

Joe Daniels Construction Co., Inc. is requesting compensation of \$89,244.69 dollars for the cost of the Generator tax incurred from the Industrial Fill Contaminated Material removed from the Central Park Phase 1A project, City of Madison Contract Number 7008. Daniels Construction bid the project based on the interpretation that the Generator tax would not have to be paid by the tax exempt entity of the City of Madison.

- 1) It is our understanding and interpretation of the contract specifications that the Contractor is responsible for the payment of disposal and tipping fees. Also, that the tax derived from the Contaminated Material would be handled by the generator, the City of Madison.
 - a. The language in the Central Park Phase 1A (#7008) specification regarding Basis of Payment does not state that the Contractor is responsible for payment of the Generator Tax (Exhibit A).
 - b. However, the language in Central Park Skate Park (#7312) specification regarding Basis of Payment does state that the Contractor is responsible for payment of taxes associated with Industrial Fill Contaminated Material (Exhibit B).
 - c. Daniels Construction does not have an EPA number as a generator. This is done to prevent another situation similar to Refuge Hideaway, in which Daniels Construction had to pay a large amount due to the weight of concrete block demolition material. The municipalities did not have to pay heavily towards remediation by the EPA, even though they contributed most of the volume and toxic Volatile Organic Compounds (VOC).
- 2) Joe Daniels Construction Co., Inc. would have been the low bidder on this project had the Generator Tax been included into the original bid. Central Park Bid Opening Document (Exhibit C). A summary of unit prices with and without tax are provided below.

	Quantity	Daniels Construction	Speedway Sand & Gravel	Dollar Difference/ TN	Percent Difference
90036: Haul & Disposal Petroleum Contaminated-TN	1,825	\$38.15	\$35.50	\$2.65	6.95%
	Total:	\$69,623.75	\$64,787.50	4,836.25	6.95%

	Quantity	Daniels Construction	Speedway Sand & Gravel	Dollar Difference/TN	Percent Difference
90037 Haul & Disposal Industrial Fill-TN	6,450	\$37.08	\$46.00	(\$8.92)	(24.06%)
	Total w/o Tax:	\$239,166	\$296,700	(\$57,534)	(24.06%)
	6,450	\$50.08	\$46.00	\$4.08	8.15%
	Total w/ Tax:	\$323,016	\$296,700	\$26,316	8.15%

	Daniels Construction	Speedway Sand & Gravel
Bid without Tax	2,570,686	2,769,126
Tax	83,850	
Bid with Tax	2,654,536	2,769,126

- 3) This job was bid to haul and dispose of Petroleum Contaminated Soil, as well as Industrial Contaminated Soil. After the contract had been awarded to Daniels Construction, MSA and the City of Madison determined that field tests could not be performed for Industrial Contaminated Soil. Therefore, it was determined that *all* material was to be classified as Industrial Fill Contaminated Material and not Petroleum Contaminated Material. The effect of this decision forced Joe Daniels Construction to incur the Generator Tax on each load hauled out of the Central Park Phase 1A site.
- 4) By maximizing the amount of material that could be buried, per specification with two foot cover, Daniels Construction saved the City of Madison approximately 86,000 dollars with no compensation. The amount of material that was properly buried on site was calculated to be 1,100 yards. This material was excavated and moved several times in order to build up the mound on the Brearly Block.
- a. $1,100 \text{ yards} \times 1.5 = 1,650 \text{ tons} \times \$37.08 = \$61,182$
 - i. Saving from disposal fee of Industrial Fill Contaminated Soil
 - b. $1,100 \text{ yards} \times 1.5 = 1,650 \text{ tons} \times \$8.85 = \$14,600$
 - i. Savings from not importing material
 - c. $1,000 \text{ yards} \times \$10/\text{yard} = \$11,000$
 - i. Cost for moving and placing material on mound of contaminated soil needed to be moved multiple times and to accommodate construction and the delays in the City providing the manifests. We were not compensated for this.
 - d. **Total Savings = \$86,782**

