

THE CITY OF WALTHAM
MASSACHUSETTS

PURCHASING DEPARTMENT

240 Beaver Street Field Station, Environmental Remediation

ADDENDUM NO. 3

January 31st, 2023

CHANGES, CORRECTIONS AND CLARIFICATIONS

The attention of bidders submitting proposals for the above subject project is called to the following addendum to the specifications. The items set forth herein, whether of omission, addition, substitution, or clarification are all to be included in and form a part of the proposal submitted.

THE NUMBER OF THIS ADDENDUM (NO. 3) MUST BE ACKNOWLEDGED IN THE FORM FOR GENERAL BID, SECTION 00-31-00-1.

ITEM 1: ANSWERS TO POSED QUESTIONS

The following questions Q1 through Q5 are in reference to Summary of Work 1.2 D. and Figure 2:

Q1. Does the city expect that the project will impact the tested levels in Areas 2 – A, B, C, E and F? Will the city require the contractor to be responsible for changes in these areas?

A1. At this time, only the Pre-testing and Post-testing are part of this Contract for the identified areas currently used for farming .

Q2. What additional activity (not related to the cleanup) does the city expect in Area 2 during the period of the remediation?

A2. None, this will be a closed area construction site.

Q3. What is the condition of the site access route? Will the contractor be responsible for regrading at project end?

A3. The site access route is a dirt road which can be visited during normal business hours. The post project condition of the access road should be similar in condition to that of the start of the project. If regrading is necessary to restore the road, any equipment used should be decontaminated prior.

Q4. Are there any existing water and power utilities crossing above or below the site access route?

A4. No overhead utilities are visible. See Attachment 1 for Water Meter in Manhole plans located Beaver St entrance. This should not have any impact on this project. The contractor

would be responsible for Dig Safe prior to project start.

Q5. Can we put forward a plan to access the site via Waverly Oaks Rd if we believe it is cost effective for the city?

A5. No, the only access road comes from the Beaver Street entrance.

Q6. If disposal facility requires additional samples for disposal can a line item be added to accommodate these costs?

A6. The cost of this should be included in the contractor's lump sum bid. (See Spec Section 026100 1.2(A)B. The CONTRACTOR shall conduct any additional laboratory analysis required to obtain approval to transport and dispose of the excavated soil.)

Q7. Please reference Instructions for Bidders Paragraph 1.17 stating that work is to be substantially complete in 90 days (not including Winter Shutdown). Also reference Form of General Bid Paragraph G indicating that substantial completion is to be in 60 days (not including Winter Shutdown). Please confirm when substantial completion is desired by the City.

A7. Please note "Instruction to Bidders Paragraph 1.17 should read: "The work of the Contract shall be FINAL Completion in 90 calendar days." Substantial completion is to be 60 days as indicated above.

Q8. Please reference Instructions for Bidders Paragraph 1.28-4 stating that All Risk Insurance is to be provided. Also reference General Conditions Paragraph 6 showing insurance types and limits and note that All Risk Insurance is not shown. Please advise if the City desires All Risk Insurance and provide the limits of coverage.

A8. No, Insurance Requirements shall follow the General Conditions Paragraph 6 limits.

Q9. Can the site be visited on our own?

A9. Yes, you may visit the site during normal business hours.

Q10. Please reference Summary of Work Paragraph 1.2-A indicating that the excavation and transportation/disposal quantities are 500 CY and 800 Tons respectively. Also reference Specification Section 02 61 00 (Hauling, Transportation & Disposal of Excavated Materials) Paragraph 4.2-A indicating that the pricing provides is good for minor variation in quantity (+/- 10%) and that excess quantity will be paid for under the Unit Price Item. Please confirm that Base Bid Quantities for excavation and T&D of this material from this project will not exceed 550 CY and 880 Tons respectively and that any soils in excess of this will be paid under the Unit Price Bid Item.

A10. Confirmed.

Q11. Please reference Summary of Work Paragraph 1.2-D indicating that the Contractor shall retain an Environmental Consultant to take (10) preconstruction and (10) post construction

samples in certain parcel shown as Area 2. Please confirm that these are to be surface soil samples.

A11. Confirmed. These are surface soil samples.

Q12. What are the qualifications for the Environmental Consultant to take the soil samples?

A12. According to EPA, an environmental professional is defined as someone who has one of the following: 1. A state or tribal-issued license and three years of relevant , full time work experience, 2. A bachelor's degree or higher in science or engineering and five years of relevant, full time work experience.

In Massachusetts, this most often is a person or persons who are a Licensed Site Professional (LSP) or working under the direction of an LSP.

Q13. Please reference Specification Section 31 00 00 Paragraph 2.1-B and confirm that the backfill shall include Topsoil. If so, please provide the depth of topsoil required and the referenced Specification 32 90 00.

A13. Topsoil is not required, nor is Specification Section 329000.

