

Parkview Well transcript.txt

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

PARKVIEW WELL PRE-BID MEETING

Taken at the College Park
3180 West US Highway 34
Grand Island, Nebraska 68801

Wednesday, February 4, 2009
Commenced at 1:00 p.m. CST
Concluded at 2:54 p.m. CST

2

PROCEEDINGS

MS. NOEL: Welcome, everyone. So glad to
see a good turnout. I'm Marie Noel, and I'm the
Page 1

Parkview Well transcript.txt

consulting contracting officer for this project. And so I'm just going to head it off a little bit today.

First of all, I would like to caution people, before I say anything else because it's on my mind at this moment, I don't want to forget to tell you, that we observed while we were out on or site walk today that some of you have plans that are not the current plans.

We found out that the State had given out a lot of plans. Those are the not the current versions. So if you're one of those people that did not get them from EPA, you need to put the X by your name on that sign-up sheet so you get a current CD with the right plans, okay? That's going to make a difference. So you really need to have that right.

Okay. This, of course, is for the Parkview Well Project. And it is a small business set aside. So we welcome you again. We're going to take a very logical progression of this. As you know, many of you have submitted lots of questions, either before today or even today after the site walk.

We have done our best to answer all of

3

those questions. Some of the questions are going to be sort of nonanswers today because we need to do a little bit more research, and we need to do some work on our side before we can give you that information out. And that will all be contained in the Amendment 2 that's going to be issued probably in a week and a half or so. Okay.

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Also included with that will be any kinds of changes that we're going to make to specs, to the performance work statement, to anything. There will also be a copy of the verbatim transcript, that as you can see, we have someone here recording it today.

So everything will be posted on the internet on that EPA website so that you all have access. And if there's any question in your mind as to what was said, you'll be able to verify exactly what we did say, all right?

So the process is, first, we're going to have a couple people give a little bit of a talk. And then we're going to go through all those questions. But first I would like to make introductions.

Over here against the wall, raise your hand, Phyllis, this is Phyllis Carrasco, and she is going to be the CO, the contracting officer of record on this project. So she will actually be the person making the

4

decisions once we're, you know, into performance.

To my left here is Scott Marquess, and he is the contracting officer's representative or project officer, if you will, for this project.

To my right here is Rob Weber. He used to be assigned this project. He has moved to greener fields, but he has a lot of knowledge about this project, and he's here to support us in providing information we may need.

We also have Chester Stovall over here. You've already met him. He's already been around amongst

you. He is our small business representative at EPA Region 7. And so he is kind of an advocate for all of you as you all should be small businesses.

So we're going to kick it off with Chester. He's going to give a little talk about small business and the project.

MR. STOVALL: We thank you for coming today to a small business set aside. In case you do not know, we're very active in the EPA office in Kansas City, Region 7. In fact, we're the most active small business office in the country, EPA, we lead the country.

Last year we did -- 72 percent of our contracting was small business. And folks say, well, what are you guys doing? And they don't listen to us, so

5

we don't really brag about it at all.

But we're glad you could make this. We feel very strongly that you men and women are going to do a good job for us. We've known for a number of years that most large contracts, the people actually doing the real foot on the ground work are you guys. So we decided, okay, to kind of just deal direct with you, it helps us by getting the better cost. It helps you by being able to experience dealing with EPA. So again, we appreciate your participation in the process.

Some of you are going to be looking here to be subs. We understand that. Welcome. Some of you are looking to be primes and looking for subs, and we all welcome that too. Some of you are not sure yet. On the sign-up sheet be sure you designate what you're looking

to be.

Okay. So again, we can make sure that if not today, hopefully today -- not if, but when this posts online you will be able to identify who you are sitting next to right now and who you are sitting across the aisle from. And so when it comes down to doing it, they will be able to find you, you will be able to find the right person.

In the last 15, 20 pre-bid conferences we've done, the winner was in the room. I have yet to

6

see a winner on one of our site specific contracts that wasn't at the pre-bid conference. So one of you all in this room right now today are going to win the contract. And some of you are going to be subs, maybe many of your subs are in the room right now also. So you're in the right room today. And again, we're glad to have you.

We understand fully that it costs money to bid a job. We understand that perfectly. It also takes time away from what you could be doing, and that's why we really appreciate you coming out and seeing how we do business.

We've had contracts in the past, we'll have contracts in the future. We hope that you would sincerely look at not only this contract, but also other contracts out there because we continue proving month by month and year by year that doing business almost exclusively with small businesses just makes sense. So we appreciate you participating in that process.

She mentioned about the plans. Make sure
Page 5

that you get the right plans. What I recommend, if you get a plan from the State or somebody else, I recommend you burn those suckers because those plans are not going to give you the price that you need. The only plans that you need to have in your office are the plans from EPA.

Any other plans, I don't care how you got

7

them, from under the table, over the table, from a tree bush, you need to burn those. There's nothing secret out there, folks, okay? And so that's what I recommend. Do what you want to, that's what I recommend you do.

One other item. We've had some bonding issues in the recent past, and they are not pretty, and some of you understand what's going on in the economy is affecting your pocketbook. We do strongly recommend that you understand that we have some very definite bonding stipulations.

One is that it won't be -- you don't have to provide more than 53 percent bond. And No. 2, you must have proof of that bond, a very definite date. And that's talked about in the solicitation, and there might be a question that will be answered on that also.

So if you've not gotten a bond lately, I'm going to tell you real plain, you might not be able to get one unless you do some extra, extra stuff. So what I suggest you do as you are putting your bid together, I recommend you start talking to bonding companies and get that process working.

You might need to see your financials again, might need to check everything again, check your

DMV again. You might just need to do all that. And if you know that going in right now, that might save you

8

from some heartache. We are going to be very, very stringent on bonds and making sure that you can get what you say you can get, okay?

You are going to have questions. We welcome your questions, but if at all possible, write them down as these good, kind folks up here, they will be able to answer all your questions, but we need to make sure that you remember them. Write them down so we can get to them. How many questions do we have? We have a lot of questions.

MS. NOEL: Yeah, 80 before today.

MR. STOVALL: We got 80 questions before today. And hopefully your major three, four or five questions are in part of those 80, but they may not be. So if you got a follow-up question, write that down and make sure we get to it.

So with that, again, glad to have you. One other thing, let me give you a site, www -- This is so you can find out what else we got going on at EPA. It's called a forecast database for EPA, www.epa.gov, g-o-v, forward slash, Office for Acquisition Management, o-a-m. That's epa.gov, forward slash, leans to the right, o-a-m.

That site right there, I'm updating it personally now. And that site should dispel any rumors.

If there are rumors about stuff, that site will tell you what we know about that we're going to be doing.

For example, I just listed a contract on that site, a couple of them last Thursday. One of them is going to be dirt moving. Searching for a set aside at this point in south -- southeast Kansas. It will be on the street maybe in a month or two, okay. So to give you some example.

There have been some rumors about us doing some additional contracting in Omaha, yard work, this summer. As of right now, they are rumors. You've heard about them, we've heard about them. Right now we really don't know. Nothing's definite what we are going to be doing.

The third thing I want to mention is as a federal agency, we are expecting, don't know if we will, we are expecting to get money come into our agency, perhaps for contracting from a so-called stimulus bill. That bill is not passed by Congress. I don't believe it's finished being developed, but at one point it will be developed, at one point there will be something. What it will be, we don't know.

But there is a possibility that the EPA may be getting some direct funds, and those funds we expect that they may translate into contracts. And so

10

you might want to kind of look out for that. And a good place to look for that is the forecast database I just gave you.

Parkview Well transcript.txt

I know you got some questions, I will be around, but these are the ones that can answer your questions with regard to this contract. Again, good to have you and good luck on your bid.

MS. NOEL: Okay. Next, Rob Weber will give you a brief overview and background of this particular project.

