



**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 services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 44  
**Comm #:** 54728-9779-20  
**BRRTS #:** 03-03-185551  
**Site Name:** Keg N Kork  
**Site Address:** 120 2nd St, Chetek, 54728

**Site Manager:** Bill Schultz  
**Address:** 107 Sutliff Ave  
**City, State Zip:** Rhinelander, WI 54501-3349  
**Phone:** 715-365-8965  
**e-mail:** bill.schultz@wisconsin.gov

**Bid Manager:** Timothy A. Zeichert  
**Address:** 2715 Post Road  
**City, State Zip:** Stevens Point, Wisconsin 54481  
**Phone:** (715) 345-5307  
**e-mail:** Timothy.Zeichert@Wisconsin.Gov

<b>Bid-Start Date:</b>	<b>July 17, 2006</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>July 31, 2006, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>August 18, 2006</b>
<b>Bid-End Date and Time:</b>	<b>September 01, 2006, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**The Copy Shop, 310 Stuntz Ave, Ashland, WI 54806**

**Phone: (715) 682-6567**

**Fax: (715) 682-6551**

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

### **A) Bid Manager Comments**

#### 1) General Comments:

The site is located within a commercial and residential area of the city of Chetek, Barron County, Wisconsin. Municipal sewer and water systems serve the site and surrounding area. The site is approximately 2 acres and includes a 3,000-square-foot building, which houses a bait shop, liquor store and gas station convenience mart. Three USTs and dispensing island are actively being used. A potable well is located on site, but reportedly only used for minnows. Groundwater is at a depth of 25-26 feet and flows toward the southwest. Weathered sandstone bedrock was encountered at depths starting between 9 and 14 feet below the ground surface.

After initially showing little contamination, free product was discovered in MW-1 during the December 2003 sampling round. A scope of work bid was conducted in PECFA Bid Round #32 that included 18 months of active free product removal and six quarterly rounds of groundwater monitoring. Measurable free product has been present in MW-1 since December 2003. Product thickness in MW-1 has ranged from 0.11 feet to as much as 1.44 feet. In October 2005, free product was also observed in monitoring well MW-2. Measurable free product has continued to be observed (and removed) in MW-2 since that date. Product thickness in MW-2 has ranged from 0.14 feet to 0.42 feet.

#### 2) Minimum Remedial Requirements:

A compliant bid shall include all of the following elements:

- Install a new 2-inch diameter water table monitoring well (MW-5) approximately 80 feet down gradient (south) of the existing (and previously located) tank bed. The water table well should have a 10-foot screen bisecting the water table (approximately 24-26 feet bgs). The well shall be installed, sealed and developed in accordance with NR 140 Wis. Adm. Code. Installation includes proper characterization/disposal of soil drill cuttings and development water.
- Install two 4-inch diameter recovery wells (RW-1, RW-2) approximately 1/3 and 2/3 the distance from MW-1 in a direct line toward MW-2. Exact recovery well locations can be moved within a 10 foot radius to avoid underground or above-ground interference. The two recovery wells shall be installed 40 feet bgs, with 15-foot screened intervals. The wells shall be installed, sealed and documented in general accordance with NR 140 Wis. Adm. Code. Installation includes proper characterization/disposal of soil drill cuttings.
- Conduct free product/contaminated groundwater pumping events at newly installed RW-1 and RW-2. Pumping events shall be conducted monthly for 12 months using an appropriate vacuum truck capable of extracting water/product from 40 feet bgs or other pumping device that can quickly pump the well dry. All 12 pumping events shall be conducted at least one month apart. Pumping events missed due to inclement weather in the winter months shall be rescheduled and not eliminated. Each extraction point shall be pumped at least three times

