

PREQUALIFICATION PACKAGE

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID & HAZARDOUS WASTE DIVISION
STORAGE TANK PROGRAM

CONTRACT CALENDAR YEARS 2012 - 2013

REMEDATION CONSTRUCTION CONTRACTORS

I. INTRODUCTION

The State of Wyoming, Department of Environmental Quality, Solid & Hazardous Waste Division (WDEQ), Storage Tank Program (STP) is soliciting prequalification documents from remediation construction contractors interested in bidding STP projects during the 2012 and 2013 calendar years. Only one submittal is required in order for a contractor to be eligible to bid on all projects put out for bid during this 2-year time period.

Prequalification documents may be submitted by a contractor at any time. However, in order to be eligible to bid on a project, the contractor must have submitted the information and the information must have been reviewed and approved by WDEQ STP before the date of the Call for Bids for a particular project. Only those contractors that have been prequalified as of the date of the Call for Bids will receive the Call for Bid notice. To be eligible for all projects listed below, WDEQ encourages contractors to submit their prequalification package on or before **November 30, 2011**.

The STP anticipates that the projects listed below will be put out for bid during calendar years 2012 and 2013. Plans and specifications are not complete for the projects listed, and the exact type and quantity of work are not known at this time. The types of systems that will be installed are also not known.

Southwest Casper
Rawlins #2
North Evanston
Lincoln/Sublette Counties
Rock Springs 2
Rock Springs 3
Pilot Butte (Rock Springs)
North Big Horn Basin
Pinedale 2
Green River 2
Jeffrey City

Completion of planned work is contingent upon fund availability at the time plans and specifications are complete. The above list is only a tentative plan and is subject to change without notice.

In general, the type of work involved for most STP remediation projects includes monitoring and remediation well and wellhead installation, providing and installing remediation piping and electrical conduit, electrical connections, sanitary or storm sewer connections, removal/handling/disposal of petroleum contaminated soil and/or groundwater, equipment building foundation installation, trenching and backfill compaction, surface and site restoration, fencing, and equipment connections. Contractor will be required to assist the equipment supplier and engineer with startup of the constructed systems. Successful equipment startup must be completed before substantial completion will be issued by the STP. Equipment will be supplied under a separate contract by a remediation equipment supplier. The type and quantity of work varies with each project. All personnel working on-site must be current with OSHA 40-hour HAZWOPER training and 8-hour refresher courses. Truck drivers and equipment

operators are exempt from the OSHA requirements if the operators do not leave the cab of the truck or equipment while onsite. In addition to the projects noted above, the STP may complete excavation and haul projects. Contractors that become prequalified using the process noted herein will also be placed on the prequalified excavation contractors list to complete these excavation and haul projects.

Each contractor submitting this prequalification package who becomes prequalified by the STP will receive a Notice of Call for Bids for each specific project when the STP is ready to go out for bid for a project. The contractor will be given the engineer's name and phone number for the project. Contractors desiring to bid on the project must contact the engineer to receive a set of plans and specifications for bidding.

Projects will be bid through the State of Wyoming's Procurement Office system. All State of Wyoming rules, regulations, statutes, etc. will be explicitly followed during the bidding process.

CONTRACTOR'S REQUIRED REGISTRATION.

All contractors are required to register with the Secretary of State in accordance with Wyoming Statute 17-1-701 (307-777-7311) to do business in Wyoming. A copy of the registration must be submitted with this questionnaire.

PLEASE NOTE: All portions of this questionnaire must be completed, in full, in order to be considered by the WDEQ/STP. All certificates, registrations, resumes, etc. required to be attached to the questionnaire must be included in order to be considered by the STP. Incomplete questionnaires will not be evaluated. No firm will be added to the prequalified list that has not submitted a complete questionnaire, including all required attachments, and been notified by the STP that the firm has been prequalified.

II. EVALUATION CRITERIA

1. Introduction.

A. Prequalification evaluation will be solely on the basis of experience of the contractor. Prospective contractors will be evaluated based on supplied information contained in the submitted questionnaire, Section III.

