Mike's Auto Detail and Diamond Shamrock Sites
Pre-Proposal Conference
RFP #: 80-667-00-00002
August 18, 2008

Written Questions Submitted Prior to the Pre Proposal Conference

There were no written questions submitted to the Department prior to the Pre Proposal Conference.

Questions and Answers
(Verbal Questions Asked During the Pre Proposal Conference)

1. *Q. Jeff Roehrig, J^3 Environmental – Are the Mike's Auto Detail and Diamond Shamrock documents considered as one or are they separate?*
   A. The two sites are to be addressed as one corrective action in conformance with the NMED-accepted Final Remediation Plan. The extraction wells for the Diamond Shamrock site have not yet been installed. You will need to construct, incorporate and operate extraction wells #11, 12 and 13 as a part of the remediation system. These wells are currently referred to as Phase II on the FRP.

2. *Q. Jeff Roehrig, J^3 Environmental – Are these sites in the City of Belen or in the county?*
   A. They are in the City of Belen.

3. *Q. Jeff Roehrig, J^3 Environmental – How many land owners will we be dealing with?*
   A. That is unknown, but it is thought to be less than a half dozen. County property maps should be consulted for an exact number.

4. *Q. Jeff Roehrig, J^3 Environmental – Will the successful bidder be required to obtain the the necessary access agreements as part of the project?*
   A. Yes. Please see section III.C.27 of the RFP document for additional information.

5. *Q. Jay Snyder, Golder Associates - On page 21 of the RFP regarding the acceptance language, what is an allowable modification? Will you allow a modification in the overall remediation approach, because this can effect the project cost and the bid?*
   A. This Final Remediation Plan has been accepted by the Department. Any changes to it that your firm may recommend may earn you additional technical merit points or may cost you some technical merit points, based on whether the changes are advantageous or not. The PSTB engineer, Katherine MacNeil, has reviewed the Final Remediation Plan and has provided written comments.

(Editor's note: Please see a complete listing of Ms. MacNeil's comments in the document following these questions and answers)

6. *Q. Jay Snyder, Golder Associates – If certain elements of the Final Remediation Plan are dropped, that would lead to an "apples to oranges" comparison on the costs submitted by various firms.*
   A. If your firm is recommending modifications to the Final Remediation Plan, present the technical analysis for your recommended changes within your proposal. However, for your proposed costs, presented on Appendix C, use only the items present in Section V.G of the RFP document. Do not include the cost of your recommended modifications.

   Also, as a clarification, DO NOT have your engineer sign and seal anything submitted with your proposal.

7. *Q. Karl Tonander, Souder, Miller & Associates – Are Katherine MacNeil's comments available?*
   A. Note: Please see the document immediately following these questions and answers.

8. *Q. Bill Brown – Brown Environmental Inc. – I would recommend a fairly restrictive cost submittal originally and a second set of costs for any changes.*
   A. Do not submit two costs. Submit only what is requested in Appendix C of the RFP.

9. *Q. Jay Snyder, Golder Associates – Regarding the cost effectiveness scoring on page 25 of the RFP, are you multiplying the lowest score by 400 points to figure out the number of points to award?*
   A. What is on page 25 is actually a formula. You divide the lowest responsive cost by your firm's cost to get a fraction and then you multiply that fraction by 400 to get the total number of points that your firm will receive.

   While we are on page 25, please note the paragraph immediately below the cost point calculation formula. This paragraph deals with the in-state preference for "resident businesses". Please refer to section II.E of the RFP document for a definition of what constitutes a resident business.

10. *Q. Jay Snyder, Golder Associates – On page 21 (section V.D) of the RFP the first bullet point says that a firm can sign a contract with a professional engineer and then in a lower bullet point it states that the contracted professional engineer must be able to contractually bind the firm.*
    A. We need to document that qualified firms are responding to this RFP in conformance with the Professional Engineering regulations, 16.39 NMAC.

11. *Q. Jay Snyder, Golder Associates – I am recommending that the third bullet point in section V.D of the RFP be removed because how can a subcontractor contractually bind the firm?*
    A. That is not something that we regulate.

12. *Q. Jay Snyder, Golder Associates – How can that be followed up on?*
    A. We are not the Professional Engineering Board, but we follow their regulations. With this required statement of qualifications from your firm's authorized representative, we have a statement on record and the Professional Engineering Board can act in the case of fraud or misrepresentation.

13. *Q. Jeff Roehrig, J^3 Environmental – If we are awarded a contract, what are the payment terms?*
    A. Payment is made after a workplan has been approved by the Department, the work has been successfully completed, a deliverable has been received and approved by the Department and an invoice has been submitted for payment. During the implementation of the Final Remediation Plan there may be several workplans approved and each of those workplans may have multiple deliverables.

14. *Q. Unknown Questioner – Should New Mexico Gross Receipts Tax be included in our cost calculation?*
    A. Please **do not** include New Mexico Gross Receipts Tax with your cost calculation for this RFP. The Department will reimburse for Gross Receipts Tax on approved workplans, but for the purposes of this RFP, do not include Gross Receipts Tax. Please refer to section V.G.5 of the RFP document for further information.