Q14. Please reference Appendix A RAM Plan Section 12 and confirm that the City's LSP will be performing Air and Dust Monitoring.

A14. Confirmed. Dust monitoring will be visual.

Q15. We are unable to determine the limit of Site Clearing for the bid documents and wanted to know if the excavation area was laid out in the field so that we can visit the site and determine clearing limits.

A15. Excavation area is presently not marked out in the field but will be established prior to initiation of work.

Q16. Since stabilization is required, we are asking what RCRA codes will require stabilization and what reagent and mix ratio will be required?

A16. In lieu of stabilization requirements, a revised specification addenda and bid sheet will be issued to allow for a potential reclassification of soil for transport and disposal.

Q17. Speaking to the CDW RAM Plan Section 11.0 – Remediation Waste (page 76) – The document indicates that this waste will be managed under a Performance Based Plan and be managed for disposal at TSCA waste. Are the soils considered PCB Remediation waste under a Performance Based Plan? Or is the referenced contaminated soil being segregated from the PCB Remediation Waste?

A17. All soil proposed for excavation is considered PCB Remediation Waste per 40 CFR 761.61(b).

Q18. Please reference Specification Section 31 00 00 paragraph 1.1-B.9 and describe the work desired for restoration.

A18. Backfill and compact with common fill to original grade.

Q19. Please reference Specification Section 31 00 00 paragraph 1.1-B.11 and indicate what onsite materials are to be segregated, culled and screened. Isn't all the material inside the proposed 30x50x9 excavation area to be disposed of?

A19. All excavated material is to be disposed of with no segregation.

Q20. Please confirm the contractor can take samples with the engineer's oversight.

A20. Refer to Question 12.

Q21. Do you have an Engineer's estimate for this work?

A21. No

Q23. Is there a proposed start and/or final completion date (i.e., deadline due to funding, permitting, etc.?) or expected completion date?

A23. Refer to Question 7

Q24. Is post survey/as-built of the excavation area required following completion of work?

A24. No

Q25. Is the temporary chain link fence to be installed only around the excavation area shown on Figure 3, or around the complete site perimeter?

A25. Temporary fencing is to be installed around the excavation area and area of stockpiled soil.

Q26. Please provide requirements on erosion and sediment controls if needed (i.e., silt fence, wattles, hay bales...).

A26. Erosion control is required around any stockpiled soil in accordance with 026100 2.1(C).

Q27. Do you have site photos that can be shared?

A27. Refer to Figures 1-3 in the RFB.

Q28. Can you provide the attendee list from the virtual pre-bid meeting?

A28. See Attachment 2.

Q29. Is someone available for a site visit sometime this week?

We'd like to know which and how many trees are to be cleared and more information regarding the boulders to be removed which was added in Addendum 01.

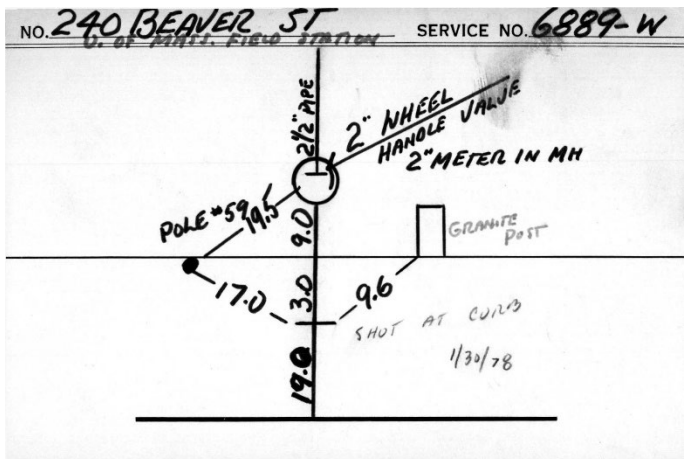
A29. See Question # 9. There will be no trees removed as part of this project, only grubbing, if necessary. Encountered boulders should be reused on-site.

ITEM 2: DELETE AND REPLACE

- 1. DELETE pgs 15-16 (General Bid Form) and REPLACE with Attachment 3**
- 2. DELETE pgs 41-42 (Summary of Work) and REPLACE with Attachment 4**
- 3. DELETE pgs 45 – 54 (Excav. Soil Material) and REPLACE with Attachment 5**

ATTACHMENT 1

2" Water Service with 2" Meter in Manhole

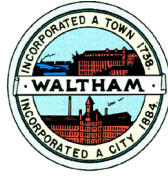


3/15/95- REPAIRED LEAD LEAK- (1) 2" TELSCO ADP (1) 2" Y
 (2) 2"x1" BUSHING (2) 1" 90° ELBOW (2) 1" MCK/F (2) 1" FIC/F (8F) 1" COPPER TUBING