B. The State reserves the right not to prequalify a contractor and/or key personnel on the basis of previous experience that indicates a record of poor performance or business practices judged to be unethical/unprofessional by the WDEQ. The decision of the WDEQ will be final and without recourse for appeal.

2. Experience.

A. Prequalification Questionnaire, Section III, shall be submitted by all contractors requesting evaluation. Subcontractors cannot be used to meet the experience requirement.

B. Experience of the Contractor. The contractor will be evaluated on successful

completion of similar remediation projects and required methods. The contractor should list and describe with sufficient detail the most recent projects completed by the contractor that are similar in scope to the work required by the STP. Listed projects should be those completed by the firm during the last five (5) years that demonstrate at least five (5) years of experience and the ability to provide the required remediation services. These projects will be used to evaluate the adequacy of the contractor's equipment, personnel, and methods in completing STP remediation work.

C. **Experience of Key Personnel.** The Superintendent who will be onsite and represent the contractor during the course of the work, and who will have the ultimate authority to direct the field operations performed by the firm, shall have at least three (3) years of previous documented experience with similar remediation projects. The contractor may list more than one Superintendent. **The Superintendent(s) listed in the Questionnaire cannot be substituted for any STP construction project without prior approval of WDEQ.** Superintendent must be an employee of the contractor.

3. **Equipment List.** The contractor must provide a list of equipment owned by the contractor that may be used on STP remediation projects. Provide vehicle make and model with other pertinent information that can be used by the STP to evaluate the contractor's ability to complete the required work.

4. **Financial Stability.** The contractor will be evaluated on the firm's ability to obtain bonding equal to 100% of the submitted bid.

5. **Subcontractor Information.**

A. Subcontractors, who will be involved in the drilling, earthwork, and/or pipe installation, will be evaluated on the same criteria as the contractor. **Any subcontractor who is anticipated to be used as part of the contractor pre-qualification is required to complete the questionnaire and submit their completed form with the contractor's questionnaire.** Subcontractor questionnaires should be plainly labeled as such and reference the prime contractor.

B. Subcontractors can be used for any portion, or portions, of the work as long as the

total subcontracted amount does not exceed 30% of the bid. Subcontractors must meet the minimum experience requirement of the contractor. However, the experience of the subcontractor cannot be used to meet the experience requirement for prequalification of the prime contractor.

6. **Bidder's Tour Attendance.** When a bidder's tour is announced in the Call for Bid Notice, attendance at the tour is **mandatory**.

7. **Liquidated Damages.** The State of Wyoming assesses liquidated damages when a contractor does not reach Substantial Completion by the date set in the Notice to Proceed. The time to complete the work is stated in the bid documents, and this time varies depending on the complexity of each project. If liquidated damages are assessed against a contractor, the contractor will be removed from the prequalified list. A contractor that has been removed from the list will not be considered for requalification for a period of 2 years from the date final payment is made on the project for which liquidated damages were assessed.

8. **Retainage.** The State of Wyoming retains 10% of each Application for Payment made by the contractor. Retainage is released after the project has been successfully completed, **including equipment startup**, the Notice to Release Retainage has been advertised for 41 consecutive days in a general circulation newspaper, and all lien waivers have been submitted by the contractor.

9. **Contractor is required to warranty its work for one year after Substantial Completion is reached.**

III. CONTRACTOR QUALIFICATION QUESTIONNAIRE

To be considered for STP projects put out for bid during calendar years 2012 and 2013, contractors and subcontractors shall be prequalified before the date of the Call for Bid. Contractors requesting prequalification evaluation based on their Company's experience shall complete this form. Use additional sheets as necessary. Reference each additional page by contractor name. The

questionnaire must be typed or legibly handwritten, and the original returned to:

Ms. Karen L. Halvorsen, P.E.
Storage Tank Program Manager
WDEQ/SHWD
Herschler Bldg – 4W
122 West 25th Street
Cheyenne, Wyoming 82002

Unreadable questionnaires will be returned without review. To be eligible for all projects to be bid during 2012 and 2013, WDEQ STP encourages contractors to submit the prequalification package on or before November 30, 2011, to ensure adequate time for review by the STP.

All information submitted will be considered confidential and protected accordingly.