MR. WEBER: Thanks, Marie. My name is Rob Weber. I was the former project manager for the Parkview Well Operable Unit 1 Site. Parkview Well groundwater contamination was discovered in 1999 through sampling by the Nebraska Health and Human Services section. Once that contamination was discovered, the City of Grand Island chose to abandon Parkview Well No. 3. Parkview Well No. 3 was formally located at the area of the planned treatment building for OU-1.

A series of investigations, groundwater sampling investigations, occurred after that time and which led -- which was part of the EPA Remedial Investigation Feasibility Study Process.

That process culminated into what EPA calls a record of decision. It's a decision that selects

11

a remedy. This record of decision for Operable Unit 1 was completed in September of 2006. This is considered an interim record of decision. There is also another portion of the site called Operable Unit 2 that EPA is working on and will have a similar circumstance at a later date.

Parkview Well Operable Unit 1 site

Parkview Well transcript.txt
consists of four groundwater extraction wells, monitoring wells, piping and a groundwater treatment building which includes air strippers and two discharge points, one smaller discharge point to the Ken Mayer Lake Subdivision, which the property owners will control, and a much larger primary discharge point to the city storm sewer system.

So in general that is a summary of the Parkview Well OU-1 site and an overall description of the Parkview Well Project. And we are -- the contaminants at the site are chlorinated solvents. Thank you.

MS. NOEL: Thanks, Rob. Okay. Now we are going to start the long process of reading your questions and answers. Just to make it a little nicer for you to listen to, I will read the questions and Scott will read the answers so at least you have a different voice to listen to off and on. And hopefully that will make it a little bit easier for you to take in all this

12

information.

While we do this, if what we talk of makes you think of another question, write it down because when we're done with this we'll take a short break, collect any of the questions that you have so that we can look at them. And then when we reconvene, we'll address those questions, okay?

Here we go. First question. Will the Government please identify the specific criteria by which contractor's resumes and client/project references will be evaluated in determining technical acceptability.

Parkview Well transcript.txt

Also, by what criteria will the contractor's site/project management plan, work plan, draft construction QC plan/QAPP, and health and safety plan be evaluated? Will the evaluation of these plans be included in the determination of technical acceptability?

MR. MARQUESS: This is a sealed bid acquisition. Consequently, no evaluation of individual factors will be performed. The award will be made to the lowest priced, technically acceptable bidder who is both responsive and responsible.

Regarding site-related plans, EPA will utilize applicable EPA guidance in performing reviews. Note that evaluation of the plans is not a factor in determining the successful bidder.

13

MS. NOEL: Section F.1 of the RFP states that the contractor must perform 51 percent of the total amount of work for this contract. However, Attachment 5 of the RFP, the QASP, indicates that to achieve 100 percent of the funding pool for the local buy incentive, expenditures made in Hall County must be equal to or greater than 50 percent of CLIN 0001.

In order to meet both of these requirements, the prime contractor would have to be located in Hall County. In order to maximize the number of potential bidders, it is requested that the Government consider decreasing the percentage of work to be self-performed by the contractor to 15 percent. This would allow contractors not located in Hall County to bid the job using local specialty subcontractors.

MR. MARQUESS: Response: No, the contractor must perform 51 percent of the project work. However, there are many items that may be purchased locally that are counted towards the achievement of the 50 percent of CLIN 0001 relative to the local buy requirement, such as fuel, materials, travel, et cetera. The 51 percent refers to labor only. The 50 percent refers to all costs incurred under this requirement.

MS. NOEL: Is new equipment required for this solicitation or may used equipment be provided as

14

long as appropriate warranties are supplied?

MR. MARQUESS: All equipment to be installed as part of the specifications should be new equipment. Equipment used for construction purposes is at the contractor's discretion.

MS. NOEL: Will a list of plan holders be provided?

MR. MARQUESS: This one we are seeking some clarification as to plan holders. So if that person who asked that question --

MS. NOEL: Do you want to own up to the question because we weren't for sure what you meant by that term, plan holder. We had different ideas of what you might mean. Nobody wants to own up to it? It's not so bad. Okay then, we'll just move along.

The project includes construction of extraction and monitoring wells approximately 100 feet deep. The cost for drilling these wells cannot be estimated with any reasonable degree of accuracy unless

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the results of nearby subsurface investigations are provided in the IFB.

MR. MARQUESS: Boring logs from wells near the project site will be provided as a PDF document in Amendment 2 to solicitation.

MS. NOEL: The payment schedule shown on

15

page 1-16 covers a period of 10 months; however, the project duration is approximately 15 months.

MR. MARQUESS: A revised schedule will be included in Amendment 2 which outlines the milestone payment schedule by activity.

MS. NOEL: In the electronic file labeled Appendix A, Performance Work Statement, was posted on EPA's regional website on 1/8/09. Examination of this 135-page file indicates that it contains specifications, which appear to be preliminary in content. The Design Concept Specifications were included with the drawings on the CD subsequently provided.

Furthermore, the electronic file labeled Solicitation posted on 1/8/09 actually contains the Performance Work Statement. Consequently, will it be permissible for the bidders to discard the information provided on the file erroneously labeled Appendix A, Performance Work Statement?

MR. MARQUESS: The file was mislabeled. Attachment 1 in the solicitation is the Performance Work Statement. The file posted as Appendix A, PWS, was mislabeled. This will be corrected in Amendment 2. Appendix A is for informational purposes only and

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therefore is of value to the bidder.

MS. NOEL: What is the designed capacity

16

of the groundwater monitoring wells?

MR. MARQUESS: The monitoring wells are not intended to be used for groundwater pumping. Therefore, there is no design capacity for monitoring wells.

MS. NOEL: Please confirm that the design capacity of the treatment plant is 1500 gpm.

MR. MARQUESS: This is correct. The nominal design capacity of the treatment plant is 1500 gpm. Note that the equipment provided should have a catalog capacity equal to the specified flow.

MS. NOEL: Has the proposed plant operator had previous experience with the operation and maintenance of mechanical treatment plants?

MR. MARQUESS: Bidders should presume that the plant operator has limited experience with the operation and maintenance of treatment plants.

MS. NOEL: Please explain Bid Item CLIN 0004. Per the Quality Assurance Surveillance Plan, the local buy incentive for Hall County, Nebraska states that an incentive of up to 2 1/2 percent of the project price, CLIN 0001, can be available to the contractor for using local subcontractors/labor.

Per the pricing schedule, B.2, this 2 1/2 percent is added to the base bid. Per section M.1,

17

Parkview Well transcript.txt

the "award will be made to the lowest priced...". Is the award price based on CLIN 0001 or the total of CLIN 0001 through 0004? If the total price is used, then the 2 1/2 percent incentive would raise the bid. Shouldn't this incentive lower the base bid?

MR. MARQUESS: The award will be made to the lowest priced bid of the sum totals of CLINS 0001 through 0004.

MS. NOEL: Do we need to design for collateral loads; if so, how many pounds per square foot?

MR. MARQUESS: In addition to the snow load of 30 pounds per square foot, the live load of 20 psf, the wind loading and seismic loads, the collateral roof load of 5 psf should be included.

MS. NOEL: Do we need to design for Factory Mutual; if so, to what guidelines?

MR. MARQUESS: No, Factory Mutual is not required.

MS. NOEL: Section 13 34 19, paragraph 1.2.2.7, PEB manufacturers do not design their gutters and downspouts to the requirements of SMACNA Arch, architectural manual, but rather in compliance with the International Plumbing Code, which is mandated by the IBC. Is this acceptable?

MR. MARQUESS: Yes.

18

MS. NOEL: Section 13 34 19, paragraph 1.4.1.1, AISC discontinued their program for MB certification. Upon this notification MBMA has worked with IAS. The new IAS building accreditation program,

jointly developed with MBMA, is referred to as AC 472.
Is this acceptable?

MR. MARQUESS: Yes. Metal building systems and designs shall conform to MBMA, Metal Building Systems Manual.

MS. NOEL: Section 13 34 19, Paragraph 2.1.1, Required roof and wall panels exceed the pre-engineered building industry standards. Also, types of panels are not specified.

A. What type of roof panels are required; i.e., trapezoidal standing seam, architectural standing seam or corrugated screw-down?