EXHIBIT A

BID OF _____

2013

PROPOSAL, CONTRACT, BOND AND SPECIFICATIONS

FOR

CENTRAL PARK PHASE 1A

CONTRACT NO. 7008

IN

MADISON, DANE COUNTY, WISCONSIN

AWARDED BY THE COMMON COUNCIL
MADISON, WISCONSIN ON _____

CITY ENGINEERING DIVISION
1600 EMIL STREET
MADISON, WISCONSIN 53713

www.cityofmadison.com/business/pw

<https://bidexpress.com/login>

**THIS PROJECT IS FEDERALLY FUNDED DBE
GOAL 12% ID 5992-01-97**

The City has already extensively tested the soil and will provide these analytical reports to the Contractor to assist with proper waste profiling. The Contractor shall be responsible for acquiring the necessary waste profile including additional TCLP testing requirements if needed. Laboratory reports and sampling maps will be available on the City's bidding website. It is anticipated that the material will pass landfill TCLP testing requirements.
<http://www.cityofmadison.com/business/pw/contracts/openforBid.cfm>.

The Contractor shall use loading and hauling practices that are appropriate to prevent any spills or releases of petroleum-contaminated soils or residues. Prior to transport, the Contractor shall sufficiently dewater soils designated for off-site bioremediation or approved disposal facility so as not to contain free liquids.

For further information regarding previous investigation and remediation activities at these sites contact:

Name: Richard Lyster
Company: MSA Professional Services, Inc.
Address: 1230 South Boulevard
Phone: (608) 356-2771
Fax: (608) 356-2770
e-mail: dlyster@msa-ps.com

Procedures for hauling and disposal – petroleum contaminated material on the Brearly Block include the excavation referenced in Appendix A for the Restroom Pavilion.

MEASUREMENT

Hauling and Disposal – Petroleum Contaminated Material will be measured by the TON, as measured at the landfill. The City has assumed 2 Tons/CY for this item. The Contractor shall provide landfill tickets as verification of tons hauled.

BASIS OF PAYMENT

Hauling and Disposal – Petroleum Contaminated Material, measured as stated above, is full compensation associated with handling, hauling material offsite to a proper disposal facility, and fees associated with the disposal. The Contractor shall be responsible for hauling and paying for the disposal and tipping fees associated with this item.

BID ITEM 90037 – HAULING AND DISPOSAL – INDUSTRIAL FILL

This item describes the hauling and reuse or disposal of material that is contaminated with PAHs and/or heavy metals that is referred to as 'industrial fill'. Work under this bid item shall include all labor, equipment, materials, and fees necessary to haul and dispose of industrial-fill soils from the Great Lawn (201 S. Ingersoll Street) and the Brearly Block 215 S. Brearly Street and 204 S. Ingersoll Street).

Testing for soil and groundwater contamination was completed by the City for locations within this project where excavation is required. Analytical results indicate that PAH and heavy-metal contaminated soils, referred to here as 'industrial fill', are present throughout both the Brearly

BID OF _____

2014

PROPOSAL, CONTRACT, BOND AND SPECIFICATIONS

FOR

SKATE PARK - CENTRAL PARK, MADISON

CONTRACT NO. 7312

IN

MADISON, DANE COUNTY, WISCONSIN

AWARDED BY THE COMMON COUNCIL
MADISON, WISCONSIN ON _____

CITY ENGINEERING DIVISION
1600 EMIL STREET
MADISON, WISCONSIN 53713

<https://bidexpress.com/login>

Testing for soil and groundwater contamination was completed by the City for locations within this project where excavation is required. Analytical results indicate that PAH and heavy-metal contaminated soils, referred to here as 'industrial fill', are present throughout the site, as explained further under **Bid Item 20101 Excavation Cut**. All non-petroleum-contaminated soils are assumed here to be contaminated with industrial fill excluding the existing 2-foot clean soil cap.

The Contractor shall take all necessary efforts to maximize the reuse of industrial fill as general fill materials below the 2-foot clean soil cap in pervious areas or below the impervious surface elsewhere on the site. Off-site disposal of industrial fill shall not exceed the bid quantity without written preapproval from the Engineer.

The City has already extensively tested the soil and will provide these analytical reports to the Contractor to assist with proper waste profiling. The City has coordinate with local landfills and anticipates that this material will be considered suitable as alternate daily cover material.

If the Contractor's selected landfill requires additional testing for this designation, the Contractor shall be responsible for acquiring the necessary waste profile including additional TCLP testing requirements if needed.

Laboratory reports and sampling maps will be available on the City's bidding website. It is anticipated that the material will pass landfill TCLP testing requirements.
<http://www.cityofmadison.com/business/pw/contracts/openforBid.cfm>.

