

BLANKET PURCHASE AGREEMENT

PURCHASE OFFICE:

**Environmental Protection Agency
Administrative Contracts Service Center
1200 Pennsylvania Avenue NW (3803R)
Washington, D.C. 20460
ATTN: Rebecca Hindin**

BPA: EP07H000238

Effective Date: 11/01/2006

Expiration Date: 10/31/2011

CONTRACTOR:

**J. M. Waller Associates, Inc. (JMWA)
9249 Old Keene Mill Road
Burke, VA 22015-4202**

1. Description of Agreement. The vendor shall supply expertise in the following categories: accounting, archaeology, architectural engineering, data quality assurance, GIS mapping, historical/cultural property, Hydro-geology, public health, and ventilation engineering to the United States Environmental Protection Agency (U.S. EPA) anywhere in the country as emergency back-up capacity in the event of a large (or series of large) emergency response events, where incidents of national significance substantially deplete the primary resources available through the Agency's existing emergency response contracts.

The period during which orders may be placed is November 1, 2006 through October 31, 2011.

Call orders will be made for specific requirements by authorized Government personnel. Prices to be paid for individual requirements will be established when calls are made in accordance with the pricing compliance in this BPA.

2. Description of Supplies or Service.

The following experts will be provided within the context of the attached Statement of Work.

A.) Accountant: The vendor shall provide one or more experienced Accountants who will prepare, analyze, and verify financial documents. The Accountant(s) shall have a Bachelor's degree in accounting or a related field and experience with electronic data processing, data management and analytical capabilities.

B.) Archaeologist: The vendor shall provide one or more experienced Archaeologists with:

- an advanced degree with a specialization in archaeology
- having designed and executed an archaeological study in the form of a Master's thesis or Doctoral dissertation
- experience in cultural resource consulting
- meeting or exceeding the qualifications established in the Secretary of the Interior's Standards and Guidelines (48 FR Part IV)

C.) Architectural Engineer: The vendor shall provide one or more experienced Registered Professional Engineers with:

- a degree in Engineering
- 6+ years of comprehensive background in the analysis, engineering, and design of concrete, steel frame, masonry and composite building structures integral to diverse commercial, institutional and civic/government building design projects
- the capability of assuming project and/or multiple project leadership and associated staff coordination and client/agency liaison
- the knowledge and skill to serve as a recognized expert consultant to an agency having responsibility for the evaluation of systems in a structure as related to safety and the appropriate approach to decontamination of the targeted structure(s).

He/she shall be a Registered Professional Engineer with experience in foundation design, wood and steel framing design, soils information and reviewing inspection results. This position is responsible for the evaluation of the performance of architectural systems during and after hurricanes, earthquakes and other natural disasters or terrorist attacks.

D.) Data Quality Assurance: The vendor shall provide one or more experienced Data Quality Assurers with:

- a B.S. degree in chemistry, biological, physical sciences or mathematics
- experience with field and analytical operations and data verification/data validation activities

This person(s) shall verify project records, including sample collection, sample receipt, sample preparation, and sample analysis for accuracy and completeness, validate data for

compliance with project requirements and summarize data to include quality control (QC) deviations and potential impacts on conclusions is necessary.

E.) GIS Mapping Expert: The vendor shall provide one or more experienced GIS Mapping Experts with:

- a B.S. in environmental science, geography or related field
- 8 or more years of experience working in the GIS field
- proficiency in ESRI ArcGIS products, digitizing, cartographic map production, spatial analysis, geo-database
- working knowledge of the fundamentals of GIS

Additional skills preferred but not required include programming skills in any of the following: VB, Java, or Python. Experience or understanding of biological or other natural resource sciences is preferred. Additional desirable skills include aerial photographic interpretation, vegetation classification; familiarity with GIS hydrology tools. This individual(s) shall provide GIS technical services for a wide variety of projects.

The responsibilities of this position shall include the development of GIS datasets, maintenance and updating existing datasets, development of FGDC compliant metadata, integration of data from multiple sources and the analysis of GIS data for a variety of environmental applications.

F.) Historical/Cultural Property Expert: The vendor shall provide one or more experienced Historical/Cultural Property Experts with:

- a B.S. or M.S. degree in architectural history, art history, architecture, or a closely related field with a concentration in American architecture; or in American history, public history historic preservation, American studies
- 12 months of professional experience in research, writing, teaching, interpretation, or other related professional activities
- the availability to assist in the preparation of NEPA and CEQA documents

This position shall provide identification and evaluation of historic architectural properties to protect significant cultural resources. The expert(s) shall provide historic resource documentation, archival research, or photographic documentation. They will also develop technical sections for and coordinate/manage preparation of environmental assessments, and other along with conducting literature searches and field studies and act as an environmental analyst.

