

CITY OF RIVIERA BEACH CITY COUNCIL
AGENDA ITEM SUMMARY

MEETING DATE: November 2, 2011

AGENDA ITEM SUMMARY NO. H11-1113

- AWARDS/ PRESENTATIONS / PETITIONS
- CONSENT
- PUBLIC HEARING
- ORDINANCE ON SECOND READING
- ORDINANCE ON FIRST HEARING

- REGULAR
- RESOLUTION
- DISCUSSION & DELIBERATION
- BOARD APPOINTMENT
- WORKSHOP

TITLE/SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 IN THE AMOUNT OF \$23,000 FROM THE BG GROUP OF BOCA RATON, FL FOR ADDITIONAL ASBESTOS ABATEMENT AND DISPOSAL SERVICES NOT SPECIFIED IN BID NO. 335-11; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT 001-0717-515-0-3106.

RECOMMENDATION / MOTION: Authorize the City Manager to execute change order # 1 for additional asbestos abatement and disposal services not included in the original bid (No. 335-11); authorizing the Interim Finance Director to make payment from account 001-0717-515-0-3106; and providing an effective date.

INTER-DEPARTMENTAL REVIEW & DATE

• City Manager	Library
• City Attorney <i>RM</i> 10/26/11	Marina
• City Clerk <i>KB</i>	Police
Community Development	Public Works
• Finance <i>KH</i>	• Purchasing <i>RM</i> 10/25/2011
Fire	Recreation & Parks
Human Resources	Utilities
Information Technology	Other

APPROVED BY CITY MANAGER: *Ruth C. Jones*

DATE: 10-26-11

Originating Dept. <i>[Signature]</i> Purchasing	Costs: \$ 23,000.00 Current FY: 2011/2012 Funding Source: 001-0717-515-0-3106	City Council Actions: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied _____ <input type="checkbox"/> Tabled to _____ <input type="checkbox"/> Referred to Staff _____
User Dept. Community Development	[X] OPERATING: [] CAPITAL	Attachments: 1) Resolution 2) Resolution 138-11 3) Change Order 4) Independent Cost Estimate 5) Selected pages From Asbestos Report
[X] Not Required Affected Parties [X] Notified [] Not Required		

BACKGROUND/SUMMARY:

On October 12, 2011, City Council approved resolution no. 138-11 accepting staff's recommendation to award a contract in the amount of \$8,700 to the BG Group of Boca Raton, FL for demolition and asbestos abatement for the Sea Chest building.

The bid upon which the original contract was predicated including an asbestos survey commissioned by the Florida Department of Transportation (FDOT) for Parcel #100 @ 2211 Broadway, Riviera Beach. However, a second asbestos survey commissioned by the Florida Department of Transportation (FDOT) and performed by Air Quest Environmental, Inc for Parcel #100 @ address 25 West 23rd Street was never included with the original bid (No. 335-11). That survey identifies additional asbestos abatement requirements not previously disclosed to bidders.

Item No. 7

AGENDA ITEM SUMMARY NO. D11-111-3

Page: 2

The contractor has submitted a change order proposal to perform the additional asbestos abatement and disposal services in the amount of \$23,000. The independent survey commissioned by FDOT and performed by Air Quest Environmental Inc. estimates the cost of the additional asbestos abatement at \$29,888 (see attached cost estimate included with FDOT asbestos survey dated July 26, 2011) which is 23% more than the amount which the contractor has requested to perform the work.

This will bring the total cost of the demolition and asbestos abatement for the Sea Chest building to \$31,700, which is still substantially below the \$100K originally budgeted to perform the work.

Since staff has an independent third party cost estimate provided by FDOT which suggest the change order request submitted by the contractor is not only reasonable but very competitively priced; staff recommends that City Council authorize the City Manager to execute Change Order #1 for additional asbestos abatement services as proposed by the BG Group of Boca Raton, FL.