B. Depending on the choice of panel will determine standard gauge thickness. The specs call for 22 gauge minimum, but standard gauge for the two types of standing seam is 24 gauge, and for the corrugated panel is 26 gauge. Are these standard gauges acceptable?

C. What type of wall panels are required?

D. Specs call for wall panels to be 24 gauge. Standard wall panel thickness is 26 gauge. Is this acceptable?

19

E. Standard gable, eave trim and closure strips are 26 gauge. Specs call for 24 gauge. Is 26 gauge acceptable?

F. Standard gutters and downspouts are 26 gauge. Specs call for 24 gauge. Is 26 gauge acceptable?

MR. MARQUESS: Part A, What type of roof panels? Any type of roof seam is acceptable. The

Parkview Well transcript.txt

overlapping corrugated screw-down seam is generally the least expensive and is acceptable. But if the contractor wishes to provide any type of standing seam, this is also acceptable.

Regarding C, what type of wall panels are required. All typical wall panels -- wall panel types are acceptable, either corrugated or any type of standing seam.

Regarding Parts B, D, E and F, which deal with the thicknesses relative -- of various materials, the suggested alternate gauges are not acceptable. The gauges of the roof and wall panels and trim, gutters and downspouts specified in Section 13 34 19 are marginally stronger than the industry minimums. The intent is to have a somewhat higher quality, more durable building. The material thicknesses specified will remain as a requirement.

20

MS. NOEL: Section 13 34 19, Paragraph 2.1.2A states that panels are to be fabricated of zinc-coated steel. Is Galvalume acceptable?

MR. MARQUESS: Yes, Galvalume is acceptable.

MS. NOEL: Section 13 34 19, Paragraph 2.1.2.1 and 2.2.4 call for galvanized steel to have coating class of G-90. Industry standard is G-30. Is this acceptable?

MR. MARQUESS: No, G-30 is not acceptable, G-90 is required.

MS. NOEL: Section 13 34 19,
Page 17

Paragraph 2.3.6 calls for expansion-type slip joints at the center of gutter runs and at 40 intervals. PEB Manufacturer recommends slip joints at the center of gutter runs 150 feet and greater. Is this acceptable?

MR. MARQUESS: The maximum run of guttering on the building is only 60 feet. It is acceptable to not have a slip joint in this run; hence, there would be no slip joints on the building.

MS. NOEL: Section 13 34 19, Paragraph 2.3.6 calls for gutters to be installed below the slope line of the roof to allow snow and ice to slide clear. PEB gutters mount directly to the underside flat of the sloped roof panel with additional gutter hangers

21

to support the front edge. In order to properly function in heavy rain, they are not typically installed lower than the roof pitch. Is this acceptable?

MR. MARQUESS: It is acceptable to install the gutters as requested only if ice and snow dams are provide on the roof; otherwise, mount the gutters as specified.

MS. NOEL: Section 13 34 19, Paragraph 2.3.10 and Drawing Sheets A-4 and A-5 call for translucent panels to be 4 foot by 4 foot. Would it be acceptable to use standard 3 foot wide translucent panels in these areas? Heights can be increased if necessary to obtain the same area as shown.

MR. MARQUESS: Yes. Translucent panels of a different dimension are acceptable so long as the area of the panels is at least as large as that shown on

drawings A-4 and A-5.

MS. NOEL: Section 13 34 19, Paragraph 3.2.2 calls for brace frames to be set using nonshrink grout. Manufactures recommended standard practice is to mount frame base plates directly to a smooth, flat troweled surface versus grouting. Is this acceptable?

MR. MARQUESS: No. Bolting and base plates shall be designed to allow for approximately

22

1 inch of nonshrink grout. This allows for discrepancies in the initial base plate pedestal concrete work.

MS. NOEL: Section 13 34 19, Paragraph 3.2.5, what does the term cleats mean?

MR. MARQUESS: Cleats refer to the anchoring strip for flashing at the base of the roof panel.

MS. NOEL: Section 13 34 19, Paragraph 3.2.9.1, is it acceptable to use facing tabs with factory applied adhesive versus stapling tabs. The stapling method hasn't been the normal practice for years?

MR. MARQUESS: Yes, adhesive facing tabs are acceptable.

MS. NOEL: City building inspectors for Grand Island have adopted IBC 2006 with a roof snow load of 30 pounds per square foot, amended - not ground snow load. This contradicts what's called out on drawing sheet S-1 as IBC 2003 and ground snow 30 pounds per square foot. Drawing sheet A-1, Note 1 requires

conformance to the municipal codes. Which requirement shall we follow?

MR. MARQUESS: Adherence to the updated local code is required. The City of Grand Island has updated their adopted code from IBC 2003 to 2006 since

23

the design drawings were completed. Contractors shall comply with IBC 2006 and a roof snow load of 30 psf.

MS. NOEL: Drawing S-2, Details A and B do not call for perimeter insulation; however, drawing A-6, Section F does. Which drawing is correct?

MR. MARQUESS: Foundation perimeter insulation shall be provided as shown on Drawing A-6, Sections E and F. The details on drawing S-2 are for concrete work.

MS. NOEL: Drawing S-2, Details A and B, in accordance with Section 13 34 19, Paragraph 1.4.2.2, Contractor is required to submit design calculations for the foundations prepared and stamped by a Nebraska professional engineer. Can the professional engineer redesign the foundations to a more practical means of construction in lieu of what is shown on Drawing S-2?

MR. MARQUESS: For purposes of bidding, the foundation shall be as shown on Drawing S-2.

MS. NOEL: Drawing Sheet M-9, Typical Unit Heater Support detail. PEB Manufacturer will not allow angle struts to be welded to the purlins, but rather attach them by a bolted connection. Is this acceptable?

MR. MARQUESS: Yes, bolted connections are acceptable; however, bolting details should be submitted

for review and approval.

24

MS. NOEL: PWS Section 13 34 19, Paragraph 1.6.2 states, "The contractor shall provide a separate bond in an amount equal to the installed total metal building system cost in favor of the owner, Government, covering the contractor's warranty responsibilities effective through the five-year contractor's warranty period for the entire metal building system as outlined above."

Since this is not a typical requirement, we request confirmation that this is actually required.

MR. MARQUESS: Yes, it is required.

MS. NOEL: PWS Section 13 34 19, Paragraph 1.6.3a states that the liability under this warranty shall be limited exclusive to the cost of either repairing or replacing nonconforming, ruptured, perforated or structurally failed securement system, including fasteners and coil material. Is this material only or material and labor?

MR. MARQUESS: It's for material and labor.

MS. NOEL: PWS Section 3 30 04, Strength Tests, cylinder breaks. Do not see anything specified. Is this correct?

MR. MARQUESS: Concrete shall have a minimum 28-day break strength of 4,000 psi as required by

25

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Drawing S-1, Note 5.A. Testing frequency shall be the same as specified for concrete in Section 32 16 13, Strength Testing.

MS. NOEL: PWS Section 31 00 00, Paragraph 3.12, there is no information provided for the number of tests required.

MR. MARQUESS: Testing is required for every backfill lift, minimum four tests per lift and a minimum one test per every 300 linear feet of trench backfill or every 1,000 square feet of area. This will be addressed and revised in Amendment 2.

MS. NOEL: Please clarify the time and date that the sealed bids are due.

MR. MARQUESS: Unless changed by amendment, bids are due by 10 a.m. on February 26, 2009.

MS. NOEL: Paragraph E.1 identifies Robert Weber as the project officer; however, Paragraph G.1 identifies Scott Marquess as the project officer. Please provide clarification.

MR. MARQUESS: Amendment 2 address this issue. Scott Marquess is the project officer for this project.

MS. NOEL: Will the EPA post a transcript of the pre-bid meeting, including EPA's response to questions?

26

MR. MARQUESS: Yes, Amendment 2 will be issued, which includes a verbatim transcript of the pre-bid conference.

MS. NOEL: Please provide minimum

Parkview Well transcript.txt
qualifications for key personnel as required in
Section H.15.

