

RFP # 10-668-00-00001
Pre-Proposal Conference
Questions and Answers
Date: March 16, 2010

Location: NMED District I Sandia Conference Room

1. Written question provided prior to the proposal meeting and answered at the meeting. Will the contract resulting from this award be a “performance-based contract” where the contractor assumes risk to remediate the site in accord with the “goals” outline in the section?
 - a. No it is not a performance based contract. The RFP states that there is \$4 million available over 4 years for active remediation. Appendix C shows the 4 major phase of the remediation, whereby payment will be made on each phase.

2. Written question provided prior to the proposal meeting and answered at the meeting. Please confirm that the information requested for tab f), Project Team Specifics, is not included in the 25-page limit for the proposal.
 - a. Tab f) is not included in the 25-page limit. Please review page 23, Section IV.C for clarification on what is exempt from the page limit.

3. Written question provided prior to the proposal meeting and answered at the meeting. Please confirm that the requested “tabs delineating each section” are not included in the 25-page limit for the proposal.
 - a. Please review page 23 Section IV.3 and that the proposals shall include tab sections as specified for find easily the section of the proposal.

4. Can you review of the index tabs on page 24 and point out which tabs are exempt from the 25-page limit?
 - a. Yes. All index tabs are exempt of the 25-page limit except tab g) and h).

5. What is the electrical power in the area? 1 or 3 phase?
 - a. I don’t know. The area is at the boundaries of the County and City, it’s a mixed area with considerable industry and business. I assume electrical power is readily available.

6. Is there a reference to in situ or ex situ remediation?
 - a. No there is not. If you are going to pump it out for ex situ or treat in situ is up to the proposal. A treatment train may be appropriate.

7. Can you talk about access and what the contractor will be responsible for?

- a. Access will be a problem. During the last assessment activities, NMED acquired access from the County, AMAFCA, and private property owners. The zoning is diverse from residential to industrial with DOT, County, and AMAFCA with governmental right-of-way. It is up to the contractor to secure any access necessary for the restoration project. NMED and ONRT will work with the selected contractor to assist in acquiring access.
8. Who owns the water and what would happen if the water table is dropped due to remediation?
 - a. NMED doesn't know who owns the water. The OSE provides water rights and the County has an ordinance for well registration. If pumping out of the contamination is employed, water rights would have to be secured. The awarded contractor will address all permits or requirements for permits and water rights. When the restoration project is implemented potentially affected production wells needs to be evaluated. There are a number of domestic wells within the footprint of the plume.
 - b. Follow up question. Are all facilities on City water and sewer? Not all facilities are on public utilities and the ABCWUA is continuing to hook up properties.
9. Are there other facilities with separate contaminant plumes in the area?
 - a. There are two bulk terminals on the south side of the nitrate plume that have hydrocarbons plumes addressed under a regulatory process. The restoration project should at a minimum not interfere with the remediation required at these facilities. There is a chlorinated solvent plume near Dale and 2nd St., called RekChem with TCE and PCE slightly above the regulatory standards. No other contaminant plumes are known within the footprint of the plume.
10. Is there a City production well in the area that was in production and is not longer used?
 - a. As far as NMED knows there are no known City production wells in the footprint of the plume or influencing the capture of the plume. Under the site assessment there is a major drawdown due to the City's total water production that has caused a gradient direction change from traditionally the S-SW to the E-SE.
11. Are there any temporary problems gradient control?
 - a. No NMED does not have or know of any hydraulic gradient controls or objection to gradient controls as part of the restoration proposal.
 - b. Follow up question. What is required for injection and is it considered? Any injection would have to acquire a Discharge Plan permit. That permit requires public notification, is for a 5 year period,

and has an associated fee. It is the contractor's responsibility to acquire any permits necessary.

12. Would all the paper work for permits be required to be filed or provided before a notice to proceed is given?
 - a. No. The selected contractor will submit the restoration project with specifics. Part of the project should have a plans to obtain any permit necessary. If the permit is not approved than a different plan would have to be considered.
13. Is there a milestone that starts the 4 year clock?
 - a. Yes. Once the contract is awarded begins the clock. An estimated date is in the RFP and is July 27, 2010.
14. Is the schedule in the RFP firm?
 - a. Yes. The contractor is selected on the day listed in the RFP.
15. Will a monitoring plan be required and if so how often?
 - a. Yes. A monitoring plan is required. Quarterly reporting is required. Monitoring of ground water depends on what restoration project is selected. The monitoring program shall be customized based on the project and its performance. On a regulatory basis, wells are removed from monitoring when 8 consecutive quarter results are below standards.
 - b. Follow up question. Does that mean the 2 years of monitoring would be quarterly or semi-annual? It depends on the restoration plan and the individual well. It is site specific.
16. What if the contaminant plume is larger or has higher contaminant levels than what is understood now?
 - a. If the data indicates this to be the case, then a re-evaluation of the project will have to take place. What is available if \$4 million dollars for 4 years of active remediation to address the contamination, plus a means to show when and how the aquifer will meet standards and be restored.
 - b. Follow up question. Would MNA work? Possibly. It depends on what is proposed and chosen for active remediation and how that would affect the remaining contaminant plume.

Written Questions Received No Later than 5:00 PM MDST March 23, 2010.

1. Does the section 3 sentence "Failure to return this form shall constitute a presumption of receipt and rejection of the RFP ..." mean that the RFP is in fact assumed to have been rejected by the party that did not return the

“Acknowledgment of Receipt of Request for Proposals Form” and therefore an offer will not be accepted from the party?

- a. It means that the firm that does not submit the Acknowledge of Receipt Form will not receive information from NMED nor is NMED required to give it. The sentence that reads, “The potential Offeror's organization name shall not appear on the distribution list”, means that this firm will not receive information such as Notices or Amendments.
2. What was the physical address of the former vegetable farm, that is suspected to be the nitrate contamination source?
- a. The physical address is unknown, but please refer to Appendix A of the RFP Figure 1 and 2 for the suspected footprint of the former farm. The footprint of the farm was established following review of multiple historic air photographs.