EXHIBIT A-1

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>\$23,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>NA</u>	_____	_____	_____	_____
Program Income (City)	<u>NA</u>	_____	_____	_____	_____
In-Kind Match (City)	<u>NA</u>	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$23,000</u>	_____	_____	_____	_____

NO. ADDITIONAL FTE POSITIONS (Cumulative) N/A _____

Is Item Included In Current Budget? Yes XX No.
 Budget Account No.: Fund Dept/Division Org. Object
 Budget Account No.: Fund Dept/Division Org. Object

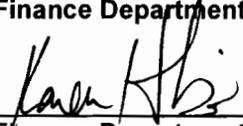
B. Recommended Sources of Funds/Summary of Fiscal Impact:

Funding is budgeted in Fiscal 2011/2012 Community Development Operating Budget

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. Finance Department and/or Purchasing/Intergovernmental Relations/Grants Comments:



 Finance Department

 Purchasing and Grants

B. Other Department Review:

 Department Director

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NUMBER 1 FROM THE BG GROUP OF BOCA RATON, FLORIDA FOR THE ABATEMENT AND PROPER DISPOSAL OF ASBESTOS MATERIALS AT PARCEL #100, LOCATED AT 25 WEST 23RD STREET (SEA CHEST BUILDING) WHICH WERE NOT IDENTIFIED IN THE ORIGINAL BID SPECIFICATIONS OR REPORTED IN THE ABESTOS SURVEY PROVIDED WITH BID NO. 335-11; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT # 001-0717-515-0-3106; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council accepted staff's recommendation to award a contract in the amount of \$8,700 to the BG Group of Boca Raton, FL for the demolition and asbestos abatement of the Sea Chest building; and

WHEREAS, the original contract included the cost for asbestos abatement which was identified within Parcel #100, located at **2211 Broadway** in Riviera Beach in the official asbestos report commissioned by the Florida Department of Transportation (FDOT) and performed by Air Quest Environmental which was included as part of the specification requirements and scope of work for Bid No. 335-11; and

WHEREAS, a second asbestos survey commissioned by the Florida Department of Transportation (FDOT) and performed by Air Quest Environmental Inc. for Parcel #100 located at **25 West 23rd Street** in Riviera Beach was not included as part of the specifications of Bid No. 335-11; and

WHEREAS, the second asbestos survey performed by Air Quest Environmental Inc. for Parcel #100 located at 25 West 23rd Street in Riviera Beach indicated substantial asbestos abatement and disposal requirements at a cost of \$29,888.00; and

WHEREAS, the demolition contractor has agreed to perform the additional asbestos abatement and disposal indicated in the second survey for \$23,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA THAT:

SECTION 1. The City Manager is authorized to execute change order # 1 from the BG Group of Boca Raton, FL in the amount of \$23,000.

RESOLUTION NO. _____
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SECTION 2. The Interim Finance Director is authorized to make payment to the BG Group in the amount of \$23,000 for change order #1 from account 001-0717-515-0-3106 for additional asbestos abatement and disposal not identified or included in the Scope of Work for Bid No. 335-11.

SECTION 3. This Resolution shall take effect upon its passage and approval by the City Council.

PASSED AND APPROVED this _____ day of _____ 2011.

RESOLUTION NO. _____
PAGE 3

APPROVED:

THOMAS A. MASTERS
MAYOR

JUDY L. DAVIS
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

BILLIE E. BROOKS
CHAIR PRO TEM

CEDRICK A. THOMAS
COUNCILPERSON

DAWN S. PARDO
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

B. BROOKS _____

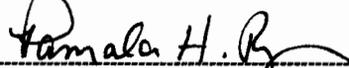
J. DAVIS _____

C. THOMAS _____

D. PARDO _____

S. LOWE _____

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 10/26/11

RESOLUTION NO. 138-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 335-11 FOR DEMOLITION OF THE SEA CHEST, MARINA DRY STORAGE AND OFFICES TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, THE BG GROUP, LLC, A CERTIFIED MINORITY BUSINESS ENTERPRISE, LOCATED IN BOCA RATON, FLORIDA, IN THE AMOUNT OF \$21,785.00; AUTHORIZING THE PURCHASING DIRECTOR TO ISSUE APPROPRIATE PURCHASE ORDERS FOR THE EXECUTION OF THE WORK IN ACCORDANCE WITH THE SPECIFICATIONS AND GENERAL CONDITIONS OF BID #335-11; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NUMBER 001-0717-515-0-3106 IN THE AMOUNT OF \$8700.00 AND ACCOUNT NUMBER 422-0000-575-0-3106 IN THE AMOUNT OF \$13,085.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the provisions of the City's Procurement Ordinance (2412), an Invitation for Bids was publicly solicited for the demolition of the "Sea Chest, Marina Dry storage and offices"; and

WHEREAS, four (4) companies responded to Invitation for Bids No. 335-11 and The BG Group LLC of Boca Raton, Florida, a certified minority business, submitted the lowest responsive and responsible bid in the amount of \$21,875.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA THAT:

SECTION 1. The City Council hereby accepts staff's recommendation to award the bid for the demolition of the "Sea Chest, Marina Dry storage and offices" to The BG Group LLC of Boca Raton, Florida.

SECTION 2. The City Council authorizes the Interim Finance Director to make payment for the stated services and provide a project contingency.

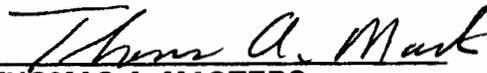
SECTION 3. The City Manager is authorized to approve change orders in an amount not to exceed 18% of the total purchase order amount.

SECTION 4. This Resolution shall take effect upon its passage and approval by the City Council.

PASSED AND APPROVED this 5TH day of October 2011

RESOLUTION NO. 138-11
PAGE 2

APPROVED:


THOMAS A. MASTERS
MAYOR


JUDY L. DAVIS
CHAIRPERSON

ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


BILLIE E. BROOKS
CHAIR PRO TEM

ABSENT
CEDRICK A. THOMAS
COUNCILPERSON


DAWN S. PARDO
COUNCILPERSON

ABSENT
SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: B. BROOKS

B. BROOKS AYE

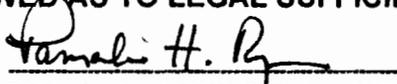
J. DAVIS AYE

C. THOMAS ABSENT

D. PARDO AYE

S. LOWE ABSENT

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/29/11

THE BG GROUP, LLC

CHANGE ORDER REQUEST

NUMBER: 1

DATE: 10/19/11

CUSTOMER: City of Riviera Beach

JOB NAME: Demolition of Sea Chest project under Bid # 335-11

SCOPE OF WORK: Abate and properly dispose of asbestos found in survey not provided with original bid documents.

PRICE: \$23,000.00, comprised of 20,000.00 subcontractor cost plus 15% agreed upon markup

EXCLUSIONS: As listed in original contract documents.

SUBMITTED BY: Ivy

DATE SUBMITTED: 10/19/11

2.2 Response Options & Cost Worksheet

Operation &
Maintenance (O&M)
Plan

O&M Plan Report	\$ 90.00
6 Month Reassessment (DOT personnel)	\$ -
3 Year Reassessment	\$ 150.00
Report/O&M Update	\$ 90.00
1st Year Cost	\$ 90.00
2nd Year Cost	\$ -
3rd Year Cost	\$ 240.00

