

**FORMER KENCO CHEMICAL COMPANY, INC.
OPERABLE UNIT NO. 2 (OU2): SOURCE AREA
IN-SITU THERMAL REMEDIATION**

**Town of Glenville, Schenectady County, New York
Inactive Hazardous Waste Site Number 447039**

MAY 26, 2023

ADDENDUM No. 2

TO CONTRACT D012803



Prepared by:

**New York State Department of Environmental Conservation
Division of Environmental Remediation**

and

**Ramboll Americas Engineering Solutions, Inc.
Certificate of Authorization: 17993**

NYSDEC Secondary Pre-Bid Meeting Minutes
Wednesday May 24th, 2023, 11 am EST
Former Kenco Chemical Company, Inc. (Site No. 447039)
OU 2 – In-Situ Thermal Remediation (Contract No. D012803)

ANNOUNCEMENTS:

None.

MEETING MINUTES:

Elyse DuBois (NYSDEC-DER Project Manager) led the presentation of information at the pre-bid site meeting, with support from Ramboll Americas Engineering Solutions, Inc. (Ramboll). A summary of the pre-bid meeting information presented follows below.

A. OPENING REMARKS

The agenda for this mandatory pre-bid meeting is as follows:

Introductions
General Site Information
Bid Package Requirements
Bid Opening and Acceptance
Technical Elements of the Work
Site Walk
Questions & Answers

B. MANDATORY SIGN-IN

All attendees intending to bid **MUST SIGN** the attendance sheet. Attendance at the pre-bid meeting is a condition of bidding.

Attendees of this pre-bid meeting will receive these meeting minutes and a copy of the pre-bid meeting sign-in sheet (**Attachment A**).

C. BID OPENING

Bid Opening will be Thursday June 22, 2023 at 1:00 p.m. Eastern Standard Time (EST).

D. INTRODUCTIONS / PROJECT CONTACTS

New York State Department of Environmental Conservation (DEPARTMENT)

- Elyse DuBois – Project Manager
- Ben Rung - Section Chief
- Kris Keenan - Construction Inspector

Ramboll Americas Engineering Solutions, Inc. (ENGINEER)

- Jeff Levesque - Engineer
- Jamie Cavotta – Project Manager

E. GENERAL SITE INFORMATION

1. The site and operable unit that are the subject of this pre-bid meeting is known as the Former Kenco Chemical Company, Inc. site, Operable Unit 2 (OU 2, source area).
2. Land use in the site vicinity includes a mix of commercial and residential uses. Commercial uses include a Lowes home center and a solar farm. A railroad is present directly north of the site.
3. The project involves the implementation of remedial activities at the Former Kenco Chemical Company, Inc. (site), located at 107 Freemans Bridge Road, Town of Glenville, Schenectady County, New York. The remedial activities include, but are not necessarily limited to,
 - Mobilization/demobilization
 - Removal of existing site features and site grading
 - Installation of electrical service, both on-site and connecting to a National Grid designed supply
 - Installation of a hydraulic control barrier around the 2.2-acre treatment zone
 - Construction of an in situ thermal remediation system to treat approximately One hundred and fifty thousand (150,000) CY of soil with CVOCs impacts
 - Construction of a temporary stormwater management facility
 - Collection of Confirmatory soil and Groundwater samples until soil treatment goals have been met, as specified in the Contract Documents
 - In situ well field decommissioning, including but not limited to, offsite disposal of well field cap, and removal and disposal of at least the top 10 ft of the heating wells
 - Site restoration, including restoration of a wetland, as shown on the April 2023 Contract Drawings and as specified in the April 2023 Contract Documents

F. BID PACKAGE AND ADMINISTRATIVE REQUIREMENTS

1. Completed bids must be sent using a double sealed bid envelope addressed as follows:

Attention: Justin Lennox
Bureau of Expenditure Accounting
NYS Department of Environmental Conservation
625 Broadway, 10th Floor
Albany, New York 12233-5027

Bid Submission – Do Not Open – Time Sensitive

Project Name: Former Kenco Chemical Company Inc. OU 2 No. 447039

Contract No.: D012803

Opening Date and Time: June 22, 2023 at 1:00 PM (EST)

