



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
 PECFA BUREAU
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<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>

Jim Doyle, Governor
 Mary P. Burke, Secretary

**Wisconsin Department of Commerce Bureau of PECFA
 Bid Document**

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 36
Comm Number: 54001-1035-25-A
BRRTS Number: 03-49-127886
Site Name: Amery Amoco
Site Address: 225 N Keller Ave Amery WI

Project Manager: Philip Richard
Project Manager address: PO Box 220 Park Falls WI 54552-0220
Project Manager phone: 715-762-4684
Project Manager e-mail address philip.richard@dnr.state.wi.us

Bid Announcement Date	2/28/2005
Questions or requests for information must be submitted in writing and received by:	3/14/2005 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	4/1/2005
Bid End Date and Time:	4/15/2005 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Natural Resources, 875 S Fourth Ave, Park Falls WI

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

The Copy Shop, 310 Stuntz Ave, Ashland WI 54806
Phone: 715-682-6567 Fax: 715-682-6551

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

Soil at the site consists of mostly sand and silty sand. The depth to groundwater is approximately 10 feet below grade. Eight monitoring wells are located at the site. Free product has been observed in two of the monitoring wells (MW-1 and MW-7). Two open LUST sites (Amery Professional Building 2, BRRTS #03-49-514938, and Lou John Appraisals, BRRTS #03-49-514936) are adjacent to the Amery Amoco site.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- Documented expansion of the plume margin.
- Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- Contamination within bedrock or within 1 meter of bedrock.
- Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

Conduct a source control action in the area of monitoring wells MW-1, and MW-2, and soil borings B-3, and B-5 to address the free product and migration of contamination impacting groundwater. Any proposal that solely proposes to use natural attenuation and only monitor as the source control action will not be considered compliant with the minimum requirements of this bid.

As the contaminated soil is readily accessible, source control actions shall extend to and potentially below the water table in the area of the former tanks near the location of monitoring wells MW-1 (tanks A, D, and C in the April 2003 *Site Investigation Report*) and MW-2, and soil borings B-3 and B-5. The source control area shall extend south of B-3 to include the area of the former dispenser. This will likely substantially reduce the amount of petroleum contamination impacting groundwater and reduce the volume of free product.

If soil excavation is chosen as the source control action, for the purpose of the bid, bidders shall include the specific number of yards and tons proposed to be excavated and disposed of in their response, and the cost per ton for soil excavated and disposed, assuming a minimum volume of 400 tons. For proposed excavations, bid responses to excavate lesser amounts will not be considered compliant. Soil shall be removed from approximately 6 feet below ground surface to approximately 11 feet below ground surface, and shall extend into the water table. Clean overburden soils (based on field analysis (PID/FID) readings) shall be salvaged and used as clean fill on site. Monitoring wells MW-1 and MW-2 shall be removed as part of the excavation activities, and replaced within 2 feet of the original location. The replacement wells may be small diameter wells, but shall be

finished as flush mounts. Reimbursement for soil excavation and disposal will be on a per ton basis. The PECFA reimbursement cap will be set at the cost per ton multiplied by the number of tons proposed to be excavated plus the cost of the additional activities required to complete the scope of work from the selected compliant bid response. This should be the same amount listed on your bid response as the Total Bid Cost on the 1st Page of the bid response. The excavation date shall be coordinated with the DNR project manager.

Proposals to excavate contaminated soils shall include a minimum of four confirmation soil samples for the area excavated (on the four sidewalls, no farther apart than 20 feet). Soil samples shall be submitted for laboratory analysis of petroleum volatile organic compounds (PVOCs). Because of the shallow groundwater table in the area, the excavation will extend below the water table and a bottom soil sample will not need to be collected. Documentation of saturated conditions shall be included. The excavated contaminated soils and any contaminated water removed during de-watering activities shall be properly treated and/or disposed of in accordance with NR 718, Wis. Adm. Code. The excavation shall be backfilled with clean soil material. Any monitoring wells that are removed or damaged during source control excavation activities must be replaced within two feet of original location. Prior departmental approval is required for well replacement locations elsewhere.

Proposed source control actions/remedial technologies other than soil excavation may be accepted, however adequate documentation regarding effectiveness is required, and the action must be approved by the DNR for use within Wisconsin. Also, an approved sampling plan to confirm residual contamination concentrations is required. Bid responses including proposed source control actions/remedial technologies/sampling plans that are not approved will not be considered compliant with the minimum requirements of this bid.

Two small diameter wells shall be installed. One located in the area of soil boring GP-11 and one located in the area of B-3. Each well shall be finished off as flush mount to be allow for monitoring of each well along with the existing well network. The location of the well near boring B-3 shall be 5 to 10 feet southwest of the original boring, and the location of the well near boring GP-11 shall be at or within 10 feet to the south of the original boring. All new wells and replacement wells shall be surveyed and tied into existing well elevations.

After the source control action and well installations are completed, conduct four quarterly groundwater sampling events on all monitoring wells, except MW-16 and MW-17 which shall be analyzed semi-annually. The ground water samples shall be laboratory analyzed for petroleum volatile organic compounds (PVOCs). During each sampling event, collect water elevation measurements from all monitoring wells.

In addition, conduct active free product removal actions to the maximum extent practicable from each monitoring well containing free product. The free product removal shall begin after the source control action is complete and shall continue until the four quarterly sampling events are completed and a report is submitted, or until no free product accumulates in the monitoring points for a minimum of three consecutive free product monitoring events. Free product removal activities shall resume in any well where free product is identified as being present again at a

later date, such as during a water sampling event. Free product removal from each of the monitoring points on less than a bi-weekly basis will not be considered as an active source control action in regards to this bid specification, and therefore will not be considered compliant.

Conduct an investigation of the utility corridors in the area, including utilities within Maple Street and North Keller Avenue/Hwy 46, in accordance with WDNR publication PUBL-RR-649.

Dispose of all contaminated wastes generated during these activities upon completion of the work proposed in the bid.

Following completion of activities, submit a report to both the DNR and DCOM. The report shall include a map showing areas excavated and where confirmation sampling was conducted, tabulated post-remedial soil data (field and laboratory data), tabulated historical and recent ground water monitoring data for each well, tabulated free product removal data, an iso-concentration map for benzene, a statistical analysis of increasing or decreasing trends of historical and current monitoring results, an updated site map that includes property boundaries, utilities, groundwater flow maps for each quarterly sampling event meeting the requirements of s. NR 716.15(2)(d) 5 and 6., Wis. Adm. Code, and recommendations for obtaining closure at the site.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory’s bid is determined to be successful, the signatory must, within 15 days of the Department’s notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department’s notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with GIS Registry*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards

Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07
Closure under Comm 46/NR 746
Mass reduction

* **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a

closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Amery Amoco
COMMERCE NUMBER: 54001-1035-25
BRRTS NUMBER: 03-49-127886

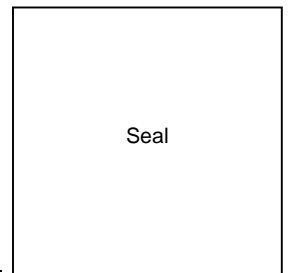
Submit Bid To: Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone: () - _____
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____ Professional Engineer _____ License #
_____ Professional Geologist _____ License #
_____ Hydrologist _____ License #
_____ Soil Scientist _____ License #



Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Amery Amoco
COMMERCE NUMBER: 54001-1035-25
BRRTS NUMBER: 03-49-127886

Consulting Firm phone number () ____-_____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.* The pages of each Bid Response must be **stapled** together. No paper clips or spiral bindings please.