HA	Material/Service	Quantity	SF/LE	Removal Cost/SF or LF	Removal Cost	Days	Air Monitoring	Abatement Cost
1	Wallboard System	900 SF		5.00	\$ 4,500.00	7	\$ 2,450.00	\$ 6,950.00
8	Black Duct Mastic	20 SF		4.00	\$ 80.00			\$ 80.00
9	Beige 12" x 12" VFT & Mastic	700 SF		4.00	\$ 2,800.00			\$ 2,800.00
10	9" x 9" Red VFT & Mastic	832 SF		4.00	\$ 3,328.00			\$ 3,328.00
11	9" x 9" Brown VFT & Mastic	250 SF		4.00	\$ 1,000.00			\$ 1,000.00
14	Gray Wall Mastic	100 SF		5.00	\$ 500.00			\$ 500.00
17	Black Sink Undercoating	6 SF		5.00	\$ 30.00			\$ 30.00
19	Black Floor Mastic	375 SF		5.00	\$ 1,875.00			\$ 1,875.00
26	Roof Parapet Wall	500 SF		6.50	\$ 3,250.00			\$ 3,250.00
27	Roof Edge Mastic	250 LF		6.50	\$ 1,625.00			\$ 1,625.00
29	Tar & Gravel Roof Sheeting @ Parapet Wall	800 SF		6.50	\$ 5,200.00			\$ 5,200.00
30	Tar & Gravel Roof Sheeting Mastic Along Edge of Roof	400 LF		6.50	\$ 2,600.00			\$ 2,600.00
Abatement Mobilization								
								\$ 500.00
Abatement Report								\$ 150.00
Total Abatement Cost Estimate								\$ 29,888.00

Notes:
Asbestos Awareness Training is not included in the O&M Cost Estimate.
Costs do not include travel time or reimbursable travel expenses, per diem, hotel, etc. which would be billed as incurred.
Provided costs are budgetary numbers only. The scope should be priced at the time services will be rendered.



AIRQUEST® ENVIRONMENTAL, INC.

July 26, 2011

Mr. Brent Taylor
Right of Way Contracts Administrator
Florida Department of Transportation, District IV
Right of Way Administration
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Re: Asbestos Survey Report
AirQuest Project #4936
Contract No: BDR62
Item/Segment No.: 229744-3
Parcel No: 100
Address: 25 West 23rd Street, Riviera Beach, FL 33404
Letter of Authorization No.: 2011-05

Dear Mr. Taylor:

AirQuest Environmental, Inc. ("AirQuest") is pleased to provide you with the asbestos survey report for the above referenced site. The results of the asbestos survey identified asbestos containing wallboard system in the north end of the building, black duct mastic in the northwest end of the building, 12"x 12" beige vinyl floor tile & mastic in the north end of the building, the northwest restroom, and the main hallway, 9"x 9" red vinyl floor tile & mastic in the uncovered patio area, 9"x 9" brown vinyl floor tile & mastic in the uncovered patio area and the 2nd floor apartment, gray wall mastic in the uncovered patio area, black sink undercoating in the main hallway and the 2nd floor apartment kitchen, black floor mastic in the uncovered patio area, bituminous black mastic at the parapet wall along the perimeter of the four roof areas and the edge mastic along the perimeter walls of the four roof areas.

In accordance with the procedures of the Florida Department of Transportation ("the Department"), AirQuest recommends that an Operations & Maintenance Plan (O&M) Plan be implemented at the site. The O&M Plan should remain in effect until the asbestos is abated by a Florida Licensed Asbestos Abatement Contractor:

- The asbestos containing materials shall not be disturbed in any way.
- The building shall be secured as necessary to prevent entry by unauthorized persons within thirty (30) business days of the date of the O & M Plan.
- The building shall be posted with appropriate warning signs alerting persons to the asbestos hazard contained therein.

5150 Southwest 48th Way, Suite 610, Fort Lauderdale, Florida 33314
Phone: 954/792-4549, Fax: 954/792-2221, Toll Free Phone: 877/247-8146, On the Web: www.AirQuestInc.com
Asbestos Consulting Business ZA-304, Radon Business RB2184 & Lead Based Paint Business FL-16418-1

- A periodic inspection (every thirty days) of the building for breach of security shall be performed. Appropriate documentation shall be maintained of all events and repairs as performed.
- Prior to demolition, asbestos abatement, as required under NESHAP's 40 CFR Part 61 Subpart M shall be performed in accordance with an abatement specification package prepared pursuant to Chapter 255 F.S.

