ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
2715 Post Road
Stevens Point, Wisconsin 54481-
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

commerce.wi.gov
Wisconsin
Department of Commerce

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: **60**

Commerce #: **54410-9660-21-A**
BRRTS #: **03-72-183722**
Site Name: **Bendickson's Conoco**
Site Address: **6321 Main St , Arpin, 54410**

Site Manager: **Tom Hvizdak**
Address: **473 Griffith Ave**
City, State Zip: **Wisconsin Rapids, WI 54494-7859**
Phone: **715-421-7850**
e-mail: **tom.hvizdak@wisconsin.gov**

Bid Manager: **Dee K. Lance**
Address: **2715 Post Road**
City, State Zip: **Stevens Point, Wisconsin 54481-**
Phone: **(715) 342-3802**
e-mail: **Dee.Lance@Wisconsin.Gov**

Bid-Start Date:	**April 20, 2009**
Questions must be received by (See Section 2 (B))**:**	**May 04, 2009**, **4:00 PM**
Responses will be posted by (See Section 2 (B))**:**	**May 22, 2009**
Bid-End Date and Time:	**June 05, 2009**, **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.

Digicopy-Stevens Point, 428 Division St, Stevens Point, WI 54481
Phone: (715) 295-9606 Fax: (715) 295-9609

SECTION 2 – Site-Specific Bid Requirements

General Comments

Site Description:

- The site is a former gas station & service garage in the Village of Arpin.
- Currently the property is being used as a small automotive repair shop.

Geology/Hydrogeoglogy:

- Soil – Approximately 8 feet of silty sand and sandy clay overlying well sorted coarse grained sand (possible weathered sandstone) to the extent investigated to date (17 feet below grade)
- Bedrock was not encountered during previous site investigation, but potable well logs for this area indicate that the upper part of the bedrock is a soft sandstone & shale. Competent bedrock is encountered at approximately 40 feet below grade.
- Depth to groundwater is approximately 6 feet below grade, with the exception of the monitoring well in the former tank basin where the water level has been measured to be approximately 3 feet below grade.

Soil/Groundwater contamination:

Monitoring Well Network:

- Currently, there are 8 watertable monitoring wells and 1 piezometer installed at this site.
- 3 off-site potable wells and 1 on-site potable well are also being monitored at this site.

Other:

- The area is served by private water wells and a municipal sewer system,
- The site investigation is complete. The information at the copy shop will contain the most recent maps and soil, groundwater, & elevation data.
- Gaining access to off-site properties and road right-of-way has been problematic in the past.
- The nearby buried utilities include the sanitary sewer and a natural gas line located in the road ROW and close proximity to the site.

Environmental Factors Present:

- Private well within 100 feet of the plume.
- Direct contact soil exceedences

Minimum Remedial Requirements

Remedial Excavation:

- Approximately 125 cubic yards of contaminated soil is to be excavated and properly disposed.
- The excavation must extend at least 6 feet below grade.
- Seepage from shallow groundwater may occur.

- o 5 confirmation soil samples must be collected and analyzed for PVOCs and Naphthalene.
- o PZ-1 must be replaced if damaged beyond repair during the excavation.
- o MW-1 must be removed to facilitate the excavation.

Post Remedial Excavation Groundwater Monitoring:

- o Collect four rounds of bi-annual groundwater samples from monitoring wells MW-2, MW-3, MW-5 and PZ-1.
- o Bi-annual groundwater monitoring is to begin 3 months after completion of the remedial excavation.
- o Collect two rounds of annual groundwater samples from monitoring wells MW-4, MW-6, MW-7 & MW-8. Annual groundwater samples are to be collected during the second and fourth bi-annual groundwater monitoring events
- o Groundwater samples collected from the monitoring wells and piezometer are to analyzed for PVOC, EDB, 1,2-Dichloroethane, & Naphthalene.
- o Collect 2 annual rounds of water samples from the on-site potable well and the 3 neighboring potable wells located at 6333 Main St., 6328 Main St., & 6313 Main St., for VOC analysis. Samples are to be collected during the second and fourth bi-annual groundwater monitoring events.

Report and Other Requirements:

- o Write a short status report at the end of the field work that includes all (including historical) data collected at this site, site map showing all MWs, PZs, potable wells (those sampled), buried utility lines, remedial excavation map and an evaluation regarding case closure.
- o Review the DNR case file for this site, write the closure report and prepare all applicable GIS packets if submitting the case for closure review is recommended by DNR Project Manager.

