



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
 PECFA BUREAU
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<http://www.commerce.state.wi.us>
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Jim Doyle, Governor
Mary P. Burke, Secretary

**Wisconsin Department of Commerce Bureau of PECFA
 Bid Document**

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 36
Comm Number: 54839-9999-67-A
BRRTS Number: 03-04-000967
Site Name: Kelly's Spur Station
Site Address: State Hwy 63 & County Rd D Grand View WI

Project Manager: Chris Saari
Project Manager address: 2501 Golf Course Rd Ashland, WI 54806
Project Manager phone: 715-685-2920
Project Manager e-mail address christopher.saari@dnr.state.wi.us

Bid Announcement Date	2/28/2005
Questions or requests for information must be submitted in writing and received by:	3/14/2005 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	4/1/2005
Bid End Date and Time:	4/15/2005 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Natural Resources, 2501 Golf Course Rd, Ashland

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

The Copy Shop, 310 Stuntz Ave, Ashland WI 54806

Phone: 715-682-6567

Fax: 715-682-6551

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

The geology and hydrogeology in the area of the site is complex. Soil beneath the site consists of interlayered sand, silt and clay. Regional groundwater flow is towards the north, but localized variations in flow direction are possible. The site's shallow monitoring wells are screened in an apparent perched water table located approximately 10-15 feet below ground surface (ft bgs). Water level elevations in the perched aquifer have fluctuated widely. Flow determinations are also complicated by substantial vertical gradients existing beneath the site. Residents in Grand View obtain drinking water from private wells, and there are several in the vicinity of the site. To this point, petroleum contaminants have not been detected in any of the private wells sampled as part of this investigation.

The site is a former gas station. In September 1997, an upgraded system consisting of one 500-gallon gasoline UST, one 4,000-gallon gasoline UST, one 10,000-gallon gasoline UST and associated piping and dispensers were removed from the northwest corner of the property. The subject of this remedial action, however, is centered around the former UST system consisting of one 500-gallon leaded gasoline UST, one 1,000-gallon unleaded gasoline UST and associated piping and dispensers formerly located near the southwest corner of the station building. A site investigation report was submitted in April 1997, and in September of that year the Department of Commerce approved a remedial action consisting of hot spot excavation and one year of groundwater monitoring. Commerce also stipulated that if the groundwater plume continued to expand after the year of monitoring, an active groundwater remedy could be considered. In October 1997, approximately 520 cubic yards of contaminated soil were excavated and landspread at an off-site location. Significant residual soil contamination remained around the station building and beneath the State Highway 63 right-of-way following the excavation. Passive soil venting pipes were installed around the perimeter of the excavation prior to the placement of backfill. Additional monitoring wells and a piezometer were then installed in December 1997, and four quarters of monitoring were initiated. The results of the groundwater monitoring indicated a need for additional investigation, as the plume appeared to be expanding both laterally and vertically. The Department of Natural Resources approved closure of the landspreading site in August 1999. Four intermediate-depth (OW) piezometers and one deep piezometer were installed in November 1999, and free product was subsequently observed in OW-4 in February 2000. The free product is located on the surface of a lower aquifer, approximately 8-10 feet below the perched water table observed in the shallow monitoring wells.

The site was sent to bid in Round 21, and as part of the bid requirements, an additional monitoring well (OW-7) was installed in the right-of-way of State Highway 63 to define the extent of free product near OW-4. More than seven (7) feet of free product has been observed in OW-7, indicating that the extent of free product has not yet been defined.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- Documented expansion of the plume margin.
- Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- Contamination within bedrock or within 1 meter of bedrock.
- Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

The following tasks shall be conducted for and/or completed within three years of initiating the scope of work, unless groundwater monitoring data demonstrates that the site is eligible for closure before that time. The bid response shall describe in sufficient detail the bidder's plan for each of the remedial tasks so that the project managers at the Departments of Natural Resources and Commerce can evaluate the feasibility and likelihood for success of the bid response. Bid responses that do not contain sufficient detail to allow for this evaluation will be deemed not compliant with the minimum remedial requirements of this scope of work. While the bid response does not have to explicitly comply with the requirements of ch. NR 722, Wis. Adm. Code, the bid response should comply with the intent of the remedy selection process as described in ch. NR 722, Wis. Adm. Code.