The Contractor shall use loading and hauling practices that are appropriate to prevent any spills or releases of industrial fill. Prior to transport, the Contractor shall sufficiently dewater soils designated for off-site approved disposal facility so as not to contain free liquids.

For further information regarding previous investigation and remediation activities at these sites contact:

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Phone: (608) 356-2771
Fax: (608) 356-2770
e-mail: dlyster@msa-ps.com

MEASUREMENT

Hauling and Disposal – Industrial Fill Contaminated Material will be measured by the TON, as measured at the landfill. The City has assumed 2 Tons/CY for this item. The Contractor shall provide landfill tickets as verification of tons hauled.

BASIS OF PAYMENT

Hauling and Disposal – Industrial Fill Contaminated Material, measured as stated above, is full compensation associated with handling, hauling material offsite to a proper disposal facility, and fees associated with the disposal. The Contractor shall be responsible for paying the taxes and disposal and tipping fees associated with this item.

BID ITEM 90010 – CONSTRUCTION SKATE PARK

DESCRIPTION

Work under this bid item shall include all labor, equipment, and materials necessary to complete the Skate Park construction per specifications as specified in Appendix A and as shown in plans. Skate Park construction includes all work shown on the plans which includes but not limited to Ornamental fencing and swing gate, metal fabricated coping and edging, concrete slabs with smooth trowel finish, cast in place stairs and grind ledges, free standing metal fabricated rails, shotcrete transition bowls and banks, granite ledges, retaining walls between 2' to 5' in height, pool coping and tile etc.

EXHIBIT C

CENTRAL PARK PHASE 1A
 CONTRACT NO. 7008
 BID OPENING: July 12, 2013

Item	Quantity	Joe Daniels Construction		Speedway Sand & Gravel Inc.
		Price	Extension	Price
10701 - TRAFFIC CONTROL - LS	1.00	\$3,000.00	\$3,000.00	\$6,000.00
10911 - MOBILIZATION - LS	1.00	\$158,885.00	\$158,885.00	\$264,000.00
20130 - UNDERDRAIN - LF	100.00	\$11.50	\$1,150.00	\$20.00
20101 - EXCAVATION CUT - CY	5,776.00	\$13.50	\$77,976.00	\$10.95
20201 - FILL BORROW - TONS	16,013.00	\$8.85	\$141,715.05	\$10.50
20221 - 6" TOPSOIL - SY	19,338.00	\$3.48	\$67,296.24	\$4.30
20221 - 12" TOPSOIL - SY	425.00	\$7.00	\$2,975.00	\$7.15
20302 - SAWCUT CONCRETE FULL DEPTH - LF	15.00	\$5.00	\$75.00	\$3.50
20303 - SAWCUT BITUMINOUS PAVEMENT - LF	259.00	\$2.75	\$712.25	\$1.50
20312 - REMOVE CATCHBASIN - EACH	1.00	\$475.00	\$475.00	\$400.00
20313 - REMOVE INLET - EACH	3.00	\$250.00	\$750.00	\$350.00
20314 - REMOVE PIPE - LF	328.00	\$22.50	\$7,380.00	\$16.00
20321 - REMOVE CONCRETE PAVEMENT - SY	24.00	\$10.00	\$240.00	\$10.00
20322 - REMOVE CONCRETE CURB AND GUTTER - LF	667.00	\$3.65	\$2,434.55	\$3.00
20323 - REMOVE CONCRETE SIDEWALK AND DRIVE - SY	502.00	\$1.00	\$502.00	\$9.00
20326 - REMOVE FENCE - LF	150.00	\$8.00	\$1,200.00	\$2.50
20336 - PIPE PLUG - EACH	2.00	\$175.00	\$350.00	\$300.00
20503 - ADJUST INLET - EACH	3.00	\$325.00	\$975.00	\$300.00
20506 - ADJUST SEWER ACCESS STRUCTURE CASTING - EACH	1.00	\$325.00	\$325.00	\$350.00
20701 - TERRACE SEEDING - SY	22,735.00	\$0.80	\$18,188.00	\$0.75
20704 - INFILTRATION SEEDING - SY	125.00	\$3.00	\$375.00	\$2.80
21001 - EROSION CONTROL PLAN AND IMPLEMENTATION - LS	1.00	\$500.00	\$500.00	\$1,500.00
21002 - EROSION CONTROL INSPECTION - EACH	42.00	\$200.00	\$8,400.00	\$350.00
21011 - CONSTRUCTION ENTRANCE - EACH	4.00	\$1,500.00	\$6,000.00	\$1,200.00
21012 - STREET CONSTRUCTION ENTRANCE BERM - EACH	1.00	\$1,750.00	\$1,750.00	\$1,000.00
21013 - STREET SWEEPING - LS	1.00	\$1,500.00	\$1,500.00	\$2,000.00
21021 - SILT FENCE-COMplete - LF	5,780.00	\$2.00	\$11,560.00	\$1.10
21031 - INLET PROTECTION, TYPE C - COMPLETE - EACH	4.00	\$100.00	\$400.00	\$200.00
21041 - INLET PROTECTION, TYPE D - COMPLETE - EACH	39.00	\$200.00	\$7,800.00	\$250.00
21064 - EROSION MATTING, CLASS I, TYPE B - SY	1,823.00	\$2.50	\$4,557.50	\$2.25

