



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, 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: 64
Commerce #: 53037-9705-85-A
BRRTS #: 03-67-533502
Site Name: Town of Jackson Garage
Site Address: 3685 Division Road, Jackson, 53037
Site Manager: Dave Volkert
Address: 141 NW Barstow Street, Room 180
City, State Zip: Waukesha, WI 53188-3789
Phone: (262) 574-2166
e-mail: david.volkert@wisconsin.gov
Bid Manager: Monica Weis
Address: 9316 North 107th Street
City, State Zip: Milwaukee, Wisconsin 53224-1121
Phone: (414) 357-4705
e-mail: monica.weis@wisconsin.gov

Bid-Start Date:	December 28, 2009
Questions must be received by (See Section 2 (B)):	January 11, 2010, 4:00 PM
Responses will be posted by (See Section 2 (B)):	January 29, 2010
Bid-End Date and Time:	February 12, 2010, 4:00 PM

Excerpts of report(s) and other pertinent information are included with this bid as a separate Adobe® pdf-formatted document for viewing and downloading. No copy shop is being used for purchase of hard copies of this information.

The case file that includes all reports submitted to date and upon which bids are being sought is available for review at the Site Manager's office location listed above. Please contact the Site Manager for an appointment to review the file.

SECTION 2 – Site-Specific Bid Requirements

General Comments

The Town of Jackson garage site is currently used for recycling, storage, and maintenance and refueling of Town vehicles and equipment. Petroleum contamination was discovered in a neighboring residential water supply well. A Phase II site assessment was then conducted in the area where former gasoline and diesel USTs were present at the site. The Phase II found petroleum contamination in the area of the former USTs and a site investigation was initiated at the site.

Fractured dolomite bedrock is 2 to 8.5 feet below ground surface (bgs) at the site. Soil contamination is not an issue because the USTs were installed on top of bedrock. The water table fluctuates due to seasonal changes and ranges in depth from 8 to 20 feet bgs in the area of the site. Groundwater flow is northwesterly with higher water table elevations and is westerly to west/southwesterly when the water table elevations are lower.

Due to the migration of petroleum impacted groundwater through bedrock, the water supply well for the Town garage and supply wells for three neighboring residences have been replaced. New wells were cased to at least 220 feet bgs. Casing depth of the impacted supply wells ranged from 28 to 50 feet bgs.

Minimum Remedial Requirements

Collect groundwater samples from the newly installed supply wells at the Town garage, 1711 State Highway 60, 3673 Division Road and 3665 Division Road. Submit the samples for analysis of petroleum volatile organic compound (PVOCs). The older existing supply well at 3657 Division Road should also be sampled for PVOCs. Procedures for purging and sampling water supply wells are outlined in the Department of Natural Resources' guidance PUBL-DG-038-96 entitled *Groundwater Sampling Field Manual*. Although permission to sample the wells has been granted in the past, the successful bidder will have to obtain permission to sample the wells.

In addition to sampling the private supply wells listed above, conduct one round of groundwater sampling at all monitoring wells (MW-1 through MW-7) and piezometers (PZ-1 and PZ-2) at the site for PVOCs. Submit a letter report summarizing the groundwater monitoring activities including data tables, figures, and lab data sheets. Properly dispose of all purged groundwater.

The above required groundwater sampling data and the existing case file data must be evaluated for the development of a remedial action options report (RAOR) for the site as specified in NR 722.13. The RAOR must include a comparison of at least three potentially viable, remedial options that are to be chosen based on the criteria outlined in NR 722.07(4) and designed to address petroleum contamination in the source area. Each of the three remedial action options explored must utilize active remediation techniques (e.g., groundwater extraction, in-situ chemical injection, air sparging/vapor extraction, etc.) and should combine multiple remedial technologies if/when appropriate.

The RAOR must include a detailed comparison of the three remedial action options considered, and must include a breakdown and discussion of all benefits, tasks and costs associated with implementation and operation of each of the options for a period of one year. The RAOR must provide enough description and detail for each remedial action option for the DNR site manager and Commerce bid manager to evaluate the cost effectiveness and determine the likelihood of success of the remedial actions.

