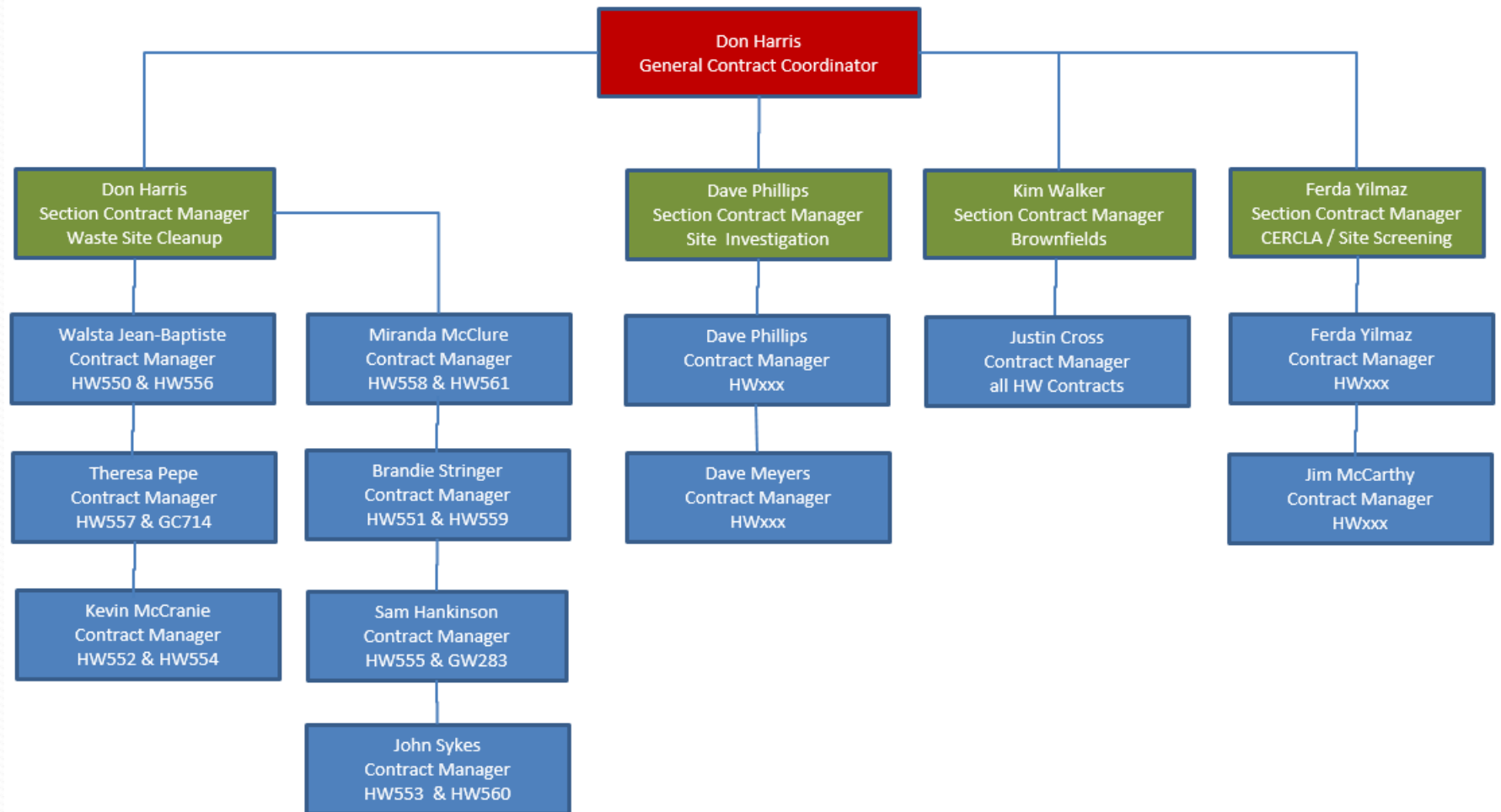


BWC Consolidated Contracts – Organizational Structure





References

- DEP 315 Contractual / Professional Services Management
 - Establishes policy for the purchases of contractual and professional services to support the activities of the DEP.



DEP 315

- Contract/Project Manager Responsibilities
 - An individual who serves as a Contract/ Project Manager for a Department contract is responsible for the following:
 - Determine technical quality of the project.
 - Adherence by the contractor to the contract schedule.
 - Receipt/approval of required reports and deliverables.
 - Requesting amendments and extensions in a timely manner.
 - Auditing invoices based on contract terms and approving invoices if performance is satisfactory.
 - Maintaining accurate records regarding contract balances and approve invoices based on contract balances.