1. COMPANY INFORMATION

A. Business name/ mailing address:

B. Previous business name(s), if applicable:

C. Business telephone, fax number, e-mail address:

Telephone:

Fax: _____

E-mail Address: _____

D. Contract contact person name, telephone number, and address:

E. Business ownership type:

____ Sole Proprietorship ____ Partnership ____ Corporation ____ Other

State(s) in which business is registered:

Firm must be authorized to do business in Wyoming by the Secretary of State. A copy of the registration from the Secretary of State must be included with this questionnaire.

Name(s) of business owner(s): _____

Date established:: _____

Under present management since: _____

Names, titles, addresses, and telephone numbers of primary business officers:

F. Number of permanently employed employees: _____

G. Brief description of type of work/services provided by the company and applicable special capabilities:

2. FINANCIAL STABILITY

A. Bonding:

Bonding Company Name and Mailing Address:

Telephone: _____

E-Mail Address: _____

Contact Person: _____

Bonding Capacity: _____ Current Bonding Commitment: _____

The contractor shall provide a letter from its bonding company indicating its

ability to be bonded for the amount stated above. Bonding in the amount of 100% of the bid amount is necessary when a contract is awarded.

B. Dollar range of the company's annual business during the previous five years.

C. Has the company ever filed for any type of bankruptcy? If Yes, please indicate the type (Chapter 11, Chapter 7, etc.), year(s) of filing, and year(s) of bankruptcy action completion.

D. Has the company been subject to liquidated damages on any project during the last five years? If Yes, give the project name, agency/firm contact person assessing liquidated damages, the number of days that liquidated damages were assessed, the amount(s) assessed against the company for liquidated damages, and the date that liquidated damages were settled.

3. AREAS OF EXPERTISE

A. List the type of environmental remediation construction work that the company routinely accomplishes, such as earthwork, system installation, pipe installation (aboveground and/or underground), groundwater and/or remediation well installation, electrical installation, concrete, asphalt, etc. List the approximate annual percentage of each type of construction completed.

_____	_____%
_____	_____%
_____	_____%
_____	_____%
_____	_____%
_____	_____%

B. List the types of work that the company routinely subcontracts with others to complete projects (e.g., drilling, earthwork, pipe installation, landscaping, fencing, etc.).

- C. List and describe below the five (5) most recent remediation projects completed by the company within the last five (5) years that demonstrate the ability to provide on-site construction of remediation systems.

Contractor's Experience:

Project #1 – Description: _____

Approximate Value: _____

Project Duration: _____

Project Name: _____

Date Completed: _____

Reference Name: _____

Reference Address: _____

Reference Telephone: _____

Project #2 – Description: _____

Approximate Value: _____

Project Duration: _____

Project Name: _____

Date Completed: _____

Reference Name: _____

Reference Address: _____

Reference Telephone: _____

Project #3 – Description: _____

Approximate Value: _____

Project Duration: _____

Project Name: _____

Date Completed: _____

Reference Name: _____

Reference Address: _____

Reference Telephone: _____

Project #4 – Description: _____

Approximate Value: _____

Project Duration: _____

Project Name: _____

Date Completed: _____

Reference Name: _____

Reference Address: _____

Reference Telephone: _____

Project #5 – Description: _____

Approximate Value: _____

Project Duration: _____

Project Name: _____

Date Completed: _____

Reference Name: _____

Reference Address: _____

Reference Telephone: _____

4. EQUIPMENT LIST.

Provide a list of equipment available for use on STP projects. The list should detail each piece of equipment sufficiently for the STP to determine if the contractor has the resources available to complete typical remediation projects. If the contractor routinely leases equipment for individual remediation projects, the contractor shall provide a list of equipment that is routinely leased.

5. SUPERINTENDENT(S).

Please list the name of the qualified on-site job superintendent(s) that will be used for STP remediation projects. Briefly provide qualifications and relevant experience of proposed

superintendent(s). A superintendent must be onsite at all times when major construction activities are underway and must be an employee of the firm.

6. SAFETY AND TRAINING.

- A. Company must have a written occupational health and safety policy that is read and understood by all employees. Provide a copy of the cover page and table of contents. If firm does not have a formal health and safety policy, explain.