MR. MARQUESS: Minimum qualifications will
be provided in Amendment 2.

MS. NOEL: Will a secure support zone be
required on site?

MR. MARQUESS: Yes, a secure support area
for temporary site office and material lay down is
required somewhere near the vicinity of the job site.

MS. NOEL: Will the contractor be required
to provide a mobile office with internet access, fax and
telephone?

MR. MARQUESS: The contractor is required
to provide these items for their use.

MS. NOEL: How many access agreements does
the EPA anticipate to be required?

MR. MARQUESS: Currently it is anticipated
that three access agreements will be required. One for
the railroad, one for local residential property and one
for the City.

MS. NOEL: Whose responsibility will it be

27

to obtain access agreements?

MR. MARQUESS: EPA will obtain access from
Union Pacific Railroad. The contractor is responsible
for obtaining any and all other access agreements needed.

MS. NOEL: Does the EPA anticipate any
delays in obtaining the access agreements?

MR. MARQUESS: No.

MS. NOEL: What is the agreement between

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the City of Grand Island and the EPA for access?

MR. MARQUESS: There is currently no written agreement.

MS. NOEL: What is the agreement between Union Pacific Railroad and the EPA, and will it be made available to bidders?

MR. MARQUESS: An access agreement for erecting structures and installing the pipeline has not yet been obtained from U.P.

MS. NOEL: Are there any Union Pacific Railroad restrictions or special requirements associated with access and site work?

MR. MARQUESS: These will be determined once the access agreement is obtained. We anticipate that the Railroad may require that the contractor provide advance notice of site work and that no activity occur within 25 feet of the tracks without a flagman being

28

present.

MS. NOEL: What are the offset requirements between the center line of the Union Pacific Railroad track and the extraction well pump houses?

MR. MARQUESS: As previously noted, no activity should occur within 25 feet of the tracks without a flagman present.

MS. NOEL: What are the disposable requirements for IDW?

MR. MARQUESS: Requirements for IDW disposal will be specified in Amendment 2.

MS. NOEL: Will trench dewatering be

Parkview Well transcript.txt
considered IDW?

MR. MARQUESS: No.

MS. NOEL: Will the combined total for CLIN 0001 through CLIN 0004 be used to evaluate lowest price?

MR. MARQUESS: Yes.

MS. NOEL: The QASP for timeliness of work disincentive states that the contractor would have 10 months to accomplish the work; however, Section F.3 indicates a 15-month period of performance. Please clarify.

MR. MARQUESS: The period of performance will be corrected in Amendment 2 to reflect a 10-month

29

period of performance. A correction to the QASP will be reflected in Amendment 2 stating, A contractor shall complete the project within 10 months or 300 calendar days.

MS. NOEL: Please define the start and completion dates that will be used to evaluate the timeliness of work disincentive.

MR. MARQUESS: The start date for the contract will be the date of the award. Completion date will be 300 calendar days later.

MS. NOEL: Is the four weeks of system operation and operator training period included within the 10 month timeliness of work disincentive?

MR. MARQUESS: No. The 10-month period of performance refers to the time allotted for construction completion. The definition of construction completion is

Parkview Well transcript.txt
the successful completion of the required testing. This will be clarified in Amendment 2.

MS. NOEL: Do B20 bio-diesel and E10 ethanol gasoline meet the alternative fuel requirements described in the QASP?

MR. MARQUESS: B20 bio-diesel does meet the requirement; however, E10 ethanol does not.

MS. NOEL: Is Section I.14 intended to be a rigid payment schedule for invoicing?

30

MR. MARQUESS: A revised schedule will be included in Amendment 2, which outlines the milestone payment schedule by activity. Monthly invoicing will be allowed based on a percentage of completion of milestone activities.

MS. NOEL: In the Performance Work Statement under Task 1, Project Startup, what permits and notifications are anticipated by the EPA?

MR. MARQUESS: These are addressed in the PWS, Task 1.

MS. NOEL: In the PWS, Task 6, Survey, please define the survey requirements.

MR. MARQUESS: The survey requirements are spread throughout the concept design drawings and specifications. Drawing C-3 provides a survey control plan. All locations in the drawings -- all locations shown in the drawings with coordinates must be surveyed for final locations, as well as the entire routing of buried pipelines for as-built pipelines.

MS. NOEL: In what electronic formats will

Parkview Well transcript.txt
the conceptual plans and specifications be provided to the contractor; e.i. Microstation, AutoCad, Word, et cetera?

MR. MARQUESS: For bidding purposes, everything will be transmitted in PDF format. Once the

31

contract is awarded, the drawings will be provided in Microstation format with all the title blocks and filing references removed. This will allow the contractor to use these files for preparation of as-builds.

MS. NOEL: Will the sealed -- excuse me. Will the sealed construction plans and specifications need to be submitted to NDEQ?

MR. MARQUESS: No.

MS. NOEL: If the sealed plans and specifications are required to be submitted to NDEQ, will NDEQ review and approval be required?

MR. MARQUESS: No.

MS. NOEL: How much latitude will the contractor have for modifications to the design concept?

MR. MARQUESS: All bids submitted shall be based on the requirements outlined in the Solicitation Package.

MS. NOEL: Please define "electrically scan" as noted on Sheet C-6, Note 2.

MR. MARQUESS: This is intended to reference the use of metal detection devices to locate buried utilities.

MS. NOEL: Is it correct that the project includes only the installation of four extraction wells

Parkview Well transcript.txt
and nine monitoring wells, but does not include any

32

action regarding the four existing monitoring wells?

MR. MARQUESS: Yes, this is correct.

MS. NOEL: Are any geotechnical reports on the site available?

MR. MARQUESS: There are boring logs available from monitoring wells, which have been drilled on site, which will be provided as part of Amendment 2. However, no other geotechnical testing has been performed at the site.

MS. NOEL: Will the contractor be required to use pre-manufactured well pump houses with 14 gauge outer shells?

MR. MARQUESS: Yes.

MS. NOEL: Will the substitution of materials and equipment with equivalent items meeting the required performance characteristics be allowed?

MR. MARQUESS: Yes. The equipment schedule shown on Drawing M-11 provide manufacturer and model numbers for pumps, air strippers and other equipment, but each citation is followed by "or approved equal". Substitutions must be approved by EPA prior to implementation.

MS. NOEL: Has it been verified that all electrical service connections are capable of providing the required electrical load?

33

MR. MARQUESS: Yes. However, this was
Page 28

Parkview Well transcript.txt

done early in the stages of the design process more than two years ago and changes may have been made. Also the location for power to the EX-10 well house was recently changed and no verification was made for this new location. Bidders should verify the suitability of each location.

MS. NOEL: Section F.1, Performance of Work by the Contractor, FAR 52.236-1, September 2006, indicates that the contractor shall perform on the site, with its own organization, work equivalent to at least 51 percent of the total amount of work to be performed under the contract.

Section F.1 also indicates that the percentage may be reduced by a supplemental agreement to the contract. It is unlikely that LBG, if selected as the contractor, will perform 51 percent of the work performed under the contract.

Can a supplemental agreement reducing the percentage be reached after the contract award but prior to beginning any work on the project?

MR. MARQUESS: EPA does not anticipate reducing the 51 percent requirement.

MS. NOEL: The original due date for the bid was 10 a.m. on 2/18/09. In Amendment/Modification

34

No. PR-R7-09-10017/0001, effective date 1/13/09, there is text that says as follows: The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of offers is extended and is not extended.

Parkview Well transcript.txt

There is two boxes where you would put an X. The X is in the "is not extended" box. This suggests that the original offer due date remains 2/18/09.

However, in Section 14, Description of the Amendment/Modification there is a sentence that reads as follows: The bid opening has been extended to February 26, 2009.

When is this bid due?

MR. MARQUESS: The current correct date is February 26, 2009.

MS. NOEL: On Sheet No. C-19 there are what look to be wells labeled PV-1 and OU1-OB3. These two labels are not included in the legend on Sheet No. C-1. What are these features and are they already in existence or do they need to be constructed as part of this project?