G.) Hydro-Geology: The vendor shall provide one or more experienced Hydro-geologist(s) with:

- a B.A., B.S. or M.S. degree in Geology, Hydrology, Hydro-geology or Physical Science
- at least 30 semester hours of geology
- specialized experience in constructing ground water and surface water remediation systems. This experience includes but is not limited to: 1) Conducting multimedia assessments to determine extent of contamination, 2) Conducting ground water pumping tests and aquifer slug testing, 3) Overseeing the development and implementation of treatability studies to evaluate treatment technologies, 4) Reviewing design and construction plans for treatment systems, 5) Overseeing construction of treatment systems, 6) Provide expert advice on deployment of containment systems for surface and subsurface releases, and 7) Evaluating analytical data to determine treatment effectiveness.

H.) Public Health Specialist: The vendor shall provide one or more Public Health Specialists with:

- a Master's or higher degree in Public Health, Epidemiology, Industrial Hygiene, medical (i.e. MD or RN), or health related field
- basic training in toxicology, epidemiology, biology and chemistry, and mathematical concepts including basic statistical analysis
- at least 3 years of experience in professional activities related to causes, impact, and prevention of public health problems including endemic and communicable disease, food borne diseases, occupational safety and health, and environmental risk assessment for chemical exposures
- familiarity with environmental laws such as RCRA and CERCLA

I.) Ventilation Engineer: The vendor shall provide one or more experienced Ventilation Engineers with:

- a B.S. in Engineering (but higher degree is desirable),
- a Professional Engineer certificate of registration
- the experience with procurement, surveying, costing, balancing, programming, designing, installation, refurbishing and upgrading HVAC systems for commercial/industrial sectors
- the knowledge and skills necessary to serve as a recognized expert consultant to an agency having responsibility for the evaluation of HVAC systems in facilities
- an acceptable professional record and reputation in the field of engineering

All of the above services are to be rendered within 24 hours of notification.

Services may be required 24 hours per day, 7 days a week including Federal, Local and State holidays or as needed. Personnel may work on rotational work schedules to maintain coverage.

All personnel shall be able to communicate in English.

The above services shall be performed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (also known as CERCLA or Superfund) as amended, the National Oil and Hazardous Substances Pollution Contingency Plan, and other environmental statutes. The vendor will provide services to support emergency response activities related to the release or threat of release of oil, petroleum products, hazardous substances, weapons of mass destruction, or pollutants and contaminants that pose an actual or potential threat to human health or welfare or to the environment.

Please see Attachment A for Statement of Work which outlines the circumstances under which the government will order the expertise outlined in A-I above.

3. Extent of Obligation. The Government is not obligated to order any supplies or services under this Agreement. The Government is obligated only to the extent of authorized calls placed against the BPA. The Government reserves the right to award contracts or agreements to other vendors for like supplies or services during the same performance period as the Agreement.
4. a. Purchase Limitations. Any call placed under this Agreement shall not exceed the limit of the Ordering Officer's authority as specified in paragraph 7b(1) and (2). Each call order issued under this BPA will have a ceiling of no more than \$5 million.
b. Limitations of Funds. The vendor shall notify the Contracting Officer in writing whenever it has reason to believe that the next call order placed against the Blanket Purchase Agreement (BPA) will exceed 75% of the total "not to exceed amount" listed in paragraph 4 (a) of the BPA entitled "Purchase Limitations."

Except as required by other provisions of this BPA, specifically citing and stated to be an exception to this clause:

- (1) The Government is not obligated to reimburse the vendor for any costs incurred in excess of the "not to exceed amount" stated in paragraph 4 (a) of this BPA.
 - (2) The vendor is not obligated to accept calls placed against this BPA in excess of the total "not to exceed amount" listed in paragraph 4 (a) of this BPA, until the Contracting Officer notifies Vendor in writing that the "not to exceed amount" has been increased.
5. Pricing Compliance and Payment Terms. The vendor warrants by performance of any call placed under this Agreement that the prices charged the Government shall be as low or lower

than those charged the vendor's most favored customer for comparable quantities under similar terms and conditions, including any discounts for prompt payments and as low or lower than those proposed in the Federal Supply Schedule.

