### NOTICE FOR PST DIRECT AWARD CONTRACTS

If you are a contractor performing work at a Petroleum Storage Tank (PST) site which is transferring to State Lead under Water Code 26.3573(r-1), you **may** be eligible for a direct award contract from TCEQ to continue work at that site. As adopted into law, HB 2694, Sections 1.05 and 1.06, allows the executive director to make direct award contracts for scientific and technical environmental services or engineering services for remediation at PST sites that are placed in the PST State Lead program no later than July 1, 2011 under Subsection 26.3573(r-1).

Based on the statute, eligibility for such direct awards require that the contractor:

* must have performed related work at the site on or before July 1, 2011;
* be registered to perform PST corrective action;
* be eligible to receive state contracts; and
* in the case of engineering work, be licensed under the Texas Engineering Practice Act (Occupations Code Chapter 1001).

All direct awards are at the executive director’s discretion. The executive director is not required to make an award for a site and may negotiate contract terms, including contractor qualifications.

As a reminder, for the site to qualify for a direct award contract, state statute requires that the TCEQ must receive a completed State Lead Transfer Application for Eligible LPST Sites from the responsible party no later than July 1, 2011.

To be considered for a direct award contract(s) and to provide for a timely and adequate implementation schedule, the TCEQ **MUST RECEIVE** from the contractor, no later than **July 29, 2011**, the following:

* Letter requesting a direct award contract for a site or sites worked by the contractor on or prior to July 1, 2011.
* Table of LPST sites for which direct award is requested, that must include the following:

1. site LPST number;
2. facility name; and
3. facility city.

The letter request and table must be mailed to:

TCEQ PST State Lead Program

Attn: Donald Boothby

MC-137

P.O. Box 13087

Austin, TX 78711-3087

Current Site Activity and Engineering contracts will be used as templates for direct award contracts. A signed contract for a direct award does not guarantee that work will be conducted at that site. Rather, **sites will be worked based on priority and available funding**.

If a contractor has current PST State Lead contract(s), sites eligible for direct award may be assigned to that contractor under the current Site Activity or Engineering contract. All direct award contractors will be required to provide all administratively required documents.

For more information, contact Don Boothby at 512-239-2485, Jonathan Walling at 512-239-2295 or Maria Lebron at 512-239-1898