



Department of Environmental Protection

Jeb Bush
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Colleen M. Castille
Secretary

September 3, 2004

Prospective Contractor:

This information has been provided for consideration in the preparation of your response to Florida Department of Environmental Protection (DEP) Solicitation Number 2005002C entitled, "Invitation to Negotiate (ITN) for the Closure of the Piney Point Phosphogypsum Stack System" issued on July 16, 2005.

All responses to the subject solicitation must be received no later than 2:00 p.m. Eastern Daylight Savings Time (EDST) on Friday, September 10, 2004, for consideration. A response received after the exact time specified will not be considered, as specified by the provisions of Chapter 287, Florida Statutes and Chapter 60A-1, Florida Administrative Code, describing treatment of late proposals, modification of proposals, and withdrawal of proposals. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes (F.S.). Written notices, formal protests and proceedings must conform with the requirements set forth in Chapter 28-110, Florida Administrative Code (F.A.C.). Protests must be filed with the Procurement Section, Department of Environmental Protection, 3800 Commonwealth Boulevard, MS#93, Carr Building, Room 235, Tallahassee, Florida 32399-3000 within the time prescribed in Section 120.57(3) Florida Statutes and Chapter 28-110, Florida Administrative Code.

Any person who files an action protesting a decision or intended decision pertaining to contracts administered by the DEP pursuant to Section 120.57(3) F.S. shall post with the DEP at the time of filing the formal written protest a bond payable to the DEP in an amount equal to one percent (1%) of the DEP's estimate of the total value of the contract, which bond shall be conditioned upon the payment of all costs which may be adjudged against him in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. In lieu of a bond, the DEP may accept a cashier's check or money order in the amount of the bond. FAILURE TO FILE THE PROPER BOND AT THE TIME OF FILING THE FORMAL PROTEST WILL RESULT IN A DENIAL OF THE PROTEST.

Sincerely,

Shelly Kelley

Shelly Kelley
Operations & Management Consultant II

Enclosure

"More Protection, Less Process"

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ADDENDUM NO. 4

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Procurement Section
3800 Commonwealth Boulevard, MS#93
Tallahassee, Florida 32399-3000

September 3, 2004

**Addendum To: DEP Solicitation No. 2005002C, entitled " Invitation to Negotiate (ITN) for the Closure of the Piney Point
Phosphogypsum Stack System"**

ITEM #1

Questions, which were raised by prospective contractors subsequent to the preparation of Addendum No. 3, and the DEP's answers, are herein provided for your consideration in responding to the above referenced solicitation.

END OF ADDENDUM NO. 4

Attachments to Addendum No. 4:

Exhibit I -- Questions & Answers for DEP Solicitation 2005002C (1 page)

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EXHIBIT I

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
Procurement Section
3800 Commonwealth Boulevard, MS#93
Tallahassee, Florida 32399-3000

Questions and Answers for DEP Solicitation No. 2005002C Invitation to Negotiate for the Closure of the Piney Point Phosphogypsum Stack System

September 3, 2004

The following questions were raised by prospective contractors through correspondence received on the date shown next to the company name. The answers herein are provided for your consideration in responding to the above referenced solicitation.

Questions from Nick Haddon at Moretrench – August 30, 2004	
1.	What are the exact quantities of gypsum moved during each of the previous closure phases of construction (i.e. Phase I - NGS-N, Phase IIA - OGS-S, Phase IIB - OGS-N)? What was the full scope breakdown for all of Shaw's contracts listed above with finalized take-off quantities (i.e. Gypsum - X cy's, Grassing X - Acres, Drains - X lf, etc...)
Answer:	Shaw's scope as Earthwork Contractor for the Phase I, II-A and II-B closure projects involved neat in-place compacted nominal design gypsum fill volumes of 290,000 cubic yards (cy), 154,000 cy and 158,000 cy, respectively, and correspondingly larger quantities of cut. Lump sum prices and payment were based on these contract volumes (which neglect shrinkage, settlement during construction, and backfill of dewatering ditches). Although no measurement for payment was made, Shaw was allowed additional compensation for a total of about 10,000 cy of additional nominal design fill quantities arising from design changes. In addition, Shaw's lump sum prices included dewatering and surface water control, fine grading, preparation and maintenance of surfaces to receive liner, inlet structure installation including about 4,350 lineal feet of 18" diameter SDR 11 outlet piping, abandonment of two spillway structures (Phase II-B), placement of about 3,600 cubic yards of soil cover atop the lined OGS partition dike (Phase II-B) and ancillary items (including surveying, backfilling dewatering ditches, access road maintenance and site clean-up). No drains were installed in conjunction with the subject closure projects and grassing was limited to the soil-covered lined OGS partition dike (less than 1 acre).
Questions from Gary Wilson at Compass Environmental – August 31, 2004	
2.	We noticed that in response to a question in Addendum 2 that the FDEP is not allowing any further access to the Piney Point site. We respectfully request that this position be reconsidered. Compass Environmental was prepared to ask for additional site access last week as well.
Answer:	The DEP does not intend to allow additional site visits to the Piney Point site prior to the submission of responses. However, any firms that participate in the negotiation process may request additional visits to the site.

End of Questions and Answers #4 for DEP Solicitation No. 2005002C