



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:** 43  
**Comm #'s:** 54480-0036-37; 54480-9740-15  
**BRRTS #'s:** 03-61-000910; 03-61-000357  
**Site Names:** Jack's Auto Service; Stetsonville Oil Co  
**Site Address:** 137 and 115 S State Hwy 13, Stetsonville, WI 54480

**Site Manager:** John Sager  
**Address:** 223 E Steinfest Rd  
**City, State Zip:** Antigo, WI 54409-2777  
**Phone:** 715-623-4190  
**e-mail:** [mailto: john.sager@wisconsin.gov](mailto:john.sager@wisconsin.gov)

**Bid Manager:** Dee K. Zoellner  
**Address:** 2715 Post Rd  
**City, State Zip:** Stevens Point, Wisconsin 54481-  
**Phone:** (715) 342-3802  
**e-mail:** <mailto:dee.zoellner@wisconsin.gov>

<b>Bid-Start Date:</b>	<b>May 15, 2006</b>
<b>Questions must be received by (See Section 2 (C)):</b>	<b>May 29, 2006, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (C)):</b>	<b>June 16, 2006</b>
<b>Bid-End Date and Time:</b>	<b>June 30, 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:

Jack's Auto and Stetsonville Oil are two adjacent LUST sites that have commingled groundwater contamination plume which has migrated to a residential area impacting several off site potable wells. The sites are located on the west side of State Highway 13, Stetsonville. Contamination is migrating southeast beneath highway 13 to the residential area.

A source control excavation was conducted at Jack's Auto in 1999. A limited excavation of soil was conducted at Stetsonville Oil in 1991. Free product has been detected in on site and off site monitoring wells on the opposite side of Highway 13. There is also increasing groundwater contamination in monitoring wells opposite Highway 13 from Stetsonville Oil.

Water supply in Stetsonville is supplied by private water supply wells. Approximately 29 private water supply wells are located within or near the area of known groundwater contamination. Nine water supply wells have been replaced near the site due to petroleum contamination. Petroleum contamination is beginning to be detected in some of the replacement potable wells.

Soil at the site is heterogeneous silty clay, sand and clay. Bedrock is approximately 65 feet below grade. Groundwater is approximately 12-14 feet below grade. Hydraulic conductivity was estimated to be approximately  $8.4 \times 10^{-4}$  cm/sec during the site investigation.

#### 2) Minimum Remedial Requirements:

**Note:** It is highly suggested that the same consultant work on both sites.

#### **Soil Sampling**

Conduct 7 soil borings within the right-of-way of State Highway 13 to adequately assess the remaining contaminant source area at both the Jack's Auto and Stetsonville Oil sites. Soil boring locations will be discussed with the Department of Natural Resources ("Department") project manager prior to installation. Collect soil samples from the soil borings at two and one half foot intervals for field analysis with a photoionization detector. Two soil samples from each soil boring will be submitted for laboratory analysis for petroleum volatile organic compounds (PVOCs). One of the soil samples shall be collected from within four feet of the ground surface and one at the interval with the highest PID reading or at the water table. All soil borings shall be properly abandoned according to NR141 Wis. Admin. Code. Soil boring abandonment shall be documented on Department form 3300-5B (Well/drillhole/borehole Abandonment). The contractor will have responsibility to coordinate work with the WDOT and obtain all necessary permissions and permits and the road surface according to WDOT requirements.

#### **Free Product Removal**

Conduct active free product removal as necessary at the Jack's Auto Service monitoring wells MW-1, MW-6 and MW-10 and other wells on either site if free product is present. Free product removal shall be conducted in a manner that minimizes the spread of contamination into previously uncontaminated or

remediated zones using recovery and disposal techniques appropriate to the hydrogeologic conditions at the sites. Any passive free product collection system shall be checked and serviced at a minimum every two weeks. The actions should continue for 12 months or until no free product accumulates in the wells.

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

### **Groundwater Monitoring**

Conduct groundwater monitoring at 14 monitoring wells associated with Jack's Auto Service and 16 monitoring wells associated with Stetsonville Oil. Four rounds of quarterly (90 day separation between sampling events) groundwater sampling. Groundwater samples should not be collected at wells that have free product at the time of sampling. Groundwater samples will be analyzed for PVOCs, naphthalene, 1,2 -Dibromoethane (EDB), 1,2-dichloroethane, naphthalene, and dissolved lead.