21092 - TERRACE RESTORATION - SY	30.00	\$20.00	\$600.00	\$18.00
30201 - TYPE "A" CONCRETE CURB AND GUTTER - LF	152.00	\$27.00	\$4,104.00	\$24.00
30301 - 5-INCH CONCRETE SIDEWALK - SF	2,385.00	\$6.00	\$14,310.00	\$4.10
30302 - 7-INCH CONCRETE SIDEWALK AND DRIVE - SF	818.00	\$6.85	\$5,603.30	\$4.50
30340 - CURB RAMP DETECTABLE WARNING FIELDS - SF	192.00	\$26.00	\$4,992.00	\$35.00
40101 - CRUSHED AGGREGATE BASE COURSE, GRADATION NO. 1 - TON	111.00	\$15.00	\$1,665.00	\$16.00
40102 - CRUSHED AGGREGATE BASE COURSE, GRADATION NO. 2 OR NO. 3 - TON	2,484.00	\$14.00	\$34,776.00	\$15.00
40202 - HMA PAVEMENT TYPE E-1 - TON	484.00	\$71.50	\$34,606.00	\$68.60
40211 - TACK COAT - GAL	68.00	\$3.00	\$204.00	\$3.00
40402 - 9-INCH CONCRETE PAVEMENT - SF	6,030.00	\$8.40	\$50,652.00	\$6.25
50211 - SELECT BACKFILL FOR STORM SEWER - TF	1,219.00	\$1.00	\$1,219.00	\$0.10
50202 - TYPE II DEWATERING - LS	1.00	\$500.00	\$500.00	\$500.00
50212 - SELECT BACKFILL FOR SANITARY SEWER - TF	74.00	\$1.00	\$74.00	\$1.00
50225 - UTILITY TRENCH PATCH TYPE III - TF	100.00	\$58.00	\$5,800.00	\$10.00
50352 - 6-INCH SANITARY SEWER LATERAL - LF	74.00	\$95.80	\$7,089.20	\$222.00
50390 - SEWER ELECTRONIC MARKERS - EACH	15.00	\$25.00	\$375.00	\$60.00
50401 - 12-INCH HDPE STORM SEWER PIPE - LF	378.00	\$45.80	\$17,312.40	\$36.00
50411 - 12-INCH RCP STORM SEWER PIPE - LF	637.00	\$46.50	\$29,620.50	\$39.00
50412 - 15-INCH RCP STORM SEWER PIPE - LF	62.00	\$51.00	\$3,162.00	\$41.00
50451 - 12-INCH X 12-INCH HDPE STORM SEWER TEE - EACH	2.00	\$200.00	\$400.00	\$300.00
50461 - 12-INCH RCP AE - EACH	2.00	\$500.00	\$1,000.00	\$660.00
50499 - CONCRETE COLLAR - EACH	6.00	\$200.00	\$1,200.00	\$350.00
50601 - 12-INCH RCP AE GATE - EACH	2.00	\$425.00	\$850.00	\$445.00
50741 - TYPE "H" INLET - EACH	15.00	\$1,375.00	\$20,625.00	\$1,750.00
50780 - CLEANOUT - EACH	1.00	\$300.00	\$300.00	\$500.00
50791 - SANITARY SEWER TAP - EACH	1.00	\$500.00	\$500.00	\$1,700.00
50801 - UTILITY LINE OPENING (ULO) - EACH	15.00	\$400.00	\$6,000.00	\$425.00
60802.0 - PAVEMENT MARKING EPOXY, LINE, 6-INCH - LF	101.00	\$3.25	\$328.25	\$2.95
60818.0 - PAVEMENT MARKING EPOXY, STOP LINE, 25-INCH - LF	71.00	\$8.00	\$568.00	\$7.50