MR. MARQUESS: The two wells referenced, PV-1 and OU1-OB3 are existing wells. There is no work to be done associated with these wells as part of this contract? See Drawing C-16 for a listing of new wells.

35

MS. NOEL: The performance work statement, PWS, suggests that there will be four groundwater extraction wells installed, EX-10, EX-20, EX-30 and EX-40. EX-10 must have a withdrawal capacity of 600 gallons per minute, and EX-20, EX-30 and EX-40 must each be able to pump at a rate of 300 gallons per minute.

Is LBG correct in assuming that there are a total of four extraction wells to be constructed as part of this project?

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MR. MARQUESS: Yes, there are four extraction wells to be installed, EX-10, EX-20, EX-30 and EX-40.

MS. NOEL: It is possible that the aquifer characteristics, specifically transmissivity and storativity, at the location selected for the extraction wells may not be sufficient to enable the withdrawal of groundwater at the above referenced designing pump rates? Will there be a remedy available to the contractor should this occur?

MR. MARQUESS: The extraction rates are based on results of pump tests performed by EPA using existing well PV-1. It is anticipated that properly installed wells will yield at the specified rates.

MS. NOEL: Are there any other minimum design characteristics for the extraction wells other

36

than they must be constructed of Schedule 80 PVC with a slot size of 0.062? For example, are there any depth and diameter specifications?

MR. MARQUESS: Yes, the required details of the extraction wells are shown on Drawing C-16.

MS. NOEL: There are 12 groundwatering -- groundwater monitoring wells shown in Sheet No. C-19. Is this the total number of groundwater monitoring wells to be installed under this project; i.e., 12 wells?

MR. MARQUESS: No, the total number of new groundwater monitoring wells is nine. See Drawing C-16, Revision 1. New wells include OB1-MW-4, 5, 6, 7, 8, 9, 10, 11, and 12.

Parkview Well transcript.txt

MS. NOEL: The PWS indicates that two air strippers will be installed in the treatment building with the design treatment flow rate of 750 gallons per minute/unit to be operated for 24 hours per day, seven days per week.

Is the required total groundwater treatment rate for the project 750 gallons per minute continuously or is it 1500 gallons per minute continuously or is it some other number?

MR. MARQUESS: The nominal required load for the treatment system is 1500 gpm, 750 gpm per stripper as stated in the drawing set.

37

MS. NOEL: Is there additional groundwater in influent chemistry data available, specifically iron and manganese concentrations?

MR. MARQUESS: EPA collected three samples for total water quality analysis in December 2006. The analytical results are included in the Sampling Summary Report dated February 13, 2007. The iron and manganese data of the highest levels in the three samples collected by EPA were 57.2 micrograms per liter for iron and 49.3 micrograms per liter for manganese.

MS. NOEL: Is the treated water to be discharged to a stormwater sewer under an NPDES permit, or is the treated water to be discharged to a sanitary sewer under the local public operated treatment works, POTW, permit?

MR. MARQUESS: The treated water will be discharged to the storm sewer as shown on the drawings.

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No permits are needed under CERCLA for onsite actions.

MS. NOEL: What company performed the RI/FS for the site?

MR. MARQUESS: Tetra Tech.

MS. NOEL: The Air Stripper Package has been designed by Black & Veatch. A specific carbon air model air stripping unit has been listed in the specs, along with two alternative suppliers.

38

Consequently, we feel that the contractor should not be held responsible for the stripper's effluent quality as long as the units provided meet EPA specifications and are being properly operated and maintained.

MR. MARQUESS: A carbon air model air stripper unit is not required; however, the bidder will be required to meet the specs associated with the stripper specifications.

MS. NOEL: The air strippers specs list design concentrations for the target organics in the untreated groundwater. It is quite possible that these contaminant levels may be significantly higher than the levels quoted in the specs. In that event, the effluent quality may not meet the established limits. Who will be responsible for modifying the plant to correct this noncompliance?

MR. MARQUESS: It is unlikely that the contaminant concentrations will exceed those in the specifications. Should this situation arise, it will be addressed separately under the contract.

MS. NOEL: The size of the magnetic flow meters have been listed on Drawing M-11; however, we were not able to locate any specifications concerning these meters.

39

MR. MARQUESS: Please refer to Specification Section 40 95 00, Paragraph 2.5.4.2, Magnetic Flow Meters.

MS. NOEL: No dedicated groundwater monitoring pumps could be located in the IFB documents. Was this the intent of EPA and the designer? Usually dedicated groundwater monitoring pumps are provided in conjunction with groundwater pump and treat systems to provide more consistent purging and sampling methodology.

MR. MARQUESS: No dedicated groundwater monitoring pumps are specified.

MS. NOEL: That concludes the questions that we received prior to today. So you all need a break from listening to us. Let's take 15 minutes and promptly let's try to start right at five after 2:00, okay? Thank you.

(Short break taken at 1:50 p.m. Meeting recommenced at 2:10 p.m.)

MS. NOEL: We have a few questions that apply more to the contract side of the house, so I'm going to take care of those so that gives Scott a little more time to answer some of the technical questions here because, you know, operating on the fly, you don't want to say anything wrong. We would like to get it right the first time, if possible.

Okay. Question is, Is the small business size designation for this solicitation, which is based on the NAICS Code assigned the project, based on annual average receipts or employee numbers?

We are using the NAICS Code 562910. That means that if you have less than 500 employees, you qualify as a small business. Doesn't matter if you have a billion dollars a year, if you have less than 500 employees, you are considered a small business. So make all the money you like.

Does sales tax apply to this project? We can offer you a sales tax exemption letter. We cannot guarantee all people you deal with will honor the sales tax exemption.

I can tell you that we were able to get a sales tax exemption at the hotel, but that doesn't mean everyone else will give you one. You just have to try and get them, but we cannot guarantee that. We're feds and states make their own rules.

Will joint ventures be allowed to bid? Yes, if you are an official joint venture. You can't just pal up with, you know, company A, B, C and call yourself a joint venture. There is a legal process you must go through. If you do go through that, we will honor joint venture.

I also say that you can team up and come

Parkview Well transcript.txt
in as a team contract or arrangement, and that's fine too. We will consider everyone's experience and performance, if that is the case of how you decide to come in. That's all of these.

MR. MARQUESS: Okay. We have a number of other more technical questions, a number of which relate to management of investigative derived wastes, so I'll try and address that. We're intending to be specific about that in the amendment, Amendment 2.

In general the liquid waste from development purge water, whatever, could be discharged to the interceptor sewer line running east to west between Pioneer Boulevard and Mill River Road or the interceptor sewer line running along the railroad right of way near proposed extraction wells, EX-20, EX-30 and EX-40. Access to the sewer system will be at a manhole location approved by the City of Grand Island and NDEQ.

So the water could go in a sewer line. The solids and soil cuttings, what -- one thing we need to specify is some testing requirements for that. It may just involve PID. PID can be disposed to the ground. And the disposal location would be in coordination with the City of Grand Island at the Burdick Station Power Plant or the Platte Generating Station. Both are located

42

approximately four miles from the site.

Does that address the IDW questions? Another question deals with the depth of water and a potential for contaminated water showing up in the pipeline trenches.

Parkview Well transcript.txt

And in general we don't believe that's going to be a problem. I think the deepest trench -- trenching specified is about 6 1/2 feet. And the depth to water at EX-10, which is the easternmost well, is about 8 feet. And then towards the treatment plant building it's closer to 10 to 12 feet.

So in terms of the pipeline trenching, we're not anticipating that you're going to encounter groundwater, potentially contaminated water, as part of that. So you just need -- In terms of managing the stormwater, you would have to coordinate with the City for disposal of that. But we're not doing that as a contaminant as related to the site based on what we understand now. Okay. Give me a second here.

MS. NOEL: Can we go through these before we take any more questions.

MR. STEVE ENGLE: Just for clarification, the trench spoils are clean?

