



WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

RR-19-0756-C

DOCUMENT TITLE

Dry Cleaner Environmental Response Fund (DERF) - Remedial Action Bid Checklist

PROGRAM/BUREAU

Remediation and Redevelopment

STATUTORY AUTHORITY OR LEGAL CITATION

Wis. Stats. ch. 292; Wis. Admin. Code ch. NR 700

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

26-Aug-19

DATE FINALIZED

02-Sept-19

DNR CERTIFICATION

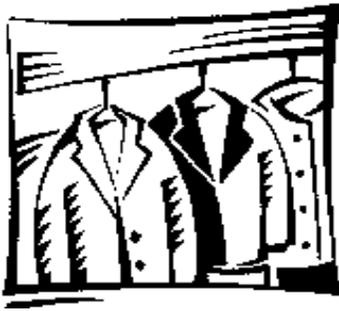
I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

A handwritten signature in black ink that reads "Jennifer Haeg".

Signature

September 4, 2019

Date



Remedial Action Bid Checklist

Dry Cleaner Environmental Response Fund (DERF) Program

RR-756

November 2013

This fact sheet is provided for environmental consultants and those seeking reimbursement from the Dry Cleaner Environmental Response Fund (DERF). NR 169, Wisconsin Administrative Code, requires that remedial actions to clean up releases of dry cleaning solvents be bid by three to six environmental consultants. The bid document submitted by each consultant must contain specific information before the bid can be considered complete. The requirements are summarized below to assist bidders in determining the completeness of their bid before they submit it to the dry cleaner owner/operator and DNR.

- NR 169.23(2)(d) Sealed Bid submitted by specified date. Bids must be **sealed in an inner envelope and then placed in an outer envelope, which is also sealed**. The outer envelope should clearly be labeled: "Sealed bid enclosed". The inner envelope should be labeled with the consultant's name, the site name and BRRTS number, the bid opening date, and state what type of bid is enclosed (e.g., site investigation or remedial action). A sealed bid must be delivered to the owner/operator requesting the bid and a second sealed bid must be delivered to the DNR project manager assigned to the dry cleaner.
- NR 169.23(3)(b) Include statements regarding consultant's ability to:
 1. Be fully informed about the project scope & have the expertise to analyze alternatives and design the most suitable response action.
 2. Provide necessary staff and facilities for all phases of planning, design, construction, and operation.
 3. Provide qualified technical reviewers to advise the owner and work toward remedial goals.
 4. Perform all services in an ethical, professional, timely manner.
- NR 169.23(6)(a) NR 722 technical & economic feasibility evaluation of alternatives, including natural attenuation and enhanced NA.
- NR 169 (6)(b) Description of the remedy proposed and how the remedy will result in NR 726 closure.
- NR 169(6)(c) Clear description & itemized list of consultant & contract services included in the proposed remedy.
- NR 169(6)(d) Description & cost estimate for implementation, analysis and interpretation of pilot test for active remedial systems, unless the consultant can justify that a pilot test is unnecessary.
- NR 169(6)(e) Total cost estimate for all consultant & contract services and subtotal for each component service itemized in the proposal.



Wisconsin Department of Natural Resources
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dnr.wi.gov, search "brownfield"



- ❑ NR 169.23(6)(f) Include the following for every service or units of service (see NR 169.23(7) for list of services to be priced per hour or per unit):
 1. Price per hour or per unit of service
 2. A reasonable, good faith estimate of number of hours or units of service to be provided.
 3. Total estimated price for service.
 4. Estimated schedule by which consultant and contractor will perform their services.
- ❑ NR 169.23(9)(a) Certification statement by consultant:
 1. Consultant and contract services will comply with NR 700 - 754.
 2. Upon request, consultant will make available to the department for inspection and copying all documents and records related to the contract services.
 3. Consultant did not prepare bid in collusion with any other consultant submitting a bid on the site.
- ❑ NR 169.23(9)(b)(1) Certification of Insurance from an agent licensed to do business in WI. The insurance company must have an A.M. Best rating of A-. Please note that Certificates of Insurance often do not include all the information required by this rule. It is the consultant's responsibility to submit the required information. Please do not submit expired insurance certificates.
 - a. Errors & omissions of \$1 M/claim and minimum \$1 M/year aggregate
 - b. Policy is an occurrence based or claims made policy
 - c. If claims made policy, consultant agrees to obtain similar policy for subsequent 3 years.
 - d. Maximum deductible of less than \$25,000/claim or (NR 169.23(9)(b)2.) consultant must furnish proof of financial responsibility for amount of deductible.

For More Information

A copy of any Wisconsin rule can be obtained by calling the Department of Administration Document Sales at 608-266-3358, or by downloading the rule from the Wisconsin State Legislature web site at: docs.legis.wisconsin.gov/code/prefaces/toc.

Two department programs, Remediation & Redevelopment and Community Financial Assistance, work in partnership to administer the program for dry cleaners. More information about the dry cleaner environmental response fund can be found at dnr.wi.gov/Aid/DERF.html.

This document is intended solely as guidance and does not contain any mandatory requirements except where requirements found in statute or administrative rule are referenced. Any regulatory decisions made by the Department of Natural Resources in any matter addressed by this guidance will be made by applying the governing statutes and administrative rules to the relevant facts.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240.

This publication is available in alternative format upon request. Please call 608-267-3543 for more information.