It was our pleasure assisting you with this project. If you have any questions or comments, please don't hesitate to contact me at 954-792-4549, extension 112.

Sincerely,
AirQuest Environmental, Inc.



Traci-Anne Boyle, CIH
Licensed Asbestos Consultation AX-60

Enclosure: Asbestos Survey and Assessment Report

ASBESTOS SURVEY AND ASSESSMENT REPORT

ITEM/SEGMENT # 229744-3
PARCEL # 100
LOA# 2011-05

BUILDING NAME: VACANT COMMERCIAL/
RESIDENTIAL BUILDING
BUILDING ADDRESS (SR/MP): 25 WEST 23RD STREET
CITY/COUNTY: RIVIERA BEACH/PALM BEACH

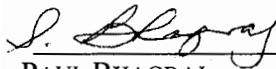
AGENCY: FLORIDA DEPARTMENT OF
TRANSPORTATION
DISTRICT: DISTRICT IV
DATE OF SURVEY: JUNE 22, 2011

CONTRACT #: BDR62

CONSULTANT NAME: TRACI-ANNE BOYLE, CIH
CONSULTANT ADDRESS: AIRQUEST ENVIRONMENTAL, INC.
5150 SW 48TH WAY, SUITE 610
FORT LAUDERDALE, FLORIDA
33314
CONSULTANT TELEPHONE: 954-792-4549
CONSULTANT FACSIMILE: 954-792-2221



TRACI-ANNE BOYLE, CIH
FLORIDA LICENSED ASBESTOS CONSULTANT AX-60
ASBESTOS CONSULTING BUSINESS ZA-304



PAUL BHAGRAJ
AHERA INSPECTOR



MICHAEL VISSA
AHERA INSPECTOR

1 INTRODUCTION

At the request of the Florida Department of Transportation, District IV (“the Department”), AirQuest Environmental, Inc. (“AirQuest”) prepared this Asbestos Abatement Workplan (“the Workplan”) for the removal of asbestos containing materials at Parcel #100, located at 25 West 23rd Street, Riviera Beach, Florida (“the site”).

1.1 DESCRIPTION OF WORK

The location of the materials is shown in the Figure provided in Appendix I. A photograph of the materials is provided in Appendix II. The Workplan includes the removal of approximately:

- 900 square feet of wallboard system in the north end of the building
- 20 square feet of black duct mastic in the northwest end of the building
- 700 square feet of 12”x 12” beige vinyl floor tile & mastic in the north end of the building, the northwest restroom, and the main hallway
- 832 square feet of 9”x 9” red vinyl floor tile & mastic in the uncovered patio area
- 250 square feet of 9”x 9” brown vinyl floor tile & mastic in the uncovered patio area and the 2nd floor apartment
- 100 square feet of gray wall mastic in the uncovered patio area
- 6 square feet of black sink undercoating in the main hallway and the 2nd floor apartment kitchen
- 375 square feet of black floor mastic in the uncovered patio area
- 500 square feet of bituminous black mastic at the parapet wall along the perimeter of the four roof areas
- 250 linear feet of edge mastic along the perimeter walls of the four roof areas
- 800 square feet of bituminous tar and gravel black mastic at the parapet wall
- 400 linear feet of bituminous tar and gravel roof edge mastic.

The Contractor shall be responsible to verify the location and quantity of asbestos containing materials prior to abatement activities.

1.2 REFERENCE STANDARDS, REGULATIONS & CODES

The Contractor, their subcontractors, and the persons in their employ shall comply with and be bound to the requirements of all Federal, State, and local standards, regulations and codes. In particular, the following standards and codes shall be, by reference, made part of the Workplan and shall be complied with. Whenever regulations are conflicting, the more stringent regulation will prevail.

