



Jim Doyle, Governor
Cory L. Nettles, 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: 29
Comm Number: 53070-1845-78-A
BRRTS Number: 03-60-305128
Site Name: Appleby's Auto Salvage
Site Address: W2578 Holland Lima Rd Oostburg WI

Project Manager: Nancy Ryan
Project Manager address: PO Box 408 Plymouth WI 53073-0408
Project Manager phone: 920-892-8756
Project Manager e-mail address: nancy.ryan@dnr.state.wi.us

Bid Announcement Date	12/15/03
Questions or requests for information must be submitted in writing and received by:	12/30/03 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	1/16/04
Bid End Date and Time:	1/30/04 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, 1155 Pilgrim Rd, Plymouth WI

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.

Ikon Office Solutions, 205 E Wisconsin Ave Ste. 400, Milwaukee WI 53202

Phone: 414-276-7077

Fax: 414-276-7119

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

The Appleby Salvage site is a LUST site, the property consisting of a caretaker's house, a storage trailer and a storage building. Onsite water supply is provided by a private well located adjacent to the storage trailer; two septic systems provide sanitary service. A 300-gallon underground storage tank (UST) containing leaded and unleaded gasoline was removed from the property in 1992. Significant petroleum contamination in soil and groundwater was identified during a 1998 phase II investigation in the vicinity of the UST. The private well is located approximately 70 feet down/side gradient of the former gasoline tank.

Site soil is predominantly clay. Depth to the water table is 2-3 feet below ground surface and flows in a south-south easterly direction. The onsite potable well is cased to bedrock at 140 feet and was contaminated with benzene (above the enforcement standard) and other PVOCs during the early sampling rounds in 1999. No PVOCs were detected in the most recent round of groundwater sampling. The caretaker's house is currently being utilized as an office on a part time basis and according to the owner has not been used as a residence for 4 or 5 years. There are currently 8 shallow monitoring wells and 1 piezometer onsite. Most of the shallow wells are screened from 6-16 feet bgs, which is below the water table. The construction of well MW-1R, in the source area, is unknown.

218 tons of soil were excavated from the former tank bed area, but residual contamination is significant at the excavation perimeter. There have been 4-6 rounds of groundwater sampling conducted at the site.

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:

Goals of the additional work are to 1) further define the degree and extent of soil and groundwater contamination; 2) complete 2 rounds of groundwater monitoring; 3) complete a risk assessment for potential contaminant receptors; 4) prepare report.

1. Define the degree and extent of soil contamination by advancing 1 soil boring southeast of the excavation and 1 soil boring west of the excavation. Soil borings will be continuously field screened for volatile contamination from the

surface downward to a minimum depth of 20, but deeper if needed, to define the vertical extent of contamination. Collect one sample from each boring for laboratory analysis for petroleum volatile organic compounds (PVOCs) from the zone of highest obvious contamination and one sample from the end of the boring to document that the vertical extent has been delineated. To assess the potential direct contact threat, also collect a soil sample within the top 4 feet from the interval with the highest reading if field screening indicates the presence of volatiles. (Cost should be based on 2 borings to 30 feet maximum; maximum 6 PVOC soil samples.)

2. Investigate potential contaminant migration within the water line trench that connects the potable well to the caretaker's house. The assessment activities must include exposing trench backfill. Bid should allow for 3 soil samples (PVOCs) from backfill material to verify degree and extent of contaminant migration.
3. Install 1 shallow groundwater monitoring well in the vicinity of the former UST (near MW-1R); 1 shallow well downgradient and east of MW-5; and 1 piezometer nested with the new shallow well downgradient of MW-5. The shallow wells should be screened across the water table from approximately 2-12 feet below ground surface (bgs); the piezometer to be screened at approximately 15-20 feet bgs. Wells will be constructed, installed and developed in accordance with NR 141, Wis. Adm. Code. A well construction variance will be required for installation of the shallow wells. Field screening for volatile organic compounds will be required at the piezometer location to a minimum depth of 20 feet. If contamination is evident based on field screening, extend depth of boring to define extent of contamination and adjust piezometer screen depth to coincide with area of greatest contamination. For bidding purposes, assume 12 foot depths for the shallow wells and 30-foot maximum for the piezometer.
4. Assess the vapor intrusion potential as a pathway of concern relative to the onsite dwelling based on personal observations of the building including odors noticed, physical condition of the building foundation, identifying preferential flow paths, evaluating soil data in the vicinity of the building, etc. Also obtain information regarding site land use zoning.
5. Provide cost estimate for 2 rounds of quarterly groundwater sampling from all groundwater monitoring wells (10 shallow wells, 2 piezometers) sampled for PVOCs and 1,2 Dichloroethane. One of the rounds should include analysis for natural attenuation parameters - nitrates, dissolved manganese, ferrous iron, sulfate, methane, alkalinity, dissolved oxygen, pH, temperature, oxidation-reduction potential and conductivity. Groundwater elevations shall be measured at each well and groundwater flow maps shall be prepared for each sampling event. Also include the cost to sample the onsite potable well and each of the private wells located at 2535 and 2520 Lima-Holland Road for volatile organic compounds (VOCs) one time.
6. Disposal costs for contaminated soil/groundwater generated during this investigation must be included in the bid.
7. Prepare a report in accordance with NR 716.15 to document the results of the additional investigation described above and includes a discussion about:

how the onsite potable well became impacted; potential contaminant receptors (i.e. direct contact with soil, vapor inhalation; discharge to a wetland), a brief summary of possible remedial options, and recommendations for further work or site closure.

Prior to commencement of the site investigation, winning bidder must obtain approval from the DNR for soil boring/well location and describe how the investigation of the water line will be conducted.

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	Performance based NR 720.19 closure
Closure with a NR 140 exemption	Closure with site-specific conditions
Closure with GIS Registry*	Closure under NR 726.07
Closure with deed notice*	Closure under Comm 46/NR 746
Closure with deed restriction*	Mass reduction
Closure with NR 720.19 soil standards	

* **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: Appleby's Auto Salvage
COMMERCE NUMBER: 53070-1845-78
BRRTS NUMBER: 03-60-305128

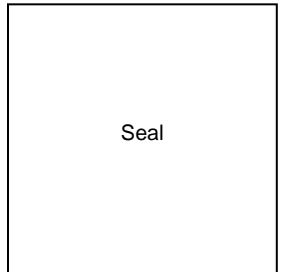
Submit Bid To Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone Number: () - _____
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: Appleby's Auto Salvage

COMMERCE NUMBER: 53070-1845-78

BRRTS NUMBER: 03-60-305128

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.*

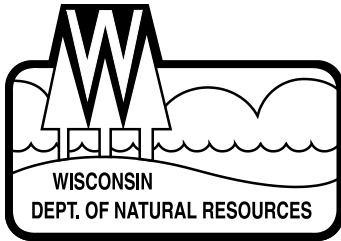
BID RESULTS
 APPLEBY'S AUTO SALVAGE
 53070-1845-78
 03-60-305128

Consulting Firm	Tech Proposed	Closure Type	Total Cost	Qualified?
Konicek	Specified workscope bid	NA	\$7,320.00	Yes
OM Enterprises			\$7,506.00	NR
Northern			\$7,900.00	NR
Advanced			\$7,991.00	NR
K Singh			\$8,855.00	NR
Bay Environmental			\$9,048.75	NR
Maxim			\$10,218.00	NR
Moraine			\$11,456.70	NR
MSA			\$12,887.00	NR
Ecometrica			\$13,450.00	NR

NR – Not Reviewed

Bid Reviewers:

DNR: Nancy Ryan
 Commerce: Jennifer Skinner
 Previous Consulting Firm: A.E.S
 Successful Bidder: Konicek
 Consulting Firm Utilized: Konicek



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Gloria L. McCutcheon, Regional Director

Plymouth Service Center
1155 Pilgrim Rd
PO Box 408
Plymouth, Wisconsin 53073-0408
Telephone 920-892-8756
FAX 920-892-6638

February 10, 2004

Mr. Gary Appleby
440 W. Bayfield Avenue
Glendale, WI 53217

RE: **Bid Response for Scope of Work - Round 29**

WDNR BRRTS #: 03-60-305128

Commerce #: 53070-1845-78-A

Appleby's Auto Salvage, W2578 Holland-Lima Road, Oostburg, WI

SCOPE OF WORK:

Goals of the additional work are to 1) further define the degree and extent of soil and groundwater contamination; 2) complete 2 rounds of groundwater monitoring; 3) complete a risk assessment for potential contaminant receptors; 4) prepare report.

