

Master Contract Number B15565-09-28
Contractor Name STS Consultants
Project Name Alex Exhaust, Alexandria
Program Name PRP

**MPCA PROFESSIONAL/TECHNICAL & SERVICE CONTRACTS
WORK ORDER CERTIFICATION FORM
For delegated Master Contracts**

Instructions

- 1) This form is required for all Work Order Contracts in excess of \$5,000. Minn. Stat. § 16C.08. This form must be approved prior to writing any Work Order Contract.
- 2) No work may begin before funds are encumbered and a work order is executed.
- 3) Complete and submit this form electronically to the MPCA Contracts e-mail account for approval.
- 4) Allow 2 – 3 business days for approval.

Department: MN Pollution Control Agency	Division: Remediation
Estimated Cost: \$ 11,146.92	Source of Funds: Petrofund
*Work Order Period: From: <u>November 25, 2008</u> To: <u>June 30, 2009</u> Note: The work order period must be within the master Professional Technical and Service contract period. The total Work Order Contract term cannot survive the expiration date of the Master Contract.	

Agency certifies that Minn. Stat. § 15.061 and §116.03 allow agency to enter into this professional technical service contract. Check with your Agency Assistant Attorney General if you have questions.

BACKGROUND

Nature of Work Order *To complete a Limited Site Investigation.*

Product or Result *(Give sufficient detail) Investigative Report with recommendations.*

In accordance with Minn. Stat. §16C.08, subd. 2 and 3, provide the following: (attach additional pages if necessary).

Describe how the proposed work to be conducted under the Work Order Contract is necessary and reasonable to advance the statutory mission of your agency; This is the minimum work necessary to define the extent of contamination and identify and remediate risks to humans and the environment.

How will the Master Contractor be selected from the list of master contract holders? (Check one)

- Preapproved master contract rotation procedures
 Other – provide detail Project was assigned to STS in a prior year.

Describe the performance measures or other tools that will be used to monitor and evaluate Master Contractor performance and how the results of the work will be used.

Receipt of report within given time, periodic informal updates and monthly invoices. Results will be used to determine whether the site has met closure standards or requires additional work in future years.

Agency Certifications. Pursuant to Minn. Stat. § 16C.08, I certify:

1. No state employee is (a) able and (b) available to perform the services called for by the contract.
A. How did you reach this conclusion? Workforce limitations, lack of specialized equipment.

B. List other methods considered for accomplishing the work. In-house, other divisions or office, other state agencies.

None.

2. *The normal competitive bidding mechanisms (low bid) will not provide for adequate performance of the service.*
3. *Reasonable efforts will be made to publicize the availability of the Contract to the public.*
4. *The Agency will develop and implement a written plan providing for the assignment of specific agency personnel to manage the Contract, including a monitoring and liaison function, the periodic review of interim reports or other indications of past performance, and the ultimate utilization of the final product of the services: The following person(s) has/have been assigned to manage the Contract as well as monitor and act as liaison for the Contract Arlene Furuseth at 218-846-0732 (telephone number).*
5. *No one in or on behalf of the Agency will authorize the Contractor to begin work before the Contract is fully executed unless an exception has been granted by the Commissioner of Administration under Minn. Stat. § 16C.05, subd. 2a and funds are fully encumbered.*
6. *The Contract will not establish an employer-employee relationship between the State or the Agency and any person performing under the Contract.*
7. *In the event the results of the Contract work will be carried out or continued by State employees upon completion of the Contract, the Agency will require the Contractor to include State employees in development and training, to the extent necessary to ensure that after completion of the Contract, State employees can perform any ongoing work related to the same function.*
8. *No current State employee will engage in the performance of the Contract.*
9. *Reasonable efforts will be made to avoid conflicts of interest throughout the selection and performance of this Contract. All potential or actual conflicts of interest will be reported to the Department of Administration.*
10. *The Agency will not contract out its previously eliminated jobs for four years without first considering the same former employees who are on the seniority unit layoff who meet the minimum qualifications determined by the Agency.*

APPROVALS

MPCA Project Manager: <i>Arlene Furuseth</i>	Date: <i>12/1/08</i>
MPCA Authorized Signature: <i>Martina Carlson</i>	Date: <i>2/17/08</i>