



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 #: 53121-0377-42
BRRTS #: 02-65-529307
Site Name: Consumers Coop Bulk Facility
Site Address: Centralia St, Elkhorn, WI 53121
Site Manager: Brenda Boyce
Address: 141 NW Barstow St, Rm 180
City, State Zip: Waukesha, WI 53188-3789
Phone: 262-574-2140
e-mail: <mailto:brenda.boyce@wisconsin.gov>
Bid Manager: Monica L. Weis
Address: 101 West Pleasant St. Suite 100A
City, State Zip: Milwaukee, Wisconsin 53212-3963
Phone: (414) 220-5361
e-mail: <mailto:monica.weis@wisconsin.gov>

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

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Milwaukee, 757 N Broadway, Ste 200, Milwaukee, WI 53202

Phone: (414) 276-2679

Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

The Cooperative Plus, Inc. site is a former bulk petroleum facility located on the south side of Elkhorn at Centralia Street and Highway 67. The site formerly contained eight above-ground storage tanks (AST) ranging in size from 10,000 to 20,000 gallon capacity and containing Stoddard solvent, fuel oil, diesel and unleaded gasoline. A petroleum spill was reported in 1990 and a site investigation was subsequently initiated.

The site geology consists of silty clay with fine to course sand and gravel. Groundwater is encountered at depths of three to eight feet below grade with seasonal variation and flow is toward the south-southwest from the source area. Groundwater flow velocity is calculated to be approximately 3 feet per year.

Free product has been observed at MW-1 and MW-9 since 2003. The most recent measurements in 2005 indicated thicknesses of approximately an inch at MW-1 and half a foot at MW-9. Concentrations of petroleum compounds in the source area shallow soil exceed both the NR 746 Table 1 Soil Screening Levels and Table 2 direct contact values. One municipal well is located approximately 1,000 feet west of the site.

2) Minimum Remedial Requirements:

No more than approximately 1,400 cubic yards of source area soil must be removed. The excavation will be approximately 120 feet by 40 feet by 8 feet deep and encompass GP-9, and GP-12 through GP-20. Any water that collects within the excavation must be removed and disposed of properly off-site. Monitoring well MW-13 must be properly abandoned prior to excavation activities to prevent vertical migration of contaminants. The integrity of PZ-1 should be maintained (10-inch diameter steel casing to 20' bg), but all soil surrounding the well should be removed. Eight soil confirmation samples should be collected from the excavation sidewalls following soil removal. Base samples are not needed as the depth of the excavation coincides with the water table depth. These samples should be submitted for GRO, DRO, PVOC plus naphthalene and 1,2-DCA analyses. A 4" diameter sump well must be installed in the excavation backfill near the southwest portion of the excavation to recover any remaining free product. The bottom two feet of the excavation should be backfilled with pea gravel to allow fluids to migrate easily to the sump.

Immediately following soil remedial work, free product is to be recovered from MW-1, MW-9 and the sump (if product is present) with a submersible pump or by hand bailing on a weekly basis for two months (8 events). Depth to product and product/water interface will be recorded prior to each recovery event. Product and water are to be stored on site within 55-gallon drums and disposed of properly at the conclusion of recovery and groundwater monitoring actions.

Following remedial activities, four rounds of quarterly groundwater monitoring are to be conducted from the entire well network (12 monitoring wells, two temporary wells and the piezometer). Groundwater samples will be submitted for PVOC plus naphthalene and 1,2-DCA analysis with one round including natural attenuation

parameters. Groundwater elevation data should be collected from all wells prior to each monitoring event. The data from the last monitoring event will be used to create a groundwater contour map and an isoconcentration map of the contaminant plume that the consultant will include in a comprehensive report.

After completion of the activities outlined above, prepare and submit a comprehensive report, including a complete GIS Registry packet, to the WDNR and Commerce that documents the work completed and includes all required and customary data and documentation. To save costs, only portions of pertinent reports are at the copy shop (text, figures, tables and boring logs). The entire file should be reviewed at the WDNR Waukesha office. Additionally, the consultant must prepare a complete PECFA claim packet.

3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there maybe additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is receive will not be reimbursed to the claimant. Claim preparation costs must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 3 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

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

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

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 4 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to

notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 5 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME:
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
(2nd 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	Excavate contaminated soil (1,400 yd ³) (This estimate should include costs for soil disposal, soil analytical, sump installation and backfilling)	\$	_____
2	Groundwater Monitoring (include analytical cost) per event	\$	_____
3	Number of Monitoring events		_____
4	Concurrent Groundwater Monitoring – one event (include analytical costs for natural attenuation parameters)	\$	_____
5	Monitoring Subtotal (Row 2 X Row 3 plus Row 4)	\$	_____
6	Purge water/Product waste disposal	\$	_____
7	Free Product Recovery (8 events)	\$	_____
8	Prepare GIS packet for closure	\$	_____
9	Documentation (reports, correspondence, etc.)	\$	_____
10	PECFA Claim Preparation	\$	_____
11	Total Bid Amount	\$	_____



July 25, 2006

Mr. Jason Brancel
Cooperative Plus, Inc.
638 South Kane Street
PO Box 220
Burlington, WI 53105-0220

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

Commerce # 53121-0377-42 DNR BRRTS # 02-65-529307
Consumers Coop Bulk Facility (Former), Centralia Street, Elkhorn

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: \$78,964.00

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
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
Intent	\$78,964.00	METCO
Not Reviewed	\$85,892.00	Sigma Environmental Services, Inc.
Not Reviewed	\$95,990.00	Konicek Environmental Consulting, LLC
Not Reviewed	\$92,000.00	Northern Environmental Technologies, Inc.

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 Brenda Boyce, DNR Project Manager (262-574-2140). 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 (414) 220-5361.

Sincerely,

Monica L. Weis
Senior Hydrogeologist
Site Review Section

cc: Ron Anderson, METCO
Brenda Boyce, DNR Project Manager
M & I Bank, Regional Credit Center-Post Closing, PO Box 2546, Appleton, WI 54912