

EXHIBIT "A" SCOPE OF SERVICES

Asbestos Survey, Operation and Maintenance Plan, Abatement Specification and Supervision
Asbestos Consulting Services for the Florida Department of Transportation
FM 229896-1/ SR-710 from Australian Avenue east to Dixie Highway
Riviera Beach, Palm Beach County, Florida

1.0 Introduction

Asbestos consulting services are required for Item/Segment No. 229896-1, SR-710 from Australian Avenue east to Dixie Highway in Riviera Beach, Palm Beach County, Florida. Asbestos surveys and, if necessary, abatement are needed prior to demolition of each facility purchased by the Florida Department of Transportation (the Department).

For work commissioned of the Vendor by the Department, the Vendor shall perform an asbestos survey, prepare operation and maintenance plans and abatement specifications and perform re-inspection and abatement and/or demolition supervision operations. The purpose of the Vendor's asbestos survey and related activities is to identify and address any Asbestos Containing Material (ACM) present in the facilities to be demolished by the Department. These facilities have been or are in the process of being purchased by the Department as part of a right of way acquisition project. The buildings are currently identified for demolition and therefore must be surveyed and the presence or absence of ACM documented. An Operation and Management Plan (O & M Plan) and asbestos abatement specification may be needed as applicable. The Vendor must also provide asbestos abatement and demolition supervision, re-inspection, and final clearance activities when authorized to do so by the Department's Project Manager, or his or her designee.

NOTE: **No** subcontractors will be authorized under this contract. All Contractors bidding on this contract must have the qualifications to complete all tasks noted below (with the exception of the laboratory functions).

2.0 Standards

All asbestos consulting activities are to be conducted under the direction of an asbestos Vendor licensed pursuant to Sections 469.003-469.014, Florida Statutes (F.S.) and shall be conducted in accordance with applicable local, state and federal laws, regulations and guidelines pertaining to asbestos in vacant state-owned buildings proposed for demolition, including Section 10.7, Asbestos Management, of the Right of Way (R/W) Manual established by the Department, which is herein incorporated by reference.

Asbestos surveys shall be performed, using as a guide, the Environmental Protection Agency's (EPA) Guidance for Controlling Asbestos-Containing Materials in Buildings (a/k/a the EPA Purple Book) and all updates thereto, the EPA asbestos protocol found in 40 CFR 763.80-763.99, the State of Florida Building Asbestos Survey Procedures Manual and Specifications, all of which by reference are made a part hereof, and/or other guidance procedures established by the EPA and Florida Department of Labor and Employment Security (FDLES) for state-owned vacant buildings proposed for demolition. Asbestos abatement shall be in accordance with the National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61 Subpart M; Occupational Safety and Health Administration (OSHA) 29 CFR 1910.1001 and 1926.1101; U.S. Department of Transportation

49 CFR 171 and 172, Hazardous Material Regulations and all updates thereto; and recommendations made by the Florida Department of Environmental Protection (FDEP) or its designated authority.

All services provided shall be in accordance with EPA guidelines, NESHAP, OSHA regulations, and all other applicable federal, state and local regulations.

3.0 Equipment and Labor

The Vendor shall provide all labor and equipment required to conduct the appropriate work task including, but not necessarily limited to, sampling tools and sample containers, spot encapsulants, respirators and other personal protective equipment, plastic sheeting, asbestos disposal bags, flashlights, ladders, photographic equipment and supplies, air monitoring equipment, and other supplies. The Vendor shall be responsible for transportation or delivery of bulk samples to the analytical laboratory and for proper disposal of contaminated waste.

The Vendor may sublet a portion of the work, but shall perform with his own organization work amounting to not less than 40% of the total Agreement amount. Execute all agreements to sublet work in writing and include all pertinent provisions and requirements of the Agreement. Upon request, furnish the Department with a copy of the subcontract. The subletting of work does not relieve the Vendor or the surety of their respective liabilities under the Agreement. The Department recognizes a subcontractor only in the capacity of an employee or agent of the Vendor and the Project Manager may require the Vendor to remove the subcontractor as in the case of an employee.

4.0 Emergency Notifications

When the Vendor discovers a situation that requires immediate action, such as an actual fiber release episode or significantly damaged ACM, he or she shall immediately handle the situation and notify the Department upon discovery by the end of the next business day.

5.0 Authorized Personnel

The Vendor shall require that only authorized personnel shall be allowed on the job site.

