

**PECFA UPDATE #30**  
June 5, 2007 PLEASE POST

## Comm 47 Clarifications

### USUAL & CUSTOMARY COST SCHEDULE

It has been just over a year since the Usual & Customary Cost Schedule (UCCS) became effective. In January & February the Department held additional training sessions around the state, in an effort to familiarize consultants with the intent and use of the UCCS and the U&C Standardized Invoice. Unfortunately, we continue to see problems with how costs are submitted.

The Department has the following reminders when the UCCS is required:

- PECFA will no longer reimburse costs on time and materials basis.
- Schedule rates are *reimbursement maximums*; consultants can charge more, however:
  - This will result in a reimbursement that is not 100% of costs incurred.
  - When consultants can't complete tasks for the rates established on the schedule, it is their responsibility to notify the responsible party that costs that exceed the schedule will not be reimbursed.
- PECFA will not reimburse costs that do not meet the intent of the task specification and/or cannot be documented.
- All supporting documentation must be attached to each U&C Standardized Invoice or clearly marked in the accompanying reports, (please tab the location and identify the task). *Claim reviewers will not search for documentation.* Failure to clearly identify supporting documentation may result in non-eligible costs.
- Costs claimed without the required supporting documentation will be denied in claims received beginning July 1, 2007.
- PECFA will not issue approvals after activities are completed, except for extremely unusual circumstances, which must be evaluated on a case by case basis prior to claim submittal.
  - After you have read the task specification(s), if you are unsure of the task eligibility, contact the department before you do the work.
  - If you are unsure how to claim the cost for a task on the standardized invoice, contact the department before you submit the claim.
- **PECFA expects consultants to contact us often. Frequent and proactive contact will resolve issues and establish budgets in a timely fashion, helping to achieve site closure in the most cost effective manner.**

## VARIANCE REQUESTS

Please remember there is an established variance process which must be followed to receive reimbursement for tasks not on the schedule or for unit rates that exceed the schedule. **Variance requests must be made and approval obtained before any work is initiated.**

## SUB-CONTRACTORS

If a sub-contractor is used to perform a task on the UCCS, a copy of their invoice and proof of payment for that sub-contractor is still required to be submitted in the claim. *This did not change as of May 1, 2006.* What did change was the requirement to obtain three commodity bids. Three bids are no longer required for commodity work *performed after May 1, 2006.* If the task is not on the schedule, a variance approval would be required.

## CLAIMING TASK 28 - STANDARDIZED INVOICE

To claim Task 28, the cost must be invoiced to the RP. Sub-contractors may invoice the RP for Task 28 and complete the standardized invoice themselves. If the consultant prepares the standardized invoice for the sub-contractor, the consultant may claim Task 28 only if they invoice the RP for completing the invoice on the sub-contractors behalf. When the consultant includes sub-contractor costs on their invoices, only *one* standardized invoice should be completed (with both consultant and sub-contractor costs) and Task 28 can only be claimed once.

## STANDARDIZED INVOICING PROBLEM AREAS

Task 8 - Well Abandonment: When a consultant (not a commodity provider) performs well abandonment activities, the costs must be claimed under the 'consultant services' heading, sub-tasks WAB05 through WAB30. Sub-tasks WAB35 & WAB40 cannot be claimed.

Task 5 & Task 22 or 23 – Closure and Investigation Reporting: The Department continues to see costs claimed for Task 5 sub-task CR05 Primary Closure Request along with costs for Task 22 or 23 Soil/Soil & Groundwater Investigation Report. When closure is the clear and obvious course of action at the conclusion of the site investigation, the closure request is to be included in the site investigation report; sub-task CR05 cannot be claimed along with Task 22 or 23. The only costs under Task 5 that may be eligible along with Task 22 or 23 are sub-tasks CR10, CR15 or CR20 when applicable.

Task 9 - Investigation Workplan Preparation: Task 9 is for activity prior to the start of a site investigation. Costs for Task 9 will not be reimbursed if only a copy of the SI report is submitted.

Task 6 - Letter Report/Addendum: Task 6 must be requested by Commerce or DNR and contain new data collection results. **This task cannot be claimed to remedy omissions or corrections for the following tasks:** operation & maintenance report, closure request, letter report/addendum, regulatory correspondence, site investigation report, investigation workplan preparation, soils & water investigation report, cap maintenance plan, change order request and claim submittal.

**It is imperative that the Introduction and Specifications in the UCCS and the U&C Task Reference Guide be read for all tasks in order to accurately perform & claim costs on the U&C Standardized Invoice. If, after reading these documents, you still do not understand the intent of a particular task, please contact one of the following staff for assistance:**

James Moser (608) 267-1394  
MaryAnn Gosda (608) 266-9420  
Renee' Dickey (608) 264-8765

Dave Swimm (608) 264-8766  
Tim Prosa (608) 261-7715

These documents can be found on the PECFA web page at:

<http://commerce.wi.gov/ER/ER-PECFA-UsualandCustomaryInfoPage.html>

## **ONLINE REPORTING REMINDER**

Online reports must include updated maps as well as all soil, groundwater, and free product data collected over the previous 12 months or since the last online report was submitted. If information was submitted in a previous report, and nothing has changed, it is not necessary to resubmit data. New data will be compiled with the data previously submitted and can be viewed on Tracker-on-the-Web.

Commerce must consider incomplete reports as indication that remedial work is not progressing at the site in a timely manner and may begin investigating the possibility of disqualifying the consulting firm from further work on the project and/or future bidding. Additionally, beginning 7/1/07, reimbursement for incomplete ("light") reporting may be denied. Electronic reporting will be considered "light" if recent data (soil, groundwater, or LNAPL results) are available, yet these results are not provided to Commerce via the web reporting. Comm 47 requires electronic progress reporting via the web. A hard copy report does not circumvent this requirement.

**NOTE:** Commerce can only accept map files with the following extensions: doc, wks, pdf, jpg, gif, bmp, png and jpeg.

## **INTERIM ACTIONS**

With the advent of the UCCS interim action budgets are no longer going to be stewarded separate from investigation budgets. Costs for LNAPL measurement/abatement and limited soil excavation are on the Schedule (Tasks 3 and 24, respectively). These costs are to be stewarded under the \$20,000 site investigation cost cap limit under Com 47.337(2), and any subsequent requests to exceed that limit. Notification of interim action if the investigation is still <\$20,000 is no longer necessary. Notification of interim action if the investigation budget will exceed \$20,000 is accomplished through the investigation change order process. The \$5,000 limit under Comm 47.337 is incorporated into the limits under both Tasks 3 and 24.