PUBLIC BID END DATE: *Month Day, Year*

\$ 9,398.00* **Approved cost cap to complete scope of work.**

The Wisconsin Department of Commerce (Commerce) has established a PECFA reimbursement cost cap using the bid responses from the Commerce bid process. Konicek Environmental Consulting, LLC provided a compliant bid response with the lowest total cost to complete the prescribed scope of work. This consulting firm is considered the successful bidder. Gregory Konicek of Konicek Environmental Consulting, LLC can be contacted at:

Konicek Environmental Consulting, LLC	Phone: (262) 284-2557
1032 S. Spring Street	Fax: (262) 284-1728
Port Washington, WI 53074	E-Mail: Gkonicek@msn.com

In compliance with the invitation to bid, Konicek Environmental Consulting, LLC has agreed to contract with the claimant to furnish the items/services quoted. The services and associated costs, as set forth in the bid response, will be held for 90 days from the date of this letter. The work performed must comply with applicable Wisconsin Statutes and Administrative Codes, including, but not limited to Comm 47, NR 700 series, and Comm 46.

Regardless of the service provider you select, the total bid cost of the successful bid establishes your PECFA reimbursement cap. If you select the successful bidder and there are circumstances that prevent them from completing the full extent of the scope of work for the approved cost cap, Commerce will consider modifying the established cap. Consistent with existing rules, the consultant must notify

Commerce prior to exceeding the cost cap. Be aware that if you select a consulting firm other than the successful bidder to carry out the scope of work, Commerce **will not** consider modifying the cost cap.

Complete and return the enclosed form to the PECFA Program Assistant informing Commerce of your intent to either:

1. Use the successful bidder, or
2. Use another PECFA registered consulting firm.

- Comm 47.01(3) INTENT OF PECFA. (a) The PECFA fund does not relieve a responsible party from liability. The individual or organization responsible for a contaminated property shall carry out the remediation of that property. PECFA's role is to provide monetary awards to responsible parties who have completed and paid for PECFA-approved remediation activities and services. The availability or unavailability of PECFA funding shall not be the determining factor as to whether a remediation is completed.
- The approval does not guarantee the reimbursement of costs. Final determination regarding the 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 (920) 892-8745 ext. 3025.

* Please note: The specifications of the original scope of work included the installation of 2 groundwater monitoring wells and 1 piezometer. The Department has since been informed that groundwater monitoring well MW-8R has been damaged and will likely need to be replaced. At my request, Konicek Environmental has provided the Department with a cost estimate to install a replacement well at MW-8R which increases their original bid cost from \$7,320 to \$9,398. It is not clear whether expenses incurred to replace this well will be eligible for reimbursement, however, the cost to replace this well should be included in your PECFA claim and eligibility will be evaluated at the time of claim review.

Sincerely,

Nancy D. Ryan, Hydrogeologist
Remediation and Redevelopment

Enclosures: Bid Response (Claimant only)
Notification of PECFA Consultant Selection

cc: Gregory Konicek, Konicek Environmental Consulting, LLC
Jennifer Skinner, Commerce
SER site file

Notification of PECFA Consultant Selection

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

Please return as soon as possible to the address below:

**Cathy Voges
PECFA Bureau
Environmental & Regulatory Services
P.O. Box 8044
Madison, WI 53708-8044**

Site Name: _____

Commerce #: _____ - _____ - _____ - _____

WDNR BRRTS #: _____ - _____ - _____

I, _____, have contracted with a consulting firm to complete the activities required in the Bid Document.

(Please check the one that applies)

___ I have contracted with the successful bidder* identified in the Bid Response Letter.

___ I have contracted with a consulting firm other than the successful bidder identified in the Bid Response Letter. The name, address, and telephone # of the firm are:

Consulting Firm Name: _____

Consultant Contact Name: _____

Address: _____

Telephone #: _____

Note: By selecting a consulting firm other than the successful bidder, you acknowledge that Commerce will not consider modifying the cost cap established through the Bid Process.

Date contract was signed with selected consulting firm: _____

(Claimant Signature)

(Date)

* The successful bidder is the entity who complies with all of the Bid Document provisions and provides the lowest total cost to complete the scope of work or meet a defined site closure or no-further-action status.

ERS-10775(N.6/03)