City of Waltham
Waltham, Massachusetts
Purchasing Department

Richard Manning Jr.
Junior Accountant

610 Main Street
Waltham, MA 02452
Tel: 781-314-3242



January 24th, 2023

Pre-Bid Meeting Attendance

Project - 240 Beaver Street Field Station, Environmental Remediation

Time - Tuesday, January 24th at 10:00AM

Location - Virtual Zoom Meeting

ATTENDEES:

Adam Dennison

Adamd

Brian Miller

Brighter Horizons

Chris

Daniel Harvey

Deb Guttormsen

Ed Giordano

Jeff Buckley

Jesse Vaughan – TERRA

Larsenault

Mike

Nathan White

Phil Peterson

POTTGo

Richard LaMothe

Rleventry

Ronnie Cincotta

Ryan Dougherty

Shelley Tamis

Stacey Daley – WFCF

Steve Beek – Strategic Environmental

Thomas Innis

617-799-1335

Signed,

Richard Manning Jr.,
Junior Accountant

SECTION 00 31 00

FORM FOR GENERAL BID

(REVISED ADDENDUM #3)

ATTACHMENT 3

240 Beaver Street, Environmental Remediation

General Bid Opening Date: Wednesday February 1st, 2023 at 10:00 AM

Crystal Philpott, Purchasing Agent
City of Waltham
610 Main Street
Waltham, MA 02452

A. Basic Price

The undersigned: _____
(Please type or print the business name of the bidding firm)

having visited the site of the above project and having familiarized myself with the local conditions affecting the cost of the work and with the contract documents, including Amendments and Addenda No's. ____, ____, ____, ____, ____ hereby proposes to furnish all labor (including Sub Bids), materials, tools, equipment, insurance, permits and taxes, and to do and lawfully perform all things as provided in the specifications, all in accordance with the contract documents, for the sum of:

1. TOTAL Base Bid (in words) _____

Dollars, \$ _____

The Bidder further attest that the above prices are all **Inclusive and Fixed prices.**

2. UNIT PRICE No. 1: Price per ton for the excavation and disposal of additional soil over and above the volume estimated in the soil characterization report.

Per Ton Soil Excavation and Disposal \$ _____

3. UNIT PRICE No. 2: Price per ton difference for the transportation and disposal (including taxes and fees) for soil, if classified as hazardous material/waste under 1.6(D) of Section 026100.

**Per Ton Transportation and Disposal \$ _____
if classified as hazardous material/waste**

B. Left Blank Intentionally

C. The undersigned agrees that, if s/he is selected as General Contractor, s/he will within five days, Saturdays, Sundays and legal holidays excluded, after presentation thereof by the Awarding Authority, execute a contract in accordance with the terms of this bid and furnish

a performance bond and also a labor and materials or payment bond, each issued by a surety company qualified to do business under the laws of the Commonwealth and satisfactory to the Awarding Authority and each in the sum of the contract price, the premiums for which are to be paid by the General Contractor and are included in the contract price.

- D. The undersigned certifies that s/he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work and that s/he will comply fully with all laws and regulations applicable to awards made subject to section forty-four A.
- E. The undersigned as Bidder certifies that if this proposal is accepted, s/he will furnish to the City of Waltham with the invoice for the material or equipment supplied two copies of any and all Material Safety Data Sheets applicable to such material or equipment, as required by M.G.L. Chapter 111F, so called "Right to Know Law".
- F. The undersigned certifies under penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. The word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.
- G. Substantial Completion

The work of the Contract shall be Substantially Completed in sixty **(60) calendar days not including winter or weather shut-downs.**

- H. In accordance with M.G.L., the undersigned certifies that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by OSHA that is at least 10 hours in duration at the time the employee begins work and shall furnish documentation of successful completion of said course with the first certified payroll report for each employee.

Sincerely,

(Bidder)

(Address of Bidder)

By:

(Title - Owner*, Partner*)

(Seal, if Corporation)

By:

(If Corporation - Name and Office)

* If the business owned by the individual or partnership is conducted under a trade or assumed name, a certified copy of doing business under an assumed name should be annexed.

SECTION 01 11 00

SUMMARY OF WORK

PART 1 -GENERAL

1.1 PROJECT/WORK IDENTIFICATION

- A. General: The name of the project is "240 Beaver Street, Waltham, MA". The project number of 1830.20 as noted on Drawings, Specifications and contract documents produced by CDW Consultants, Inc.