60835.0 - PAVEMENT MARKING EPOXY, SYMBOL, RAILROAD CROSSING - EACH	2.00	\$895.00	\$1,790.00	\$850.00
70001 - FURNISH AND INSTALL 4-INCH PIPE AND FITTINGS - LF	50.00	\$108.00	\$5,400.00	\$112.00
70002 - FURNISH AND INSTALL 6-INCH PIPE AND FITTINGS - LF	89.00	\$110.00	\$9,790.00	\$102.00
70009 - FURNISH AND INSTALL 1-INCH SERVICE LATERALS - LF	50.00	\$80.00	\$4,000.00	\$92.00
70011 - FURNISH AND INSTALL 2-INCH SERVICE LATERALS - LF	672.00	\$78.00	\$52,416.00	\$62.00
70408 - SELECT FILL - SAND FOR WATER - LF	861.00	\$1.00	\$861.00	\$1.00
70418.0 - ADJUST WATER VALVE BOX - EACH	2.00	\$125.00	\$250.00	\$200.00
70427 - FURNISH AND INSTALL 4-INCH WATER VALVE - EACH	1.00	\$1,135.00	\$1,135.00	\$1,550.00
70428 - FURNISH AND INSTALL 6-INCH WATER VALVE - EACH	1.00	\$1,355.00	\$1,355.00	\$1,850.00
70450 - FURNISH AND INSTALL CURB BOX - EACH	3.00	\$400.00	\$1,200.00	\$500.00
70451 - FURNISH AND INSTALL CURB STOP - EACH	3.00	\$650.00	\$1,950.00	\$750.00
70453.0 - ABANDON EXISTING CURB BOX - EACH	1.00	\$100.00	\$100.00	\$750.00
70455 - PIPE PLUG FOR WATERMAIN INSTALLATION - EACH	1.00	\$250.00	\$250.00	\$500.00
70456 - FURNISH EXCAVATION AND DITCH FOR LIVE TAP - EACH	1.00	\$1,150.00	\$1,150.00	\$2,000.00
90001 - 4-INCH PVC STORM SEWER - LF	34.00	\$44.00	\$1,496.00	\$43.00
90002 - 6-INCH PVC STORM SEWER - LF	56.00	\$47.00	\$2,632.00	\$45.00
90003 - 8-INCH D.I. STORM SEWER - LF	52.00	\$65.00	\$3,380.00	\$65.00
90004 - 12-INCH STORM PLUG - EACH	1.00	\$100.00	\$100.00	\$250.00
90005 - 15-INCH STORM PLUG - EACH	2.00	\$105.00	\$210.00	\$275.00
90006 - 2 FOOT X 2 FOOT STORM CATCH BASIN - EACH	4.00	\$1,350.00	\$5,400.00	\$1,600.00
90007 - 2-INCH THICK STYROFOAM INSULATION - LF	105.00	\$10.00	\$1,050.00	\$12.00
90008 - CONNECT TO EXISTING WATER SERVICE - EACH	1.00	\$500.00	\$500.00	\$1,900.00
90009 - ENGINEERED SOIL - SY	33.00	\$32.50	\$1,072.50	\$40.00
90010 - ABANDON EXISTING WATER SERVICE - EACH	1.00	\$685.00	\$685.00	\$1,500.00
90011 - OVERHEAD UTILITY REMOVAL - LS	1.00	\$6,500.00	\$6,500.00	\$1,500.00
90012 - REMOVE EXISTING WOOD PLANTER BOX - EACH	7.00	\$60.00	\$420.00	\$35.00
90013 - REMOVE EXISTING WOOD TIMBERS - LF	125.00	\$3.00	\$375.00	\$2.00