This agreement allows for Time and Material (T&M) type Orders utilizing the below rate structure. The agreed upon rates, which are to be used for the full term of this Agreement, are as follows:

G&A on ODC's 10%
 Escalation 2.82% per year
 Overtime Hourly rate * 1.5
 Holidays Hourly rate * 2
 Weekends Hourly rate * 1.5

		Fixed Hourly Rates	Fixed Hourly Rates	Fixed Hourly Rates	Small Business Set-Aside
Letter Description	Expert/Area of Expertise	Daily	Weekly	Monthly	Category
A	Accountant (CPA)				SMALL
	Level III	59.75	59.25	57.25	
	Level II	53.64	53.14	51.14	
	Level I	52.74	52.24	50.24	
B	Archaeologist				SMALL
	Level III	93.14	92.64	90.64	
	Level II	86.55	86.05	84.05	
	Level I	83.27	82.77	80.77	
C	Architectural Engineer				SDVOSB
	Level III	81.40	80.90	78.90	
	Level II	80.14	79.64	77.64	
	Level I	72.53	72.03	70.03	

D	Data Quality Assurance Expert				SDVOSB
	Level III	63.90	63.40	61.40	
	Level II	55.88	55.38	53.38	
		Fixed Hourly Rates	Fixed Hourly Rates	Fixed Hourly Rates	Small Business Set-Aside
Letter Description	Expert/Area of Expertise	Daily	Monthly	Weekly	Category
	Level I	51.12	50.62	48.62	
E	GIS Mapping Expert				SDVOSB
	Level III	102.55	102.05	100.05	
	Level II	87.92	87.42	85.42	
	Level I	75.99	75.49	73.49	
F	Historical/Cultural Property Expert				SMALL
	Level III	87.92	87.42	85.42	
	Level II	75.99	75.49	73.49	
	Level I	68.36	67.86	65.86	
G	Hydro-Geologist				SDVOSB
	Level III	80.60	80.10	78.10	
	Level II	69.89	69.39	67.39	
	Level I	64.37	63.87	61.87	
H	Public Health Specialist				N/A
	Level III	98.17	97.67	95.67	

	Level II	81.18	80.68	78.68	
	Level I	71.26	70.76	68.76	
I	Ventilation Engineering				SMALL
	Level III	86.34	85.84	83.84	
	Level II	76.97	76.47	74.47	
	Level I	68.48	67.98	65.98	

6. Negotiation Authority. The issuance of individual calls under the BPA will be made in accordance with the Federal Acquisition Regulations. Purchase of items under Federal Supply Schedule shall be placed in accordance with the terms and conditions of the applicable schedule, and the terms and conditions of the Schedule shall take precedence over the terms and conditions of this BPA.

7. Ordering Procedures and Limitations.

a. Call Orders - Calls placed under this Agreement will generally be made by oral solicitation without a written confirmation by the Government. Each call is dated and assigned a call identification number (for EPA it is at the left of Standard Form 1900-63 which is the "Call Code"). The last five positions of the number will identify the month the call order is placed and the serial number of the action (call order) within the month. The positions preceding the last five positions will designate an office code. Each Program Office will have a separate office code.

Example:

<u>Call</u>	<u>Date</u>	<u>Action Serial Number</u>
3803R	9/07/96	125
2734R	1/12/97	095

The instructions for the identification of calls against the Agreement shall be used (along with the BPA number shown on the first page of this Agreement) when calls are placed by the ordering activity and by the vendor in the preparation of delivery tickets and invoices.

b. AUTHORITY TO PLACE CALLS -ALL CALLS PLACED WITH THE VENDOR UNDER THIS AGREEMENT MUST BE ACCOMPANIED BY A BPA "CALL" CODE AUTHORIZED BY THE CONTRACTING OFFICER OR CALLING OFFICERS SPECIFIED BELOW. THE ROSTER BELOW INDICATES THOSE PERSONNEL WHO HAVE BEEN GRANTED AUTHORITY TO PLACE ORDERS AND COMMIT GOVERNMENT FUNDS. THE CALL CODE LISTED **WILL BE USED BY THESE**

INDIVIDUALS AND "SHIP TO" INSTRUCTIONS WILL BE SPECIFIED WITH EACH CALL.

Personnel who are authorized to place calls:

EPA personnel with Contracting Officer warrants may place calls on this BPA up to the limits of their warrants. In emergency situations, this includes EPA On-Scene Coordinators with delegated emergency procurement authority as identified at <http://www.epaosc.net/oscdirect.asp> and EPA staff with purchase cards, who may place calls on this BPA not to exceed their purchase card limit.