DEP 315

- Contract/Project Manager Responsibilities
 - An individual who serves as a Contract/ Project Manager for a Department contract is responsible for the following:
 - Determine technical quality of the project.
 - **Adherence by the contractor to the contract schedule.**
 - Receipt/approval of required reports and deliverables.
 - Requesting amendments and extensions in a timely manner.
 - **Auditing invoices based on contract terms and approving invoices if performance is satisfactory.**
 - Maintaining accurate records regarding contract balances and approve invoices based on contract balances.



- Reasonable timeframes for submittal of deliverables
- Written DEP approval of deliverables (e-mail)



Fixed Price

- Fixed Unit Price

- Prices of specific units of work are fixed.
- Cost varies with actual quantities of units used.
 - Mobile laboratory
 - cost/day
 - Drilling:
 - cost/day
 - cost/well
 - cost/foot
 - IDW
 - cost/drum
 - Field Personnel
 - loaded cost/day (staff; per diem; ODCs; Project Management; indirect costs; subcontractor handling fees)



Cost Tracking

- FLAIR (Finance & Accounting)
- Division Fiscal Manager (~~Teresa Boeshaghi~~)
- WCP Fiscal Manager (Don Harris)
- Task Managers (DEP Contract Managers)



Work Change Directives (WCDs)



Work Change Directives (WCDs)

- Used only when:
 - Additional work is required under an existing Task Assignment that is outside the Scope of Work of that Task Assignment.

AND

- There is insufficient time to complete a Task Assignment Change Order to address the additional work.



WORK CHANGE DIRECTIVE

Site Name: _____ Site ID#: _____ Date: _____

Contract #: _____ Contractor: _____

Task Assignment #: _____

Work Change Directive #: _____

• Reason for Work Change Directive :

• Description of Work Change Directive :

• Attachments (if applicable, list documents supporting change):

COST

- ☐ Fixed Price Increase
☐ Cost + Fixed Fee Increase
☐ Other _____

Unit Costs: If negotiated Unit Costs, provide information below

Unit Cost Description (i.e., Geoprobe):

Total Unit Cost Rate:

Contractor Costs:

Person/Labor Category

Hours

Subcontractor Cost:

Maximum Estimated Increase in Task Amount: \$ _____

Additional work is not authorized without prior FDEP approval as indicated by signed Work Change Directive Form or Task Assignment Change Order Form.

Authorized Contractor Signature: _____ Date: _____

Authorized FDEP Signature: _____ Date: _____

It is the Contractor's responsibility to ensure that additional costs associated with this WCD are resolved by a Task Assignment Change Order prior to the completion date of the original Task Assignment or subsequent Task Assignment Change Orders completed prior to the execution date of this WCD. Failure to do so will result in a loss of reimbursement for work associated with this WCD.



	HW500 Series	HW550 Series	Total
No. of WCDs Issued	1,230	373	1,603
Total Estimated Costs	\$ 4.25 Million	\$ 1.24 Million	\$ 5.49 Million
WCDs lost (expired TAs)	12	3	15
WCD Dollars Lost	\$19,800	\$5,630	\$25,430



- Resolve WCDs as soon as possible.
- Submit Change Orders to resolve WCDs no later than 2 weeks before the expiration date of the Task Assignment.
 - Bureau Chief $\leq$ \$100,000.
 - Division Director $\leq$ \$350,000
 - Deputy Secretary $\leq$ \$1,000,000
- Tracking sheet.
- Inclusion of outstanding WCDs on the Weekly Status Reports.



Invoices



Invoices

- Contractual Services Invoice Form
- Task Assignment Notification Form
- Last Task Assignment Change Order Form with Invoice/Deliverable Schedule
- Subcontractor Utilization Report Form (Attachment G).
- Cost Plus documentation, if applicable (utilities payments)
- Memo from DEP approving Deliverable(s) associated with the invoice
- Proof of payment for all subcontractors with greater than \$1,000 associated with the invoice being paid.



Invoices

- Contractual Services Invoice Form
- Task Assignment Notification Form
- Last Task Assignment Change Order Form with Invoice/Deliverable Schedule
- Subcontractor Utilization Report Form (Attachment G).
- Cost Plus documentation, if applicable (utilities payments)
- Memo from DEP approving Deliverable(s) associated with the invoice
- Proof of payment for all subcontractors with greater than \$1,000 associated with the invoice being paid.



