



**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:** 40  
**Comm Number:** 53713-1918-42-A  
**BRRTS Number:** 03-13-002488  
**Site Name:** Jiffy Stop (Former)  
**Site Address:** 2342 S Park St Madison WI

**Project Manager:** Wendell Wojner  
**Project Manager address:** 3911 Fish Hatchery Rd Fitchburg WI 53711  
**Project Manager phone:** 608-275-3297  
**Project Manager e-mail address** [wendell.wojner@dnr.state.wi.us](mailto:wendell.wojner@dnr.state.wi.us)

<b>Bid Announcement Date</b>	<b>11/7/2005</b>
<b>Questions or requests for information must be submitted in writing and received by:</b>	<b>11/21/2005 4:00 PM</b>
<b>Responses to the questions will be posted (and if requested, sent in writing) by:</b>	<b>12/9/2005</b>
<b>Bid End Date and Time:</b>	<b>12/23/2005 by Noon</b>

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, 3911 Fish Hatchery Rd, Fitchburg 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.

**Action Legal-Madison, 1 E Main St, Madison WI 53703**

**Phone: 608-663-1041**

**Fax: 608-663-1045**

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

### A) Project Manager Comments

#### 1) General Comments:

Underground gasoline storage tanks were removed and contamination was found in November 1994. There were two 6000 gallon tanks, a 4000 gallon tank and a 550 gallon fuel oil tank. In March 1995 eight soil borings (SB01-SB08) were installed around the heating oil tank area. Nine soil borings (SB09-SB17) were conducted around the pump island area. After observing the results of analysis, another nine more borings (SB18-SB26) were installed. Five more borings (SB27-SB31) were installed in May 1995. Monitoring wells MW01, 02, 03, and 04 were drilled in June 1995. In October 1995 an extraction well (RW01) was placed at the site with soil borings SB32-34 and monitoring well MW06. During October to November 1995 the site underwent remodeling and 228 tons of contaminated soil was disposed. In October 1996 monitoring wells MW05, MW07, 08 and 09 were placed at the site. In April 1997 free product removal from MW03 was conducted. In July 1998 they replaced MW02 with MW02R. A potential for the use of a groundwater extraction system and soil vapor extraction system was evaluated with the installation of RW01.

There has been measurable free product at MW03 since October 1996 to the present. Free product has been observed in MW06 since December 2003. The site is within 3 blocks of municipal well #18.

The soil is fill followed by sand, clayey sand, clayey silt to 8-10 feet, sand and silty sand to weathered dolomite at variable depth of 20.5 feet. Groundwater is at 25-32 feet bgs and the flow is from a high on the site to the northeast, east and southeast.

#### 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:

Removal of free phase product is required. The remedial strategy must consist of source control and/or contaminant mass reduction in the area of monitoring wells MW03 and MW06. The action(s) should commence as soon as possible and be continued until no free product greater than a level of 0.01 feet accumulates in the affected monitoring wells. Initially, free product removal from the monitoring wells on less than a bi-weekly (once every two weeks) will not be considered an active source control action in regards to this bid specification, and therefore will not be

considered compliant with this bid. If the measured free product is reduced to less than 0.2 feet in all the wells, a reduced frequency of actions or alternative actions should be requested by the consultant. A cost for each bi-weekly action should be proposed and a cost for each alternative action event should be proposed. A maximum of one year (26 bi-weekly action) should be assumed in the bidding, but fewer action events may be necessary if the free product removal is effective. The consultant will only receive payment for the number of action events or alternative action events that are completed.

The monitoring of the presence of free phase product should provide information to evaluate the potential for the use of vacuum extraction for the removal of free phase product. This bid is to incorporate the cost for two (2) vacuum extraction events with the second event to be performed greater than 30 days but less than 45 days after the first event. A report shall be submitted following the post event product measurement, documenting the extraction event.

Free product removal shall be conducted in a manner that minimizes the spread of contamination into previously uncontaminated zones using recovery and disposal techniques appropriate to the hydrogeologic conditions at the site.

Any flammable products shall be handled in a safe and competent manner to prevent fires or explosions and properly reuses or treats discharges of recovered byproducts in compliance with applicable state and federal laws.

Dealing with the free product and highly contaminated groundwater may be linked to natural attenuation to achieve site closure, but natural attenuation by itself will not be considered an acceptable remedy.