90014 - SAND BACKFILL FOR INFILTRATION BASIN - CY	179.00	\$30.00	\$5,370.00	\$45.00
90015 - FENCE - LF	3,326.00	\$38.75	\$128,882.50	\$37.60
90016 - BENCH, BACKED - EACH	13.00	\$2,550.00	\$33,150.00	\$2,700.00
90017 - BENCH, BACKLESS - EACH	4.00	\$2,000.00	\$8,000.00	\$2,000.00
90018 - BIKE RACK - EACH	10.00	\$425.00	\$4,250.00	\$310.00
90019 - BOULDER WALL - SF	230.00	\$42.00	\$9,660.00	\$19.00
90020 - MOUNTABLE INTEGRAL CONCRETE CURB AND GUTTER - LF	488.00	\$30.00	\$14,640.00	\$25.00
90021 - CONCRETE 5-INCH, INTEGRAL COLOR WITH TEXTURE - SF	11,219.00	\$7.70	\$86,386.30	\$9.10
90022 - CONCRETE 5-INCH, INTEGRAL COLOR NO TEXTURE - SF	629.00	\$8.40	\$5,283.60	\$6.10
90023 - CONCRETE 9-INCH, INTEGRAL COLOR WITH TEXTURE - SF	1,583.00	\$13.00	\$20,579.00	\$13.00
90024 - CONCRETE 9-INCH, INTEGRAL COLOR NO TEXTURE - SF	5,764.00	\$14.10	\$81,272.40	\$10.10
90025 - CONCRETE 24-INCH, INTEGRAL COLOR WITH TEXTURE - SF	435.00	\$35.00	\$15,225.00	\$40.00
90026 - DRINKING FOUNTAIN - EACH	1.00	\$3,450.00	\$3,450.00	\$5,800.00
90027 - PICNIC TABLE - EACH	4.00	\$5,250.00	\$21,000.00	\$7,025.00
90028 - REMOVABLE BOLLARD - EACH	15.00	\$1,580.00	\$23,700.00	\$1,225.00
90029 - TRASH AND RECYCLE RECEPTACLES - EACH	6.00	\$1,200.00	\$7,200.00	\$900.00
90030 - RESTROOM PAVILION - GENERAL BUILDING - EACH	1.00	\$632,480.00	\$632,480.00	\$665,500.00
90031 - RESTROOM PAVILION - PLUMBING - EACH	1.00	\$23,000.00	\$23,000.00	\$41,000.00
90032 - RESTROOM PAVILION - VENTILATION - EACH	1.00	\$9,330.00	\$9,330.00	\$13,500.00
90033 - RESTROOM PAVILION - ELECTRICAL - EACH	1.00	\$92,445.00	\$92,445.00	\$87,600.00
90034 - ELECTRICAL - LS	1.00	\$130,195.00	\$130,195.00	\$122,403.00
90035 - REPLACE INLET CASTING - EACH	1.00	\$800.00	\$800.00	\$500.00
90036 - HAULING AND DISPOSAL- PETROLEUM CONTAMINATED - TON	1,825.00	\$38.15	\$69,623.75	\$35.50
90037 - HAULING AND DISPOSAL- INDUSTRIAL FILL - TON	6,450.00	\$37.08	\$239,166.00	\$46.00
20219 - BREAKER RUN - TON	1,648.00	\$13.50	\$22,248.00	\$13.00

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CONTRACT TOTALS			\$2,570,686.29	\$2,769,126.90
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BID ALTERNATE A

90038 - AIR BLOW OFF, COMPLETE - EACH	1.00	\$1,650.00	\$1,650.00	\$2,000.00
90039 - IRRIGATION PUMP STATION AND APPURTENANCES - LS	1.00	\$38,850.00	\$38,850.00	\$25,000.00

90040 - CONCRETE BASE FOR PUMP STATION - LS	1.00	\$1,250.00	\$1,250.00	\$700.00
90041 - IRRIGATION SYSTEM AND APPURTENANCES - LS	1.00	\$24,050.00	\$24,050.00	\$70,000.00
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ALTERNATE A TOTALS			\$65,800.00	\$97,700.00
BID ALTERNATE B				
90042 - RESTROOM PAVILION (COLOR CHANGING LIGHTING) - LS	1.00	\$19,875.00	\$19,875.00	\$19,500.00
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ALTERNATE B TOTALS			\$19,875.00	\$19,500.00

BID ITEM 90035 – REPLACE INLET CASTING

DESCRIPTION

Work under this bid item shall include all labor, equipment, and materials necessary to replace the inlet castings.