Invoices

- Reimbursement Contracts.
- Any subcontracted work covered under the invoice must be paid to the subcontractor(s) before the Contractor can submit the invoice to the Department for payment.
 - Effective July 1, 2016, proof of subcontractor(s) payment(s) must be included with submitted invoices to the Department.
 - Copy of the warrant(s) issued to the subcontractor(s)
 - Statement from the subcontractor(s) that they have been paid in full for the specified work.



Utility Payments/Reductions

- Utility invoices are paid on a “time-and-materials” basis (Cost Plus Fixed Fee).
- The unpaid utilities balance at the end of the Task Assignment will no longer require a Task Assignment Change Order.
 - There must be no other cost reductions related to the Task Assignment other than the utilities and the utilities handling fee.
 - All other invoices must be submitted and approved for payment.
 - The Contractor must send an e-mail to the DEP Contract Manager stating:
 - the Task Assignment number,
 - the amount of the unpaid utilities balance, and
 - that the Contractor will not be invoicing for the unpaid utilities balance



DEP Property

- 
- 
- Property Management Guidelines specify how to:
 - obtain a property number
 - obtain a registration and tag for mobile systems
 - relocate property to a site
 - relocate property to the Lakeland Storage Facility
 - dispose of property
 - modify property (parts is parts)
 - maintain property files
 - when in doubt, contact:
 - Brandie Stringer (WSCS Property Custodian)
 - Don Harris (Alternate)

<http://www.dep.state.fl.us/waste/categories/wc/pages/cleanup/pages/contractor.htm>

Treatment System Disposal





Disposal Rule # 1

- Do not dispose/scrap/salvage a treatment system, or any of its major components, without obtaining permission from the WSCS Property Custodian or Alternate.



Disposal Process

- Contractor and DEP Contract Manager agree on disposal of the Treatment System, with justification
- DEP Contract Manager submits request to WSCS Property Custodian for disposal.
- WSCS Property Custodian submits request package to Records/Property Management.
- Records/Property Management submits request package to Surplus Property Review Board.
 - WSCS Property Custodian receives Surplus Property Disposal Form.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Surplus Property Disposal Certification/Receipt

NOTE: Disposal must be in the manner specified by the Surplus Property Review Board. Scrap disposal must be attested to by the person disposing of the property and one witness.

The surplus property listed below was released or disposed of as follows: (Indicate method of disposal and print name and agency/company of person to whom released, if applicable. If property was in scrap condition or disposal method is "OTHER", include a brief description of disposal procedure.)

☐ SOLD; ☐ DONATED; ☐ TRANSFERRED; ☐ TRADED; ☒ SCRAPPED; ☐ OTHER

AGENCY/COMPANY RELEASED TO: Engineered Environmental Solutions

DESCRIPTION OF DISPOSAL PROCEDURE: See Attached Letter

Item #	Property #	Description	Sales Rec't #	Cert. #
1	109747	Dual Phase Extraction Treatment System		06/SP-589

TOTAL NUMBER OF ITEMS RELEASED/RECEIVED/DISPOSED: 1

RELEASED/DISPOSED OF BY: [Signature]

DATE: 7/19/06

BY SIGNING THIS FORM I ACKNOWLEDGE THAT ALL DONATED PROPERTY RECEIVED IS FOR THE USE OF THE RECEIVING AGENCY.

RECEIVED BY: [Signature]
(Person receiving property, if applicable)

DATE: 7/19/06

WITNESSED BY: [Signature]
(Witness to scrap disposal, if applicable)

DATE: 7/19/06

DEP 55-407 (2/00)

WEIGHMASTER CERTIFICATE
TRUCK SCALE

TICKET IN TRANSIT

Purchased From: COWUP
JOHN MATTHEW BOUVIER-WISE

188-PURP RD
811 N.W. 15TH AVENUE
POMPANO BEACH
934-788-3805 FL 33069

Van # INFO THAWZ ID # WNT FRD VNR

Vendor 30

LOADING COMMODITY	GROSS	TARE	NET	ADD WEIGHT	FW WT
TRUCKER SWEET IRON	11000	8460	2540		2540
ALL WEIGHTS ARE REPORTED IN POUNDS UNLESS OTHERWISE INDICATED. ALL TARE-POUND WEIGHTS ARE ASSUMED TO BE MANUAL WEIGHTS					

TOTALS 11000 8460 2540 2540

WEIGHMASTER SIGNATURE (REQUIRED BY)