No further questions. Conference adjourned.

Additional Written Questions Submitted Prior to the August 25, 2008 Deadline

1. *Q. There is a list of tables and a list of appendices in the RFP (sic). Is there a list of figures?*
   A. No, there is no list of figures in the final remediation plan.

2. *Q. Page 6 of the FRP (Remedial System Description) mentions Drawings G-7. My copy of the FRP does not include this figure. Is it available?*
   A. Yes, we have this drawing. Please contact the Procurement Manager for a copy.

3. *Q. Page 6 of the FRP (Remedial System Description) mentions Drawings C-1 through C-10. My copy of the FRP does not include Drawing C-7. Is it available?*
   A. Drawing C-7 is in the FRP.

4. *Q. Did the PSTB receive the Final DP (DP-35)(sic)?*

A. Yes, the Department has a copy of DP-1535. Copies of it are available by contacting the Procurement Manager at the phone numbers and/or address given in Section II.D of the RFP document.

5. *Q. Section II.B (Summary Scope of Work) requires the selected offeror (to) accept legal responsibility for the design and performance of the FRP and modifications. This will require a full review of the plans, specifications and calculations of the FRP by our project engineer, approximately 100 to 120 hours, and a review of site groundwater and soil data that the design and specifications are based upon, approximately 20 to 40 hours. Are these costs to be included in the "Total Turnkey Cost" or should they be considered a separate cost under the contract, incurred after the award (and not included in the bid calculation)? If the former, then this requirement would give the incumbent engineer an unfair advantage.*

   A. Section II.B of the RFP document states, "The selected offeror will review the existing NMED accepted Final Remediation Plan…". Therefore, the selected offeror may invoice only for costs that are reasonable and customary for the completion of this work. The cost of this review shall be contained in your Total Turnkey Cost within the first criterion listed on Appendix C of the RFP document. This site is presently not under contract, so there is no incumbent engineer or firm.

No additional questions were received prior to the August 25, 2008 deadline.

January 18th, 2008 Review of Tetra Tech's NMED accepted FRP for Mike's Auto Detail, submitted November 22, 2005.

1) 3rd paragraph statement should read "MPE extraction targets groundwater, NAPL and soil gas contamination."

2) Pg. 9, Section 4.5, "Conveyance System – Piping" – 1st bullet – Driscopipe HDPE are rated at 267 psi at 73.4 F – this is for HDPE pipe with a SDR of 7 not 11. At a SDR of 11 the HDPE pipe is rated at 160 psi at 73.4 F. Therefore, the statement "Pressure in any given pipe line shall not exceed 130 psi. This value contains a safety factor of 2." - is incorrect – 160/130 provides a safety factor of 1.2. Clarify what the SDR will be for the HDPE?

3) Appendix B- "Calculations": "Analysis of Pump and Treat Cleanup Times and Residual Concentrations" – There are no MTBE concentrations indicated for the various pumping periods (3 mos, 6 mos, 9 mos, 12 mos, 15 mos, 18 mos). Was the MTBE cleaned up within 3 mos of pumping?

4) Appendix G – "Design Drawings", a) Figure P-2 –For consistency, since the number of MPE wells is indicated on Figure P-2, the number of proposed groundwater injection wells (5) and Hot Air injection wells (14) should be indicated too. b) Disconnect between depths shown in Figure

C-2 – “Trenching Detail” Detail 6 (25”) and Figure C-7 – “Manifold Details”, which shows 30” to the elbow of piping run along trench bottom. Make consistent.

5)Pg. 10, Section 4.9 - There is an inconsistency with the blower rating expressed in 2100 scfm in Section 4.9, yet expressed as 2100 acfm in Appendix H – permit requirements – Air Quality Permit Application and Notice of Intent. Make consistent.

6) Pg. 12, Section 4.11 – 500 gallon storage tank for the PSH. How was this sized? What is the basis for the size of the PSH storage tank proposed?

7) Pg. 12, Section 4.12 - “Air Supply” – a compressor outputting 19 scfm at 120 psi was selected. How was the compressor sized? What is the total anticipated flow rate of PSH in gpm from the 5 PSH extraction wells? What is the scf of air consumed per gallon of PSH pumped?

8) Appendix F- “Manufacturer’s Cut Sheets” –If available, please include the Stealth Firecat 150 cfm catox cut sheet. Appendix G- Figure P-3 shows a generic P&ID of a Baker Furnace themox/catox unit.

9) Appendix H- Air Quality Permit Application and Notice of Intent, Part IV –A – the Potential to Emit for VOCs for the Stealth Fire Cat catox unit is the same as for the Potential Emission Rate (128.2 lbs/hr VOCs). Despite the fact that a NPR (no permit required) letter was issue by AQB in August 2005, there appears to be a disconnect in the application sheets on Pg. 8 Table IV-A and Pg. 9 Table IV-B re: the Potential to Emit. Also, a disconnect between Pg.11, Section 4.9 which has the Potential to Emit for TPH as 3.8 lbs/hr (controlled), which should have the Potential to Emit for TPH as 1.5 lbs/hr (based on 36 lbs per day stated on Pg. 11, Section 4.9). Also, all required attachments for this permit are missing.