- B. All personnel working onsite must be OSHA 40-hour HAZWOPER trained with current 8-hour annual refresher training; including site supervisor training with 8-hour annual refresher training, as appropriate. Copies of all current certificates must be provided with questionnaire. Truck drivers and equipment operators that remain in the cab of the truck or equipment while on site are exempt from this requirement.

7. INSURANCE.

Provide name of insurance company contact person, address, telephone number, e-mail address of insurance company that will provide insurance should the company be awarded a project. If Contractor cannot provide insurance information, explain:

The contractor must file a Certificate of Insurance with WDEQ STP and with the State of Wyoming Procurement Office verifying each type of coverage required when a bid is accepted. Proof of required insurance must be provided by the contractor to WDEQ and State of Wyoming Procurement Office within 10 days of the Notice of Acceptance of Bid.

- A. **Worker's Compensation and Employers' Liability Insurance.** The contractor must provide proof of workers' compensation coverage for all its employees who work on the project. Contractor's insurance must include Employer's Liability "Stop Gap" coverage in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per employee for each accident and disease. The contractor must also supply to the State of Wyoming Procurement Office proof of worker's compensation and employer's liability insurance on each and every subcontractor before allowing that subcontractor on the job site. Proof of worker's compensation insurance may be in the form of a "Letter of Good Standing" from the Wyoming Workers' Compensation Division. If the contractor is not a Wyoming firm, contractor must provide proof of good standing from the Worker's Compensation Division in the state where the contractor resides.
- B. **Commercial General Liability Insurance.** The contractor must provide coverage during the entire term of the project against claims arising out of bodily injury, death, damage to or destruction of the property of others, including loss of use thereof, and including underground, collapse and explosion (XCU) and products and completed operations, in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) general aggregate.
- C. **Business Automobile Liability.** The contractor must maintain during the entire term of the Contract automobile liability insurance in an amount not less than Five Hundred Thousand Dollars (\$500,000.00) per occurrence.

- D. **Installation Floater.** The contractor must purchase and maintain an installation floater in the amount of 100% of the project total, to cover risks associated with off-loading equipment enclosures and equipment, and installing the enclosures and equipment on the foundations.
- E. **Unemployment Insurance.** The contractor must be duly registered with the Employment Security Commission, Unemployment Compensation Division. The contractor must provide a “Letter of Good Standing” from the Department of Employment indicating that the contractor is in compliance with the Wyoming Employment Security Law. Contractor must provide a similar “Letter of Good Standing” on each and every subcontractor before beginning work on this project. If the contractor is not a Wyoming firm, contractor must provide similar proof of good standing from the state in which the contractor resides.
- F. **Payment of Premiums and Notice of Revocation.** All policies required must be in effect for the duration of this project. All policies must be primary and not contributory. Contractor must pay the premiums on all insurance policies and all insurance certificates must include a clause stating that the insurance may not be revoked, canceled, amended, or allowed to lapse until the expiration of at least thirty (30) days advance written notice to WDEQ.
- G. **WDEQ as Additional Insured.** All insurance policies required, except worker’s compensation and unemployment compensation, must name WDEQ as an additional insured, and must contain a waiver of subrogation against WDEQ, its agents and employees.
- H. **“Claims Made” vs. the Occurrence Form.** “Claims made” policies will not be accepted by WDEQ.

8. RATE SCHEDULE.

Provide a current labor and equipment rate schedule.

9. LETTERS OF GOOD STANDING.

Provide current Letters of Good Standing from Wyoming Worker's Compensation and Wyoming Department of Employment.

10. SUBCONTRACTOR INFORMATION.

Attach fully completed Questionnaire plainly labeled as "Subcontractor" and referencing the prime contractor.

11. AFFIDAVIT.

I, the undersigned, being an authorized representative of the Corporation, Partnership, or other legal entity, do hereby attest that the information presented in this questionnaire is, to the best of my knowledge, accurate and correct. I further understand that any inaccuracies or distortions revealed after a contract is awarded by the STP are grounds for revocation of said Contract.

Name (Printed)

Signature

Date

Title (Printed)