MR. MARQUESS: That's the current understanding, yes. We can come back to IDW questions,

43

if you would like. And we'll try to get through these that we have written, and then we can open it up before we conclude.

So I'll just try and go through these so we don't miss any. Will any trenches be located within areas of the plume? Yes.

Are trench spoils considered clean? Yes.

Are boring cuttings considered clean?

Possibly no, and we'll specify that in terms of any

Parkview Well transcript.txt
testing requirements in amendment -- the pending
amendment.

And how will boring cuttings and
development water be disposed of? I just gave you a
citation, but again, that will be included in
Amendment 2.

Okay. Question, Inside the treatment
building what materials of process pipe and what type of
joints should be used?

And as far as that, refer to
Specification 22 00 00, that's plumbing; and 40 05 13,
which is Process Piping. Also refer to Drawings M-2 and
M-3 and M-4.

Is it possible to provide lithologic
sediment types expected in the wells, consolidated or
nonconsolidated?

44

We're going to attach the boring logs from
a bank of about a dozen monitoring wells near the area,
but in general this is unconsolidated material, sandy
gravel.

A question came up, Appropriations permit
for ground water use needed. And that's one we're going
to have to check on. That's very possible with the NRD.

All right. We'll try to take these one at
a time. If we miss yours, be sure and yell at us as we
get through these.

Is it acceptable to install the piping
through the neighborhood by trenchless methods? And the
answer, Only for major road crossings such as at the

Parkview Well transcript.txt
Stolley Park Road only.

Question, On Sheet E-2, Treatment Building, one line diagram, PP-01 is showing as 480/277 volt panel. Is this supposed to be a 208 volt panel? We'll have to check on that one.

MR. STEVE ENGLE: I was just going to have you repeat the question you had before this one.

MR. MARQUESS: Is it acceptable to install the piping through the neighborhood by trenchless methods? And the response is only for major road crossings such as at the Stolley Park Road only.

Okay. These are questions that came in

45

earlier today. The power for EX-10 is shown on the plans to come from east of Pioneer Road. At the site visit it was stated that the power would come from north of Stolley Park Road. Which is correct?

Drawings E-4 revision corrects at the plans -- I'm sorry.

MS. NOEL: Corrects that.

MR. MARQUESS: Corrects that, period. Be sure and get a set of specs and drawings CD from EPA because it appears that's information provided in a previous iteration of the drawings. So no, the power for EX-10 should come from near Stolley -- yeah, Stolley Park Road.

MR. STOVALL: The sign-up sheet is where? Who has not signed it? Please sign it. Everyone signed it? Going once -- You haven't? Okay, very good. I'm going to copy this and give it to you. Don't leave

Parkview Well transcript.txt
without your copy.

MR. MARQUESS: We had a question about the need for an NPDES permit. Does a permit need to be applied for? The answer is no. It's a stormwater discharge and CERCLA onsite action would not require an NPDES permit.

Question, Railroad right of way access, is there an access agreement in place with the railroad?

46

No, we discussed. We do not have an access agreement with the U.P. at this point.

If not, can a schedule be modified should railroad access not be issued in a timely manner? If there is a delay caused by the Government, then the schedule would be address -- be adjusted accordingly.

Access for lateral pipes and wells, does it exist or need to be obtained? As we outlined, there's no access along the U.P. right of way, nor is there anything with the City in terms of the pipeline through the residential neighborhood at this point.

MR. STOVALL: That was the question?

MR. MARQUESS: Sorry?

MR. STOVALL: That was the answer?

MR. MARQUESS: Yes. I'm sorry, I can repeat that.

MR. STOVALL: If you say question and answer, so we know.

MR. MARQUESS: The question, Does an access agreement exist for the installation of the pipelines and the wells? And the answer is no, no such

Parkview Well transcript.txt
access agreements have been obtained from either U.P. for the railroad right of way or through the neighborhood for the pipeline or -- We do have an access agreement at EX-10, do we not?

47

MR. WEBER: We don't need one at EX-10, but we do have an access agreement where we walked the piping route this morning between the treatment building and the U.P. right of way. So there is an access agreement in place between EPA and the private property owner for that area.

MR. MARQUESS: Thank you. Are Nebraska Department of Health rules applicable for the water well installations? And the answer is yes.

Okay. On the PWS, Section 03 30 04 refers to QC guidance in Section 01 40 00; however, no such section is included in the specs.

And that is correct, and we'll delete that reference in the amendment.

A wage rate --

MS. NOEL: There was a question about wage rates, what applies. This project will be done using the Davis-Bacon wage rates. There is only one particular category that service contract act applies to, according to the Department of Labor this week. They do change their minds a lot. But that is for truck drivers.

Truck drivers who go with their loads, whatever that load is, off site would be covered by SCA. Doesn't mean you can't pay them DBA, if you so choose. But it's only SCA required, which is always a lower wage,

for that one category. Everything else will be DBA.

MR. MARQUESS: Okay. Question, Was there any geo-technical data available for the treatment plant site? Answer is no, there's not.

If no, can we rely on the design; i.e., slab thickness, rebar, spacing, et cetera? And the answer is yes. Use the design specs on the building slab.

Question, Is there any data available from the existing monitoring wells? We do have boring log information, 12 monitoring wells that will be included in the amendment, presuming that we're not looking for chemical data here. But that will be made available in Amendment 2.

These are the trickier ones. Okay. Specification sections refers to submittal sections which refer to deliverable sections of the PWS. We could not find a deliverable section in the PWS. Please clarify what submittals are required by the specs.

And on that one that's a little bit tricky, but I'll refer you to the PWS Section 4, the last paragraph. And actually I wanted to read that.

MS. NOEL: And Section 4 is titled Deliverables.

MR. MARQUESS: The end of Section 4,

Deliverables, there's a note that says, Submittals discussed in the remedial design concept specifications

Parkview Well transcript.txt

and drawings, which are not listed under this section are not required.

However, the information that those submittals would contain shall be maintained and available on site for use and/or review by the PO/COR on an as-needed basis.

Appendix A attached to this PWS includes information regarding those submittals and other information provided for informational purposes only.

And beyond that, we will seek to clarify that because there is a little ambiguity in terms of what's a submittal, what's a deliverable, the terminology and the way it's used. So we hope to clarify that in Amendment 2.

Next question, Sheet -- refers to Sheet G-1, Note, The note implies we will have to redesign and prepare construction drawings with a PE seal. However, PWS Paragraph 3, Introduction, implies we are to use the specs and drawings provided.

Also Paragraph 5, Performance Standards, is more direct by stating, All work shall be performed in accordance with the PWS, RD concept drawings, RD concept specs and QASP.

50

The answer I think to both of those statements, slash, questions is yes, the submittals should be designed in accordance with the drawings and specs that have been provided. The contractor should provide a PE sealed drawing set that is based on the Black & Veatch design that's included in the

specifications.

And we'll be done in just a second if anybody wants some further clarification.

Question, If there is not a design, then what parameters can be changed?

I guess I would say in general design, build in accordance with the specs. There is a -- there are exceptions noted. And what's the verbiage, Ken?
Other --

MR. KENNON WYATT: Or approved equal.

MR. MARQUESS: Yeah. So in general you're going to bill in accordance with the design in an overall sense. In terms of specific equipment, pieces, parts, whatever, there are exceptions as noted on the drawings as "or approved equal". So that would be the places where there would be more flexibility in what you might submit.

And I believe that's all the questions that we have right now, so we'll open up.

51

MS. NOEL: Okay. So now we will take questions from the floor. I would ask that when we call on you, you stand up, and please try to speak very clearly and project so that she can capture it in the transcript.

And when you stand up, please give your name and the company you are representing. And if it is a -- I don't want to say a strange name, but a strange -- a name that some people would not spell correctly, please provide the spelling. Okay.

Parkview Well transcript.txt

MR. CHRIS PETERSON: Chris Peterson with Peterson Drilling. My question is just on the IDW. When you're releasing it from the development water into the storm sewer, is that after you clean it or is dirty water going to be -- contaminated water able to be just flushed down the sewer at 600 a minute? That's a lot of water.