- 1) US Department of Labor: Occupational Safety and Health Act of 1970. (Particular attention is drawn to the Asbestos Regulations: CFR Title 29, Part 1910, Section 1910.1001 and Part 1926, Section 1926.1101, and the Respirator Regulation; CFR Title 29, part 1910, Section 1910.134 and the Hazard Communication Program, CFR Title 29, Part 1910.1200).

- 2) US Environmental Protection Agency, CFR, Title 40, Part 61, Subparts A and M, National Emission Standards for Hazardous Air Pollutants; Asbestos NESHAP Revision; Final Rule, Date Tuesday, November 20, 1990.
- 3) US Environmental Protection Agency; TSCA Title II, Asbestos Hazard and Emergency Response Act (AHERA), 40 CFR Part 763 Subpart E - "Asbestos-Containing Materials in Schools" and also 40 CFR, Part 763, Subpart G - "Worker Protection Rule".
- 4) US Department of Transportation regulations, 49 CFR Parts 172 and 173.
- 5) All State of Florida regulations.
- 6) Other Federal, State and local statutes, ordinances, regulations, or rules pertaining to this Workplan and the work described herein, including the storage, transportation and disposal of asbestos.

2 PROJECT CONDITIONS AND REQUIREMENTS

The following general conditions and requirements apply to the asbestos abatement activities at the site.

- 1) The Contractor shall obtain, purchase and confirm all necessary permits, licenses, certificates and approvals before any asbestos-related activities begin. The Contractor must locate an approved Class I landfill for the disposal of the asbestos-containing debris and notify the Department and the Federal, State and local agencies of its location.
- 2) The Contractor must consult with the Department in the preparation of Emergency Procedures Plans for fire and medical emergencies; the information shall be shared with the Consultant.
- 3) The Contractor shall take all measures and provide all material necessary for protecting all surfaces within the work area from asbestos fiber, dust and debris, physical damage and water damage. The Contractor shall be responsible for any damages to the site resulting from the asbestos abatement activities.
- 4) The Contractor shall provide access and personal protective equipment, as necessary, to the Department and its designees, who are licensed and/or certified, to visit the work areas to inspect abatement activities or to maintain and adjust building services.
- 5) The Contractor shall schedule the use of existing utilities with the Department. No utility service, fire protection system, water or communication system may be interrupted without prior approval of the Department. If utilities are not available at the site, it shall be the Contractor's responsibility to provide utilities.
- 6) Electricity shall be brought into the work areas through ground fault interrupters at the source.
- 7) The Contractor shall post and affix caution signs and labels as required by OSHA regulation, 29 CFR 1926.1101 (k)(7). The Contractor shall post safety signs outside the work area as may be required by the Department. The Contractor shall post and affix caution signs and labels on the dumpster or asbestos transportation vehicle used to transport asbestos as required by EPA regulations, 40 CFR 61.50(c).
- 8) The Contractor shall keep posted at the job site, or at the entrance to each independent work area, one copy of all Material Safety Data Sheets (MSDS) of all chemical and other substances to be used at the site.
- 9) The Contractor shall have an accredited asbestos abatement supervisor ("the Supervisor") at the site at all times during asbestos abatement activities. The Supervisor shall be the competent person and responsible for adherence to the requirements of this Workplan.

3 WORK PRACTICES AND PROCEDURES

The following work practices and procedures apply to the asbestos abatement activities at the site.