Delineate the extent of free product around OW-4 and OW-7. The bid response shall include proposed locations for additional sampling points to complete this delineation. Due to the proximity of the free product to State Highway 63, the successful bidder will need to work with the Department of Transportation and the DNR project manager to complete the free product delineation in a manner acceptable to both agencies. The delineation shall also include an assessment of possible free product migration through utility corridors adjacent to or under State Highway 63.

Conduct additional remedial actions to address the soil contamination remaining around the station building and beneath the State Highway 63 right-of-way. Possible remedial options could include additional excavation of contaminated soil, converting the existing passive soil vents to an active soil vapor extraction system and/or installing a separate soil vapor extraction system.

Conduct free product removal consistent with the requirements of s. NR 708.13, Wis. Adm. Code. Prospective bidders shall propose a method of free product removal that does not rely solely on the use of manual bailing and/or passive skimmers. Manual bailing has proved ineffective in the past for free product removal at this site and will not be considered as compliant with this bid specification. Active free product removal methods such as enhanced vacuum recovery or belt skimmers are examples of technologies that might be appropriate for this site.

Concurrent with free product removal activities, conduct active groundwater remediation to address dissolved phase contamination in the upper and intermediate aquifers. For purposes of this scope of work, the intended target of remedial activities in the upper aquifer is defined laterally and vertically by the area between MW-5, MW-6, MW-2 and MW-7. Likewise, the intended target of remedial activities in the intermediate aquifer is defined by the area between OW-4, PZ-1, OW-6 and OW-7. Remedial methods such as dual-phase extraction and/or groundwater pump and treatment are potentially feasible options.

Conduct groundwater monitoring from the existing and any newly-installed monitoring wells and piezometers to assess the state of the dissolved groundwater plume. Groundwater monitoring shall be conducted throughout the three-year period of this scope of work according to the following schedule.

Monitoring Well	Sampling Frequency
MW-2, MW-5R, MW-6, MW-7, MW-9, OW-1, OW-2, OW-3, OW-4*, OW-5, OW-6, OW-7*, OW-8, PZ-1, PZ-2	Quarterly
MW-3, MW-4, MW-11	Semi-annually
MW-1, MW-8, MW-10	Annually

* If free product is present in this well, an attempt shall be made to collect a groundwater sample from below the free product layer. The sample shall be analyzed for volatile organic compounds (VOC) and polynuclear aromatic hydrocarbons (PAH).

At a minimum, monitoring shall include analyses for either VOC or petroleum volatile organic compounds (PVOC) plus naphthalene, 1,2-dichloroethane and 1,2-dibromoethane, along with lead. Water table elevations (depth below ground surface (in feet)), shall be measured from all monitoring wells during each sampling event. The Department of Natural Resources will consider reducing the number of monitoring wells and/or analytical parameters to be sampled if monitoring data collected in the future supports such a reduction.

Conduct at least semi-annual sampling of nearby drinking water wells that might be at risk of impact from this site. At a minimum, the following drinking water wells shall be sampled: the on-site well (PW-1), the well serving the Melland residence (PW-2) and the well at the Grand View Inn (PW-3). These wells shall be sampled for VOC using EPA Method 524.2. Submit potable well results to the DNR within 10 days of receipt as required by s. NR 716.13(9), Wis. Adm. Code.