6.0 Motor Vehicles

The Vendor shall provide a notarized affidavit stating all motor vehicles he/she operates or causes to be operated are registered in compliance with Chapter 320.F.S

7.0 Agency Interaction

The Department shall procure the services of an asbestos abatement contractor. The Vendor shall respond to questions regarding abatement contract documents with the assistance of the Department. The Department will issue any addenda to the procurement package.

8.0 Department Responsibilities

The Department will make every attempt to provide the Vendor with site access for each facility to be surveyed (keys, alarm codes, etc.).

8.1 **Administration of the Scope of Services**

The Department's R/W Consultant, HDR Engineering, Inc., will perform administration of this Scope of Services. As such, the selected Asbestos Vendor shall fully cooperate with HDR Engineering, Inc., who shall provide coordination of all activities, correspondence, reports, and other communications related to Vendor's responsibilities hereunder.

9.0 **Asbestos Survey and Report**

The Vendor's asbestos survey, bulk sampling and analysis, and reporting activities shall comply with the EPA's Guidance for Controlling Asbestos-Containing Materials in Buildings (a/k/a the EPA Purple Book) and with 40 CFR 763.80-763.99 and all updates thereto, and shall include, but not be limited to, the following:

9.1 Prior to the actual physical inspection, research and review structural or building specification plans as may be available for each building to be surveyed.

9.2 All areas of homogeneous suspect material, without regard to the results of subsequent laboratory bulk analysis, shall be indicated on a set of building floor plans or drawings. Areas of homogeneous suspect materials shall be clearly delineated in the report. The extent and location of ACM must be shown on a floor plan diagram in the final report.

9.2.1 ACM shall be classified as friable or non-friable and shall be categorized as follows:

- a. Surfacing Materials: Materials that are sprayed-on or otherwise applied to surfaces. Examples include acoustical plaster on ceilings, fireproofing or structural components, wallboard, or other materials on surfaces for acoustical, fireproofing, or other purposes.
- b. Thermal System Insulation (TSI): Materials in buildings or distribution systems applied to pipes, fittings, boilers, breaching, tanks, ducts, or for other purposes.
- c. Miscellaneous Materials: Interior or exterior material components such as linoleum, floor and ceiling tiles, fire doors, roofing, siding, and materials not integral components of the buildings such as stage curtains, protective clothing, laboratory apparatus and equipment, and other materials not listed.

9.2.2 All ACM shall be further classified pursuant to NESHAP's 40 CFR Part 61 Subpart M definition as follows:

- a. Category I Non-Friable ACM: asbestos containing packing, gaskets, resilient floor covering, and asphalt roofing products containing more than one percent (1%) asbestos as determined by a National Institute of Standards and Technology (NIST) accredited laboratory for the analysis of bulk-materials for asbestos by polarized light microscopy.

- b. Category II Non-Friable ACM: any material excluding Category I Non-Friable ACM, containing more than one percent (1%) asbestos as determined by a NIST accredited laboratory for the analysis of bulk-materials for asbestos by polarized light microscopy when dry cannot be crumbled, pulverized, or reduced to powder by hand pressure.
- c. Regulated ACM: (a) Friable asbestos material; (b) Category I non-friable ACM that will be or has become friable; (c) Category I non-friable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading; or (d) Category II non-friable ACM that has a high probability of becoming or has become crumbled, pulverized or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations.

9.2.3 Identify all locations where ACM may be present but cannot be sampled, and provide an explanation for the reason it cannot be sampled. A diligent effort shall be made to sample all suspect ACM. Areas where access is impossible shall be indicated on the drawings with a notation as to why the areas could not and/or should not be fully investigated. When sampling may reduce the functional integrity of the structure, Vendor should obtain prior approval from the Department's Project Manager. Spaces ordinarily physically inaccessible may be made accessible and inspected. Some minor repairs may be necessary to maintain the structure in a safe condition, particularly during roof sampling.

9.3 Collect and analyze a sufficient number of bulk samples of all suspect ACM as may be warranted by site conditions. Quality assurance and chain of custody procedures outlined in the Environmental Protection Agency (EPA)'s Guidance for Controlling Asbestos-Containing Materials in Buildings (a/k/a the EPA Purple Book) and 40 CFR 763.80-763.99 and all updates thereto shall be followed. Sampling locations shall be documented on a set of reasonably scaled building floor plans or drawings and marked with an identification number corresponding to the representative sample number. Bulk samples shall be collected from materials in each homogeneous area to determine the asbestos content and to identify the complete content matrix of the material. Photographic documentation of each bulk sampling location that includes the unique sampling numbers shall be provided in each survey report. These photos must be in a digital format.

