

Freeburn, Vicki

From: Garrity, Marty
Sent: Thursday, December 20, 2018 4:21 PM
To: Freeburn, Vicki
Subject: FW: ALC Ensaf Letter

Marty Garrity

Marty Garrity
Director
Bureau of Legislative Research
State Capitol, Room 315
Little Rock, AR 72201

Phone: (501) 683-1649
garritym@blr.arkansas.gov

From: HPI [<mailto:jimhendren@hendrenplastics.com>]
Sent: Thursday, December 20, 2018 4:20 PM
To: Thayer, Jill E.; Garrity, Marty
Subject: Fwd: ALC Ensaf Letter

Sent from my iPhone

Begin forwarded message:

From: "Bynum, Michael" <bynumj@adeq.state.ar.us>
Date: December 20, 2018 at 4:19:05 PM CST
To: "'Schmidt, Kathy'" <schmidtk@blr.arkansas.gov>
Cc: "'jimhendren@hendrenplastics.com'" <jimhendren@hendrenplastics.com>
Subject: RE: ALC Ensaf Letter

Hello Kathy,

During this time, we were made aware that both on-call contractors were conflicted out of being able to perform the work needed. Upon this discovery, we had to seek our most effective alternative, which was to request the Committee to review the Ensaf contract that we had been preparing for presentation in the near future for consideration in the normal course of business.

As the person responsible for contracts at the agency, I have had no conversations with OSP concerning this issue until today, December 20th. Please let me know if you need anything else.

Michael Bynum
Director of Compliance
Arkansas Department of Environmental Quality
501-682-0883
bynumj@adeq.state.ar.us

From: Schmidt, Kathy [<mailto:schmidtk@blr.arkansas.gov>]
Sent: Thursday, December 20, 2018 3:12 PM
To: Bynum, Michael
Subject: RE: ALC Ensafe Letter

Michael,

We are still trying to get everything we need to get the contract on the agenda. Can you send me an email on why and how this contract was not submitted in time to be reviewed by the ALC Review Subcommittee. OSP stated that they talked with the agency about doing a request for Suspension of the Rules to be added to the Wednesday Review meeting but that didn't happen. We need to understand why it was not submitted for a review by a committee instead of bringing as an emergency to full ALC meeting. This can be an email to me. Thanks.

Kathy Schmidt
Legislative Fiscal Analyst
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Room F-511
Little Rock, AR 72201

Ph: (501) 537-9136
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schmidtk@blr.arkansas.gov

From: Bynum, Michael [<mailto:bynumj@adeq.state.ar.us>]
Sent: Thursday, December 20, 2018 12:18 PM
To: Schmidt, Kathy
Subject: ZZ ALC Ensafe Letter

Michael Bynum
Director of Compliance
Arkansas Department of Environmental Quality
501-682-0883
bynumj@adeq.state.ar.us

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ARKANSAS
Department of Environmental Quality

December 20, 2018

Senator Bill Sample, Chair
Representative Jim Dotson, Chair
Arkansas Legislative Council
State Capitol, Room 315
Little Rock, AR 72201

RE: Request for Review of Arkansas Department of Environmental Quality On-Call Professional Consultant Services Contract No. 4600043737 with Ensafe, Inc.

Dear Senator Sample and Representative Dotson:

The Arkansas Department of Environmental Quality (ADEQ) respectfully requests the above-named contract be added to the December 21, 2018 Arkansas Legislative Council agenda for review.

ADEQ employs on-call contractors for the identification, evaluation, and remediation of hazardous substances that could pose a risk to human health and the environment pursuant to, among other statutes, the Arkansas Remedial Action Trust Fund Act, A.C.A. 8-7-501 et. seq. Without on-call contractors, ADEQ would be unable to respond effectively to reports of releases of hazardous substances.

ADEQ has recently come into possession of information indicating the potential release of hazardous substances into the environment. Due to the nature and timing of receiving this information, ADEQ respectfully requests that this contract be reviewed by the Arkansas Legislative Council so that investigation of these sites may begin in an expeditious manner.

Sincerely,

A handwritten signature in blue ink, appearing to read "Becky W. Keogh", is written over a light blue horizontal line.

Becky W. Keogh
Director



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF STATE PROCUREMENT
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<http://www.dfa.arkansas.gov/offices/procurement>

December 20, 2018

Senator Bill Sample, Co-Chairperson
Representative Jim Dotson, Co-Chairperson
Senator Scott Flippo
Representative Jeff Wardlaw
Arkansas Legislative Council (ALC) and
ALC-Review Subcommittee
Arkansas Legislative Council
State Capitol Building, Room 315
Little Rock, Arkansas 72201

RE: ADEQ Contract Submission, # 4600043737

Dear Co-Chairs:

The Department of Finance and Administration ("DFA") has received and reviewed a contract from the Arkansas Department of Environmental Quality ("ADEQ") for professional services and consultant services ("PCS") with a total initial amount or a total projected amount of at least fifty thousand dollars (\$50,000), and submitted it for review by the Arkansas Legislative Council ("ALC") as required by Ark. Code Ann. § 19-11-1006(a)(1). The proposed contract is with ENSAFE, INC., and ADEQ seeks review at the full ALC committee meeting on Friday, December 21, 2018. The contract number is 4600043737. It is for site assessment, remedial investigation and remedial and corrective oversight design professional services. On its face it appears to be a lawful contract.

Respectfully,

A handwritten signature in cursive script, appearing to read "Edward R. Anthony".

State Procurement Director
DFA Office of State Procurement

The mission of the Office of State Procurement is to serve the citizens of Arkansas by ethically, efficiently and transparently procuring quality commodities and services for the State of Arkansas.

