Department of
Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

August 26, 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

ADDENDUM NO. 2

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

August 26, 2004

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

ITEM #1

Attachment D-1, Revised Cost Information Sheet, subsections F2 and F3 are hereby revised to clarify that the cost for subsection F2 relates directly to the information provided in Attachment B, Section A.18.a. for which cost information is being requested, and that subsection F3 relates directly to the information provided in Attachment B, Section A.18.b. for which cost information is **not** being requested.

ITEM #2

Questions, which were raised by prospective contractors subsequent to the preparation of Addendum No.1, and the DEP's answers, are herein provided for your consideration in responding to the above referenced solicitation.

END OF ADDENDUM NO. 2

Attachments to Addendum No. 2:

Exhibit I -- Questions & Answers for DEP Solicitation 2005002C (2 pages)

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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

August 26, 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 William A. Daddono at Shaw Environmental, Inc. – August 23, 2004	
1.	What are the specifications for grassing the protective soil cover above the liner? The current specifications only reference amended gypsum.
Answer:	Typical specifications for grassing protective soil cover above HDPE-lined areas are included in Section 15 of Appendix 9 to the ITN Background Information Document posted at http://www.dep.state.fl.us/water/mines/index.htm. In order to minimize maintenance, respondents are encouraged to consider sodding the soil cover on the slopes of the lined reservoirs and in lined ditches, and either seeding or sodding other areas.
2.	Is it anticipated that the contractor can send RO pretreatment and/or reject sludges to a lined New Gypsum Stack- South or existing lined compartment?
Answer:	Use of the lined reservoirs on the stack compartments is not recommended for the storage or management of RO pretreatment and/or reject sludges. Discharge of RO pretreatment and/or reject sludges for storage or management in one of the lined stack compartments would effectively revert a fresh watershed area back to the process system. Moreover, any sludges placed in the NGS-N compartment, which is currently being used to store process water, would need to be completely removed by the contractor prior to converting the lined area into a fresh water reservoir. Instead, it is recommended that RO pretreatment and/or reject sludges be managed in one of the unlined process system ponds (e.g., the south compartment of the South Cooling Pond).
3.	The text in Attachment C references consumption as does Item B of the Cost Information Sheet– Attachment D. For purpose of estimating, please define which of the following items are to be included in the definition of consumption: – Spray evaporation – Lime treatment – Reverse osmosis – Bentonite slurry wall
Answer:	Of the four activities listed, only spray evaporation, lime treatment and reverse osmosis are included in the definition of consumption. The benefit of the slurry wall (e.g. reduction of fresh water input to the process water system) has already been taken into consideration in determining the specified consumption rates.
4.	Item B of the Cost Information Sheet – Attachment D refers to Process Water Consumption being 620 million gallons +/- rainfall. However, the Process Water Consumption section of Attachment C states the contractor shall be responsible for consuming 0.8 to 1.2 MGD (use 1MGD) from late 2004 until late 2006 and 0.2 to 0.3 MGal (use 0.25 MGal) thereafter. Two years at 1 MGal equals 730 MGal, while three years at 0.25 MGal equals 274 MGal. The total from all 5 years would be 1004 MGal. Even if that number is reduced by U.S. Filter production of approximately 146 MGal, it is 858 MGal to be consumed vs. the 620 MGal listed on the bid form. Please clarify the volume of water to be consumed by the contractor.

Answer:	The 620 million gallons pay quantity listed in Attachment D does not include net rainfall accumulation during the closure period which the contractor will be responsible to consume as an ancillary item, without compensation from the Department, as long as the site experiences normal rainfall on the order of 50 to 55 inches per year. Note that the quantity backfigured based on the specified rate of consumption accounts for net rainfall accumulation for the closure schedule assumed by the Department. Note also that the rate of pore water drainage from the stack is expected to decline over time. Also see response to question #69 in ITN 2005002C Addendum No. 1.
5.	After 2 years, the pore water is estimated to be "…less than 100MGal." The pore water to be consumed at that time is 0.2 to 0.3 MGal. Using the lower value, the 3-year total at 0.2 MGal would be 219 MGal. 219 MGAL is much greater than 100 MGal. Please explain.
Answer:	The rate of pore water drainage is expected to decline over time to less than 0.2 MGD assuming that closure construction will eliminate rainfall recharge.
6.	Can the FDEP provide a water balance which predicts the amount of water to be consumed on a yearly basis?
Answer:	See response to questions #2 and #71 in ITN 2005002C Addendum No. 1. The amount of water to be consumed is dependent on the closure schedule adopted by the contractor.
Questions from Otto C. Jasmund at Inland Waters Pollution Control, Inc. – August 24, 2004	
7.	Inland Waters Pollution Control, Inc. (IWPC) needs to pick up a 3-gallon sample of the contaminated water that accumulates over time. Mr. Tim Sullivan will pick up the sample at Piney Point for IWPC to test for phosphates with pH and metals.
Answer:	Additional site visits to the Piney Point site will not be allowed during the solicitation process. Table 2 of appendix 3 and table 2 of appendix 13 provide historical and recent analytical results of the process wastewater at the site, and it includes information on phosphates (both ortho-phosphate and total phosphorus), pH, and metals. This information provides results from numerous samples taken over time at different locations within the process wastewater system (with strict QA/QC on sample collection and analysis), and therefore would likely be more representative of the quality of the process wastewater than a single grab sample being proposed by Inland.

End of Questions and Answers #2 for DEP Solicitation No. 2005002C