The RAOR will also include a discussion and cost breakdown for all additional data collection needs and/or a pilot test(s), if necessary to determine the technical feasibility and design of the proposed remedial technology[ies]. The RAOR should also include an evaluation of the need for additional groundwater monitoring wells and piezometers for defining the extent of the groundwater contaminant plume and for use in monitoring the effectiveness of the remedial alternative(s). The RAOR must be submitted within four months of the selected consultant signing a contract. Note that point 2 of Section 3 – Reporting Timeframes will not apply to this bid.

The winning consultant must commit to conducting a thorough case file review. The contracted consultant will be required to attend a meeting with the DNR site manager and Commerce bid manager to discuss the feasibility of various remedial options that will be included in the RAOR.

Bidding consulting firms must provide a professional biography for each company personnel who will be preparing and/or supervising the preparation of the RAOR and has experience designing, implementing and operating remediation systems at sites with characteristics (i.e., fractured bedrock, petroleum contaminant plume at depth in aquifer, site layout, etc.) similar to Town of Jackson Garage site (include a list of at least three similar remediation sites and associated BRRTS numbers for reference). A compliant bid must include the name and license number of the credentialed professional(s) who will be overseeing the preparation and signing of the RAOR (PE required under 712.07(2) and (3)). Failure to provide this information will result in a non-compliant bid. Consulting firms that are not proficient at designing and operating remedial systems should not bid on this scope of work.

Following completion of the remedial action options evaluation, submit the RAOR to the DNR and Commerce. In addition to the information on remedial action options specified above, this document shall include the required additional well sampling data and water table map.

SECTION 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 may be 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.

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 received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

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 4 - 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 5 - 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 or sent electronically (email) to the program. Documents received by fax or email 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 6 - 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 – BID ROUND 64

(1st Page)

Department of Commerce PECFA Program

Site Name: Town of Jackson Garage

Commerce #: 53037-9705-85-A

BRRTS #: 03-67-533502

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison, WI 53703-2760 or
PO Box 8044, Madison, WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

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 below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify 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: _____

BID RESPONSE – BID ROUND 64

(2nd Page)

Department of Commerce PECFA Program

Site Name: Town of Jackson Garage

Commerce #: 53037-9705-85-A

BRRTS #: 03-67-533502

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Groundwater sampling – 5 private supply wells (PVOC analysis)	\$
2	Groundwater monitoring – one round at 7 wells and 2 piezometers with PVOC analysis	\$
3	Disposal of purge water from gw sampling	\$
4	Review and evaluate case file and new gw data	\$
5	Meet with DNR and Commerce	\$
6	Groundwater monitoring letter report and electronic/web reporting	\$
7	RAOR development and submittal	\$
8	PECFA Claim Preparation	\$
	Total Bid Amount	\$

Bidding consultants must provide a professional biography for each company personnel who will be preparing and/or supervising the preparation of the RAOR and has experience designing, implementing and operating remediation systems at sites with characteristics (i.e., depth to water/LNAPL, aquifer stratigraphy/heterogeneity, site layout, etc.) similar to The Town of Jackson Garage (include a list of at least three sites and associated BRRTS numbers for reference). Bidding consultants must provide the name and license number of the credentialed professional(s) who will be overseeing the preparation of and signing the RAOR. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TTY: Contact Through Relay
Fax: (414) 357-4700
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

December 18, 2009

Mr. Paul Servais
Town of Jackson Chairman
3146 Division Road
Jackson, WI 53037

RE: **Assignment to Public Bidding – Round 64**
Commerce # 53037-9705-85-A DNR BRRTS # 03-67-533502
Town of Jackson Garage, 3685 Division Road, Jackson

Dear Mr. Servais:

The Wisconsin Department of Natural Resources (DNR) has determined that additional activities must be conducted for the site referenced above. A cost cap for the activities will be established through the Wisconsin Department of Commerce's (Commerce) PECFA public bidding process.

Commerce will not reimburse costs for any work performed more than five business days after the date of this letter until a cost cap is established. Emergency actions, as defined in Comm 47.015, are exempt. The site will be listed in public bid round 64, scheduled to begin on December 28, 2009.