2. Bidding Information and Requirements are stated in **Sections III and IV**. Bid Forms and Attachments to be provided in the Bid Package are outlined in **Section V- Article 1**.
- a. The DEPARTMENT has gone to a paperless/electronic bid document procurement process for this project. There is no cost for electronic copies of the contract documents available on NYSDEC web site. Parties interested in stamped, “biddable”, Contract Documents and Drawings should visit the FTP link below.
 - FTP Site (Biddable):
<https://www.dec.ny.gov/fs/programs/der/bid/Former%20Kenco%20Chemical%20Company%20Inc%20Site/>
 - b. Proposals will be accepted only from bidders who attended at least one of the Pre-Bid Conferences as documented in Addendum No. 1 – Attendance Sheet(s) or Addendum No. 2 – Attendance Sheet(s).
 - c. Addendum No. 1 (dated 5/16/23) was released prior to Pre-Bid Conference #2.
 - d. All cost proposals must be made on the official proposal form [**Section V – Bid Form**] - costs specified in words and figures. DEPARTMENT reserves the right to reject any Bid in which the Bid prices appear to constitute an unbalanced Bid for the work. If there is discrepancy in Bid between Unit and extended totals, the unit prices shall govern, and prices written in words shall govern.
 - e. Each proposal must be accompanied by a deposit or a bid bond in the amount of five percent (5%) of total bid amount.
 - f. MWBE and SDVOB goals are set at [30%] and [6 %], respectively, of bid value. Baseline Utilization Plans (MWBE, SDVOB, and Workforce) will be required as part of the contract evaluation process, waivers must be prepared should percentages fall under the requirements stated above. Contractor must demonstrate “good faith efforts” in solicitation of services.
 - g. Insurance Requirements - **Section V, Article 3(a)** for instructions and General Conditions **Section VIII, Article 4** for insurance required.
 - For this work the contractor is expected to obtain Workers Compensation, Disability Benefits, Commercial and General Liability, Environmental Liability, Professional Liability, Contractors Equipment, Owners and Contractors Protective Liability, **Railroad Protective Liability, Unmanned aircraft Systems Liability**, and Umbrella and Excess Liability
 - The landowners of affected properties will be named on the additionally insured - Owner names to be provided upon contract award
 - h. Experience Requirements – Outlined in **Section IV, Article 4** – The Bidder must have a minimum of five (5) years satisfactory experience in construction of the work to be performed. This experience must include the successful implementation of in situ thermal remediation (ISTR) for projects with similar types of contaminants, in similar geology and using similar drilling techniques, and at similar scale(s) to the proposed work. The Bidder’s experience should also demonstrate the ability to

achieve the ISTR treatment objectives as specified in these Contract Documents. The SOW for this contract also includes the excavation, transportation, and handling of contaminated soil on a limited scale.

- i. Prevailing Wage Rates – link to DOL current rates is provided in **Section XIII**. Contractor is responsible for updating rates to operating schedule and providing prevailing wage reports with Applications for Payment.
3. Prime Contractor must have an active and updated NYS Vendor Responsibility Questionnaire on file. Reference Contract **Section V, Article 2 (c)** for additional information.
4. Subcontracting is limited to 75% percent on this project. (Does not include transportation and disposal). Contractors must submit Vendor Responsibility Questionnaire (CCA-2) for any subcontracted work over \$10,000.
5. All questions, administrative and technical must be received by the DEPARTMENT's Designated Contact for the Contract, Elyse DuBois, in writing by e-mail at elyse.dubois@dec.ny.gov no later than 5:00 pm EST on June 2, 2023, Responses to written questions will be provided in Addendum No. 3 on or about June 9, 2023. Any questions received after the date prescribed above will not be responded to.
6. Contract Time- **Section VI, Article 6**

The Effective date of Agreement is the date the Contract is executed by the Office of the New York State Comptroller.

- a. The Work will be Substantially Completed within One-Thousand and Forty-One (1,041) calendar days from the Effective Date of the Agreement plus twenty (20) calendar days.
- b. The Work will be completed and ready for final payment in accordance with the General Conditions within one thousand one hundred and six (1,106) calendar days from the Effective Date of the Agreement plus twenty (20) calendar days or within 30 days of substantial completion, whichever is sooner.
- c. Separable parts are defined in **Section VI Attachment A**.
 - i. Within four hundred twenty-seven (427) calendar days from the effective agreement date plus twenty (20) calendar days The Contractor shall complete all work required for hydraulic control barrier/sheet pile installation, ISTR Well-field drilling, cap installation and ISTR above-grade equipment vapor/liquid treatment systems installation
 - ii. Within five hundred and sixty-one (561) calendar days from the Effective Date of the Agreement, plus twenty (20) calendar days, the Contractor shall complete all work required to allow for completion of start-up, testing activities, and initiation of full-scale ISTR heating operations
 - iii. No later than eight hundred and twenty (820) calendar days from the Effective Date of the Agreement, plus twenty (20) calendar days, the Contractor shall

complete all ISTR heating operations, including post-treatment verification sampling