3.1 GENERAL WORK PROCEDURES

- 1) Before actual abatement work commences in any work area, the Contractor shall notify the Consultant so that an inspection of all preparatory work can be made. Asbestos abatement work can only commence after the Consultant is satisfied that all the preparation and all the requirements detailed in the Workplan are met and that permission to commence asbestos abatement work has been given.
- 2) The Consultant reserves the right to stop any work immediately should in his/her opinion the work present a health hazard to the public, building occupants and construction personnel, or if the quality of workmanship is judged to present a future health hazard.
- 3) In the event that the area outside the work area becomes contaminated, with visible debris or if the total fiber count exceeds the background level measured before the work started, or if any asbestos-containing material is located outside the asbestos abatement work area either as material or as asbestos fibers identified in an air sample or if damage to the isolation barriers is observed, the work shall immediately stop, the contaminated area shall be sealed by the construction of polyethylene sheet barriers, and repairs shall be made to the original barriers. A full decontamination of the affected areas of the building outside the work area shall then be conducted including pick up of asbestos debris and material, by the use of HEPA-filtered vacuum cleaners and wet mopping and wiping of all exposed surfaces, disposal of all materials as asbestos-contaminated wastes and testing of the air quality. Work will not resume until the Consultant has obtained a satisfactory visual inspection and taken and reviewed air tests to confirm that the contamination has been eliminated and the situation controlled.
- 4) In the event of any contamination outside the work area, the cost of the provision of labor and materials for cleanup and disposal of materials and equipment as asbestos-contaminated materials, the costs of any additional test, including the labor of the Consultant and the analytical testing of air, bulk and wipe samples for asbestos, the cost of the Department for loss of facilities and for labor and materials on account of the contamination, shall be at the Contractor's expense.
- 5) The Contractor is responsible to maintain a clean and orderly site at all times. The site shall be cleaned and secured at the conclusion of each work shift.

3.2 WORKER PROTECTION AND HYGIENE REQUIREMENTS

It is the Contractor's responsibility to maintain a safe work environment. Any person that observes an unsafe work area shall immediately report the condition to the Contractor's Supervisor and the onsite Consultant.

- 1) The Contractor shall insure that all asbestos workers have a medical examination prior to employment. This medical examination must meet the minimum requirements under current OSHA regulation, 29 CFR 1910.1001 and 29 CFR 1926.1101. The same medical

examination shall be given on an annual basis to employees engaged in an occupation involving exposure to asbestos and within 30 calendar days before or after the termination of employment in such occupation.

- 2) The Contractor shall provide each asbestos worker with all necessary items of protective clothing required by Federal and State regulations. The Contractor shall provide protective clothing including body, foot and head covers, as a minimum. Hard hats, eye protection and other protective equipment, including safety shoes, shall be provided as appropriate to the site situation and conditions.
- 3) Smoking is allowed only in areas designated by the Department. Smoking is not allowed within the regulated area at any time.

3.3 RESPIRATORY PROTECTION REQUIREMENTS

The Contractor shall have a written respiratory protection program that covers all of the asbestos abatement workers at the site.

- 1) The Contractor shall provide each asbestos worker with a NIOSH-approved respirator providing sufficient protection against the total fiber levels anticipated for the work outlined in this Workplan. In the case of cartridge respirators, a sufficient number of filters shall be maintained in a clean condition on site for at least one change of cartridges for each worker for each day of actual asbestos removal. Disposable, one-use respirators are not acceptable.
- 2) The Contractor shall instruct the workers on the proper fitting, use, maintenance and cleaning of their respirators, including the provision of a fit test.
- 3) Workers with beards shall not be permitted to wear respirators or to enter the work area.
- 4) Workers must perform positive fit tests or negative fit tests each time a respirator is put on. Power air purifying respirators and Type "C" airline respirators shall be tested for adequate flow, as specified by the manufacturer.
- 5) An initial exposure assessment shall be conducted immediately before or at the initiation of the operation to determine expected employee exposures. This assessment must be completed in time to comply with requirements which are triggered by exposure data or the lack of a "negative exposure assessment".
- 6) Periodic monitoring shall be conducted that is representative of each employee in Class I or II operations in accordance with 1926.1101(f)(3).
- 7) Where respirators are required, appropriate respirator selection will be dependent upon the work to be performed and level of asbestos exposure, as given below:
 - a) One time disposable respirators are not to be used.