MR. WEBER: It will be discharged to the sanitary sewer. And again, when you look at the drawings and specifications, that also would require coordination with the City of Grand Island.

MR. CHRIS PETERSON: Right, but is that dirty or clean?

MR. WEBER: It's not pretreated.

MR. CHRIS PETERSON: Oh, it's not. So whatever comes up you are just --

52

MR. SAMUEL MUDUMALA: Samuel Mudumala, Prudent Technologies. I'll give you a card. On the submittals for the proposal, is work plan a part of the PMP or is it a separate document?

THE REPORTER: I cannot hear you, sir. I'm sorry.

MR. SAMUEL MUDUMALA: My question is is that work plan a separate document or is it part of the project management plan?

MS. NOEL: That would be in L, Instructions to Offerors, Section L.

MR. MARQUESS: Give us a second. So the question is whether -- we're on Section L, Instructions to Bidders. Is the work plan as specified in Item No. 2,

Paragraph 4, as part of the site management plan?

And the answer is yes, the work plan is included as part of the site management plan.

MR. SAMUEL MUDUMALA: One more question and I'll be done. Can trenchless methods be used for electrical cable? You said no for the pipe, but can you do it for the electrical cable?

MR. KENNON WYATT: Generally, a lot of the power conduit's parallel to the groundwater lines. So you do it on the same trench. And unless you guys have objections, where that's the case, we don't have a

53

problem with trenchless.

MR. MARQUESS: So down to the power -- From EX-10 to the Stolley Park -- So from EX, Extraction Well, EX-10, over to Stolley Park power connection, that would be acceptable to do trenchless.

MR. SAMUEL MUDUMALA: Okay. Thank you.

MS. NOEL: Anyone else? Don't be shy.

MR. CHRIS PETERSON: I have one more question. As far as the soil in your PID and stuff from the wells, are you going to contain all that or are you going to put it -- What do you plan on doing with the IDW soil? Are you putting it in roll-offs or --

MR. MARQUESS: I think we're anticipating it's going to be clean.

MR. CHRIS PETERSON: All the soil?

MR. MARQUESS: Yeah, and I think that's what the historical data has shown, and particularly where we are, which is kind of remote from where the hot

area and contamination is.

So at least want to do a PID, you know, screen it. And if it's clean -- and probably early on we can identify whether we are going to need to manage it in any special way or just haul it and take it off to the two locations that are mentioned. It's not even a landfill.

54

MS. NOEL: More questions?

MR. BRIAN EGR: Brian Egr, General Excavating, the sales tax exemption letter you were talking about, can you print out a copy of that?

MS. NOEL: Well, I cannot offer the sales tax exemption letter to bidders. Whoever is awarded the contract, I can give that to the contract awardee. But they are contract specific for that.

MR. BRIAN EGR: Can you give us a sample copy?

MS. NOEL: And until you have one -- I can give you a sample that doesn't have any names in it or anything, sure.

MR. BRIAN EGR: So we can show our suppliers and see if they --

MS. NOEL: Sure. Okay. We'll do that. That will be also included in Amendment 2, the pending amendment. Think hard, guys. Come on. We need your questions now so we can get the answers to you. Yes, sir?

MR. TONY RUHGE: Tony Ruhge, TCW Construction. Since trenchless methods aren't going to

be allowed, what kind of traffic access do we need to provide the residents along Pioneer Boulevard? It's going to be very tight.

55

MR. WEBER: They will need to have access to and from their property. So that will be -- that will be coordinated with the City.

MR. TONY RUHGE: So are we to assume we can drive beyond the road limits or --

MR. MARQUESS: I'm sorry, what was the second part of your question?

MR. TONY RUHGE: Are we going to be able to drive beyond the road limits or still on the City's easement, I assume, from between the road and the sidewalks, you know, to get around? There is going to be open road, spoil pile, unless you are assuming we are going to be hauling the spoils off site and hauling it back on. How much area are you going to allow to be open at one time, how about that?

MR. MARQUESS: Well, ultimately they are going to have to have access to get through on the road.

MR. TONY RUHGE: Well, it's going to be tight.

MR. MARQUESS: Yes, it is.

MR. TONY RUHGE: Well, what are we going to do? Or are we going to be allowed -- what are we going to be allowed by the City to do?

MR. MARQUESS: We'll have to --

MS. NOEL: Just think of the jeopardy

music right now, guys, and when the music is over, we will have an answer.

MR. MARQUESS: All right. We got something. I'm not sure if it's what you're looking for. You are going to have to do two things, allow access on the roadway and access from the roadway to the resident's house.

So in terms of how you manage the spoil piles, that will be at your call, whether it be to dig it up, haul it off and bring it back or to get access, you, the contractor negotiate individual access agreements with residents. So that's not -- that's not included or defined in the specifications. That will be your call.

MR. BRIAN EGR: Are you going to have to maintain driveway access or --

MR. MARQUESS: Yes.

MR. BRIAN EGR: How are you going to do that when you have --

MR. MARQUESS: Well, if you are going to have to do that -- at the end of the day -- I think it was originally included in the specs either backfill or provide a steel plate or something so they can get into the --

MR. BRIAN EGR: After the award would directional drilling be considered if it's acceptable by

the pipe manufacturer?

MR. MARQUESS: I think structurally -- the

Parkview Well transcript.txt
issue is structural, is it not?

MR. KENNON WYATT: It's the bedding.

MR. MARQUESS: So it's the support. So I think the answer would be no.

MR. STEVE ENGLE: Steve Engley with Arrowhead Contracting. I'm trying to understand your thought here. Could you comment on why you're against trenchless approach?

MR. MARQUESS: Bedding.

MS. NOEL: Other questions?

MR. LEE BECKER: Lee Becker, EA Engineering, Science, and Technology. In this old response you're requiring the contractor to seal and sign a design prepared by others. Essentially, will design analysis for supporting calculations be provided to that engineer of record to allow them to sign?

MR. MARQUESS: They could be made available, yes.

MS. NOEL: Anything else? This is your opportunity. Let's use it.

MR. ARL ALTMAN: Are all the -- just a follow-up question on that. Do you realize how much that may cost? I mean is there any reason why Black & Veatch

58

can't stamp the drawings, save the design cost? It may be \$100,000, \$200,000 to get that stamp.

MR. MARQUESS: There is some history with that that we really have no need to go into it here, but that's the approach we've elected to take.

MR. ARL ALTMAN: As long as you are

Parkview Well transcript.txt
willing to pay for it. And they are.

MS. NOEL: To a certain extent, of course. Remember to sharpen your pencils. Anything more? Are you sure? If there really aren't any more questions -- We were actually thinking that we were going to have to extend the time for questions beyond today, but I'm not seeing that you all have any questions.

MR. SAMUEL MUDUMALA: Actually, if you could give us one more week to ask questions. We are not going to meet with some -- After Chester gives us the sheet of paper, you know, we may have some more questions. Give us a week would be nice.

MS. NOEL: Does anyone else think they are going to be coming up with questions in the next week, but they just don't have any now? I really would hope -- I understand what Sam is saying here, and I know how that can affect your questions, yes, but if you have questions in your mind now, I wish you would ask them now. Even if we can't completely answer them today, that gives us the

59

time to be able to get those answers to you, you know, in the amendment.

So while we are looking at accepting questions through Wednesday close of business, so that gives you exactly one week, if you got something on your mind now, please bring it forth now.

MR. IRFAN TANER: Irfan Taner, A & M Engineering. Am I understanding right, the City -- the negotiations for right of way or procedures for the trenching, are you going to arrange that or is the

Parkview Well transcript.txt
contractor going to do that?

MR. MARQUESS: The contractors do.

MR. IRFAN TANER: Contractor is going to go to the City and negotiate all that?

MR. MARQUESS: Correct.

MS. NOEL: Did that generate some more questions?

MR. BRIAN EGR: Can you extend the time if it takes forever to get an easement?

MS. NOEL: Any type of delay would have to be looked at on an individual basis so that we could decide whether it was a delay that was out of your control or not. When we can come to a decision that any delay experienced was beyond your control, then we would be considering a delivery schedule extension.