CUSTOMER SIGNATURE

APSCALE 4878303 CARRIER 3 CARRIER # 00000000000000000000

GRS Date 07/15/06 GRS-DATE 10000
GRS Time 11:26 GRS-DATE 1.1339
TSE Date 07/15/06
TSE Time 11:30

CARRIER'S SYSTEM

*** CASH RECEIPT ***

RECEIPT # 135030
RECEIPT DATE 07/15/06

Purchased From:
JOHN MATTHEW BOUVIER-WISE

188-PURP RD
811 N.W. 15TH AVENUE
POMPANO BEACH
934-788-3805 FL 33069

Van # INFO THAWZ ID # WNT FRD VNR

TRUCKER SWEET IRON	GROSS	TARE	NET	ADD WEIGHT	VEHICLE ID	PRICE LN	FW	EXT	TOTAL	AMT
TRUCKER 07/15/06 SWEET IRON	11000	8460	2540	0	WNT FRD VNR	65.0000 RT	100		65.00	62.50

I hereby state that I am the owner of the above
described property or I am legally authorized to
transfer ownership and hereby do so.

VENDOR COWUP TOTALS (POUNDS)

11000 8460 2540

TOTAL AMOUNT DUE SUPPLIER

62.50

CUSTOMER SIGNATURE

CUSTOMER SIGNATURE

GRS-DATE 1.1339

4828304



Replacing/Adding Major Components

What is a Major Component?

- Component cost is \$1,000 or more.
- Road-worthy trailers, regardless of cost.
- Normal, expected life is greater than one (1) year.
 - Non-consumable
 - Non-expendable



Major Component Examples

- Trailer
- Blower
- Control Panel
- Moisture Separator
- Carbon Filtration Pressure Vessel
- Attractive Items
 - Anything of value that might “walk away”.

Treatment System





Major Component





Minor Component



BETX Solutions, Inc.

P.O. Box 6376, Lakeland, FL Ph: 863.644.1038 Fax: 863.644.8290

visit www.equipmentplusinc.com for additional environmental remediation equipment

Client: HSA Environmental
Contact: Ms. Isabel Burke
Project: McNatt's Ehrlich
Location: Tampa, FL
Date: 6/6/2006

SVE Blower System Replacement Components

Item	Model	Qty	Total Amount
Ametek Rotron Moisture Separator	MS350BS	1	\$1,174.50
Subtotal			\$1,174.50
Sales tax @ 6%			\$70.47
Freight to Jobsite			\$100.00
Total with Tax			\$1,344.97

Notes

1. Freight to jobsite is included
2. Installation at jobsite is not included
3. Shipment will take 1-2 weeks after order is placed
4. Payment terms are net 30 days after shipment
5. Any items not shown on this proposal are not included in our scope

Quoted by: Ken Rogers

Photo Documentation of the exchange of moisture separators at McNatts Erlich SVE system.



↑ Old Moisture Separator w/ FDEP ID# Etched Off.



↑ Old Moisture Separator



↑ New moisture separator w/ FDEP ID# Inscribed



↑ Old Moisture Separator



6 11260 1b 02:30PM 08/16/2006



SCRAP-ALL, INC.

2801 4th Avenue / P.O. Box 5567
TAMPA, FLORIDA 33675
Phone: (813) 247-3619

DATE _____, 20 _____

LOAD OF Scrapped 1 Tank
FROM HSA Eng.
TO _____
DRIVER: ☐ ON _____
☐ OFF _____

FEES _____



Institute of Scrap Recycling Industries, Inc.

Component List

DESCRIPTION	SERIAL NUMBER	COST
SVE Unit	SVE 0094	\$ 8,350. ⁰⁰
Air Stripper	STP 0034	\$ 10,291. ⁰⁰
Includes:		
Well Pump & Level Probe		\$ 2,010. ⁰⁰
Influent Tank		\$ 1,276. ⁰⁰
Feed Pump		\$ 517. ⁰⁰
Moisture Separator	MS 2304	\$ 894.⁰⁰
Moisture Separator	MS 2879	\$ 1,253. ⁰⁰
System Control Panel	PNL 0191	\$ 11,350. ⁰⁰



Major Component(s) Replacement Form HWCS Treatment Systems

Contract No: _____
Task Assignment No: _____
FDEP Facility ID No: _____
FDEP Property No: _____

Attached Documentation:

- ☐ Copy of paid invoice(s) for the new major component(s).
- ☐ Completed Equipment Form for the new major component(s).
- ☐ Picture(s) of new major component(s) with inscribed property number.

or

Signed Contractor Certification of Completion for replaced components.
- ☐ Picture(s) of old component(s) with property number lined through and "salvage" or "scrap" inscribed immediately above or below.

or

Signed Contractor Certification of Completion for replaced components.
- ☐ Receipt(s) from the receiving facility (landfill, etc.) for disposal of the old component(s) as scrap material.