MATERIALS

Inlet casting shall be as specified on the plans or approved equal.

CONSTRUCTION

Contractor shall replace the existing inlet casting in locations shown on the plans. The existing inlet shall be salvaged and returned to the City of Madison Public Works. Any adjustment required shall be paid under the "Adjust Inlet" bid item.

MEASUREMENT

Replace Inlet Casting shall be measured upon completion, in place, and accepted in accordance with the contract.

BASIS OF PAYMENT

Replace Inlet Casting shall be paid for at the contract unit bid price per EACH.

BID ITEM 90036 – HAULING AND DISPOSAL – PETROLEUM CONTAMINATED MATERIAL

DESCRIPTION

This item describes hauling and disposing of material that is contaminated with petroleum. Work under this bid item shall include all labor, equipment, materials, and fees necessary to haul and dispose of petroleum-contaminated soil from the Great Lawn (201 S. Ingersoll Street) and the Brearly Block 215 S. Brearly Street and 204 S. Ingersoll Street).

Testing for soil and groundwater contamination was completed by the City for locations within this project where excavation is required. Test results indicate that petroleum-contaminated soils are present on the south half of the Brearly Block and in isolated zones at the south end of the Great Lawn, as shown on the plan set and explained further under **Bid Item 2010 Excavation Cut**.

An Environmental Technician hired by the City will be on-site during excavation activities in petroleum-contaminated areas to make the determination if soil may be reused on-site or if it requires off-site disposal. The City requires that this material be hauled and to a WDNR-approved bioremediation facility.

The City has already extensively tested the soil and will provide these analytical reports to the Contractor to assist with proper waste profiling. The Contractor shall be responsible for acquiring the necessary waste profile including additional TCLP testing requirements if needed. Laboratory reports and sampling maps will be available on the City's bidding website. It is anticipated that the material will pass landfill TCLP testing requirements. <http://www.cityofmadison.com/business/pw/contracts/openforBid.cfm>.

The Contractor shall use loading and hauling practices that are appropriate to prevent any spills or releases of petroleum-contaminated soils or residues. Prior to transport, the Contractor shall sufficiently dewater soils designated for off-site bioremediation or approved disposal facility so as not to contain free liquids.

For further information regarding previous investigation and remediation activities at these sites contact:

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Address: 1230 South Boulevard
Phone: (608) 356-2771
Fax: (608) 356-2770
e-mail: dlyster@msa-ps.com

Procedures for hauling and disposal – petroleum contaminated material on the Brearly Block include the excavation referenced in Appendix A for the Restroom Pavilion.

MEASUREMENT

Hauling and Disposal – Petroleum Contaminated Material will be measured by the TON, as measured at the landfill. The City has assumed 2 Tons/CY for this item. The Contractor shall provide landfill tickets as verification of tons hauled.

BASIS OF PAYMENT

Hauling and Disposal – Petroleum Contaminated Material, measured as stated above, is full compensation associated with handling, hauling material offsite to a proper disposal facility, and fees associated with the disposal. The Contractor shall be responsible for hauling and paying for the disposal and tipping fees associated with this item.

BID ITEM 90037 – HAULING AND DISPOSAL – INDUSTRIAL FILL

This item describes the hauling and reuse or disposal of material that is contaminated with PAHs and/or heavy metals that is referred to as 'industrial fill'. Work under this bid item shall include all labor, equipment, materials, and fees necessary to haul and dispose of industrial-fill soils from the Great Lawn (201 S. Ingersoll Street) and the Brearly Block 215 S. Brearly Street and 204 S. Ingersoll Street).

Testing for soil and groundwater contamination was completed by the City for locations within this project where excavation is required. Analytical results indicate that PAH and heavy-metal contaminated soils, referred to here as 'industrial fill', are present throughout both the Brearly

Block and the Great Lawn, as shown on the plan set and explained further under **Bid Item 20101 Excavation Cut**. All non-petroleum-contaminated soils are assumed here to be contaminated with industrial fill with the following exceptions; the 2-foot clean soil cap on the Great Lawn and any other soils designated clean by the Environmental Technician.