1.2 DESCRIPTION OF WORK

- A. The CONTRACTOR'S work includes certain contaminated soil excavation, management and disposal activities to be performed at a portion of the property at 240 Beaver Street, Waltham, MA in compliance with the Draft Release Abatement Measure (RAM) Plan dated January 3, 2023, and prepared in accordance with the Massachusetts Contingency Plan (MCP) 310 CMR 40.0000. Specific Contractor activities shall include the following:
- Clearing, grubbing, and preparation of the Site
 - The excavation, stockpiling and off-site disposal of up to 500 cubic yards (800 tons) of soil impacted with metals, pesticides and PCBs
 - Site restoration and backfill
 - All other work and materials as specified, noted, and appurtenant
 - All work to be completed 90 days from Notice to Proceed.
- B. The CONTRACTOR shall provide a plan to manage, control and secure the work site during the performance of work. The plan shall describe site security, erosion control, and public safety measures as they relate to the use of equipment, access routes, and the excavation, management, storage and loading of excavated soil.
- C. The Massachusetts Department of Environmental Protection (MassDEP) Release Tracking Numbers (RTNs) associated with the Site are 3-36027 and 3-36180. CONTRACTOR is directed to MassDEP's online searchable site at <https://eeaonline.eea.state.ma.us/portal#!/search/wastesite> to obtain additional information about the Sites.
- D. The CONTRACTOR shall retain an environmental consultant to collect surface soil samples along the access route in Areas 2-A, B, C, E and F as shown on the plan titled "Cornelia Warren Farm and Fieldhouse, City of Waltham Massachusetts." Ten soil samples shall be collected and laboratory analyzed prior to the start of the project, and ten soil samples shall be collected and laboratory analyzed upon completion of the project

and after all contaminated soil has left the property. The sample locations shall be approved by the City's Environmental Consultant and be analyzed for Polychlorinated Biphenyls (PCBs), Total Petroleum Hydrocarbons (TPH), total lead, total chromium, and pesticides.

1.3 COORDINATION

- A. General: The Work of the Contract includes the beginning of construction activity through project closeout and warranty periods. The CONTRACTOR shall coordinate all Work with the City of Waltham and ENGINEER.

1.4 QUALITY ASSURANCE:

- A. Quality Assurance Plans: The CONTRACTOR shall agree to participate in and conform to all items contained in the Draft RAM Plan and any modifications to that plan.

1.5 PERMITTING REQUIREMENTS:

- A. Local and State Permits: The CONTRACTOR will be responsible for obtaining any local and State permits as required by the City of Waltham to perform the Work of the Contract. The CONTRACTOR shall comply with all requirements and conditions identified in the permits.
- B. Other Permits: Permits, if required for other work including the development and/or operation of the CONTRACTOR's temporary facilities, shall be the responsibility of the CONTRACTOR.

1.6 CONTRACTOR REQUIREMENTS:

- A. All employees of the CONTRACTOR and his Subcontractors shall have, at a minimum, OSHA 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training, including all appropriate refresher training, in accordance with 29 CFR 1910.120.
- B. The CONTRACTOR shall develop its own site-specific health and safety plan for its workers and visitors to the work site. The CONTRACTOR shall provide its employees with appropriate personal protective equipment as warranted by site conditions and/or the results of employee personal exposure monitoring. The ENGINEER is not responsible for the health and safety of the CONTRACTOR.

END OF SECTION 01 11 00

SECTION 02 61 00**HANDLING, TRANSPORTATION, AND DISPOSAL OF EXCAVATED MATERIALS****PART 1 GENERAL****1.1 DESCRIPTION OF WORK**

- A. Work Included: This Section describes the work activities required to excavate, manage, transport, and dispose of excavated materials.
- B. CONTRACTOR shall furnish all labor, materials, equipment, and incidentals and perform all operations necessary to properly excavate, segregate, sample, classify, handle/manage, load, transport, and dispose of excavated materials within the Area of Work.
- C. CONTRACTOR'S attention is directed to site plans showing the physical limitations of the Area of Work and is fully responsible for managing the sequence of work accordingly.
- D. CONTRACTOR shall furnish, operate, and maintain excavated material stockpile/staging areas and equipment decontamination stations for the duration of excavation activities and dismantle and dispose of decontamination stations and stockpile/staging areas at project completion.
- E. CONTRACTOR is directed to review the attached draft "Release Abatement Measure Plan and TSCA Performance Based Cleanup Plan" and shall adhere to the provisions of that plan. The plan will become final when submitted to MassDEP after project award and prior to the start of work.

1.2 RESPONSIBILITIES

- A. CONTRACTOR's Responsibilities:
 - A. The CONTRACTOR shall prepare an Excavated Materials Management Plan (EMMP) that describes their means and methods to complete the work to be performed under this Specification. The EMMP shall show on a plan the entire extent of their proposed work area.
 - B. The CONTRACTOR shall conduct any additional laboratory analysis required to obtain approval to properly transport and dispose of the excavated soil.
 - C. The CONTRACTOR shall demonstrate that they will conduct the work using the most feasible and least environmentally impactful means and methods. Any additional permitting or mitigation measures required, or delay of time to complete the work as a result of CONTRACTOR means and/or methods or changes thereto, shall be the responsibility of the CONTRACTOR.
 - D. The CONTRACTOR shall establish sufficient survey controls to accurately remove soils to the horizontal and vertical limits established in the drawings.