Following installation of the remedial system(s) constructed as part of this scope of work, submit a remedial construction documentation report. During the free product removal/remedial action phase, semi-annual progress reporting shall be performed in accordance with s. NR 724.13(3), Wis. Adm. Code. Copies of all reports prepared under this scope of work shall be submitted to the respective project managers at the Departments of Natural Resources and Commerce.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a

Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

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

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory’s bid is determined to be successful, the signatory must, within 15 days of the Department’s notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department’s notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with GIS Registry*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards

Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07
Closure under Comm 46/NR 746
Mass reduction

* **Note:** *PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Kelly's Spur Station
COMMERCE NUMBER: 54839-9999-67
BRRTS NUMBER: 03-04-000967

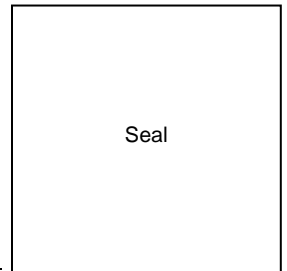
Submit Bid To: Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone: () - _____
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____ Professional Engineer _____ License #
_____ Professional Geologist _____ License #
_____ Hydrologist _____ License #
_____ Soil Scientist _____ License #



Signature: _____

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

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Kelly's Spur Station

COMMERCE NUMBER: 54839-9999-67

BRRTS NUMBER: 03-04-000967

Consulting Firm phone number () ____-_____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.* The pages of each Bid Response must be **stapled** together. No paper clips or spiral bindings please.

Questions & Answers
Kelly's Spur Station
Comm Number: 54839-9999-67-A
BRRTS Number: 03-04-000967

COMMENTS FROM THE ON-SITE QUESTION & ANSWER MEETING (MARCH 9)

- Three consulting firms were represented at the meeting.
- The DNR and Commerce project managers provided a brief site history and project overview.
- The site geology and hydrogeology are complex, with interlayered silt, sand and clay, a perched aquifer, and a strong downward vertical gradient. This complexity must be taken into account during remedial planning.
- Free product is found in a sand layer encountered within the screened interval of some of the intermediate-depth piezometers. The intermediate-depth piezometers are screened below the perched aquifer. Significant dissolved phase concentrations are present both above and below this intermediate depth.
- Piezometers containing free product can be purged dry relatively easily, but the piezometers will recharge at a decent rate. Previous attempts to remove free product by hand bailing and with a belt skimmer were not very successful.
- The previous soil excavation essentially removed all accessible contaminated soil between the site building and the State Highway 63 right-of-way. Passive soil vent piping was placed along a portion of the excavation perimeter prior to backfilling, but relying solely upon this passive system to address the remaining contaminated soil does not appear to be a feasible option.
- The main goal of the Minimum Remedial Requirements is aggressive source control, intended to remove free product and remediate impacted soil and groundwater in order to limit further contaminant migration.
- The DNR and Commerce project managers emphasized the need for detail and clarity in the Bid Responses for this site. Cutting and pasting or “parroting” of the Minimum Remedial Requirements into the Bid Response will result in the Bid Response being deemed non-compliant.
- A remedial strategy was not prescribed in the Minimum Remedial Requirements because the DNR and Commerce project managers felt doing so might restrict or eliminate other feasible options. It will be up to the bidding consultant to design a strategy suitable for the site, and to explain why the consultant selected that proposed strategy.

- One specific question that did arise at the meeting related to the requirement to attempt collection of groundwater samples from below the free product. To clarify this requirement, what the DNR and Commerce project managers are looking for is a qualitative assessment of the degree of weathering of the free product. Groundwater samples collected in direct proximity to the free product should give a good approximation of what soluble contaminants are actually dissolving from the free product into groundwater. The method of sample collection will be left up to the discretion of the bidding consultants, but reasonable efforts should be made to limit cross-contamination between the free product and the actual collected samples.

BID RESULTS
Bid Round 36
Kelly's Spur Station
54839-9999-67-A
03-04-000967

Consulting Firm	Tech Proposed	Closure Type	Total Cost	Qualified?
Northern			\$79,810.00	No
REI	Investigation and FP abatement	(SOW)	\$168,101.00	Yes
MSA			\$306,000.00	NR

NR – Not Reviewed

Bid Reviewers:

DNR: Chris Saari
Commerce: Will Myers
Previous Consulting Firm: MSA
Successful Bidder: REI
Consulting Firm Utilized: REI