professional  
ethics, conduct, education and achievement.

PRESIDENT

In witness whereof the American Polygraph Association has caused  
to fix his signature hereon, on this the 28th

day of August 1992

SECRETARY

Attest





# American Polygraph Association

Certifies that

## BRIAN T. FERDA

ATTENDED

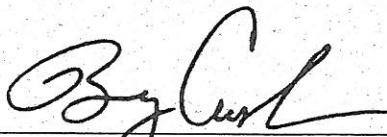
8 Hours of Advanced and Specialized Training

on

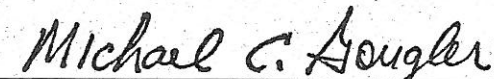
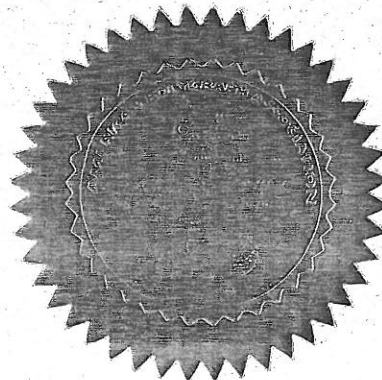
### POST CONVICTION SEX OFFENDER TESTING (PCSOT)

at

VIRGINIA BEACH, VIRGINIA  
NOVEMBER 7, 2012



BARRY CUSHMAN  
President



MICHAEL C. GOUGLER, Chair  
Professional Development Committee  
APA Director



## CONTINUING EDUCATION CERTIFICATE

This is to certify that

**Brian T. Ferda**

has attended, in its entirety,  
the following Continuing Education Activity sponsored by

**Specialized Training Services, Inc.**

9606 Tierra Grande, Suite 105  
San Diego, CA 92126

Assessing and Treating Sex Offenders

Title of Activity

July 9, 1999

Date

7

CE Credits (hours)

Anna Salter, Ph.D.

Presenter

Draw E. Leavens

C.E. Director

"Specialized Training Services, Inc. is accredited by the Accreditation Council for Continuing Medical Education to sponsor continuing medical education for physicians."

"Specialized Training Services, Inc. is approved by the American Psychological Association to offer continuing education for psychologists. Specialized Training Services maintains responsibility for the program."

"Specialized Training Services, Inc. is an approved provider to offer continuing education to social workers in Illinois #159-000306, Texas #CS1922, Ohio (social workers/counselors, #RSX019402/RX039401), Florida, California, and Iowa."

"This program meets the continuing education requirements for Nationally Certified Counselors, (NCC's)."

"This course has been approved by the California Board of Registered Nursing, provider #CEP11575 for 7.25 contact hours. This document must be retained by the licensee for a period of four years after the course concludes."



This Certifies That

**BRIAN T. FERDA**

has satisfactorily completed the course of  
**Polygraph Monitoring of the Sex Offender**  
November 30-December 4, 1998

conducted by

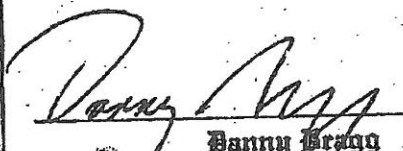
**Argenbright International Institute  
of Polygraph**


and the

**National Association of Polygraph Specialists  
in Sex Offender Treatment/Monitoring**


and is therefore entitled to this

**Certificate**

  
 \_\_\_\_\_  
 Danny Bragg  
 Course Manager

  
 \_\_\_\_\_  
 Jimmy R. Morris  
 President, NAPSSO/MI

# Virginia School of Polygraph



Let it be known by these presents that

**Brian T. Ferda**

has satisfactorily completed the 40-hour course of study in  
**Post Conviction Sex Offender Testing**

As required by the American Polygraph Association

Date March 14, 2008



**Darryl L. DeBoto**  
 Director

11/12/2013 12:27 #270 P.031/032 P.1

# American Polygraph Association

**BRIAN T. FERDA**

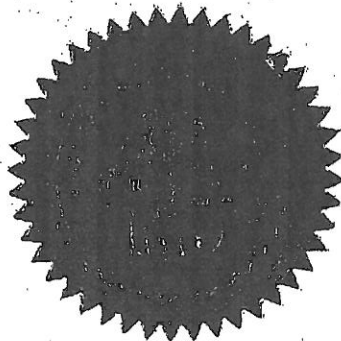
*has successfully completed the training requirements set forth in the Standards of Practice, approved by the American Polygraph Association Board of Directors, and is therefore considered to possess the requisite knowledge to conduct polygraph testing in conjunction with :*

***Sex Offender Treatment and Monitoring Programs***

*Given under the authority of the undersigned, this 14th day of March, 2008.*



DONNIE W. DUTTON  
President  
American Polygraph Association





DANIEL E. SOSNOWSKI  
General Chair  
Sex Offender Testing



# Certificate of Training

American Polygraph Association  
Co Sponsored by  
Virginia Polygraph Association

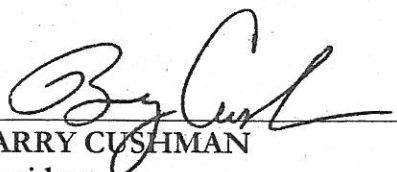
## Brian T. Ferda

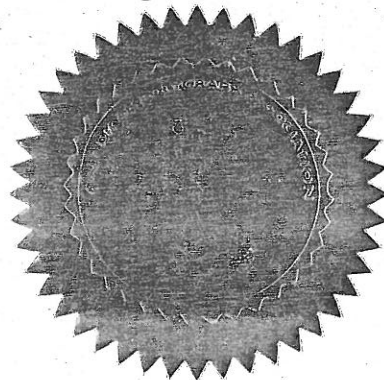
is hereby awarded 16 hours of Continuing Education for completing the  
Seminar / Workshop

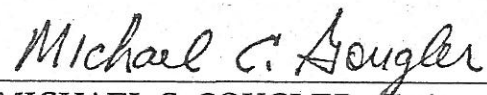
On

VALIDATED TECHNIQUES, NON-VERBAL MICRO-EXPRESSION,  
PSYCHOLOGICAL PROFILING, SOCIAL INFLUENCE AND ETHICS/LEGAL  
UPDATE.