Collect 2 semiannual (180 day separation between sampling events) water samples from 29 potable water wells near the sites. Consultant is responsible for all coordination of the potable well sampling activities. Consultant will contact Department project manager to confirm potable wells to be sampled prior to sampling the wells. Potable wells shall be sampled for VOCs.

Water level elevations and free product measurements shall be taken at each monitoring well during each sampling event. All sampling shall be conducted according to NR716.13 Wis. Admin. Code, the groundwater sampling desk reference, PUBL-DG-037 96, and the Groundwater Sampling Field Manual, PUBL-DG-038-96.

### **Reporting**

Monitoring and free product removal results shall be reported annually in accordance with s. NR 724.13(3) and NR724.17(3), Wis. Admin. Code. Only updated tables of the soil and groundwater monitoring results and free product removal activities shall be submitted to Department following each groundwater monitoring event.

A final report shall be submitted after the free product removal, four rounds of groundwater monitoring, and potable well monitoring. The report shall contain all the information required in NR725.15 Wis. Admin. Code. The report will include tabulated monitoring results and tabulated results from free product and groundwater elevation measurements and free product recovery volumes. The report will also contain results from the soil sampling activities including but not limited to soil boring logs, soil boring location map, and tabulated results from the PID and PVOc analysis. The report will also contain all the laboratory reports for all analysis conducted.

### 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:**  
**COMMERCE #:**  
**BRRTS #:**

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 disqualified 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:**  
**COMMERCE #:**  
**BRRTS #:**

**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	Install 7 soil borings in Hwy 13	\$	_____
2	Collection of soil samples from borings within Hwy 13 Soil samples to be submitted for laboratory analysis of PVOC's.	\$	_____
3	Free Product measurements, removal and disposal at Jack's Auto	\$	_____
4	Groundwater Monitoring - 30 MW's X 4 rounds, analyzed as stated above & water elevations	\$	_____
5	29 semi annual potable well samples and analyzed for VOC's	\$	_____
6	Disposal costs for development water and soil cuttings.	\$	_____
7	Reporting	\$	_____
8	PECFA Claim Preparation	\$	_____
9	Total Bid Amount	\$	_____

Questions & Answers  
SITE NAME Jack's Auto & Stetsonville Oil  
COMM #54480-0036-37 & 54480-9740-15  
BRRTS #03-61-000910 & 03-61-000357

Question: Given that there are 29 private water supply wells at risk of being impacted by these sites and that some of the nine replacement water wells are showing signs of petroleum contamination, it appears that free product removal alone, as specified in the bid document, will not adequately address the contaminated groundwater plume or result in case closures. With so many potable wells at risk, why isn't the Department requiring a more aggressive remedial action?

**ANSWER: THE FREE PRODUCT REMOVAL SPECIFIED IN THIS BID IS NOT CONSIDERED TO BE THE FINAL REMEDIAL ACTION FOR THE SITE. WE EXPECT TO BID FURTHER REMEDIAL ACTION ACTIVITIES AT THE COMPLETION OF THE WORK IN THIS BID.**

Question: The bid document states that the Department is requiring each bidder to provide a performance assurance to complete the work described in the bid specifications or the bid response will be disqualified. In the event that free product removal can't be completed within the specified minimum period of 12 months or subsurface conditions make free product removal impracticable, what will the Department do and what are the ramifications for the selected consulting firm?

**ANSWER: THE DEPARTMENT UNDERSTANDS THAT FREE PRODUCT REMOVAL AT THE SPECIFIED FREQUENCY MAY NOT RECOVER THE QUANTITY OF FREE PRODUCT NECESSARY TO KEEP PRODUCT FROM ACCUMULATING IN THE MONITORING WELLS AT THE END OF THE 12 MONTH BID PERIOD.**

Question: How long and at what frequency must fluid levels be measured after no free product accumulates in the monitoring wells to prove to the Department that free product removal has been completed?