Contractor Certification of Completion:

I certify that I have inscribed the FDEP Property Number on all new major components for the treatment system, and have lined through the FDEP Property Number and inscribed "salvage" or "scrap" immediately above or below on all of the replaced major components identified on the attached documentation.

Signature

Contractor

Date

HWCS CRE 00.06



Treatment System Relocation

"Innie"

EQUIPMENT CHAIN OF CUSTODY

DATE: _____

EARTH SYSTEMS IS ACCEPTING CUSTODY OF THIS STATE OWNED PROPERTY,
WHICH ORIGINATED FROM THE FOLLOWING FACILITY:

FACILITY NAME: _____

FACILITY ID NUMBER: _____

STREET: _____

CITY: _____

COUNTY: _____

PROPERTY #	DESCRIPTION	SERIAL #

UPON EXECUTION OF THE EQUIPMENT CHAIN OF CUSTODY FORM, EARTH SYSTEMS
ACCEPTS CUSTODY OF, AND IS ACCOUNTABLE FOR, THE PROPERTY IDENTIFIED
ABOVE.

THIS FORM MUST BE FORWARDED TO THE WSCS PROPERTY CUSTODIAN (DON
HARRIS) EITHER BY E-MAIL OR BY HARD COPY MAILED TO:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
HAZARDOUS WASTE CLEANUP SECTION
2600 BLAIR STONE ROAD, MS 4520
TALLAHASSEE, FL 32399-2400
ATTN: DON HARRIS

THE PROPERTY LISTED ABOVE IS ONLY TO BE USED AT ELIGIBLE SITES UNDER THE
WASTE SITE CLEANUP SECTION.

RELINQUISHED BY (Earth Systems representative)

Print Name

RECEIVED BY (Contractor representative)

Print Name

“Outie”

EQUIPMENT CHAIN OF CUSTODY

DATE: _____

EARTH SYSTEMS IS RELINQUISHING CUSTODY OF THIS STATE OWNED PROPERTY
FOR USE AT THE FACILITY IDENTIFIED BELOW:

FACILITY NAME: _____

FACILITY ID NUMBER: _____

STREET: _____

CITY: _____

COUNTY: _____

PROPERTY #	DESCRIPTION	SERIAL #

UPON EXECUTION OF THE EQUIPMENT CHAIN OF CUSTODY FORM,
_____ (Contractor name) ACCEPTS CUSTODY OF, AND IS
ACCOUNTABLE FOR, THE PROPERTY IDENTIFIED ABOVE.

THIS FORM MUST BE FORWARDED TO THE WSCS PROPERTY CUSTODIAN (DON
HARRIS) EITHER BY E-MAIL OR BY HARD COPY MAILED TO:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
HAZARDOUS WASTE CLEANUP SECTION
2600 BLAIR STONE ROAD, MS 4520
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RELINQUISHED BY (Earth Systems representative)