- E. The CONTRACTOR shall perform excavation work to the extents shown on Site Plan C-1.0 and as marked in the field. CONTRACTOR shall perform additional excavation work, in areas where unacceptable contamination remains in soil, as directed by the City of Waltham's (City) Environmental Consultant.
 - F. The CONTRACTOR shall assist the City's Environmental Consultant in obtaining representative confirmatory samples within the excavation area for field screening and confirmatory laboratory analyses.
 - G. The CONTRACTOR shall manage excavated material by securely containing it prior to transport to the disposal, recycling, and reuse facilities.
 - H. The CONTRACTOR shall wait until all disposal facility approvals have been received prior to the loading and transportation of excavated materials for disposal.
 - I. The CONTRACTOR shall furnish, operate and maintain equipment decontamination stations for the duration of excavation work.
 - J. The CONTRACTOR shall develop and implement site-specific emergency response and health and safety protocols and procedures for workers, visitors and trespassers.
 - K. The CONTRACTOR shall take protective measures during work included in this section, to prevent conditions at the site that could result in any adverse effect on nearby wildlife/aquatic ecosystems and farm fields.
 - L. For each shipment of material transported to a disposal facility, the CONTRACTOR shall demonstrate to the City that the least costly means of disposal has been selected. This demonstration shall be made prior to shipment.
 - M. The CONTRACTOR shall advise the City at least three business days in advance of the schedule for both excavation and transportation off-site of excavated material. No off-site shipments will occur without the approval of the City.
 - N. The CONTRACTOR shall provide an environmental field technician to oversee the loading of excavated material for off-site disposal.
 - O. The CONTRACTOR shall complete the transportation and final disposal of excavated materials within 90 days of initial generation of the materials.
 - P. The CONTRACTOR shall develop and implement dust control measures to prevent the deposition of fugitive dust outside of the work zone. The CONTRACTOR shall be responsible for cleaning vehicle wheels and equipment to prevent soils from the work site from contaminating site roads, fields or yards.
- B. City of Waltham Responsibilities:
- A. The City will review and approve the proposed selection of off-site disposal facilities.

- B. The City's Environmental Consultant has completed preliminary waste disposal sampling and analysis, and shall perform field screening and confirmatory sampling of excavated areas, dust control monitoring, and soil documentation coordination.
- C. The City will be the Generator and will sign all waste profiles and transport documents as the Generator.
- D. The City's Environmental Consultant will complete one waste profile. All soil shall be transported under a Uniform Hazardous Waste Manifest as required by TSCA. Additional waste profiles beyond the first, will be prepared by the CONTRACTOR.

1.3 QUALITY ASSURANCE AND QUALITY CONTROL

- A. The CONTRACTOR shall be responsible for the selection of a final disposal facility for soil. Preliminary sampling was conducted in May 2022 by the City's Environmental Consultant to precharacterize the soil. The CONTRACTOR shall be responsible for any additional sampling required by the disposal facility to characterize soil for off-site disposal.
- B. In the absence of the need for additional testing due to quantity changes or unexpected soils encountered during excavation, the CONTRACTOR shall be responsible for any additional sampling and analyses of soil samples required by his selected waste disposal facility beyond those provided in the preliminary data.
- C. The Contractor shall be responsible for any additional sampling and analysis of soil samples required by his selected waste disposal facility, and/or preparation of additional disposal profiles resulting from a change to the selected disposal facility.

1.4 SUBMITTALS

- A. The following shall be submitted to the City's Environmental Consultant within five (5) days after the issuance of the Notice to Proceed. No on-site work can begin until all submittals identified in 1.4(B and C) have been received and approved.
- B. A schedule detailing the proposed sequence of work.
- C. A detailed site plan indicating the construction staging/stockpile areas as they relate to the active construction area. The detailed site plan shall show the potential layout of the staging area as it relates to the stockpiled soil, debris and/or miscellaneous materials and construction materials.
- D. A material management system plan to track the excavated materials from generation through final disposition. Plan shall include at a minimum the following:
 - a. Provisions for the tracking of the excavated materials from the "point of excavation location" to the location of the stockpile material in the storage/staging area to the final disposition of the stockpiled material including all proposed daily log sheets.
 - b. Drawings of the proposed area of excavation and any temporary materials management areas.
 - c. An Equipment/Vehicle Decontamination Plan.

