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Jim Doyle, Governor
Cory L. Nettles, 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: 33
Comm Number: 54493-8860-45-A
BRRTS Number: 03-10-213910
Site Name: Artac Property
Site Address: W8145 Main St Willard WI

Project Manager: Tom Kendzierski
Project Manager address: PO Box 4001 Eau Claire WI 54702-4001
Project Manager phone: 715-839-1604
Project Manager e-mail address thomas.kendzierski@dnr.state.wi.us

Table with 2 columns: Question/Requirement and Date/Time. Rows include Bid Announcement Date (8/23/2004), Questions or requests for information must be submitted in writing and received by (9/6/2004 4:00 PM), Responses to the questions will be posted (and if requested, sent in writing) by (9/24/2004), and Bid End Date and Time (10/8/2004 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, 1300 W Clairemont, Eau Claire 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.

Quality Quick Print, 1213 Menomonie St, Eau Claire WI 54703

Phone: 715-836-0049

Fax: 715-836-7704

## **SECTION 2 – Site-Specific Bid Specification Requirements:**

### **A) Project Manager Comments**

#### 1) General Comments:

The Village of Willard is served by private wells and some are shared. Several potable wells are located within or in close proximity to the Artac plume. None of the potable wells in the immediate vicinity to the Artac site have been affected to date.

At one time, the Village was bisected from southwest to northeast by a railway line. Anecdote from one resident has it the railroad was abandoned in the mid 1950's. There was a rail station and bulk petroleum storage to the west and south of the Artac Property. This abandoned rail line is visible on air photos. Historical photographs of the area show a number of gas stations along Main Street in the vicinity of the Artac Property.

The Additional Site Investigation Update for the Artac Property has refined the site data to identify two areas of soil contamination, one near Artac and one across the street at the Snowmobile Club building. Contamination in groundwater is comingled and not distinguished as to source.

Free product has been identified in MW-1 and MW-5 but has not been detected since December 2002.

The discharge at the Artac site appears to be from leaded fuels and there have been Lead exceedances during the groundwater monitoring events. The presence of Lead and Ethylene DiBromide contamination is of primary interest here and a potential issue for remediation.

Groundwater has been measured at depths between 17 and 19 feet and flowing northeasterly. The groundwater plume has expanded since discovery.

The other known contamination site in Willard is in the vicinity of Arlene's Inn (BRRTS # 03-10-196577) on the southeast corner of town.

Note: Main Street is a dead-end road maintained by the Village. Remediation activities may be possible in the Main Street right of way with permission and coordination with the Village. Therefore a right of way exemption may not be appropriate or available.

#### 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:

Implement an active remediation to protect private wells in the Village of Willard in the vicinity of the Artac Property. If Free Product reappears it must be removed.

Monitoring Well Installation:

Install one water table monitoring well and one piezometer east of MW-12. The wells will serve as sentry wells to protect potable wells to the east, assess plume expansion, and the success of any remediation.

Install one water table well and one piezometer north and slightly east of MW-8. The wells will assess expansion of the plume and as a sentry for the Settler's Park well.

The exact new well/piezometer locations will be determined in consultation with the WDNR Project Manager (PM) prior to installation.

Soil Remediation:

Provide and implement a strategy to resolve any direct contact and hazards to groundwater in the areas of soil contamination above NR 720 standards as noted on Figure 2 of the Artac consultant's April 9, 2003 "Additional Site Investigation Update" report. Remediate soil downward through the "smear zone".

Given the clay till over sand soil strata, excavation and off site disposal will be required as part of the overall remedial strategy for the contaminated soil. Permission from the Village of Willard needs to be obtained so that the excavation can continue from the source through Main Street and to the north through MW-1. The points to include within the excavation are: GP-1, GP-7, GP-8, GP-9, GP-11, SB1/MW1, SB5/MW5, SB/PZ1, as highlighted in Figure 2: Estimated Extent of Soil & Groundwater Contamination (12/23/02) by REI.

Groundwater Remediation:

Upon excavation, a free product sump will need to be installed on the north side of Main Street.