- c. **UNAUTHORIZED CALLS - ANY CALLS PLACED BY INDIVIDUALS OTHER THAN THOSE AUTHORIZED CALLERS LISTED ON PREVIOUS PAGE IN SECTION "b" WILL BE CONSIDERED AS UNAUTHORIZED PROCUREMENTS AND THE INDIVIDUAL UNAUTHORIZED CALLER MAY BE HELD PERSONALLY LIABLE FOR THE COST OF THE SERVICES PROVIDED. THE CONTRACTOR IS CAUTIONED TO ACCEPT CALL ORDERS ONLY FROM THE AUTHORIZED CALL ORDERING OFFICIALS LISTED ON PREVIOUS PAGE.**

8. Performance and Delivery

- a. All commodities or services requested under this Agreement shall be delivered to the addresses as specified by each individual call.
- b. All calls placed under this Agreement shall be shipped complete. No partial shipments will be accepted.
- c. All deliveries shall be made within the time agreed upon by the vendor and the BPA caller when the call is placed.
- d. Delivery of all items under this Agreement shall be f.o.b. destination.

9. Delivery Tickets. All shipments under this Agreement shall be accompanied by a delivery ticket or sales slip which contains the following minimum information.

- a. Name of vendor
- b. Blanket Purchase Agreement number
- c. Date of Call
- d. Description of commodities or services furnished
- e. Quantity, unit price and extension of each line item less applicable discounts (unit prices and extensions need not be provided if the invoice is itemized to show this information).
- f. Date of delivery, shipment or service.
- g. Call Identification number

10. Invoices. The preferred method of invoicing shall be for the vendor to accumulate delivery tickets and invoices for those deliveries for a monthly billing period. The

invoices should include an itemized listing of commodities or services furnished (including unit price, extensions and total amount due). The invoice shall include all deliveries made during the billing period for which payment has not been received. Payment terms are Net 30 days from date of receipt of a proper invoice to the address below. Invoicing for individual deliveries or shorter billing periods is not allowed.

Invoices shall be submitted to:

**Environmental Protection Agency
RTP-Finance (mail drop D143-02)
4930 Page Rd.
Durham, NC 27711**

11. **Social Security Numbers of Consultants and Certain Sole Proprietors and Privacy Act Statement.**
 - (a) **Section 6041 of Title 26 of the U.S. Code requires EPA to file Internal Revenue Service (IRS) Form 1099 with respect to individuals who receive payments from EPA under purchase orders or contracts. Section 6109 of Title 26 of the U.S. Code authorizes collection by EPA of the social security numbers of such individuals for the purpose of filing IRS Form 1099. Social security numbers obtained for this purpose will be used by EPA for the sole purpose of filing IRS Form 1099 in compliance with Section 6041 of the Title 26 of the U.S. Code.**
12. Understanding that services pertinent to Task Orders require immediate response; the EPA may request changes from the original call order via written documentation authorizing a notice-to-proceed. Following the written agreement, the EPA shall immediately issue modification documents. If any such change causes an increase or decrease in the cost or time required for performance of the work, the price and/or delivery schedule shall be equitably adjusted and this Agreement so modified. Contractor shall submit any claim for adjustment to EPA within twenty (20) business days following receipt of Buyer's written Change Order.
13. Any dispute arising under this order that is not settled by agreement between the Parties may be settled by appropriate legal proceedings in any court of competent jurisdiction, as prescribed in FAR Part 33 (Protests, Disputes, and Appeals). Pending final resolution, the Contractor shall proceed with the performance of Orders in accordance with EPA's written direction.
14. Contractor's authorized representative for the receipt of call orders shall be identified below:

Contractual Representative: Kristy J. Leavitt, Contract Administration Manager, 9249 Old Keene Mill Road, Burke, VA 22015-4202. Contact information is: 703-912-2903 telephone, 703-912-2905 Fax, or email to Kristy.Leavitt@JMWaller.com

Technical Representative: Liza Zuchelli, Director of Burke Operations, 9249 Old Keene Mill Road, Burke, VA 22015-4202. Contact information is: 703-912-2903 telephone, 703-912-2905 Fax, or email to Lisa.Zuchelli@JMWaller.com

15. **Contract Clauses.** Contract clauses for this Agreement

are (X) are not attached hereto.

**ENVIRONMENTAL PROTECTION AGENCY
UNITED STATES OF AMERICA**



**Jennifer Cranford, Contracting Officer
Emergency Response Service Center (3805R)**

1-16-07
Date

J. M. WALLER ASSOCIATES, INC.



**James W. Emery, Jr., Chief Financial Officer
J. M. Waller Associates, Inc.**

1/11/2007
Date

ATTACHMENT A

EXPANDING THE INDUSTRY BASE STATEMENT OF WORK

INTRODUCTION

EPA is delegated authority to undertake removal and remedial response actions with respect to the release or threat of release of oil, hazardous substances, or pollutants and contaminants. The National Response Plan (NRP) is the principle federal mechanism for responding to releases of hazardous substances and oil, utilizing a multi-layered network of individuals and teams for federal, state and local agencies, and industry.

