



November 15, 2019

James W Lynch
Estate of Leonard A. Bukowski Jr
Lenny's Service Center
623 Marquette Ave
South Milwaukee, WI 53172

RE: **Public Bidding Deferred – Cost Cap Approved**

PECFA # 53172-1943-00-A DNR BRRTS # 03-41-003443
Lenny's Service Center, 1500 Rawson Ave, South Milwaukee

On October 04, 2019, the Wisconsin Department of Natural Resources (Department) received a scope of work (SOW) and cost estimate utilizing the chapter NR 747, Wisconsin Administrative Code, Usual and Customary Cost Schedule (Cost Schedule) for the site referenced above.

The Department has determined that the submitted SOW is reasonable and **approves** the additional costs. This site will be deferred from the public bidding process at this time. The Department will contact you if this site will be bid in the future.

This approval is for the additional costs associated with the September 24, 2019 SOW and was verbally approved on October 4, 2019. A copy of the Department worksheet for the Cost Schedule tasks is enclosed for your reference.

Deferment Cost Cap Approved: \$40,944.54

Be reminded that ch. NR 700 semi-annual progress reporting is required until this case is closed.

Note: A claim for PECFA reimbursement must be submitted within 180 days of incurring costs (i.e., completing a task). If a claim for costs incurred is not submitted within this deadline, the costs will not be eligible for PECFA reimbursement.

Usual and customary costs for activities included in this approval will only be reimbursed at a rate equal to or less than what is allowed on the Cost Schedule and are reimbursed based upon the Cost Schedule that is in effect at the time the activity is performed. Costs for activities not included in this approval are not reimbursable without prior Department authorization.

Regulatory Correspondence (Task 7, Activity RC05), Claim Submittal (Task 27, Activity CS05) and Standardized Invoice (Task 28, Activity SI05) costs are not included in the cap approved above. These activities will be reimbursed according to the task specifications and with submittal of proper supporting documentation at claim review time.

The Department approves a variance from the Cost Schedule for the removal of an additional 608.17 tons of contaminated soil. Do not include these costs (\$40,032.29) on the standardized invoice for usual and customary cost activities. Include these costs on a separate company invoice. When you submit the claim for these costs, please attach a copy of this letter and the attached worksheet for the claim reviewer's reference. The Department waives the commodity three-bid requirement with this variance approval.

The Department considers the consultant the primary controller of costs during these activities. This approval does not guarantee eligibility of any specific costs that have been incurred or that may be incurred in the future. Final determination regarding the eligibility of costs will be made by the claim reviewer when the entire claim, including all invoices and reports, is submitted for payment.

Thank you for your efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (608) 266-5788.

Sincerely,



Tim Zeichert
Hydrogeologist
Remediation and Redevelopment Program

Enclosure: Usual and Customary Cost Schedule Worksheet

cc: Greg Walsh, Assured Environmental Assoc., Inc.

Usual & Customary Cost Schedule Worksheet #26 (July 2019 - December 2019) for Form RR-111a

PECFA #: 53172-1943-00		Activity Reference Code Description		Unit	Units	Unit Cost	Total Cost	Notes
BRRTS #: 03-41-003443		Landfill Environmental Fee (support docs must be provided)		Actual Cost	608.17	\$1.50	\$ 912.26	
Site Name: Lenny's Service Center		Consultant oversight for excavation above 9/24/19 approval			26	\$94.13	\$ 2,447.38	
Site Address: 1500 Rawson Avenue, South Milwaukee		Tonnage excavated above 9/24/19 approval			608.17	\$61.80	\$ 37,584.91	
Date: October 4, 2019								
#	Task	Provider	Ref Code	Unit	Units	Unit Cost	Total Cost	Notes
24	Landfill Environmental Fee		LSE16	Actual Cost	608.17	\$1.50	\$ 912.26	
	Variance	Consultant			26	\$94.13	\$ 2,447.38	
	Variance	Commodity			608.17	\$61.80	\$ 37,584.91	
						Grand Total	\$ 40,944.54	

Cost Schedule Total	\$912.26
Variance Total	\$40,032.29
Grand Total	\$40,944.54