- E. All pertinent information relating to the transport of excavated material. The information, at a minimum, shall include:
 - a. Name and address of all transporters.
 - b. Transporter identification number (U.S. Environmental Protection Agency (EPA) or Massachusetts Department of Transportation Transporter) and expiration date.
 - c. Proof of permit, license, or authorization to transport excavated material in all affected states.
 - d. Details of methods, vehicle and containers (as applicable) to be used for transporting excavated material.
 - e. Dust control measures.
- F. The CONTRACTOR shall identify each waste stream and propose an appropriate disposal facility that will accept the excavated material as classified. The facility shall provide written confirmation that it is permitted to accept and will accept the classified material of the general quality and quantity described in the draft RAM Plan.
- G. All laboratory data reports in their original form within one (1) day of CONTRACTOR'S receipt.
- H. The Contractor shall provide all final disposal documentation, including but limited to:
 - a. Load sheets completed and signed by the hauler and the receiving facility.
 - b. Certified weight slips from the receiving facility.
 - c. The facility and the City's attestations of shipment and receipt.

1.5 REFERENCES

- A. All regulations cited and those of other governing agencies in their most recent version are applicable. This Section refers to many requirements found in these references, but in no way is intended to cite or reiterate all provisions therein or elsewhere. It is the CONTRACTOR's responsibility to know, understand, and abide by all such regulations and common practices. Other provisions contained in these references may from time to time during the execution of this Contract be enforced by the City's Environmental Consultant. In the event of a conflict, the most stringent regulations shall govern.

The following documents and/or publications are made part of this Section by reference herein:

- A. Massachusetts Contingency Plan (MCP), 310 CMR 40.0000.
- B. Massachusetts Hazardous Waste Regulations, 310 CMR 30.00.
- C. Massachusetts Solid Waste Management Facility Regulations, 310 CMR 19.00.
- D. Massachusetts Site Assignment Regulations for Solid Waste Facilities, 310 CMR 16.000.
- E. Massachusetts Wetlands Protection Act Regulations, 310 CMR 10.00.

- F. "Interim Remediation Waste Management Policy for Petroleum Contaminated Soils", MassDEP, Bureau of Waste Site Cleanup Policy #WSC-94-400.
- G. "Hazardous Waste Operations and Emergency Response", Federal Occupational Safety and Health Act (OSHA), 29 CFR 1910.120.
- H. "General Regulations for Hazardous Waste Management," EPA, 40 CFR 260.
- I. "Regulations for Identifying Hazardous Waste, Hazardous Waste Generators and Hazardous Waste Transporters", EPA, 40 CFR 261, 262 and 263.
- J. "Standards for Management of Specific Hazardous Wastes and Facilities", EPA, 40 CFR 266.
- K. "Reuse and Disposal of Contaminated Soil at Massachusetts Landfills", MassDEP Policy # COMM-97-001.
- L. "Compendium of Quality Control Requirements and Performance Standards for Selected Analytical Protocols" (CAM), MassDEP, Bureau of Waste Site Cleanup Policy # WSC-10-320.
- M. "Technical Update: Background Levels of Polycyclic Aromatic Hydrocarbons and Metals in Soil," MassDEP.
- N. "Similar Soils Provision Guidance (MassDEP, Bureau of Waste Site Cleanup Policy # WSC#-13-500).
- O. "Interim Remediation Waste Management Policy for Petroleum Contaminated Soils, Attachment II, Jar Headspace Analytical Screening Procedure," MassDEP, Bureau of Waste Site Cleanup Policy #WSC-94-900.
- P. Local regulations governing dust control, soil handling, and health and safety.
- Q. All other applicable Federal, State, or local requirements.

1.6 DEFINITIONS

- A. Area of Work: the approximate area which includes excavation areas, and those ancillary areas where personnel, equipment and materials are transported, managed, filled or removed. Excavated material not destined for off-site disposal can be returned to approximately the same location from which it originated.
- B. Contaminated Soil: Material found to contain oil or hazardous material (OHM) at concentrations equal to or exceeding applicable MCP Method 1 Standards (310 CMR 40.0300), Reportable Concentrations (310 CMR 40.1600), or regulated background levels (as defined in the MassDEP "Technical Update: Background Levels of Polycyclic Aromatic Hydrocarbons and Metals in Soil" and 310 CMR 40.00006) or other applicable State or Federal Regulations.
- C. Generator: The City will be the Generator, with the exception of materials contaminated by releases from the CONTRACTOR's vehicles, equipment, or supplies.
- D. Hazardous Material/Waste: A waste material or combination of waste material, that because of its quantity, concentration, physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in a serious irreversible or incapacitating reversible

illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed. This definition also includes, but is not limited to, materials regulated under TSCA, M.G.L., Chapter 21E, RCRA (40 CFR 239-282), Massachusetts Hazardous Waste regulations (310CMR 30.00), the MCP (310 CMR 40.00), and any applicable Federal regulations.

- E. Special Waste: Any solid waste that is determined not to be hazardous waste and that exists in such quantities or in such chemical or physical state or any combination thereof so that particular management controls are required to prevent an adverse impact from the collection, transport, transfer, storage, processing, treatment or disposal of the solid waste. Asbestos and PCB-contaminated soils/sediments/fill are examples of special waste.
- F. Soil: Any unconsolidated mineral and organic matter, including any fill, overlying bedrock that has been subjected to and influenced by geologic and other environmental factors, excluding sediment.