Print Name

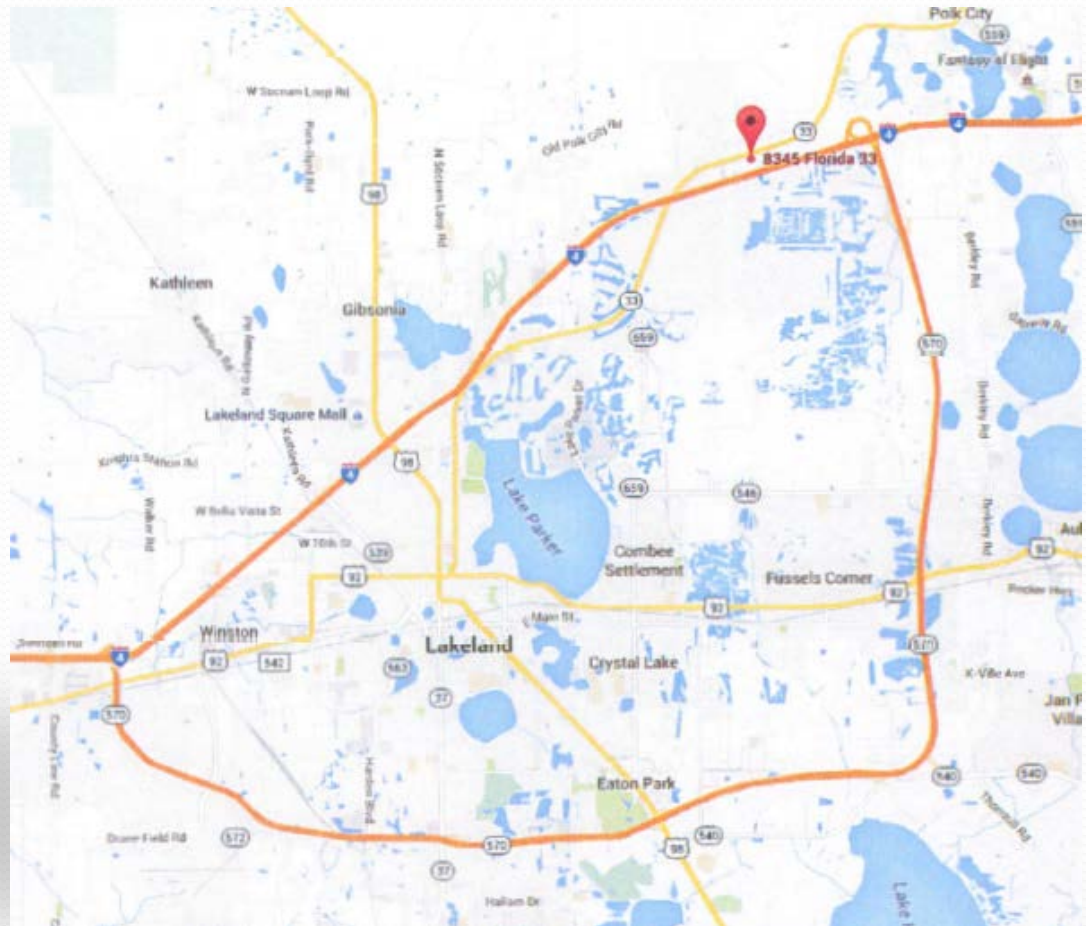
RECEIVED BY (Contractor representative)

Print Name

Lakeland Storage Facility
8345 SR 33 North, Lakeland, FL

Rich Roberts (904) 247-0740

Scott Moore (561) 588-3985





Annual Contract Rate Renegotiations

- Section 12 - All rates contained herein shall be subject to negotiation on the anniversary date of the Contract each year of the Contract.
- Any renegotiated rates currently in the contracts are to be downward.
 - Senate Bill 44-A (2009)
 - signed into law as Chapter 2009-15, Laws of Florida
 - each state agency shall review existing and proposed contracts in an effort to reduce contract payments. It is the statewide goal to achieve substantial savings; however, it is the intent of the Legislature that the level and quality of services not be affected.



Labor Rate Changes

- Changes in
 - Personnel used for the Contract.
 - Personnel Labor Category (promotion).
 - Personnel salaries



Last Name	First Name	Category	Hourly Rate	Contract Max Rate
Principal				\$64.01
Powell	Brenda	PR		
Trimm	David	PR		
Brown	Neil	PR		
Tessitore	Joseph	PR		
Albers	David	PR		
Bolleter	Jim	PR		
Sewall	Daniel	PR		
Chief				\$48.10
Crawley	David	CH		
Stephens	Richard	CH		
Kennedy	Daniel	CH		
Foss	Daniel	CH		
Harter	Erick	CH		
Kelso	Perry	CH		
Kyzar	Carrie	CH		
Xie	Dingming	CH		
Ewe	Mei	CH		
Stineman	Curl	CH		
Morris	Richard	CH		
Senior				\$39.09
Maldonado	Rafael	SR		
Murak	Andrew	SR		
Huber	William	SR		
Elliott	Steven	SR		
Meyers	Eric	SR		
Edwards	Gina	SR		
Moore	K. Mark	SR		
Ramberg	Sarah	SR		
Monette	Dean	SR		
Casey	Justin	SR		
Taravella	James	SR		
Long	Ryan	SR		
Ringo	Christina	SR		
Associate				\$28.09
Thanawastien	Tiara	AS		
Rhyne	Jessica	AS		
Hammond	Helen	AS		
Vaughan	Kristin	AS		
Krajewski	Kevin	AS		
Junior				\$24.47
Oien	Erik	JR		
Jeter	Nicole	JR		
Wetherington	Emma	JR		
Starling	Larry	JR		
Pristach	Jared	JR		
Technician				\$18.72
Clerical				\$22.28
Diez	Odalys	SE		
Benson	Debra	SE		
Barr	Elaine	SE		

ATTACHMENT E RATE SCHEDULE

Contractor: Ecology and Environment, Inc.