An explanation of the bidding process and a copy of the bid document are enclosed. A copy of the bid document will be available on the Commerce website at <http://www.commerce.wi.gov/ER/ER-PECFA-SiteBidding.html> during the bidding process.

If there are any outstanding eligible costs, including loan interest, that have been incurred to date, **a PECFA claim must be submitted no later than 120 days after the date of this letter.** Failure to file a claim by this deadline will result in ineligibility of interest expenses incurred between the date of this letter and the date a claim is filed.

This site is under the regulatory jurisdiction of the DNR. Please direct any questions about the remedial activities at this site to the DNR project manager, Dave Volkert, at (262) 574-2166. The bidding process is the responsibility of Commerce and all correspondence throughout the bidding process will originate from Commerce.

Thank you for your continuing efforts to protect Wisconsin's environment. If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 357-4705.

Sincerely,

Monica L. Weis
Senior Hydrogeologist
Site Review Section

Enclosures: PECFA Public Bidding Process
Public Bid Document

cc: Christopher Hatfield, Bonestroo, Inc.
Dave Volkert, DNR



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
 BUREAU OF PECFA
 9316 North 107th Street
 Milwaukee, Wisconsin 53224-1121
 TTY: Contact Through Relay
 Fax: (414) 357-4700
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

February 22, 2010

Mr. Paul Servais
 Town of Jackson Chairman
 3146 Division Road
 Jackson, WI 53037

RE: Notice of Intent to Select Least Costly Qualified Bid – Round 64

Commerce # 53037-9705-85-A DNR BRRTS # 03-67-533502
 Town of Jackson Garage, 3685 Division Road, Jackson

Dear Mr. Servais:

The Wisconsin Department of Commerce (Commerce) has identified the least costly qualified bid for the site referenced above. Commerce intends to establish a reimbursement cap based on the bid submitted by METCO for **\$5,139.00**. The bid response is enclosed for your reference.

Per Comm 47.68 (3), Commerce reviews the bids, starting with the least costly, to determine if all the requirements of the bid specification are met. Listed below is the review status of each firm that submitted a competitive bid.

Status	Bid Amount	Consultant Name
Intent	\$5,139.00	METCO
Not Reviewed	\$7,374.00	Endpoint Solutions, LLC
Not Reviewed	\$15,950.00	Bonestroo, Inc.

Per Comm 47.68 (6), a responsible party or bidder may protest Commerce’s selection of the least costly qualified bid. If you wish to protest, refer to the enclosed PECFA Public Bidding Protest and Appeal Process flyer for guidance on the process. If a written protest is not received within 10 business days from the date of this letter, Commerce will approve the selected cost cap for completion of the scope of work.

If you have any questions, please contact me in writing at the letterhead address or by telephone at (414) 357-4705.

Sincerely,

Monica L. Weis
 Senior Hydrogeologist
 Site Review Section

Enclosures: Least costly qualified Bid Response (Town of Jackson only)
 PECFA Public Bidding Protest and Appeal Process

cc: Mr. Ronald Anderson, METCO
 Mr. David Volkert, DNR



March 11, 2010

Mr. Paul Servais
Town of Jackson Chairman
3146 Division Road
Jackson, WI 53037

RE: **Cost Cap Approval – Bid Round 64**

Commerce # 53037-9705-85-A DNR BRRTS # 03-67-533502
Town of Jackson Garage, 3685 Division Road, Jackson

PUBLIC BID END DATE: February 12, 2010

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 is effective from the date of this letter forward.

Approved cost cap to complete a scope of work: \$5,139.00

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:

METCO	Phone: (608) 781-8879
1421 State Road 16	Fax: (608) 781-8893
La Crosse, WI 54601	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
Awarded	\$5,139.00	METCO
Not Reviewed	\$7,374.00	Endpoint Solutions, LLC
Not Reviewed	\$15,950.00	Bonestroo, 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 Dave Volkert, DNR Project Manager

(262) 574-2166. 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) 357-4705.

Sincerely,

Monica L. Weis
Senior Hydrogeologist
Site Review Section

cc: Mr. Ronald Anderson, METCO
Mr. Dave Volkert, DNR