1.7 PERMIT REQUIREMENTS

- A. The CONTRACTOR shall obtain and adhere to all Federal, State, and local permits required for the transport and disposal of excavated material.
- B. The CONTRACTOR shall verify that the disposal facilities proposed have all certifications and permits as required by Federal, State, and local regulatory agencies to receive and dispose of the excavated material.
- C. If applicable, the CONTRACTOR shall adhere to any special conditions of work established by the local Conservation Commission, MA DEP and US Army Corps of Engineers including close-out documentation.

PART 2 - PRODUCTS

2.1 GENERAL

- A. All CONTRACTOR personnel shall wear personal protective equipment and protective clothing consistent with the levels of protection required for this Work.
- B. Any material shipment containers must be approved by and labeled in accordance with the U.S. Department of Transportation (DOT). The containers shall have a secure cover which will prevent a release of material during transportation.
- C. Temporary stockpiles of soil shall be constructed using 10 mil polyethylene double layered as a base. Stockpiles shall be kept covered with a single layer of polyethylene and surrounded with haybales.

PART 3 - EXECUTION

3.1 GENERAL

- A. The CONTRACTOR shall handle and convey all equipment and materials to perform site work described in these Contract documents.

- B. The CONTRACTOR shall excavate soils to the depth and extent shown on the contract drawings.
- C. The CONTRACTOR shall load, transport, and dispose of the excavated soil as specified herein.
- D. The CONTRACTOR shall immediately notify the City of visible stains or unnatural odor of any sampled or excavated material, or if potentially contaminated and/or hazardous material is encountered. Work shall not be allowed to continue in this area until approved by the City.

3.2 TEMPORARY STORAGE OF EXCAVATED MATERIALS

- A. When it is necessary to temporarily stockpile excavated material it shall be stockpiled adjacent to the excavation in a secure manner to prevent exposure to humans and the environment, and activities shall be carried out in a manner that does not create a nuisance or a threat to public health or the environment.
- B. Excavated material to be temporarily stockpiled shall be placed entirely on a 10-mil polyethylene liner, shall be covered at the end of each day's work and at all times when earthwork is not taking place on site, with the same material or so as to minimize the infiltration of precipitation, volatilization of contaminants and erosion of the stockpile. Covers used shall be properly secured and replaced if damaged. Temporary fencing shall be placed entirely around stockpiles to prevent employees and trespassers from access.
- C. Excavated material shall be completely covered with a minimum 10 mil-thick layer of plastic tarp at the end of each working day and secured with ropes, ties, anchors or equivalent materials. The covered system shall be capable of resisting actual wind gust at the site, with a minimum wind capacity of 40 miles per hour.
- D. Stockpiles are to be segregated based on a review of pre-characterization data, visual and olfactory conditions and field screening results obtained during excavation.
- E. Stockpiles shall include haybale berms around the edges to minimize infiltration of storm water or exfiltration of leachate.
- F. Any failure of materials or procedures used in employing the base layer or cover layer shall be immediately repaired, replaced or re-secured so as to minimize precipitation infiltration, volatilization and erosion/runoff of the excavated material.
- G. Movement and/or aeration of excavated material shall be limited to those activities that are necessary to manage such stockpiles.
- H. Disposal of material that is contaminated as a result of careless handling, cross-contamination or use of unauthorized procedures shall be at the CONTRACTOR'S expense. Delays of Work resulting from temporary storage of excavated material, regardless of the classification, shall be at no additional cost to the City.
- I. The stockpiles shall be clearly labeled and securely barricaded from contact with workers and the general public.

3.3 DEBRIS MANAGEMENT

- A. The CONTRACTOR is required to recycle/reuse any other recovered materials in lieu of disposal if the material is of acceptable physical quality and chemical quality, and the CONTRACTOR can identify a facility willing and permitted to accept the material at no additional cost.

3.4 MCP NOTIFICATION REQUIREMENTS FOR SOIL

- A. Notification to the MassDEP under the MCP shall be the sole responsibility of the City.
- B. The CONTRACTOR shall be familiar with the MCP definitions of “two-hour”, “72-hour” and “120-day” reportable conditions.
- C. The CONTRACTOR shall immediately notify the City of any “two-hour”, “72-hour” and “120-day” reporting conditions.
- D. Depending upon the nature of the reportable conditions, the MCP may require the cessation of work, implementing a Limited Removal Action (prior to notification), developing and/or implementing an “Immediate Response Action Plan” or a “Release Abatement Measure Plan” prior to continuing work or other actions, which could delay certain aspects of the site work.
- E. The City’s LSP shall prepare electronic eDEP MCP filings required during construction, including but not limited to Release Notification Forms (RNF), Release Abatement Measures (RAM), Utility-related Abatement Measures (URAM), and subsequent associated status and closure reports.
- F. The CONTRACTOR shall provide all soil management and disposal documentation in support of those eDEP filings.

