



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: 45
Comm #: 54546-0727-64
BRRTS #: 03-02-000244
Site Name: Mellen Mart
Site Address: 511 Hwy 77 E, Mellen, 54546

Site Manager: Chris Saari
Address: 2501 Golf Course Rd
City, State Zip: Ashland, WI 54806-3505
Phone: 715-685-2920
e-mail: christopher.saari@wisconsin.gov

Bid Manager: David E. Blair
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-2515
e-mail: David.Blair@Wisconsin.Gov

Bid-Start Date:	September 18, 2006
Questions must be received by (See Section 2 (B)):	October 02, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	October 20, 2006
Bid-End Date and Time:	November 03, 2006, 4:00 PM

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:

This is a scope of work bid.

The site is a former bulk facility and service station that operated from 1929 until approximately 2000. Soil and groundwater contamination was first detected during site assessment activities in April 1992. Five aboveground storage tanks (ASTs) were removed from the site in January 1995. According to Department of Commerce records, the site's four underground storage tanks (USTs) are listed as closed/removed as of October 2000. It should be noted that the Department of Natural Resources does not have tank closure/site assessment reports for either the AST or UST closures. The station building was demolished in March 2004, and the property is currently vacant.

Site soils consist of medium to fine sand with gravel and lenses of silt with sand and gravel. Soil contamination extends from the former bulk facility and UST basin towards the northwest, beneath STH 77 (Lake Road).

Depth to groundwater ranges between 6 and 8 feet below ground surface (ft bgs), and flow is to the north. Hydraulic conductivity tests conducted in two monitoring wells determined values of 5×10^{-3} and 2×10^{-2} cm/sec, respectively. Free product was encountered in MW2 and MW3 between 1995 and 1997, and again in MW2 in February 2004, but free product has not been observed in more recent groundwater sampling efforts. The dissolved contaminant plume extends greater than 250 feet downgradient from the source area.

Work under this bid specification is expected to be conducted by a party who is in the process of purchasing the property from the current Responsible Party. The prospective purchaser has indicated his intent to proceed with the remedial action if the transaction can be completed. Bidders should note that delays in completion of the property transaction might result in delays with contracting the cleanup work. Commerce will not send a Notice of Intent letter concerning this bid until the expected buyer and new RP has appropriately notified Commerce (i.e., change of RP). Additionally, if the property transaction does not go through as expected, Commerce will entertain the designation of "agent status" by a bidding consultant to facilitate the completion of the bid work. This arrangement would also result in a delay of the Notice of Intent letter.

2) Minimum Remedial Requirements:

Conduct a remedial excavation to address contaminated soil in the area of the former bulk facility and service station UST systems. The bidder should assume a mass of 1,400 tons of contaminated soil to be excavated, based on an estimated volume of 1,000 cubic yards and a factor of 1.4 tons/cubic yard. The area of excavation shall include the polygon bounded roughly by boring locations GB1, GB2, GB4 and MW3, excavated to a depth of 7 ft bgs, and 12-foot by 12-foot areas surrounding GB5, GB7 and AB-4, to a depth of 4.5 ft bgs. If the amount excavated varies significantly from 1,400 tons specified above, Commerce will be modifying the bid cap (up or down) based on the per ton excavation, disposal and backfilling rate provided on the final page of the bid response.

A sufficient number of post-excavation confirmation samples shall be collected to document the effectiveness of the remedial action. Confirmation samples shall be analyzed for petroleum volatile organic compounds (PVOC) and polynuclear aromatic hydrocarbons (PAH). The bidder should plan to remove monitoring wells MW2, MW3 and PZ3 during the excavation and install a replacement well for MW2 following the remedial action. Monitoring well abandonment forms shall be completed for MW3 and PZ3.

If free product is encountered, implement free product removal consistent with the requirements of s. NR 708.13, Wis. Adm. Code.