G. BID OPENING AND ACCEPTANCE

1. Bids will be accepted until June 22, 2023 at 1:00 pm EST at which time bids will be opened and read publicly at NYSDEC office located at 625 Broadway Albany, New York. All bids must be submitted prior to 1:00 PM EST by mail at the address provided in the Contract Documents or by hand delivery. Bid opening will be available on a virtual platform, details to be provided under addendum. No Late Bids will be accepted. Late Bids, if received, will be returned to the sender unopened.
 - Potential bidders are welcome to attend the bid opening in person. Those individuals hand delivering bids or attending the opening must make arrangements with the Designated Contact, Elyse DuBois, elyse.dubois@dec.ny.gov prior to 12:00 PM EST on June 21, 2023 so that clearance through building security may be obtained.
2. NYSDEC will retain the lowest-three bids for evaluation. The bid bonds or certified checks of the three lowest bidders will be held until contract execution. Within a few days after the bid opening, the DEPARTMENT will notify the apparent low bidder via email and by certified letter, and request that the low bidder submit the items included in **Section III, Article 5.b** to the DEPARTMENT within five (5) calendar days. The remaining bidders will be notified in writing that they were not the apparent low bidder.

H. TECHNICAL ELEMENTS OF THE WORK

NYSDEC and Ramboll presented selected aspects of the Contract Documents and technical elements related to the scope of work, including the following:

1. **Drawings, Specification Sections X and XI** should be reviewed carefully.
2. RFIs and Field Orders will be utilized as necessary to clarify and/or modify contract requirements.
3. BID as specified - No interpretation for “of equal” substitutions will be given during the bid period.
4. Upon contract execution, elements of the work that depart from the Specification will be considered a substitution and will require ENGINEER and DEPARTMENT review and approval prior to implementation.
5. Technical elements of the scope of work reviewed included the following:
 - a. The project primarily entails in-situ thermal remediation (ISTR) addressing OU 2 (source area) at the Kenco site.

- b. The Remedial Design Report (included in the Limited Site Data Document [LSDD] distributed with the Contract Documents) provides the design approach and rationale for various aspects of the scope of work.
- c. The ISTR treatment zone is relatively large (over 2-acre footprint, with heating depths to approximately 50 feet below grade). The estimated chlorinated VOC mass requiring treatment is also relatively high. The size and estimated chlorinated VOC mass are based on the findings from an extensive pre-design investigation (PDI) program completed in 2019, and the PDI work and findings are summarized in the Remedial Design Report included in the LSDD.
- d. The upper 0-25 ft bgs (feet below ground surface) of the ISTR treatment zone is primarily a sand and gravel layer, which overlies a silt/clay zone which is generally 5-10 ft thick and extends from approximately 25-35 ft bgs (most of the chlorinated VOC mass appears to reside in this silt/clay zone). Beneath the silt/clay layer is a zone of silty sands extending from approximately 35-45 ft bgs.
- e. A perimeter steel sheet pile wall is specified as a hydraulic control barrier to reduce groundwater flux through the ISTR treatment zone. The requirement for hydraulic control is based on aquifer testing conducted as part of the PDI, which indicated relatively high groundwater flow velocities (in the range of 3-7 ft/day) in the shallow sand and gravel zone. The intent is for the steel sheet pile barrier to manage groundwater flow in this zone, with the sheet piles keyed into the underlying silt/clay zone. The PDI indicated relatively low groundwater flow velocities (approximately 0.2 ft/day) in the deeper silty sand zone (35-45 ft bgs).
- f. Due to the anticipated need for installation of an impervious surface cover over the footprint of the ISTR treatment zone during the remedy, as well as the close proximity of neighboring sites and features (e.g., Freemans Bridge Road) management of stormwater was an important consideration in the design. The subgrade grading plan included in the Contract Drawings is intended to drain much of the stormwater runoff from the ISTR area toward the agricultural parcel to the west of the site, and stormwater swales and a temporary storage basin are to be constructed to control stormwater runoff during the remedy.
- g. Due to the size of the ISTR treatment zone, the proximity of neighboring features (Freemans Bridge Road directly east of the site, railroad directly to the north) and properties (property owned by another party directly to the south of the treatment zone, and the need for stormwater management during the work, significant time and effort was given to the site layout and locations of ISTR features on the Contract Drawings. There is some flexibility in the site layout to accommodate Contractor-specific needs and requirements; however, bidders are advised that certain features on the Contract Drawings (for example, stormwater management features) are in the locations shown based on specific design considerations.
- h. A wetland area overlies a portion of the ISTR treatment zone, and the site preparation requirements include the removal of this wetland area to facilitate ISTR treatment. Following completion of ISTR treatment, the wetland is to be restored in-kind as part of site restoration activities.

- i. The Contract Documents include perimeter/community air monitoring requirements, and the Contractor will be responsible for implementing this monitoring as specified.
- j. A number of permits are planned to be obtained by the DEPARTMENT to support the remedial action (e.g., wetlands permitting, railroad access agreement, etc.) and these are identified in the Contract Documents. All other permits/approvals not specifically identified as being obtained by the DEPARTMENT shall be obtained by the Contractor.