For the purposes of this bid cost calculations should be made for the installation and monitoring of an additional monitoring well described in the following. After one year of groundwater monitoring a decision will be made with DNR and Commerce project managers regarding the placement of another monitoring well in the area of the median of Park Street southeast of monitoring well MW06 to determine the extent of contamination in that area. The soil borings must be continuously sampled from the surface downward, field screened for volatile contamination and lithology recorded. Collect one sample from the soil boring for laboratory analysis of petroleum volatile organic compounds (PVOCs) from the zone of highest obvious contamination and one at the end of the boring to document that the vertical extent has been defined. If no contamination is evident, then only the bottom sample will be required. If elevated contamination is observed in the top four feet of the boring, the potential direct contact threat must be evaluated and a soil sample must be collected from the most contaminated interval. The off-site well installation should include costs for obtaining off-site access and/or city permits. Bid costs shall include all waste disposal, development, and survey costs.

A groundwater monitoring program shall be implemented for two years following the sampling schedule described in the following Table to demonstrate plume reduction via remedial effort and/or natural attenuation.

Monitoring Well	Quarterly	Semi-annually	Annually
MW-2R, MW-3, MW-6, MW-8, PZ 1, and the newly installed monitoring well (*to be determined after a year)	<b>X</b>		
MW-4, MW-7, MW-9, MW-10		<b>X</b>	
MW-1, MW-5			<b>X</b>

Collect the groundwater samples from the applicable monitoring wells before any recovery/sump well pumping, if the pumping is conducted concurrently with the groundwater monitoring mobilization.

Collect groundwater samples from monitoring wells including those with free product (after measuring and removing the free product and purging the well). In such an event bidders are encouraged to use bottom discharge sampling devices in conjunction with bailers. Monitoring shall include analyses for PVOCs plus naphthalene for all four rounds (VOCs for the first sampling of the newly installed monitoring well). Water level elevations shall be measured at every monitoring well listed in this bid specification during each of the sampling events. Groundwater flow maps shall be drawn using the data. The natural attenuation indicator parameters shall be conducted on an annual basis.

All contaminated material generated at this site as part of the bid scope of work must be properly stored and disposed/treated in accordance with State regulations.

A brief groundwater monitoring report, which will include updated groundwater monitoring tables, groundwater measurements, groundwater contour maps, groundwater contamination extent maps and cumulative free product check and removal documentation, is to be submitted within 45 days of the receipt of the laboratory data for each event. The data shall be submitted in paper form, and in an Excel spreadsheet on computer media such as a cd or diskette.

While this is not a bid to closure, there is a possibility of attaining closure at the conclusion of the work scope conducted under this bid. If upon completion of the work scope discussed above, closure is available and the WDNR project manager concurs, prepare and submit an updated closure report for closure consideration by the WDNR (and provide a copy to Commerce). The closure request submittal for this site shall follow the updated closure request form as described on the DNR web page at [www.dnr.state.wi.us/org/aw/rr](http://www.dnr.state.wi.us/org/aw/rr).

Bidders shall provide costs for the items in the table on the 3<sup>rd</sup> Page of the Bid Response. If a completed 3<sup>rd</sup> Page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scope of work items without prior Commerce approval.

## **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:** Jiffy Stop (Former)  
**COMMERCE NUMBER:** 53713-1918-42  
**BRRTS NUMBER:** 03-13-002488

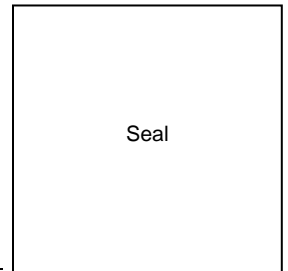
Submit Bid To: Cathy Voges  
Department of Commerce PECFA Program  
201 W Washington Ave, Madison WI 53703-2790 or  
P.O. Box 8044, Madison WI 53708-8044

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:** Jiffy Stop (Former)

**COMMERCE NUMBER:** 53713-1918-42

**BRRTS NUMBER:** 03-13-002488

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.

**BID RESPONSE**

**(3<sup>rd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME:** Jiffy Stop (Former)

**COMMERCE NUMBER:** 53713-1918-42

**BRRTS NUMBER:** 03-13-002488

Consulting Firm phone number ( ) \_\_\_\_-\_\_\_\_

A bid will be considered to be non-complaint if the bid response does not include separate tabulation of cost for each activity.

1	Install one monitoring well (includes but not limited to access agreements, permits, development, survey, and waste disposal).	\$	
2	Free product removal (include waste disposal) per event	\$	
3	Number or Free product removal events		26
4	Free product removal Subtotal (Row 2 x Row 3)	\$	
5	Monitoring (include analytical cost and waste disposal) per event	\$	
6	Number of Monitoring events		8
7	Monitoring Subtotal (Row 5 X Row 6)	\$	
8	Documentation (reports, correspondence, etc.)	\$	
9	Other (If necessary), specify	\$	
10	Bid Total	\$	