

January 15, 2010

To: All bidders and interested parties

Subject: File No. 761/10085.SAR  
Department of Environmental Quality  
Remediation and Redevelopment Division  
Technical Support Services  
Zephyr Naph Sol Refinery  
Request for Proposal  
**Addendum No. 1**

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**Please acknowledge receipt of this Addendum in your proposal.**

Below are the additional information and questions received for the above-noted project with the answers.

**I. Additional Information**

1. Please see the Meeting Attendance Record for the mandatory walk-through held on January 12 at 10:00 a.m. at the site posted along with this addendum.

**II. Revisions/Clarifications**

1. Modification to Attachment II – Scope of Work, Project Schedule.

Replace “Upon acceptance by the state of the proposal and contract, the selected firm agrees to complete all work required within 18 months. The contract may be extended for one additional year at the sole option and discretion of the State” with the following, “Upon acceptance by the State of the proposal and contract, the selected firm agrees to complete all work required within 12 months The contract may be extended for four additional one year periods at the sole option and discretion of the State”.

2. Clarification: Attachment II – Scope of Work, Section 3.2.1a: System Performance Engineering Consultation

The MDEQ has developed a groundwater flow model for the Zephyr site utilizing the Interactive Groundwater (IGW) software created by Li & Associates. The DEQ intends to use the model to generate potentially effective groundwater capture scenarios utilizing the existing purge system currently in place. The DEQ will generate and transmit to the professional documentation of the scenarios of purge system flow adjustments. The professional will conduct an engineering analysis of the flow modifications and provide documentation of the results of this analysis to the DEQ. The engineering analysis will determine whether the flow modifications can function within the physical capacities of the purge well capture network, the treatment system, and the injection systems as they are currently installed. This task is anticipated to be completed through an iterative sequence of interactions and discussions between DEQ and the professional.

The DEQ may also generate scenarios that incorporate potential modifications, additions, or subtractions to the purge well network and/or injection system. These scenarios could be generated if evidence of capture system failure is determined through groundwater modeling, through routine monitoring by the O&M contractor or in the event of future development of the property. When such scenarios are generated, the DEQ will require the professional to complete an engineering analysis of those scenarios.

3. Clarification: Attachment II – Scope of Work, Section 3.2.1b - System Performance Engineering Consultation

This section is intended to identify components of the existing remediation system that will be affected by modifying purge well and injection system operation. The engineering analysis described above will assess the effects of operational changes on these components.

4. Clarification: Attachment II – Scope of Work, Section 3.2.1d - System Performance Engineering Consultation

The DEQ will require the P4 professional to provide the preliminary engineering design for changes to the purge well and/or injection systems that are needed to accommodate future potential development on the property. It is anticipated that redevelopment will require the relocation of segments of the purge water force mains and/or injection piping and trenches and relocation of some purge wells

5. Clarification: Attachment II – Scope of Work, Section 3.2.1a-d - System Performance Engineering Consultation

Tasks associated with sections 3.2.1a-d do not have to be conducted entirely on-site. It is anticipated that a portion of the effort to complete these tasks can be conducted remotely.

6. Clarification: Attachment II – Scope of Work, Section 3.3 - Field Operation and Maintenance Oversight and Management of Construction Activities

The DEQ believes that the complexity of the remediation system and the operational problems at this site require the knowledge and experience of a P4 level engineer in order to provide effective O&M oversight and management. The DEQ requires the on-site presence of the engineer as described in the RFP. For the purpose of continuity the DEQ requires the professional firm to use the same individual for all O&M oversight and management. However, the DEQ recognizes the potential need for an infrequent substitution of an alternate, equally qualified and knowledgeable P4 engineer. If proposed, the alternate P4 must meet the qualifications (P4 licensed engineer who has a minimum of 5 years experience in engineering, construction oversight and management of large scale (greater than 150 gpm) ex-situ biological systems used for free product and groundwater recovery and treatment) and must also provide the information as required in the

Professional Questionnaire (Attachment VI). The professional will be required to secure approval from the DEQ when an alternate is needed.

7. Clarification: Attachment II – Scope of Work, Section 3.6 – System Engineering As-builts

It is expected that the professional will verify, to the degree possible and reasonable, the installation of all system components. The DEQ requires the professional to complete verification of the as-builts within 120 days of receiving them from the O and M contractor.

8. Clarification: Attachment II – Scope of Work, Section 3.7 – O&M Manual Generation

The DEQ requires the professional to verify that the O&M manual prepared for the site by the O&M contractor is complete and suitable for use for all O&M activities. The DEQ requires the professional to complete verification of the O and M manual within 120 days of receiving it from the O and M contractor.