I. QUESTIONS AND RESPONSES

Following presentation of the above-noted project and bid information, attendees at the pre-bid meeting were afforded the opportunity to ask questions. Selected questions were also received in writing prior to the pre-bid site walk. A summary of substantive questions received and DEPARTMENT responses is included as **Attachment B**.

J. SITE WALK

A site walk was conducted by the DEPARTMENT to allow bidders to review current site conditions. The pre-bid meeting was adjourned following the site walk.

END OF MEETING MINUTES

ATTACHMENT A
Pre-Bid Conference Attendees

NYSDEC Secondary Pre-Bid Meeting Sign-in
Former Kenco Chemical Company Inc
OU 2-In situ Thermal Remediation
Site No. 447039
Contract No. D012803
Wednesday May 24th 2023, 11 am EST

	Company	Name	Phone	Email
1	J.H. Maloy	Tom McClain	518-365-8717	Tmcclain@jhmalo.com
2	" "	Jay Ryan	(518)376-5329	JRyan@JHMaloy.com
3	Ramboll	James Cavotta	315-575-0729	James.Cavotta@ramboll.com
4	Ramboll	Jeff Lerosque	848-219-2865	jeffery.lerosque@ramboll.com
5	DEC	Ben Rung	(518)703-3943	benjamin.rung@dec.ny.gov

6	NYSDEC	KRIS KEENAN	518-727-9232	KRISTOPHER. KEENAN@DEC.NY.GOV
7	LaBella	DAN NOLL	585-301-8458	dNoll@labellaPC.com
8	NYSDEC	Elyse DuBois	518-402-0031	Elyse.DuBois@DEC.NY.GOV
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ATTACHMENT B
QUESTIONS AND RESPONSES

ATTACHMENT B
QUESTIONS AND RESPONSES
NYSDEC Pre-Bid Conference
Wednesday May 24th, 2023, 11 am EST
Former Kenco Chemical Company, Inc. (Site No. 447039)
OU 2 – In-Situ Thermal Remediation (Contract No. D012803)

Questions during Pre-Bid Meeting:

Question 1: How was the vertical extent of the ISTR treatment zone defined?

Response 1: The vertical extents of the ISTR treatment zone are shown on the Contract Drawings and were established based on the extents of VOC impacts as identified through the prior site investigations.

Question 2: Is there a concern regarding upwelling/inflow of groundwater from the deeper portion of the treatment zone (where the steel sheet pile hydraulic cutoff wall is not present) into the shallower portion of the treatment zone?

Response 2: A silt/clay unit approximately 5-10 ft in thickness separates the shallower portion of the treatment zone from the deeper portion of the treatment zone, and based on the site investigations the silt/clay unit is understood to be contiguous throughout the footprint of the proposed ISTR treatment zone. The presence of the silt/clay unit should mitigate the potential for groundwater upwelling/inflow from the deeper portion of the treatment zone into the shallow portion.

Question 3: Are there concerns regarding the sheet pile installation and proximity to neighboring properties?

Response 3: Yes. Concerns are focused in part on potential ground vibrations and nuisance noise during the sheet pile installation and related impacts to neighboring properties. The Contract Documents include requirements for a vibration minimization and monitoring plan to address this, as well as requirements for control of noise.

Question 4: Has characterization sampling of the concrete building foundation materials been conducted?

Response 4: No. Sampling for materials characterization and off-site disposal of selected materials are included in the scope of work in the Contract Documents.

Question 5: Does the ISTR treatment verification sampling consist only of soil samples collection?

Response 5: Yes. Groundwater sampling is also included in the scope of work, but the results of the groundwater sampling will not be used to verify ISTR treatment.

Question 6: How is the groundwater sampling included in the scope of work to be used?

Response 6: The groundwater sampling results will be used to assess downgradient groundwater conditions during the ISTR treatment for informational purposes.

Question 7: Based on prior experience, acetone and 2-butanone concentrations in soils may be expected to increase during ISTR treatment, such that meeting the ISTR soil treatment objectives for these compounds may be problematic. Will the Department consider some flexibility in meeting the soil treatment objectives for these compounds?

Response 7: Based on questions received from other bidders, the Department is preparing a response to this question which will be issued in Addendum No. 3.

Question 8: Would a contained in determination be considered for some materials requiring off-site disposal?

Response 8: Bidders are responsible for making their own determinations regarding waste characterization and disposal requirements.

Question 9: If the actual National Grid fees/costs for electrical and natural gas services are different than those included in payment items LS-3A and LS-4A in the Contract Documents, would that be considered a changed condition?

Response 9: The National Grid fees/costs included in LS-3A and LS-4A are cost allowances and the intent is to adjust these (if necessary) based on actual National Grid fees/costs.

END OF QUESTIONS AND RESPONSES