3.8 ENVIRONMENTAL FIELD MONITORING/DUST CONTROL

- A. The air quality program is to be designed to protect public health and the environment from the potential generation of dust and OHM contaminant release during the Work.
- B. When there is a potential for visible dust being generated during periods of site activity, air monitoring may be limited to visual assessment and documentation.
- C. Dust shall be controlled during excavation and movement of soil to limit potential spread of contaminants and potential exposure of contaminants to workers and the public.
- D. Nuisance dust levels shall be reduced by pre-wetting the surface soils and by establishing and maintaining clean access roads. At a minimum, the CONTRACTOR shall provide clean water that is free from salt, oil and other deleterious materials.
- E. When feasible, access roads shall be sprayed with water on a regular basis to minimize the generation of dust.
- F. All containers and stockpiles shall be covered at all times, except as necessary to place or remove materials from the containers or stockpiles. The CONTRACTOR shall monitor the covers daily to ensure the covers are in place and effectively eliminating the generation of dust.

3.9 DISPOSAL FACILITY CLASSIFICATION

- A. The CONTRACTOR shall transport the material for off-site disposal at a permitted TSCA facility that has accepted the material prior to shipment. A TSCA facility must be used due to the work being completed under a Performance Based Approach per 40 CFR § 761.61.
- B. Material shipped to any disposal facility must meet the selected facility's chemical and physical acceptance criteria. Selected facilities must be established, fully operational, appropriately insured, and be operating in compliance with all applicable local, state, and federal regulations.

3.10 WASTE PROFILES AND SHIPPING DOCUMENTS

- A. The CONTRACTOR shall provide certified tare and gross weight slips for each load received at the accepted facility and these shall be attached to each returned shipping document.
- B. The CONTRACTOR shall prepare and submit to the City for review all waste profile applications and questionnaires, and coordinate with disposal facilities and all Federal and State Environmental Agencies.

3.11 TRANSPORT OF EXCAVATED MATERIAL

- A. The CONTRACTOR shall not be permitted to transport materials off-site until all disposal facility documentation has been received, reviewed, and approved by the City.
- B. The CONTRACTOR shall transport materials from the site to the disposal facility in accordance with all United States Department of Transportation (USDOT), USEPA, MassDEP, and applicable state and local regulations.
- C. The Hauler(s) shall be licensed in all states affected by transport.
- D. The CONTRACTOR shall be responsible for ensuring that free liquid in soil is not transported. "Wet soils" with free-draining liquids shall not be loaded for transport. When there is a question as to whether this standard is met, the paint filter test (EPA Method 9095) shall be used to determine the presence of free-draining liquids in a representative sample. The CONTRACTOR shall collect and dispose of or manage any free liquids that may result during transportation at no additional cost to the City.
- E. All excavated material transported upon public roadways shall be covered by a tarpaulin or other means to prevent the material from escaping the vehicle during transport, and where necessary, truck tire and undercarriage decontamination shall be employed to prevent the tracking of soils onto public roadways.

PART 4 - MEASUREMENT AND PAYMENT

4.1 GENERAL

- A. Measurement and payment for the work of this section is based upon the definitions and classification of the excavated material as described in Sections 1.6 and 3.9. The most cost-effective means of managing, transporting, and disposal shall be used.

- B. City approval is required prior to transportation and disposal of any materials pre-classified under 1.6.

4.2 MEASUREMENT

- A. Excavated materials that are classified for transportation and disposal under 3.9 (A.) will be measured on a Per Ton basis. The costs covered under the Unit Price shall include all applicable taxes and surcharges.
- B. The quantities and locations of contaminated soil as indicated in the summary of work are estimated. Accordingly, minor variations (+/- 10%) in quantities of contaminated soil within the regulated area are considered as having no impact on contract price and time requirements of this contract. Where additional soil excavation and disposal is required beyond the above variation, the contractor shall provide unit prices for that additional variation in contaminated soil, and those prices shall be used for additional work required under the contract.

4.3 PAYMENT

- A. Separate payment shall not be made for all other Work of this section, but all costs in connection therewith shall be included in the Contract Lump-Sum price. All preparation and incidental work necessary to accomplish the work herein will be considered incidental to the Lump Sum price. Refer to Section 003100 – Form for General Bid

4.4 SCHEDULE OF UNIT PRICES

- A. Unit Price No. 1: Price per ton for the excavation and disposal of additional soil over and above the volume estimated in the soil characterization report.
- B. Unit Price No. 2: Price per ton difference for the transportation and disposal (including taxes and fees) for soil, if classified as hazardous material/waste under 1.6(D) of Section 026100.

END OF SECTION 02 61 00