9. Clarification: Attachment II – Scope of Work, Section 3.8 – Bid Specifications

For bid spec preparation, the Professional may use other appropriate level and skilled staff under the direction of the primary P4 engineer to **assist** in the preparation, with the primary P-4 maintaining overall responsibility and accountability of the task.

### **III. Questions**

The following questions have been compiled to clarify answers to questions in portions of the RFP package:

**Q1.** Is the Professional Service Contractor restricted regarding billing rate structure, specifically are rates limited to a not-to-exceed multiplier of raw rates? I know sometime a not-to-exceed 2.7 is specified.

*A1. No.*

**Q2.** With respect to the information listed under 4(d) of the request for proposal for the subject site, is it expected that a P4 level engineer be present at the site for 5 hours/day for 4 days/week? Or will the on-site time for O&M oversight and management of construction activities be based on project needs?

*A2. The P4 level engineer will be required to be present on-site for 5 hours/day for 4 days per week. These are the project needs.*

**Q3.** What are the water quality parameters and chemical parameters required under the NPDES permit and what are the current bioreactor effluent concentrations for these parameters?

A3. *The effluent limitations under the NPDES permit are 20 ug/l of total BTEX, 4.0 mg/l of dissolved oxygen, and pH readings between 6.5 and 9.0. An estimated average for bioreactor effluent concentration for total BTEX is 150 ug/l. DO and pH are not presently collected.*

**Q4.** Will additional professional qualifications be allowed to assist the P-4 PE with completion of the anticipated work tasks assuming the P-4 PE maintains overall responsibility and accountability of the tasks? I.e. could a P-3 assist with the development of the O&M manual and bidding specifications or contractor oversight?

A4. *The RFP erred in stating professional will prepare O&M manual and as-built drawings. These tasks are O&M contract tasks. The professional will verify the O&M contractor work products. These two tasks (as-builts and the O&M Manual verification) must be performed by the P-4. We will allow the use of other appropriate level and skilled staff under the direction of the primary P4 engineer to **assist** in the preparation of the bid specs, with the primary P-4 maintaining overall responsibility and accountability of the task (see Clarification #9 above).*

**Q5.** What level of assistance should the professional expect from the O&M contractor regarding preparation of the O&M manual?

A5. *The O and M Contractor will prepare the manual, with verification performed by the professional (see Clarification #8 above). The professional will ensure that the O&M manual is fully functional to direct O&M activities. The DEQ will direct the O&M contractor to amend/revise the manual to meet the required objective per direction from the DEQ and/or professional.*

**Q6.** Please clarify the role of the O&M contractor in developing the as-built drawings; the anticipated number of review iterations (could you specify hours necessary to review the O&M contractors work product since control of as-built completeness is out of professionals control?); and, the professionals responsibility to stamp the drawings as a licensed engineer.

A6. *The role of the professional is to verify the as-builts as prepared by the O&M Contractor. The DEQ expects that no more than one revision of the as-built drawings will be needed. It is expected that the professional will verify, to the degree possible and reasonable, the installation of all system components (see Clarification # 7 above). The drawings will not have to be stamped by a licensed professional.*

**Q.7** Could you please clarify the difference between project familiarity and the technical capability of the professional being sought by this RFP?

A7. *The DEQ cannot reasonably expect prospective bidders to have familiarity with this specific project. A professional has appropriate technical ability as demonstrated through documented and verifiable proof of the equivalent of 5 years of experience in engineering, construction oversight and management of large scale (greater than 150 gpm) ex-situ biological systems used for free product and groundwater recovery and treatment.*

**Q.8** How should the bid items that stipulate numbers of hours be bid if more than one P-4 PE with different billing rates is anticipated to be working on the task?

*A.8 If you choose to identify another P4 as an infrequent substitution (as outlined in Clarification #6 above) for tasks identified in either 4d or 4j, you will need to generate your own estimation of the breakdown of costs, but should be mindful that the alternate P4 is to be used as an **infrequent** substitution and will need to be approved prior to being utilized.*

**Q.9** Can items 4c and 4d from Attachment V be bid to include hours from professionals under the direction of a P-4 PE in addition to the P-4 PE?

*A.9 Only for 4d (and 4j) as outlined in Clarification #6 and #9 above.*

**Q.10** Who will be completing and certifying the NPDES DMRs?

*A.10 The O&M Contractor*

**Q.11** Who will carry professional liability for obtaining and maintaining hydraulic capture of the groundwater plume; the MDEQ, professional, or Dr.Li?

*A.11 The MDEQ*

**Q.12** What is the frequency and quantity of sludge removed from clarifier?

*A.12 Approximately every 1 to 1.5 years.*

**Q.13** Does an O&M manual exist for the electrical control panels? If not, is development/verification of these required by the O&M contractor/professional?

*A.13 No, one does not exist. The Professional would solicit this information from the contractor.*

#### **IV. Attachments**

Meeting Attendance Record.