Install a monitoring well north of MW13 to define the downgradient limit of groundwater contamination.

Conduct eight quarters of groundwater monitoring following completion of the soil excavation, unless the monitoring results indicate that the site meets the criteria for closure before that time. Monitoring wells MW2 replacement, MW4, MW9, MW10, MW13 and the new well installed north of MW13 shall be sampled on a quarterly basis. Monitoring wells MW6 and MW12 shall be sampled on an annual basis. Groundwater samples shall be analyzed for PVOC plus naphthalene, and natural attenuation parameters. Water level measurements shall be collected from each well in the monitoring network during each sampling event, regardless of whether or not that particular well is to be sampled.

Prepare and submit annual status reports following completion of the first and second years of groundwater sampling. The first report shall contain documentation of the soil excavation as well as the results of the first four quarters of groundwater monitoring, while the second report shall document the results of subsequent groundwater monitoring.

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 may be 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 received will not be reimbursed to the claimant. The claim preparation cost 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
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Mellen Mart
COMMERCE #: 54546-0727-64
BRRTS #: 03-02-000244

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
(2nd Page)**

Department of Commerce PECFA Program

**SITE NAME: Mellen Mart
COMMERCE #: 54546-0727-64
BRRTS #: 03-02-000244**

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Per ton excavation, disposal, backfill (x1400)	\$	_____
2	GW sampling costs	\$	_____
3	GW and soil analytical costs	\$	_____
4	Well installation (2 including MW2 replacement)	\$	_____
5	Reporting costs (all)	\$	_____
6	Other costs	\$	_____
7	PECFA Claim Preparation	\$	_____
8	Total Bid Amount	\$	_____



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777
Fax #: (608) 267-1381
Jim Doyle, Governor
Mary P. Burke, Secretary

September 11, 2006

Fred Gygi
Gygi Heating Co Inc
631 McLeod Ave
Ironwood, MI 49938

RE: **Assignment to Public Bidding – Round 45**

Commerce # 54546-0727-64 DNR BRRTS # 03-02-000244
Mellen Mart, 511 Hwy 77 E, Mellen

Dear Mr. Gygi:

The Wisconsin Department of Commerce (Commerce) has determined that additional activities must be conducted for the site referenced above. A cost cap for the activities will be established through the PECFA public bidding process. It is understood that you are planning on selling the subject property. The cost cap established through the bidding process will be applicable to subsequent owners/RPs.

An explanation of the bidding process and a copy of the bid document are enclosed. A copy of the bid document will be available on the Wisconsin Department of Commerce website at <http://www.commerce.wi.gov/ER/ER-PECFA-SiteBidding.html> during the bidding process.

The site will be listed in the public bidding round 45 scheduled to begin on September 18, 2006. Until a cost cap is established through the bid process, Commerce will not reimburse costs, including interest, for any work performed more than five business days after the date of this letter (except for an emergency action as defined in Comm 47.015).

A PECFA claim for eligible costs that have been incurred to date must be submitted no later than 120 days after the date of this letter. Failure to file a claim prior to the deadline will result in ineligibility of interest expenses incurred between the date of this letter and the date a claim is filed.

This site is under the regulatory jurisdiction of the DNR. Please direct any questions about the remedial activities at this site to the DNR project manager, Chris Saari at 715-685-2920. The bidding process is the responsibility of Commerce and all correspondence throughout the bidding process will originate from Commerce.

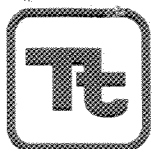
Thank you for your continuing efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (608) 261-2515.

Sincerely,

David E. Blair
Senior Hydrogeologist
Site Review Section

Enclosures: PECFA Public Bidding Process
Public Bid Document

cc: Richard Lyster, MSA Professional Services (no enclosures)
Chris Saari, DNR Project Manager



TETRA TECH, INC.