- b) Half-mask air purifying respirator equipped with high efficiency (HEPA) filters when airborne concentrations of asbestos are not in excess of one (1) fiber per cubic centimeter (f/cc) or for Class II removal operations where the Contractor has not conducted a negative exposure assessment.
 - c) Full-facepiece air-purifying respirator or powered half-mask air-purifying respirator equipped with HEPA filters when airborne concentrations of asbestos are not in excess of five (5) f/cc.
 - d) Full-facepiece powered air-purifying respirator equipped with HEPA filters when airborne concentrations of asbestos are not in excess of ten (10) f/cc.
 - e) Full-facepiece supplied air respirator operated in pressure demand mode when airborne concentrations of asbestos are not in excess of 100 f/cc.
 - f) Full-facepiece supplied air respirator operated in pressure demand mode, equipped with an auxiliary positive pressure self-contained breathing apparatus when airborne concentrations of asbestos are greater than 100 f/cc or of unknown concentration.
- 8) The Contractor shall establish the fiber levels applicable to this project based on the Contractor's experience, project conditions and personal and area monitoring during the project. The Contractor shall provide respirators as shown above, based on project conditions and/or the results of air monitoring.
- 9) This Workplan requires that workers shall wear suitable respiratory protection at all times whenever a potential for exposure to airborne asbestos fiber exists, regardless of fiber level.

3.4 DISPOSAL AND LOAD OUT

- 1) The Contractor shall place a closed and lockable dumpster or asbestos transportation vehicle outside the building at a location to be agreed upon with the Department. The Contractor shall post and affix caution signs and labels on the dumpster or asbestos transportation vehicle used to transport asbestos as required by EPA regulation 40 CFR 61.149 (d). No asbestos-containing material from another job site may be brought to this dumpster or asbestos transportation vehicle or stored in this dumpster or asbestos transportation vehicle without written approval from the Department.
- 2) The dumpster or asbestos transportation vehicle shall be taken directly from the work site to the approved landfill and the contents shall not be transferred or temporarily stored at another site unless arrangements have been agreed and a means of tracking the material has been set up and the procedure agreed to in writing by the Department.
- 3) A copy of the waste shipment record shall be submitted to the Consultant or Department within 35 days of the date that any asbestos-containing waste shipment leaves the site as required by EPA regulation 40 CFR 61.150(c)(3).
- 4) All asbestos-containing and asbestos-contaminated material, including any polyethylene sheeting and supplies used in the work area during asbestos related work, shall be sealed in

6-mil thick polyethylene bags within the work area. Water shall be added to each bag, before the bag is sealed, to keep the contents damp through subsequent handling.

- 5) The sealed bags shall be decontaminated. The sealed bags shall be protected in such a manner as to prevent breakage of the bags and subsequent fiber release in the event of damage or dropping during transport from the work area. The bags will then be placed promptly in the closed dumpster or asbestos transportation vehicle used to transfer the material to the approved landfill.
- 6) All bags and drums or boxes shall be properly labeled as containing asbestos with the name of the waste generator and the location where the waste was generated as required by the applicable OSHA, EPA, and DOT regulations.
- 7) Asbestos-containing material shall not be dropped or thrown from heights greater than ten (10) feet. Materials that must be lowered from greater than ten (10) feet must be transported through a dust tight chute, or containerized prior to lowering to the ground or floor.
- 8) The dumpster or asbestos transportation vehicle shall be kept closed at all times, except when bags and drums or boxes are being placed in it, and shall be locked when not attended.

3.5 FIRE PROTECTION

- 1) The Contractor shall maintain adequate fire extinguishers (Class A, B, and/or C) ready for immediate use, and distribute them throughout the work site and about flammable temporary structures for the duration of the project.
- 2) Internal combustion engines shall not be operated within this building. Gasoline or other flammable liquids shall not be stored in the building(s) nor may any flammable liquids be dispensed or handled within the building(s).
- 3) There shall be no open fires within the building(s) and smoking will be permitted only in designated areas. The Contractor shall warn his employees that violation of this clause may result in immediate dismissal.