Virginia Beach, Virginia, November 8-9, 2012

  
BARRY CUSHMAN  
President



  
MICHAEL C. GOUGLER, Chair,  
Professional Development Committee  
APA Director

FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE



*Issues this award thereby certifying that*

***Brian Thomas Ferda***

*Brooke County Sheriff's Department, Wellsburg, West Virginia*

*has completed a general course of instruction afforded by the*

***FBI National Academy  
United States Department of Justice***

*at Quantico in the State of Virginia for a period of eleven weeks ending this twenty-fourth day of September in the year of our Lord one thousand nine hundred ninety-three and by these presents is entitled to such professional standing as a law enforcement officer as may be properly accorded by reason of the completion of such course of instruction*

*Attorney General*

*Janice T. [Signature]*  
Director





**WEST VIRGINIA  
STATE TAX DEPARTMENT  
BUSINESS REGISTRATION  
CERTIFICATE**

ISSUED TO:  
**BRIAN T FERDA  
DBA INVESTIGATIVE CONSULTANT  
1101 MARKET ST STE 3  
WHEELING, WV 26003-2905**

**BUSINESS REGISTRATION ACCOUNT NUMBER: 1024-3728**

This certificate is issued on: 06/16/2011

*This certificate is issued by  
the West Virginia State Tax Commissioner  
in accordance with W.Va. Code § 11-12.*

*The person or organization identified on this certificate is registered  
to conduct business in the State of West Virginia at the location above.*

**This certificate is not transferrable and must be displayed at the location for which issued.**

This certificate shall be permanent until cessation of the business for which the certificate of registration was granted or until it is suspended, revoked or cancelled by the Tax Commissioner.

Change in name or change of location shall be considered a cessation of the business and a new certificate shall be required.

**TRAVELING/STREET VENDORS:** Must carry a copy of this certificate in every vehicle operated by them.  
**CONTRACTORS, DRILLING OPERATORS, TIMBER/LOGGING OPERATIONS:** Must have a copy of this certificate displayed at every job site within West Virginia.

Offices of the Insurance Commissioner



EARL RAY TOMBLIN  
Governor

MICHAEL D. RILEY  
Insurance Commissioner

March 13, 2013

Brian T. Ferda Investigative Consultant  
1101 Market Street/Suite #3  
Wheeling, WV 26003

RE: Exempt ID# WCEX17283

Dear Employer:

Your request for an extension/renewal of the opinion as to your exempt status the requirement to maintain West Virginia Workers' Compensation insurance has been received and processed. According to the information provided in your application, you have no employees who are required under West Virginia law to be provided West Virginia workers' compensation coverage. Therefore, the OIC is of the opinion, based on the information provided, that you are exempt from having to maintain West Virginia workers' compensation coverage.

This exemption opinion extension/renewal is valid until **March 13, 2014** or until circumstances change which require you to maintain workers' compensation coverage, such as acquiring employees or a business re-organization. Hiring even one (1) employee not falling within the scope of this exemption would require you to obtain coverage. If such changes occur, you must either submit another request for exemption or obtain workers' compensation coverage. Failure to obtain the mandatory coverage can result in severe penalties such as an administrative fine up to \$10,000, financial responsibility for benefits paid from the uninsured fund for any accidents and losses during periods when you are not insured, and placement on the Employer Violator System, which can result in revocation of your business license and any other licenses, permits or certificates required to do business in West Virginia. Further, be reminded that in accordance with W.Va. Code §61-3-24e(5), it is a felony to knowingly and willingly make false statements respecting any information required to be provided under the WV Workers' Compensation Act. Upon conviction, the individual shall be confined in a penitentiary for up to three years, fined up to \$10,000, or both.

Please be advised it is your responsibility to obtain a copy of proof of workers' compensation coverage or a letter of exemption from workers' compensation coverage from any independent contractor or subcontractor that performs repair or maintenance services for your business. If an investigation indicates the contractor or subcontractor employed by your business has no workers' compensation coverage or a letter of exemption from workers' compensation coverage, your business possibly could be considered the employer, assigned to the Employer Violator System and fined up to \$10,000 and responsible for any claim charges for an injury received by an employee of the contractor or subcontractor.

***Please be advised that this exemption is advisory in nature and does not constitute any formal adjudication or legal conclusion as to the workers' compensation status of your company. It is based solely on the information you provided to us in your application. If the information provided in the application is incorrect, unclear or ambiguous, then this exemption may also be erroneous. It is important for anyone relying on this exemption to be aware of this. Additionally, this letter does not serve in lieu of a certificate of coverage in order to allow a prime contractor to avoid liability for employees of subcontractors under W.Va. Code §23-2-1d.***

Should you find that you are in need of workers compensation coverage, you may apply for coverage from one of the approved carriers of workers compensation. A list of these carriers can be found on our website at [www.wvinsurance.gov](http://www.wvinsurance.gov) underneath the box entitled Workers Compensation found in the center of the page. If you are unable to access the website for a list of these carriers, please feel free to contact our offices at (304) 558-6279 ext. 1232

Sincerely,

Employer Coverage  
Offices of the Insurance Commissioner

ec/gh

