



STATE OF MISSISSIPPI

Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Chris Wells, Executive Director

INVITATION FOR BIDS

IFB Number: RFX3160004464 MDEQ-IFB08122021 (Oil)

To Provide: Emergency Response and Cleanup Activities involving Oil, Diesel, Kerosene and Non-Hazardous Materials in Inland Areas in Mississippi, excluding petroleum containers suspected of damage (the "Project") from organizations licensed in the State of Mississippi to assist MDEQ, on an as needed basis, with effective and safe Emergency Response and Cleanup Activities.

AMENDMENT NO. 1

September 9, 2021

This Amendment No. 1 ("Amendment") hereby amends or modifies the IFB referenced above, by making the following changes to the specific attachment referenced below. Changes are indicated below as either bolded and underlined (e.g. **example**), which indicates an addition, or bolded and stricken through (e.g. ~~**example**~~), which indicates a deletion. All other sections and subsections of the IFB and its attachments not changed as indicated below, remain in full force and effect.

2.6 Minimum Bid Requirements

Bids shall contain the following minimum information. Failure to provide the information listed below may deem the bid non-responsive and be rejected any time prior to the award of the Contract.

- A. One (1) original and one (1) digital copy in PDF format on a USB flash drive with all attachments shall be submitted; or bids may be submitted electronically to MAGIC: RFX# 3160004395, in accordance with Section 2.2, Deadlines.
- B. Fully completed and/or executed copies of Attachments, attached hereto.
- C. The written information for a responsibility determination in accordance with Section 2.10, Standards of Responsibility, in this Invitation for Bids.
- D. A copy of bidder's current Certificate of Responsibility issued by the State of Mississippi for the type of work to be performed under this Invitation for Bids, pursuant to Miss Code Ann. § 31-3-21(1). **The Certificate of Responsibility number must be provided on the exterior of the sealed bid envelope/package, if submitting a written bid, or, provided as an attachment included in an electronic bid submittal, if submitting an electronic bid.** The Bidder must hold/possess, for at least 60 days prior to the submission deadline, a valid Certificate of Responsibility issued by the State of Mississippi Contracting Board in Excavation and Grading AND one of the following specialty classifications:
 - Hazardous Material Abatement, Clean Up, Removal or Remediation
 - Hazardous Materials Abatement and Remediation
 - Hazardous Material
 - Hazardous Waste Cleanup
 - Hazardous Waste Removal and Control

AND

- Excavation and Grading
- E. If the bidder is a non-resident contractor, a copy of bidder's **current** state bidder preference law pertaining to that State's treatment of non-resident contractors, pursuant to Miss. Code Ann. § 31-3-21(3) or a statement on letterhead and signed by the same person who signs the Bid Form/Rate Sheet, Attachment A, stating that no preference laws exist in that state. The state of residency of a contractor shall be the same as the corporate office as reported by the Mississippi Secretary of State's office, unless any contractor reflecting a foreign corporate office with the Secretary of State provides a sworn affidavit verifying and stating that it, or its affiliate or parent company, has maintained a permanent full-time office in Mississippi, including the address(es) of such office, for at least two (2) full years prior to the bid consistent with the provisions of Mississippi Code § 31-3-21(c), in which case such contractor shall be considered a resident bidder.
- F. A Certificate of Commitment to Comply with the obligation to provide an employment plan pursuant to Miss. Code Ann. § 31-5-37, which is attached hereto as Attachment K. A copy of § 31-5-37 is attached hereto as Attachment I. A copy of the employment plan that must be submitted after Contract award is attached hereto as Attachment J.
- G. A Bid Bond, Attachment L, in the amount of five percent (5%) of the bid/contract amount of **\$1,500,000.00**, naming MDEQ as the beneficiary and meeting the requirements of Section 2.2 of this Invitation for Bids.
- H. It is imperative that a MDEQ Oil Emergency Response Contractor have the ability to safely perform Oil spill cleanup activities, such as pipeline releases, production spills and marine collisions.

The Bidder shall provide a record of projects of similar size and scope completed by the Bidder within the past five (5) years by completing Attachment B, List of Prior Experience. This information shall include, at a minimum, a summary of eight (8) separate and verifiable projects that the Bidder was the Primary Contractor on, which have been completed within the last five (5) years. These project descriptions must include, at a minimum, two (2) successful responses to each of the following DOT hazardous material classifications: (i) Poison Substance; (ii) Corrosive Substance; (iii) Flammable Substance; and (iv) Reactive Substance. The Bidder should also include at least one (1) commodity transfer operation, involving rail, and/or fixed-facility, and/or highway, for each of the above referenced hazardous material classifications. Information should be provided in written summary/report form for review.