1837 County Hwy "J"
Chippewa Falls, WI 53729

(715) 832-0282
Fax (715) 832-0541

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

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ERS DIVISION

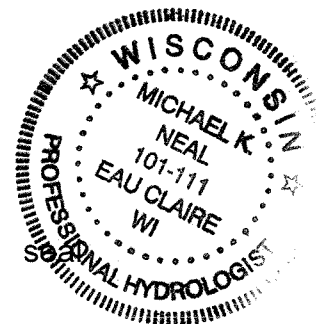
SITE NAME: Mellen Mart Site
Mellen, WI
COMMERCE NUMBER: 54546-0727-64
BRRTS NUMBER: 03-02-000244

Submit Bid To Cathy Voges
Public Bid Response, Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790

Consulting Firm Name: Tetra Tech, Inc.
Address: 1837 County Highway J, Chippewa Falls, WI 54729
Telephone: 715-832-0282
Fax Number: 715-832-0541
e-mail Address: Michael.Neal@tetratech.com

Bidder: (check one that applies):

<input type="checkbox"/>	Professional Engineer	<input type="checkbox"/>	License #
<input type="checkbox"/>	Professional Geologist	<input type="checkbox"/>	License #
<input checked="" type="checkbox"/>	Hydrologist	<input type="checkbox"/>	101-111 License #
<input type="checkbox"/>	Soil Scientist	<input type="checkbox"/>	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 disqualified the bid response.

Total Bid Amount: \$61,196.⁰⁰

Print Name: Michael K. Neal

Title: Project Manager

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

Signature:



TETRA TECH, INC.

1837 County Hwy "J"
Chippewa Falls, WI 53729

(715) 832-0282
Fax (715) 832-0541

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

Mellen Mart Site
WDCOM Number: 54546-0727-64
BRRTS Number: 03-02-000244
Tetra Tech, Inc. – 715-832-0282

Proposed scope of services:

- Excavate approximately 1,400 tons of contaminated soil from an area to include the polygon bounded roughly by boring locations GB1, GB2, GB4 and MW3, excavated to a depth of 7 ft bgs, and 12-foot by 12-foot areas surrounding GB5, GB7, and AB-4, to a depth of 4.5 ft bgs. Backfilled the excavation with clean soil material brought in from off-site.
- Collect and analyze a sufficient number of post-excavation confirmation samples for PVOCs and PAHs to document residual contaminant concentrations.
- Replace monitoring well MW-2 which will be removed during the excavation and complete abandonment forms for wells MW-9 and PZ-3.
- If necessary, implement free product removal consistent with the requirements of s. NR 708.13, Wis. Adm. Code.
- Install and develop one groundwater monitoring well north of MW-13 to define the down gradient extent of groundwater contamination.
- Collect eight quarterly rounds of groundwater samples from six wells. Collect two annual rounds of groundwater samples from two wells. Samples collected will be analyzed for PVOCs+naphthalene and natural attenuation parameters. During each sampling event, collect groundwater elevation measurements from all wells.
- Dispose of any contaminated wastes generated during these activities upon completion of the work proposed in the bid.

Reporting details: Prepare and submit annual status reports following completion of the first and second years of groundwater sampling. The first report will contain documentation of the soil excavation as well as the results of the first four quarters of groundwater monitoring and the second report will document the results of subsequent groundwater monitoring.

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Mellen Mart
COMMERCE #: 54546-0727-64
BRRTS #: 03-02-000244

Consulting Firm Name: Tetra Tech 715 832 0282

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Per ton excavation, disposal, backfill (x1400)	\$ 35/ 49,000.-
2	GW sampling costs	\$ 5200.-
3	GW and soil analytical costs	\$ 3632.-
4	Well installation (2 including MW2 replacement)	\$ 1900.-
5	Reporting costs (all)	\$ 1064.-
6	Other costs	\$ 0
7	PECFA Claim Preparation	\$ 400
8	Total Bid Amount	\$ 61,196.-