9.3.1 Bulk samples shall be analyzed utilizing polarized light microscopy (PLM) techniques by a National Voluntary Laboratory Accreditation Program (NVLAP) accredited laboratory. Point counting analysis of bulk samples shall be conducted as required by the policies and procedures established by NESHAP's 40 CFR Part 61. The analysis of bulk samples must identify the complete matrix of sample constituents consistent with the aforementioned Building Asbestos Survey Procedures Manual and Specifications, EPA's Guidance for Controlling Asbestos-Containing Materials in Buildings (a/k/a the EPA Purple Book) and 40 CFR 763.80-763.99 and all updates thereto. The analyst conducting the analysis shall have sufficient education, training and experience to perform the analysis in a competent manner. Applicable

certifications of the analyst responsible for conducting the analysis as well as documentation of lab accreditation shall be provided in the survey report.

- 9.4 A Material Hazard Assessment by homogeneous area shall be conducted for all areas where known or suspected ACM are present in order to assess the material for present and potential asbestos hazards. The material assessment shall be conducted pursuant to the Building Asbestos Survey Procedures Manual and Specifications and 40 CFR 763.80-763.99, and all updates thereto, utilizing the Hazard Assessment Decision Tree. The status of occupancy (vacant vs. occupied) and the fact that the facility will be demolished should be considered when preparing the Material Hazard Assessment. Abatement response actions shall address the requirements of NESHAP's 40 CFR Part 61 Subpart M as they apply to buildings scheduled for demolition. The use of wet demolition methods for buildings containing non-regulated ACM shall be considered.
- 9.5 Since the typical facility will be unoccupied at the time of inspection air sampling may not be necessary when deteriorated friable ACM is identified. In some instances surveys may be required in occupied facilities. If deteriorated or exposed friable ACM is encountered, the need for an assessment of the level of airborne asbestos fibers will be decided on a case-by-case basis, depending on the status of facility occupancy, the degree of deterioration, etc. If requested, air sampling shall be conducted by appropriately certified personnel and shall be analyzed and reported in compliance with FDLES policies and procedures. Air assessment data and subsequent recommendations shall be included in the survey report. The Vendor shall report all significantly damaged friable ACM identified during the survey to the Department upon discovery by the end of the following business day.
- 9.6 The Vendor shall prepare an individual parcel specific survey/assessment report that summarizes the results of the survey and, if necessary, provides appropriate abatement response alternatives and cost estimates. The report shall include any and all documentation including lab analysis sheets, photographs, drawings, etc., which may be needed to substantiate the presence or absence, quantity, condition, and location of ACM. The report shall be organized utilizing the format and forms contained in the FDLES Building Asbestos Survey Procedures Manual and Specifications, EPA's Guidance for Controlling Asbestos-Containing Materials in Buildings (a/k/a the EPA Purple Book) and 40 CFR 763.80-763.99 and all updates thereto. Vendor should make available to the Department one survey report sent via e-mail and one (1) original copy with original signatures submitted to the Department or the authorized representative for review and approval within thirty (30) calendar days of the date of the Letter of Authorization. Originals of survey reports and all subsequent revisions shall also be distributed to the Department. Revisions to the survey report shall be submitted to the Department within ten (10) calendar days of receipt of an agency review or recommendation letter. All reports and revisions shall be sent via e-mail and by regular mail or hand delivery to the Department or authorized representative, and shall be signed and sealed by the Vendor licensed pursuant to F.S. 469.003-469.014, with a copy of said license provided in the survey report. It should be understood that the Vendor will have three (3) days to submit a proposal to the Department after a request for a survey and specification, if necessary, is made. The Department will then issue the Letter of Authorization once funds have been encumbered.