Direct Labor Rates

Classification

Principal
Chief
Senior
Associate
Junior
Field Technician
Clerical



Vendors

(Subcontractors)



Vendor Selection

- Chapter 287.055 (4)(a), F.S.
- (4) COMPETITIVE SELECTION—
 - (a) For each proposed **project**, the **agency** shall **evaluate current statements of qualifications and performance data on file with the agency**, ... no fewer than three firms regarding their qualifications, approach to the project, and ability to furnish the required services.
- **WSCS Translation:**
 - For each proposed **Task Assignment**, the **Contractor** shall **prequalify**, ... no fewer than three firms regarding their qualifications, approach to the project, and ability to furnish the required services.



Obtaining Subcontractors

- When do we obtain Subcontractors?
 - Whenever a Contractor is required to provide services for which there are no rates established in their contract.
- How do we obtain Subcontractors?
 - Competitive Selection
 - Sole Source
 - Professional Services



Obtaining Subcontractors

- Competitive Selection

- “Standardized” bids (IDW; Mobile Labs; DPT)
- Three bid minimum
- Non-responsive bids
 - Late submittal
 - Insufficient technical expertise or equipment
 - Unable to meet required schedule.
 - Caveats that the DEP cannot accept



Obtaining Subcontractors

- Sole Source

- Only one vendor is capable of providing the required services
 - Only one vendor has the drilling equipment capable of reaching an area inside a building.
- Project Familiarity
 - Vendor was previously used on the site, and their familiarity with the site is critical to the success of further work.
 - Used sparingly, and with significant justification.



Obtaining Subcontractors

- Professional Services

- Chapter 287.055 F.S.
- Consultants Competitive Negotiations Act
 - "Professional services" means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the state, or those performed by any **architect**, **professional engineer**, **landscape architect**, or **registered surveyor** and mapper in connection with his or her professional employment or practice.



Small Stuff

- Obtaining bids for multiple equipment rentals (Hertz; Ryder; etc.)
 - Yellow iron (bulldozer, backhoe)
 - If multiple equipment items are being rented, obtain a total quote for all of the equipment and select the lowest total quote.

VENDOR BIDS

Drilling

	Preferred				JAEE				Groundwater Protection			
Mobilization	\$600	each	1	\$600	\$300	each	1	\$300	\$1,000	each	1	\$1,000
Per Diem	\$200	night	0	\$0	\$200	night	0	\$0	\$200	night	1	\$200
Daily Rate DPT	\$1,375	day	1	\$1,375	\$1,500	day	1	\$1,500	\$1,200	day	1	\$1,200
1" well installation	\$10	per 5 ft	6	\$60	\$25	ft	6	\$150	\$3	ft	47	\$141
1" x 5' prepack	\$80	each	4	\$320	\$125	each	4	\$500	\$75	each	4	\$300
3" expendable point	\$0	each	2	\$0	\$25	each	0	\$0	\$25	each	2	\$50
8" completion	\$100	each	2	\$200	\$150	each	2	\$300	\$95	each	2	\$190
well development	\$75	each	0	\$0	\$75	each	0	\$0	\$75	each	0	\$0
permits	\$50	each	2	\$100	\$50	each	1	\$50	\$50	each	2	\$100
drums	\$75	each	3	\$225	\$50	each	2	\$100	\$55	each	2	\$110
				\$2,880				\$2,900				\$3,291

IDW

	Clark				FECC				Petrotech			
Soil IDW Drum	\$80	each	1	\$80	\$135	each	1	\$135	\$115	each	1	\$115
GW IDW Drum	\$60	each	1	\$60	\$155	each	1	\$155	\$115	each	1	\$115
Transportation	\$40	each	2	\$80	\$0	each	2	\$0	\$0	each	2	\$0
Stop Fee	\$50	each	1	\$50	\$30	each	1	\$30	\$125	each	1	\$125
				\$270				\$320				\$355