The Contractor shall take all necessary efforts to maximize the reuse of industrial fill as general fill materials below the 2-foot clean soil cap. Off-site disposal of industrial fill at a WDNR-licensed landfill must receive prior approval by the Environmental Technician.

The City has already extensively tested the soil and will provide these analytical reports to the Contractor to assist with proper waste profiling. The Contractor shall be responsible for acquiring the necessary waste profile including additional TCLP testing requirements if needed. Laboratory reports and sampling maps will be available on the City's bidding website. It is anticipated that the material will pass landfill TCLP testing requirements.
<http://www.cityofmadison.com/business/pw/contracts/openforBid.cfm>.

The City anticipates that this material will be considered suitable as alternate daily cover material. If the Contractor's selected landfill requires additional testing for this designation, the City agrees to take and pay for the necessary additional soil samples for laboratory analysis (e.g. PCBs, full RCRA metals, and TCLP).

The Contractor shall use loading and hauling practices that are appropriate to prevent any spills or releases of industrial fill. Prior to transport, the Contractor shall sufficiently dewater soils designated for off-site approved disposal facility so as not to contain free liquids.

For further information regarding previous investigation and remediation activities at these sites contact:

Name: Richard Lyster
Company: MSA Professional Services, Inc.
Address: 1230 South Boulevard
Phone: (608) 356-2771
Fax: (608) 356-2770
e-mail: dlyster@msa-ps.com

MEASUREMENT

Hauling and Disposal – Industrial Fill Contaminated Material will be measured by the TON, as measured at the landfill. The City has assumed 2 Tons/CY for this item. The Contractor shall provide landfill tickets as verification of tons hauled.

BASIS OF PAYMENT

Hauling and Disposal – Industrial Fill Contaminated Material, measured as stated above, is full compensation associated with handling, hauling material offsite to a proper disposal facility, and fees associated with the disposal. The Contractor shall be responsible for hauling and paying for the disposal and tipping fees associated with this item.

Schmidt, Janet

From: Schmidt, Janet
Sent: Friday, May 23, 2014 9:27 AM
To: Phillips, Rob; Rutledge, Kay; Sturm, Michael; Bemis, Brynn
Subject: Central Park contamination

Fyi, bid tabs for this below:

		Joe Daniels Construction		Speedway Sand & Gravel Inc.
Item	Quantity	Price	Extension	Price
10701 - TRAFFIC CONTROL - LS	1.00	\$3,000.00	\$3,000.00	\$6,000.00
10911 - MOBILIZATION - LS	1.00	\$158,885.00	\$158,885.00	\$264,000.00
20130 - UNDERDRAIN - LF	100.00	\$11.50	\$1,150.00	\$20.00
20101 - EXCAVATION CUT - CY	5,776.00	\$13.50	\$77,976.00	\$10.95
20201 - FILL BORROW - TONS	16,013.00	\$8.85	\$141,715.05	\$10.50
20221 - 6" TOPSOIL - SY	19,338.00	\$3.48	\$67,296.24	\$4.30
20221 - 12" TOPSOIL - SY	425.00	\$7.00	\$2,975.00	\$7.15
		Joe Daniels Construction		Speedway Sand & Gravel Inc.
Item	Quantity	Price	Extension	Price
90031 - RESTROOM PAVILION - PLUMBING - EACH	1.00	\$23,000.00	\$23,000.00	\$41,000.00
90032 - RESTROOM PAVILION - VENTILATION - EACH	1.00	\$9,330.00	\$9,330.00	\$13,500.00
90033 - RESTROOM PAVILION - ELECTRICAL - EACH	1.00	\$92,445.00	\$92,445.00	\$87,600.00
90034 - ELECTRICAL - LS	1.00	\$130,195.00	\$130,195.00	\$122,403.00
90035 - REPLACE INLET CASTING - EACH	1.00	\$800.00	\$800.00	\$500.00
90036 - HAULING AND DISPOSAL- PETROLEUM CONTAMINATED - TON	1,825.00	\$38.15	\$69,623.75	\$35.50
90037 - HAULING AND DISPOSAL- INDUSTRIAL FILL - TON	6,450.00	\$37.08	\$239,166.00	\$46.00
20219 - BREAKER RUN - TON	1,648.00	\$13.50	\$22,248.00	\$13.00
CONTRACT TOTALS			\$2,570,686.29	\$2,769,126.90