- 9.6.1 For **unoccupied** facilities that are found to contain ACM, an O & M Plan shall be prepared and submitted as part of the survey/assessment report. The Plan should be dated and include the following information:
- a. The building shall be secured as necessary to prevent entry by unauthorized persons with thirty (30) business days of the date of the O & M Plan.
 - b. The building will be posted with appropriate warning signs alerting persons to the asbestos hazard contained therein.
 - c. A periodic inspection (every thirty days) of the building for breach of security will be performed. Appropriate documentation will be maintained of all inspections, events and repairs as performed.
 - d. Prior to demolition, asbestos abatement, as required under NESHAP's 40 CFR Part 61 Subpart M, will be performed in accordance with an abatement specification package prepared pursuant to NESHAP 40 CFR Part 61 Subpart M, OSHA 29 CFR 1910.1001 and 1926.1101, 49 CFR 171 and 172 and all updates thereto and recommendations made by the FDEP or its designated authority.

9.6.2 Site security, posting and inspection activities shall be conducted by the Department.

- 9.7 For facilities and structures that do not by the Vendor's observation contain ACM, an asbestos inspection report shall be prepared and consist of the following:
- a. An appropriate number of photographs taken of the exterior and interior of the building to substantiate the absence of ACM in the building;
 - b. A detailed description of the materials in the building and the method of its construction;
 - c. Certification that, to the best of the Vendor's knowledge, the building does not contain ACM.

10.0 **Operation and Maintenance Plan**

If the asbestos survey identifies ACM in an **occupied** building and the established vacate date is within 180 days from the date the survey was performed, upon authorization from the Department the Vendor shall prepare a letter O & M Plan. The letter O & M Plan shall be addressed to the building occupants and shall simply and briefly address the location and type of ACM present and summarize any special material handling requirements. The letter O & M Plan shall be dated, signed and sealed by a licensed asbestos consultant and shall be prepared as an addendum to the asbestos survey report. The letter O & M Plan shall be e-mailed to the Department and the original sent certified mail, return receipt requested, to the occupant within five (5) days of the Department's approval of the survey report.

- 10.1 If a facility will not be vacated within 180 days from the date of the survey, an O & M Plan shall be prepared by the Vendor. The O & M Plan shall address the fact that the facilities are to be vacated and demolished and should consider such issues as the length of extended occupancy; number of occupants; type of facility; amount, location, condition and type of asbestos present; re-inspection requirements and other information specific to Department acquired buildings that are scheduled for demolition. The plan shall be dated, signed and sealed by a licensed asbestos consultant and shall be submitted to the Department or the Department's authorized representative for review and approval within thirty (30) days of the asbestos survey date.
- 10.2 Original O & M Plans and any subsequent revisions shall be sent by e-mail and regular mail or hand delivered to the Department or the Department's authorized representatives for review and approval. The Department and the Department's authorized representative shall be copied on all submittals. Revisions to the O & M Plan shall be submitted to the Department or its authorized representative within ten (10) calendar days of receipt of review or recommendation letter. The Vendor shall provide an original of the final O & M Plan to the tenant/occupant and the Department with five (5) days of approval of the plan.
- 10.3 O & M Plan Implementation

The Vendor shall assist the Department in implementing the O & M Plan and resolving any non-compliance issues associated with the implementation of the plan. This may include the performance of periodic surveillance, semi-annual re-inspection and reporting, including the performance of a Material Hazard Assessment and the oversight of small-scale, short duration clean-ups and removals.

11.0 Abatement Specifications

The Vendor shall develop asbestos abatement specifications on a per-parcel basis. All asbestos abatement specifications shall be in compliance with all applicable federal, state and local regulations and requirements for the removal of regulated ACM from state-owned buildings scheduled for demolition. This includes, but is not limited to, 40 CFR 61.145 and 61.150 (NESHAP) and 469.003-014, F.S., and any other appropriate agency guidelines or recommendations.

The asbestos abatement specifications shall be in a format and of sufficient detail so as to be used by the Department as an Invitation to Bid and subsequent contract document for the selection and procurement of a licensed asbestos abatement contractor. Vendor should make available to the Department a copy of the specifications sent via e-mail and one (1) original via U.S. mail. Abatement specifications shall be signed by the asbestos consultant, licensed pursuant to Sections 469.003-.014, F.S. A draft asbestos abatement specification shall be submitted to the Department or the Department's authorized representative within thirty (30) calendar days of the Vendor's acceptance of the Letter of Authorization. The draft specifications will be reviewed and recommendations developed by the Department. Any subsequent revisions to the specifications shall be submitted to the Department for review and acceptance within ten (10) calendar days of receipt of any review or recommendation letter. The final version shall incorporate all appropriate recommendations.