following recovery of the water/product column (total of 3 pumpings per well per event) to within one foot of the pre-pump levels. Measure water levels and product thickness (using a product/water interface probe) in all wells prior to and immediately following each pumping event. For the purposes of the bid, the frequency and method of the pumping events shall be assumed for the full duration of the work scope (bidders shall assume removal of a total of 400 gallons of contaminated groundwater/product per pumping event. Consequently, bidders shall assume extraction and disposal of 4,800 gallons of free product/highly contaminated groundwater through the completion of this work scope). In addition, bidders must include on page two of their bid response, a per gallon unit disposal cost (commodity cost only) to be used to adjust the cap in the event that a volume significantly more or less is actually removed and disposed. The frequency and/or duration of the product/highly contaminated groundwater pumping may be reduced if the WDNR Project Manager grants approval. However, for the purposes of the bid, the frequency and method of the pumping events shall be assumed for the full duration of the work scope (12 monthly events). All contaminated materials generated at the site as part of the bid scope of work must be properly stored and disposed/treated in accordance with State regulations.

- Conduct eight quarterly rounds of groundwater monitoring for MW-1, MW-2, MW-4 and MW-5 (newly installed well). Groundwater monitoring well MW-3 and the potable well on-site (PW-1) shall be included in the sampling annually on the fourth and eighth quarterly rounds conducted. Water level elevations shall be measured at each monitoring well during each of the sampling events. If free product is encountered, the free product thickness shall be measured and removed from the monitoring well before a groundwater sample is collected. All monitoring shall include analyses for PVOCs, naphthalene, and MTBE. The costs for monitoring shall include the costs for the proper disposal of all development water and solid wastes generated during the sampling.
- A final report shall be submitted to both DNR and Commerce that includes the following: tabulated results for all historical groundwater analytical results collected during the entire site remediation history, tabulated results of the dates and quantity of contaminated groundwater/product measured and removed from each well, disposal documentation of all contaminated materials generated at the site. Site plan maps showing the extent of residual contamination for soil and groundwater, groundwater flow maps, and property lines shall be included in the final report. The final report shall also include Mann-Kendell statistical analysis spreadsheets for each monitoring point for the last four rounds of sampling and recommendations for obtaining closure at the site.

Bidders shall provide line item costs for the activities listed above in the table provided on the 2<sup>nd</sup> Page of the Bid Response. If a completed 2<sup>nd</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 work items without prior Commerce approval.

### 3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there maybe additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

### 4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is receive will not be reimbursed to the claimant. Claim preparation costs must be included in the Total Bid Amount and is considered within the reimbursement cap.

## **B) Questions and Answers**

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce 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 End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 3 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. 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 bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and 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 agency with jurisdiction (Natural Resources or Commerce).

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

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

### **SECTION 4 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid 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 bid may or may not be changed; however a review of such notification will be made prior to award.

#### **SECTION 5 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.

- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

**BID RESPONSE**  
**(1<sup>st</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME: Keg N Kork**  
**COMMERCE #: 54728-9779-20**  
**BRRTS #: 03-03-185551**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2790 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: ( ) - \_\_\_\_\_

Fax Number: ( ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

- |                          |                        |                 |
|--------------------------|------------------------|-----------------|
| <input type="checkbox"/> | Professional Engineer  | License # _____ |
| <input type="checkbox"/> | Professional Geologist | License # _____ |
| <input type="checkbox"/> | Hydrologist            | License # _____ |
| <input type="checkbox"/> | Soil Scientist         | License # _____ |



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

Signature: \_\_\_\_\_

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: Keg N Kork  
COMMERCE #: 54728-9779-20  
BRRTS #: 03-03-185551**

**Consulting Firm Name:** \_\_\_\_\_

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

1	Construction and development of groundwater monitoring well.	\$	_____
2	Construction of two 4 inch diameter recovery wells.	\$	_____
3	Twelve recovery well/monitoring well pumping events (includes but not limited to water table/free product elevation measurements).	\$	_____
4	Cost for free product/contaminated groundwater disposal (commodity and consultant cost) (\$/gallon).	\$	_____
5	Line 4 multiplied by 4,800.	\$	_____
6	Eight quarterly rounds of groundwater sampling and associated waste disposal.	\$	_____
7	Final report documenting work scope activities performed	\$	_____
8	PECFA Claim Preparation	\$	_____
9	Total Bid Amount	\$	_____