- I. The Bidder must submit the names, addresses and telephone numbers of five (5) customer references familiar with the Bidder's performance on Oil emergency responses. MDEQ may contact these references to verify Bidder's capability. The information should be provided on Attachment C, List of References.
- J. The Bidder must submit a statement listing the abilities, qualifications, and experience of all persons who would be assigned to provide the required services. The Bidder must submit a statement listing the personnel with a minimum of experience in Oil emergency response operations, together with the level of education, training, work experience and a brief description of the responsibilities, as outlined below:
- Supervisor: Four (4) years of experience in Oil emergency response, including 1 year in management.
 - Foreman: Three (3) years of experience in Oil materials emergency response.
- K. The Bidder must submit a list of office locations where responses to emergencies will originate and their physical addresses. Bidder must have a response office located inside the State of Mississippi.
- L. The Bidder must confirm in writing that it can provide services as the need arises on a twenty-four (24) hour, 365-day a year basis. The Bidder must have a physically monitored twenty-four (24) hour telephone number for the purposes of notification. Paging and answering machines are not acceptable.
- M. The Bidder must certify and supply the following information for all site personnel, full or part time, involved in Hazardous Material Emergency Response to demonstrate that they are in compliance with OSHA Standard (29 C.F.R § 1910.120):

- HAZWOPER 40 hour training
- HAZWOPER 8 hour refresher, if applicable
- Respirator Fit-Test
- Pre-placement physical
- Annual Physical, if applicable
- Special Physical, if applicable
- Medical Fit-for-Duty Statement, issued by a licensed occupational physician

MDEQ reserves the right to request proof of the physical documentation of these items at any time.

N. The Bidder must confirm, by signing the Certification of Available Equipment, Attachment D, that it possesses, at each service location, its own equipment to accomplish emergency activities described above. This includes, at a minimum, the below-listed equipment at each service location:

- Containment Boom (12" minimum skirt): **8,000 feet**
- Boom Deployment Boat (minimum 25', 180hp): **2**
- Response trailer: **1**
- Mobile skimmer: **5**
- Each service location must routinely stock chemical protective clothing (suits, gloves, booties, etc.); spill control and cleanup supplies; metal, polyethylene and overpack drums; sorbent materials; and safety equipment.

That they physically possess or have the contractual ability to acquire the following items:

- Vacuum trucks
- Bulldozers
- Track Hoes
- Frac Tanks
- Rolloff Containers
- Light Plants

Bidder shall have a program in place for inspecting and documenting the condition of equipment used on the Project and must certify that the equipment is in compliance with applicable state and federal law, including Occupational Safety and Health Administration ("OSHA") and United States Coast Guard inspection requirements, etc.

- O. The Bidder must certify that they have a Corporate Health and Safety Program as a requirement for this contract by completing Attachment E, Certification of Corporate Health and Safety Program. MDEQ reserves the right to request physical documentation of this item at any time.
- P. The Bidder must supply a written report of all violations of state or federal regulatory programs which have jurisdiction over Emergency Response Activities (OSHA, State & Federal Department of Transportation ("DOT"), Environmental Protection Agency ("EPA"), MDEQ, and other similar state and federal programs which have occurred within the past 12 months. This report should also state the corrective action taken to prevent similar violations.
- Q. The Bidder must list laboratory names that it utilizes on a regular basis and provide telephone numbers and addresses for those laboratories that can provide twenty-four hour turn around service for environmental samples, to include priority pollutants, Total Petroleum Hydrocarbons, benzene, toluene, ethylbenzene, and xylene, etc.
- R. The Bidder must provide, in writing, proof of knowledge and/or training in packaging requirements in accordance with U.S. Department of Transportation regulations for packaging and transportation of samples and wastes.
- S. The Bidder must confirm, in writing, that its employees have knowledge and/or training in EPA environmental sampling protocols/procedures, to include examples of sampling protocols/procedures for sampling priority pollutants, BTEX and TPH in surface water, drums and soils.
- T. The Bidder must provide, in writing, proof of a valid U.S. Coast Guard Oil Spill Response Organization Classification issued at least sixty (60) days prior to the submission deadline.**

Bidder shall acknowledge receipt of this Amendment No. 1 by **signing and returning this Amendment with its Bid.**

By signing below, the Bidder acknowledges receipt of Amendment No. 1, and that the Amendment has been noted, and that its Bid is being offered in compliance therewith.

Bidder's Name: _____

Signature: _____

By (Print Name): _____

Title: _____

Date: _____