**ANSWER: ONCE THE FREE PRODUCT STOPS ACCUMULATING IN A WELL THE WELL WILL CONTINUE TO BE CHECKED AT THE SAME FREQUENCY AS FREE PRODUCT IS REMOVED FROM OTHER WELLS CONTAINING FREE PRODUCT. IF NO FREE PRODUCT ACCUMULATES IN ANY WELLS AT THE SITE THE FREQUENCY OF THE MEASUREMENTS CAN BE REDUCED TO MONTHLY UNTIL THE END OF THE BIDDING PERIOD.**

Question: Are the costs to be split up evenly and billed separately to each RP?

**ANSWER: THE JACK'S AUTO SITE IS CURRENTLY OBTAINING FINANCING THROUGH A BANK THAT ONLY WORKS WITH APPROVED CONSULTANTS. IF THE RP SELECTS A CONSULTANT NOT ON THE BANK'S LIST OF APPROVED CONSULTANTS, WILL THE DEPARTMENT ASSIST THE RP WITH OBTAINING NEW FINANCING? WILL THE RP BE RESPONSIBLE FOR OUT OF POCKET COSTS ASSOCIATED WITH NEW FINANCING (IE. ON THE CURRENT LOAN INTEREST IS ELIGIBLE AT PRIME +1% WHEREAS ON A NEW LOAN IT WOULD BE ELIGIBLE AT PRIME - 1%)?**

Question: Does the Department have the 7 boring locations predetermined? If so, are the planned borings to be located within the State Highway 13 road surface and will lane closures be required?

**ANSWER: THE LOCATION OF THE BORINGS ARE NOT PREDETERMINED AS SUCH. THE INTENT OF THE BORINGS IS TO DETERMINE THE CONCENTRATION OF CONTAMINANTS BENEATH HWY 13. BORING THROUGH THE ROAD WILL BE NECESSARY. LANE CLOSURES AND TRAFFIC ROUTING WILL BE NECESSARY.**

Question: What VOC method is requested for potable well analysis? Safe Drinking Water Method 524.2 or will methods 8021/ 8260 suffice?

**ANSWER: EPA METHOD SW846 8260 CAN BE USED TO ANALYZE THE WATER SAMPLES COLLECTED FROM THE POTABLE WELLS**

Question: Under the reporting section of the site-specific bid requirements, the bid states that "The report shall contain all the information required in NR725.15 Wis. Admin. Code". We are not aware of a chapter NR 725 under the Wisconsin Administrative Code. Is this a misprint and if so, what are the reporting requirement?

**ANSWER: THE REFERENCE TO NR725.15 IS A MISPRINT. THE CORRECT REFERENCE IS NR724.15 "DOCUMENTATION OF CONSTRUCTION AND COMPLETION".**



August 1, 2006

Jack Poirier  
Jack's Auto Service  
PO Box 36  
Stetsonville, WI 54480

RE: **Cost Cap Approval – Bid Round 43**

**Commerce # 54480-0036-37**                      DNR BRRTS # 03-61-000910  
Jack's Auto Service, 137 S State Hwy 13, Stetsonville

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**PUBLIC BID END DATE:** June 30, 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    \$\$13,747.50**

In compliance with the invitation to bid, *METCO* 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>METCO</i>	Phone:608-781-8879
Address:2956 Airport Road	Fax:608-781-8893
La Crosse WI 54603	E-Mail:rona@metcohq.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
Not Reviewed	\$27,900.00	Ecometrica, Inc.
Not Reviewed	\$23,757.00	Northern Environmental Technologies Inc

Not Reviewed	\$76,000.00	Shaw Environmental, Inc
Intent	\$23,268.00	METCO
Not Reviewed	\$31,652.00	Maxim Technologies Inc - Environmental

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 John Sager, DNR Project Manager (715-623-4190). 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 (715) 342-3802.

Sincerely,

Dee Zoellner  
Senior Hydrogeologist  
Site Review Section

cc: Ron Anderson, METCO  
John Sager, Project Manager, DNR  
State Bank of Chilton, PECFA Loan Dept , 26 E Main St, PO Box 149, Chilton WI  
53014