60

However, if we do not believe it was out of your control and it was certainly not because of anything the Government did, then we would not be entertaining an extension. But we would look at every instance.

MR. DAN FREESE: Hi. Dan Freese, Layne-Western Company. I just want to make sure about this access thing. You have no access to these sites, speaking of the drilling sites? Is that correct? Am I understanding you correctly?

MR. MARQUESS: We do not have an access agreement in place with Union Pacific Railroad.

MR. DAN FREESE: So that's a contractor's responsibility?

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MR. MARQUESS: EPA will provide access with U.P. The contractor would be -- so that would include the three extraction wells and then the piping to the discharge plant.

MR. DAN FREESE: And the City at --

MR. MARQUESS: The rest of the neighborhood.

MR. DAN FREESE: So EPA is getting an access agreement with the U.P.?

MR. MARQUESS: Correct.

MR. DAN FREESE: Okay. Thank you.

61

MR. IRFAN TANER: If the City wouldn't agree to give you any right of way or access to any of those or the property owners, what do you do?

MR. MARQUESS: I don't think it's an issue with property owners in terms of the pipeline.

MR. WEBER: The City is committed to working with EPA on this project, and that's been throughout the process.

MS. NOEL: So we don't anticipate that that's going to be a difficulty. That would be a surprise to us, if it were.

MR. IRFAN TANER: Also the landowners shouldn't be raising any questions or --

MR. MARQUESS: Well, the City is aware of this project and the nature of the work.

MR. IRFAN TANER: Some of the monitoring wells and some of the properties, also those property owners will be agreeing to that?

MR. WEBER: Those wells are City right of way.

MR. IRFAN TANER: Right of way, okay.

MR. BOB KRUCK: Bob Kruck, R3 Contracting. Trenching down the street, we fix what we tear up or do we have to repair the whole street?

MR. WEBER: Just the half of the street

62

that you tear up, not the whole street. I'm sorry, the portion of the street, the half of the street that you remove, place your pipe, do your trenching, then you repair that, replace that with an equivalent cover.

MS. NOEL: If you damage the other part of the street during your work, however, you would be expected to correct that at your own cost. So be careful.

MR. TURGAY ERTUGRUL: Turgay Ertugrul with A & M Engineering. You are in one hand telling us that the City has provided an access agreement, and if we are going to cut the street trench width and then place it back, you will have a patch. Is the City going to be accepting that? And if the trench is right in the middle of the road --

MR. WEBER: The trench is not in the middle of the road. The trench is in one-half of the road, not in the middle. So the intent is where the pipeline is running is trenched, that material, that half of the road will be replaced.

MS. NOEL: And the City's okay with it?

MR. WEBER: Yes, the City's okay with --

MR. TURGAY ERTUGRUL: What if the City wants to repave the whole road?

MR. WEBER: Then that's at the City's

63

discretion to repave the whole -- the other portion on their own. But as far as this particular contract is concerned, the portion that will be replaced is the one-half of the road where the trench has come to be located.

MR. MARQUESS: Let me see if we can help here. I think given there seems to be considerable uncertainty raised by this access agreement with the City, I think that's something that we're going to pursue. And hopefully by the time Amendment 2 comes out maybe we can provide a little better definition of that. Because I don't think we want to raise uncertainty where need not be.

I've not been on the project for a long time, but I know our working relationship with the City here has been very positive over time and they are aware and onboard. And I don't think anybody's too happy about what disturbances are going to be caused in that neighborhood, but we're going to have to try to work to minimize that.

But in terms of getting access, I think that's something that hopefully over the next week or so, whatever, we can -- we can work on some things with the City here and maybe provide a little better definition before we go too far too fast.

MR. BRIAN EGR: Can you provide the contact names for the City, people you have been talking to?

MR. WEBER: Yeah, we will include that in the amendment. Do you want me to announce it now?

MS. NOEL: I would announce it now and --

MR. WEBER: Okay. The person that EPA has been primarily working with with the City of Grand Island is Gary Mader, the utilities director. I don't have his phone number offhand committed to memory in front of me, but we can provide that in the Amendment 2 also.

MR. MARQUESS: I got it.

MR. WEBER: You have it? Scott has it.

MR. MARQUESS: Gary Mader's phone number is (308) 385-5444, and he's at Extension 280.

MR. GREG WALLACE: Greg Wallace with Arrowhead. It's our understanding that in the streets that are here that the material underneath there is sandy, it's highly unstable. So if you go in and excavate those out, it's quite likely you are going to lose the sidewalk, which means you are going to end up with a pretty wide trench. Do you have any information to suggest otherwise, that the material might be more stable?

MR. MARQUESS: I'm not aware of any

geo-technical data for any of that -- any of the areas associated with the project site.

MR. GREG WALLACE: So it is likely we

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could lose a whole road if it starts to collapse?

MR. KENNON WYATT: You won't just lose the road, you will be shoring it where it's necessary. You don't just collapse the road.

MR. MARQUESS: I think the issue would be the possibility of you needing to shore the excavation.

MR. GREG WALLACE: I understand that, but you use an HDPE pipe, you are talking about a trench box or something like that, and that presents a whole different set of issues.

MR. MARQUESS: Correct.

MS. NOEL: Anything else?

MR. CLAY BOWERS: Clay Bowers, U. S. A. Environment. If we're going to take out half of the roadway, any disposal requirements on the asphalt? Does that have to be ground or --

MR. MARQUESS: I'm sorry?

MR. CLAY BOWERS: Do we need to grind that or just tear it up --

MR. MARQUESS: That would probably be something you would have to coordinate with the landfill facility.

66

MR. JIM HORN: Jim Horn, A & M Engineering. During start up of the air-strippers there is no doubt going to be some groundwater in the off spec. Can that still be discharged into the storm sewer?

MR. KENNON WYATT: If it's still contaminated, it has to go to sanitary.

MR. MARQUESS: I would manage it as the

IDW. Manage it as you would the IDW, which we discussed.

MR. JIM HORN: So hold it and put it in the sanitary sewer?

MR. MARQUESS: Correct.

MR. JIM HORN: That's 750 to 1500 gallon a minute. One other question. Is there -- Is it likely that we're going to hit groundwater when we excavate these trenches for the force mains?

MR. MARQUESS: My understanding is the depth of groundwater is about 8 foot at EX-10 on the eastern side and then closer to the treatment plant 10 to 12 foot. And the trench specs are no greater than 6, 6 1/2, generally less than 6.

MS. NOEL: Anyone else? Any thoughts, questions? Are you sure you're all done?

MR. MIKE SMITH: Mike Smith, MILCO Environmental Services. In your layout here you show, I believe it's EX-10, and you indicated power supply would

67

come from Stolley Park intersection, but you don't show any anticipation of which side of the road you would like or how we intercross, any of that information. I was just wondering if that would be included in the amendment.

MR. MARQUESS: I don't think we care. Whatever might be the least intrusive to any residents, I suppose, if such a thing is possible.

MS. NOEL: Going once, going twice. Any questions? Okay. We will accept questions through close of business next Wednesday. We anticipate the amendment

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to be out in about ten days. At this point in time we cannot say with certainty that we will be extending the closing bid date.

Keep looking for amendments. Even after this one amendment that's going to be pretty large is posted, Amendment 2, keep checking the website in case we have anything further that we want to do on this and issue another amendment.

Make sure that you have all signed the sign-in sheet. Make sure that if you wanted a copy of a CD with the drawings to make sure you got the most current that you have made an X; if not, we need to know. And we look forward to your bids. Thank you very much.

(Concluded at 2:54 p.m.)

68

CERTIFICATE

I, Jennifer R. McCarter, Court Reporter and General Notary Public, do hereby certify that the within and following transcript is a correct and complete transcription of the proceedings had at the time and place set forth herein in the before-mentioned matter and requested to be transcribed by me.

DATED this 6th day of February 2009.

Jennifer R. McCarter
General Notary Public

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