12.0 Asbestos Abatement Supervision and Demolition Monitoring

Vendor shall provide all necessary services and equipment required to provide asbestos abatement and demolition monitoring and final building clearance for all facilities that require asbestos abatement or that involve the disturbance of non-regulated ACM (RACM) during demolition operations. Such services include, but are not limited to, the following:

- 12.1 Ensure that notifications of the appropriate environmental regulatory agencies as required by NESHAP 40 CFR Part 61 Subpart M and any other federal, state and local rules and regulations and Department policies and procedures are completed in a timely fashion, and proof of such notifications are included in the final clearance report.
- 12.2 Conduct continuous daily monitoring of all asbestos abatement and/or asbestos demolition activities that involve the disturbance of ACM. Develop and maintain a log of all monitoring activities, which includes a description of events, times, equipment, and personnel involved. Asbestos abatement and demolition project monitors shall be appropriately trained and certified for supervision of asbestos abatement projects and have the relevant experience and knowledge to oversee such operations. For demolition monitoring projects, this shall include a thorough understanding of the provisions of NESHAP 40 Part 61 Subpart M pertaining to demolition operations and non-RACM. The Vendor's asbestos abatement project monitor shall be responsible for managing and supervising the asbestos abatement contractor during all on-site abatement operations.
- 12.3 Identify, resolve and document any discrepancies in asbestos abatement or demolition activities that are not in compliance with the asbestos abatement or demolition contract and abatement specifications including, but not limited to, verifying appropriate abatement workers' training and medical documents, use of the appropriate techniques and equipment, compliance with schedules, compliance with the applicable federal, state and local regulations such as NESHAPs and the Worker Protection Rules, etc. The Vendor shall immediately notify the Department of any significant incidents of non-compliance.
- 12.4 Conduct all ambient and asbestos abatement air monitoring activities as requested including, but not limited to, air sampling, field and lab phase contrast microscopy (PCM) analysis and final reporting. Asbestos pre-abatement and final clearance air monitoring analysis shall be conducted off-site by a designated analytical laboratory. Air monitoring for asbestos demolition projects shall utilize the appropriate sample collection and analytical techniques necessary to adequately obtain representative fiber counts in open air, field conditions. Transmission Electron Microscopy (TEM) analysis will not be required under this contract.
- 12.5 Upon completion of asbestos abatement and removal operations by the abatement contractor, conduct a final clearance visual inspection and a final clearance air sampling necessary to obtain all required agency sign-offs and approvals. Notification shall be made to the Department forty-eight (48) hours prior to the dismantling of any asbestos abatement containment barriers. Records of all agency notifications shall be maintained by the Vendor.

- 12.6 Upon completion of wet demolition activities by the demolition contract, conduct a final clearance visual inspection and a final clearance air sampling necessary to meet applicable standards, such as the OSHA's permissible exposure levels. Records of all agency notifications shall be maintained by the Vendor.
- 12.7 Within three (3) days of completion of the approved final clearance inspection, submit to the Department or the Department's authorized representative a Visual Inspection/Final Clearance Certification Letter, which includes a signed and sealed statement by the asbestos consultant that the abatement and/or demolition project was performed and completed in compliance with all abatement/demolition specifications.

13.0 Final Clearance Report

Within thirty (30) days of completion of asbestos abatement or demolition operations for a specific parcel, provide three (3) copies of a final clearance report summarizing all asbestos abatement or demolition activities including, but not limited to, proof of notification compliance required by NESHAP 40 CFR Part 61 Subpart M and any other federal, state and local rules and regulations and Department policies and procedures. Complete all related project close-out and clearance documentation within the specified time schedules and distribute the final clearance report to the Department and the appropriate regulatory agencies. The final report shall include a project history, methodology and operation summary, agency notifications, all appropriate abatement or demolition contract submittals, field sheets, air monitoring data, asbestos waste disposal manifests, demolition debris disposal receipts, and a copy of the Visual Inspection/Final Clearance Certification Letter.

14.0 Davis-Bacon Act

Vendor will comply with the regulations of the United States Department of Transportation relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (Title 49, Code of Federal Regulations, Part 21, hereinafter referred to as the Regulation and Title 41, Code of Federal Regulations, Part 60), which are herein incorporated by reference and made a part of this Agreement. Vendor further agrees to comply with all provisions of the Davis-Bacon Act, 29 CFR, Parts 1, 3 and 5.