Bidders shall propose an in-situ remedial strategy to remediate the highly contaminated groundwater acting as a source zone of contamination and threat to wells in the immediate vicinity. This groundwater source zone is approximately defined as the sandy aquifer beneath the clayey surface till and within the area enclosed by a line running from MW-3 to MW-11, MW-12, MW-13, MW-10, MW-4 and back to MW-3. See Figure 2 and the groundwater analytical tables of the REI "Additional Site Investigation Update" report dated June 4, 2004.

A Natural Attenuation remedy for this area is not available until it can be demonstrated the in-situ active system is no longer feasible per the NR 722 criteria.

Suggested remedial options include, but are not limited to, AS/SVE, the use of slow release oxygen compound or in situ chemical oxidation. Ex-situ methods such as pump-and-treat may not be considered.

Any proprietary remedial strategy proposed must be able to demonstrate a successful track record including successful application and compliance with necessary DNR permits. Bidders proposing any proprietary technology must be able, on short notice, to provide a verifiable track record and references.

Groundwater Monitoring:

All monitoring wells and piezometers encountered within the excavation area must be abandoned and replaced for post-remedial monitoring purposes.

Implement groundwater sampling on a quarterly basis for 2 years to include all existing monitoring wells/piezometers plus the new wells and piezometers. All wells will be sampled within 6 months of the remedial action. Subsequent samples will be collected quarterly from all wells exceeding NR140 enforcement standards. Wells exhibiting NR140 preventative action limits and non-detect concentrations will be sampled semi annually. This is to include groundwater elevation measurements.

All site-monitoring wells shall have a groundwater lab analysis for petroleum PVOCs plus Naphthalene. If any contaminate outside the PVOC list has been detected in the past it must be included. The initial analysis at MW-3, MW-4, MW-11, MW-12 and MW-13 and the four new wells/piezometers shall include a screening round by EPA Method 504 or EPA 8011 to include 1,2-Dibromoethane (EDB). (If EDB is detected, any subsequent monitoring will be subject to a change order if PECFA eligible.)

In addition, RNA parameters must be obtained from all monitoring wells. The first round taken prior to the remediation, second round a year later and the final round taken during the final round of groundwater sampling for this scope of work.

Potable Well Monitoring Plan:

The potable well monitoring plan shall include an initial analysis, then semi-annually thereafter for VOCs including EDB and Naphthalene by EPA method 524.2, and Lead for the following private wells in the vicinity and downgradient of the Artac Site;

- Suda Building,
- Tetzlaff,
- Kezele,
- Scharenbrock,
- Church Well,
- Bayuk W8155 Dove Road,
- Daniel Dick W8130 Main Street,

- Unknown 8130 Dove Street and
- Unknown 8143 Dove Street

After the initial potable well sampling, contact the WDNR and Commerce PM with the results and a possible reduction in sampling protocol.

The Settler's Park well shall be sampled initially, then annually for the above parameters and method until closure. All results from the Settler's Park well shall be forwarded to the Town of Hendren on receipt.

## **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:

<b>Unrestricted Closure</b>	<b>Performance based NR 720.19 closure</b>
<b>Closure with a NR 140 exemption</b>	<b>Closure with site-specific conditions</b>
<b>Closure with GIS Registry*</b>	<b>Closure under NR 726.07</b>
<b>Closure with deed notice*</b>	<b>Closure under Comm 46/NR 746</b>
<b>Closure with deed restriction*</b>	<b>Mass reduction</b>
<b>Closure with NR 720.19 soil standards</b>	

\* **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 1<sup>st</sup> 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**  
**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Artac Property  
**COMMERCE NUMBER:** 54493-8860-45  
**BRRTS NUMBER:** 03-10-213910

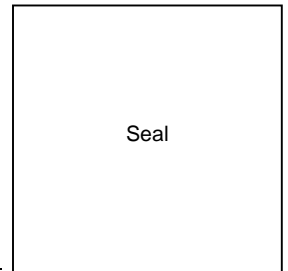
Submit Bid To: Cathy Voges  
Department of Commerce PECFA Program  
201 W Washington Ave, Madison WI 53703-2790 or  
P.O. Box 8044, Madison WI 53708-8044

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**

**(2<sup>nd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Artac Property

**COMMERCE NUMBER:** 54493-8860-45

**BRRTS NUMBER:** 03-10-213910

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.