



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 #: 54826-9999-28
BRRTS #: 03-03-000395
Site Name: Bents Motors Inc
Site Address: Hwy 63, Comstock, 54826
Site Manager: Bill Schultz
Address: 107 Sutliff Ave
City, State Zip: Rhinelander, WI 54501-3349
Phone: 715-365-8965
e-mail: <mailto:bill.schultz@wisconsin.gov>
Bid Manager: Will M. Myers
Address: P.O. Box 8044
City, State Zip: `problem_of_get_user_info user_office_city_addr_wordcap`
Phone: (608) 261-7718
e-mail: <mailto:WILL.MYERS@WISCONSIN.GOV>

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

The site is located on US Highway 63 in the Village of Comstock, Barron County. Private water supply wells service the community. The soils in the area are gravelly tills with a high percentage of clay. A perched water table has been detected at the site at a level of approximately 7-feet.

The site is a former automobile dealership and repair facility. In 1990, one waste oil UST was removed from behind the building and three petroleum UST at (and partially under) the front of the building were abandoned in-place. Petroleum impacted soils were identified near the tanks abandoned in-place and associated dispenser island in front (east) of the building.

This bid is for a source control action of soil removal, disposal, confirmation sampling and monitoring well replacement only. Additional site investigation work is proceeding concurrently with the proposed soil removal action but is not part of this scope of work.

2) Minimum Remedial Requirements:

Excavate and properly dispose of 600 tons of the most highly petroleum contaminated soil at two locations. Location one being in the vicinity of the tanks abandoned in-place, in and around MW-1, S4, S3, W1, and GP3. Location two, from around the associated dispenser island includes MW-2, S2, GP6, GP8. Both locations are located in front (east) of the building, and shown on a plan map attached. A PID shall be used to help identify the extent of petroleum contaminated soils to be excavated. The building foundation to the west, the Hwy. 63 right-of-way to the east and the perched groundwater (at approximately 7-8 feet) will limit the excavation in those directions. Excavation shall include removal of the contaminated soils from the smear at the water table if possible. A cost per ton shall be submitted and a total volume of 600 tons of soil excavated shall be assumed for the bid cap. If field conditions warrant lesser amounts of soil to be excavated, only the actual amount excavated will be eligible for reimbursement.

A minimum of 8 sidewall and 2 bottom confirmation samples shall be collected from the two areas being excavated. All confirmation sampling shall be analyzed for the presence of PVOCs plus naphthalene.

The areas being excavated will most likely include MW-1 and MW-2. The bid should include the replacement and development of both of the monitoring wells. Both wells are flush mounted and installed to a depth of 18 feet.

The excavated area shall be backfilled and compacted with suitable off-site soils.

A report shall be submitted to both the DNR and DCOM project managers that provides a summary of the excavation activities within 90 day after the completion of excavation activities at the site. The report shall include: map(s) of the excavated area showing the

horizontal and vertical limits and the location of the confirmation sampling. Results of the sampling shall be tabulated and the laboratory data sheets shall be added as an appendix. New wall construction forms shall be included for the replacement monitoring wells. Photographic (electronic format) documentation of the excavation activities shall be included.

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
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Bents Motors Inc
COMMERCE #: 54826-9999-28
BRRTS #: 03-03-000395

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 above. 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: problem of_get_site_occ_info sit_name3
COMMERCE #: problem of_get_site_occ_info
 sit_commerce_no3
BRRTS #: problem of_get_site_occ_info
 occ_brrts_no3

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	Cost per ton of soil (commodity and consultant including backfill)	\$	_____
2	Line 1 multiplied by 600	\$	_____
3	Soil sampling (Consultant and Laboratory)	\$	_____
4	Reporting	\$	_____
5	PECFA Claim Preparation	\$	_____
6	Total Bid Amount	\$	_____

Questions & Answers
SITE NAME – Bentz Motors
COMM #54826-9999-28
BRRTS # 03-03-000395

Question: The Minimum Remedial Requirement included providing a cost for the replacement and development of monitoring wells MW-1 and MW-2 if the wells are removed because of the excavation. Both well are flush mounted and installed to a depth of 18 feet, but no line item was provided on the 2nd page in case it is decided not to replace the wells.

Answer: A separate line item cost should be added to the 2nd page of the bid proposal for the replacement and development of MW-1 and MW-2. The replacement costs would be included in the bid cap only if the monitoring wells need to be replaced because of the excavation in the area.



September 22, 2006

Gerd Bents
Bents Motors Inc
1764 US Hwy 63
Turtle Lake, WI 54889-8830

RE: **Cost Cap Approval – Bid Round 44**

Commerce # 54826-9999-28
Bents Motors Inc, Hwy 63, Comstock

DNR BRRTS # 03-03-000395

PUBLIC BID END DATE: September 01, 2006

The Wisconsin Department of Commerce (Commerce) has established a PECFA reimbursement cost cap (cost cap) using the bid responses from the Commerce bid process. The cost cap from the date of this letter forward is:

Approved cost cap to a complete scope of work \$\$23,925.00

In compliance with the invitation to bid, *Cedar Corporation* provided a compliant bid response with the lowest total cost to complete the prescribed scope of work and has agreed to contract with the responsible party (RP) to furnish the items/services quoted. This consulting firm is considered the successful bidder and can be contacted at:

<i>Cedar Corporation</i>	Phone: (715) 235-9081
Address: 604 Wilson Avenue Menomonie, WI 54751	Fax: (715) 235-2727 E-Mail: scott.mccurdy@cedarcorp.com

You must execute a written contract with one of the firms that submitted a bid listed in the table below. Regardless of the firm you select, the cost cap is established by the least costly qualified bid. Failure to execute a written contract within 60 days of the date of this letter will result in the ineligibility of any interest expenses incurred from the date of this letter until a contract is executed. The consulting firm must notify Commerce of the written contract within 14 days of selection using Commerce's website.

Status	Bid Amount	Consultant Name
Awarded	\$23,925.00	Cedar Corporation

Not Reviewed	\$23,972.00	METCO
Not Reviewed	\$24,321.00	Meridian Alliance Group, Llc
Not Reviewed	\$27,196.00	Tetra Tech - Environmental
Not Reviewed	\$29,124.00	REI

This site is under the regulatory jurisdiction of the Department of Natural Resources (DNR). Please direct any questions about the remedial activities at this site to Bill Schultz, DNR Project Manager (715-365-8965). The competitive public bidding process and PECFA funding are the responsibility of Commerce. Correspondence regarding the bidding process and/or PECFA funding should be directed to Commerce.

The PECFA fund does not relieve the RP from liability. The availability or unavailability of PECFA funding shall not be the determining factor as to whether a remediation is completed. This approval does not guarantee the reimbursement of costs. Eligibility of costs will be determined at the time of claim review.

If you have any questions, please contact me in writing at the letterhead address or by telephone at (608) 261-7718.

Sincerely,

Will M. Myers
Geologist
Site Review Section

cc: Cedar Corporation
Bill Schultz, Project Manager, DNR