Disposal of all waste generated as part of the bid scope of work.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

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 60

(1st Page)

Department of Commerce PECFA Program

Site Name: Bendickson's Conoco

Commerce #: 54410-9660-21-A

BRRTS #: 03-72-183722

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):

☐	Professional Engineer	License # _____
☐	Professional Geologist	License # _____
☐	Hydrologist	License # _____
☐	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: _____

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

BID RESPONSE – BID ROUND 60

(2nd Page)

Department of Commerce PECFA Program

Site Name: Bendickson's Conoco

Commerce #: 54410-9660-21-A

BRRTS #: 03-72-183722

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	Commodity: Excavate ~125 cubic yards, dispose & backfill	$	
2	Consulting: Excavation oversite	$	
3	Commodity: Lab – soil samples for excavation	$	
4	Consulting: Bi-annual groundwater monitoring, elevations, etc….	$	
5	Disposal of purge water from excavation & monitoring.	$	
6	Brief Report after field work.	$	
7	PECFA Claim Preparation	$	
8	**Total Bid Amount**	**$**	
CONTINGENCY COSTS **(Will be Approved and Added to the Bid Cap as Needed)**			
●	Closure Report/GIS packet	$	
●	Monitoring Well Abandonment	$	
●	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	$	

Questions & Answers
SITE NAME Bendickson’s Conoco
COMM # 54410-9660-21
BRRTS # 03-72-183722

QUESTION: For lab analysis of the water samples from the four potable wells, do you want VOC8260 or VOC524.2 ?

Answer: They're drinking water wells, so it should be VOC524.2.

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Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

June 10, 2009

Marvin M Bendickson
Rae Zuelke POA
C1843 Meadow Ln
Stratford, WI 54484

RE: **Notice of Intent to Select Least Costly Qualified Bid – Round 60**

Commerce # 54410-9660-21-A DNR BRRTS # 03-72-183722
Bendickson's Conoco, 6321 Main St , Arpin

Dear Ms. Zuelke:

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 Tetra Tech - Environmental for **$12,842.75.** 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	$12,842.75	Tetra Tech - Environmental
Not Reviewed	$12,994.00	METCO
Not Reviewed	$14,890.00	Endpoint Solutions
Not Reviewed	$15,758.00	REI Engineering Inc
Not Reviewed	$17,888.00	Konicek Environmental Consulting, Llc
Not Reviewed	$19,377.00	Carlson Professional Services, Inc - Environmental Services

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 (715) 342-3802.

Sincerely,

Dee Lance
Senior Hydrogeologist
Site Review Section

Enclosures: Least costly qualified Bid Response
PECFA Public Bidding Protest and Appeal Process

cc: Mike Neal, Tetra Tech - Environmental

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2715 Post Road
Stevens Point, Wisconsin 54481-
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Wisconsin
Department of Commerce

June 24, 2009

Marvin M Bendickson
Rae Zuelke POA
C1843 Meadow Ln
Stratford, WI 54484

RE: **Cost Cap Approval – Bid Round 60**

Commerce # 54410-9660-21-A DNR BRRTS # 03-72-183722
Bendickson's Conoco, 6321 Main St , Arpin

PUBLIC BID END DATE: June 05, 2009

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: $12,842.75

In compliance with the invitation to bid, *Tetra Tech - Environmental* 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:

Tetra Tech - Environmental	Phone: 715-832-0282
Address: 1837 County Highway OO	Fax: 715-832-0541
Chippewa Falls WI 54729-6519	E-Mail: Michael.Neal@tetratech.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	$12,842.75	Tetra Tech - Environmental
Not Reviewed	$12,994.00	METCO
Not Reviewed	$14,890.00	Endpoint Solutions
Not Reviewed	$15,758.00	REI Engineering Inc
Not Reviewed	$17,888.00	Konicek Environmental Consulting, Llc
Not Reviewed	$19,377.00	Carlson Professional Services, Inc – Environmental Ser

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 Tom Hvizdak, DNR Project Manager (715-421-7850). 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 (715) 342-3802.

Sincerely,

Dee Lance
Senior Hydrogeologist
Site Review Section

cc: Mike Neal, Tetra Tech - Environmental
Tom Hvizdak, DNR via email