Subcontractor Issues

- Contractor sends out bids to 3 vendors, and receives only 2 responses.
- Contractor cannot prequalify 3 vendors for conducting the work.
- SOW changes after receiving vendor quotes and before work is tasked.
- Contractor wants to “self-perform”.
- A single vendor is provided additional information by the Contractor.
- A vendor is allowed by the Contractor to revise their bid.
- Obtaining bids for small-scale items (e.g., Home Depot; Lowes).
- Obtaining bids for multiple equipment rental items (e.g., Hertz; Ryder)



Subcontractor Issues

- Contractor sends out bids to 3 vendors, and receives only 2 responses.
 - Why didn't the contractor send the bids out to more than 3 vendors, initially?
 - Are there more than 3 vendors than could have been pre-qualified for the work being subcontracted out.
 - Contractor should rebid the work to allow for 3 responses.
 - This does not preclude the original non-responder from being allowed to re-bid.
 - What if there are only 3 vendors that can be pre-qualified by the Contractor?
 - Is the Contractor aware of all of the potentially qualified vendors providing these services?
 - If no, the Contract Manager can suggest other vendors to the Contractor for consideration, and the Contractor can pre-qualify and rebid the subcontracted work to a larger number of vendors.
 - If yes, Contract Manager should provide justification in the Negotiation Summary for only 2 bids being considered.



Subcontractor Issues

- Contractor cannot prequalify 3 vendors for conducting the work.
 - Is the Contractor aware of all of the potentially qualified vendors providing these services?
 - If no, the Contract Manager can suggest other vendors to the Contractor for consideration, and the Contractor can pre-qualify and rebid the subcontracted work to a larger number of vendors.
 - If yes, Contract Manager should provide justification in the Negotiation Summary for less than 3 bids being considered.
 - Contractors should not prequalify any vendor if they have concerns about working with that vendor.
 - If a Contractor has valid reasons for not wanting to prequalify a vendor, and the exclusion results in fewer than 3 bidders for the subcontracted work, the Contractor must present that information to DEP for consideration before submitting their cost proposal.



Subcontractor Issues

- SOW changes after receiving vendor quotes and before work is tasked.
- Drilling quotes have been received and evaluated, and the lowest, responsive bid has been selected.
 - Driller A = \$56,000
 - Driller B = \$62,000
 - Driller C = \$87,000
- Before the Task Assignment is assigned, it is determined that additional monitor wells will need to be installed during this task.



Subcontractor Issues

- Contractor wants to “self-perform”.
 - Contract/Project Manager must discuss this with their Supervisor.
 - Contractor must provide a cost proposal for conducting the work.
 - Contract/Project Manager will evaluate the work to determine if the proposed cost is reasonable and fair.
 - If the proposed cost is determined to be reasonable and fair, the Contractor can be tasked for the work.
 - If it cannot be determined that the proposed cost is reasonable and fair, the Contractor must obtain vendor quotes for the performance of the work.
 - If the Contractor’s total cost is below that of the lowest vendor quote, the Contractor can be tasked to conduct the work.



Subcontractor Issues

- One of the three vendors providing quotes for subcontracted work is provided additional information by the Contractor prior to submittal of their quote.
 - Does the additional information have the potential to affect the quote?
 - If no, then no harm is done.
 - If yes, then all vendors need to be provided with the same information.

The DEP will default on the side of caution on this issue. If there is any question about it, we will tell the Contractor to provide that information to all of the bidders.



Example

- A vendor is allowed by the Contractor to revise their bid.
 - Soil excavation where the Contractor needs to dispose of 100 tons of contaminated soil, and is subcontracting the work.
 - Contractor reviewed all of the bids, noticed an abnormally high total cost for soil disposal from vendor A versus the other two vendors, and contacted vendor A to find out why.
 - Vendor A states that he assumed all of the soil was to be disposed as hazardous waste. The Contractor informs Vendor A that only 20 tons is expected to be hazardous. Vendor A provides the Contractor with a revised total cost based upon that ratio haz/non-haz, and is now the lowest bidder .

Can Vendor A be selected as the lowest bidder?

NO

Vendor A was provided more specific details on the work than the other vendors. All vendors must be provided the same specific information and be allowed the opportunity to revise their bids. Only then can the lowest bidder be selected.



Subcontractor Issues

- Obtaining bids for small-scale items (Home Depot; Lowes; etc).
 - Expendable items do not require multiple bids.
 - Use good judgment; the Contractor can't be buying tools and lawn mowers. This is typically applicable to piping, fittings, connectors, etc.
 - Detailed list of items and unit costs must be provided.
 - If multiple items are being purchased, obtain a total quote for all of the items and select the lowest total quote.