EPAs role under the NRP is to respond to emergencies within its area of jurisdiction with respect to the release/dischARGE or threat of release/dischARGE of oil, hazardous substances, pollutants, contaminants, or fire or explosion hazard. Under several federal and regional contingency plans, EPA has the responsibility for coordinating all federal, state, local, and private efforts associated with responding to environmental emergencies. EPA is required to respond to nuclear, biological, chemical, radiological (NBCR) events as part of a disaster or counter terrorism/weapons of mass destruction (CT/WMD) incident. EPA supports states and communities in their preparedness and response activities. EPA is responsible for conducting evaluations and cleanups of uncontrolled hazardous substance disposal sites and placing those that are considered to pose a significant threat to human health or the environment on the National Priorities List (NPL).

TECHNICAL REQUIREMENTS

The technical requirements include response, assessment and inspection, technical support, and data management. Exhibit A, Specific Tasks Lists, identifies tasks which may be performed under this requirement.

Task orders issued under this BPA will address one or more of the following requirements:

A. RESPONSE ACTIVITIES

Response activities support EPAs obligations for the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Oil Pollution Act (OPA), Stafford Act, Homeland Security Act of 2002, and any future laws or regulations pertaining to EPAs obligations.

The Vendor shall monitor and oversee response activities, workers, and public safety; be knowledgeable about the Incident Command System (ICS) and assist Federal, state and local responding agencies with the implementation of ICS; adhere to appropriate safety procedures and advise the On-Scene Coordinator (OSC) on Health and Safety matters.

The Vendor shall provide sampling, analytical, field detection/monitoring and quality assurance/quality control (QA/QC) support, in accordance with applicable methods, procedures and guidelines; document site conditions and compile information and data in a clear and concise manner; conduct data management activities to facilitate documents being readily available for distribution; provide technical advice, findings, facts, recommendations; suggest technical options and review technical submissions, including work plans for EPA and other federal, state and local officials as directed; assist with coordination and communication between Federal, state and local responding agencies, and the public; and be proficient in National Pollution Fund Center (NPFC) Forms.

1. Emergency Response

The Vendor shall assist EPA in helping state and local responders plan for emergencies; and maintain response capability to respond to discharges or threatened discharges as defined in Subparts D and E of the NCP.

2. Counter Terrorism Response

The vendor shall provide qualified response personnel proficient in sampling and analysis of NRCB threats; provide personnel proficient in operating/monitoring NRCB equipment and technologies; provide NRCB monitoring and testing equipment and supplies; provide appropriate level of PPE and decontamination methods; provide EPA with expert guidance and recommendations on NRCB response equipment, technologies and protocols; assist EPA in coordinating with key federal partners; and assist EPA in training first responders and providing resources in the event of terrorist incident(s).

3. Oil Spill Response

The vendor shall provide technical advice, findings, facts, recommendations, and options to the EPAs Contracting Officers Representative (COR); provide technical support to EPA to achieve the cleanup or removal of released hazardous substances from the environment; support EPA in responding to the release or threat of release of oil or petroleum products; be familiar with oil containment and recovery techniques for inland and coastal waterways; be familiar with Area Plans/Subarea Plans, including sensitive areas; and oversee proper placement and deployment of containment boom, skimming and recovery operations.

4. Federal Disaster Response

The vendor shall provide technical support to EPA in conjunction with other federal, state or local agencies in the planning and preparedness for natural and man-made disaster response under the FRP or other federally adopted national response plans; provide technical support to EPA in performing Federal Disaster Assistance surveys of damage caused by disasters or assessment of damages to public water or sewage treatment facilities or related environmental problems; and have response personnel trained in EPA CERCLA assessment procedures which support Federal Emergency Management Agency mission assignments for EPA disaster response actions.

5. Fund-Lead Removal

The vendor shall provide appropriate technical information that details strategies to mitigate the threat to human health and the environment from hazardous substances; provide EPA with technical support in monitoring on-site activities by federal, state, local agencies, and vendor(s) (ie ERRS vendor(s)); and provide cost oversight during fund lead removal actions, including EPA, OPA, and USCG NPFC funded responses.

6. Potential Responsible Parties (PRP)

The vendor shall be knowledgeable of CERCLA107, Potentially Responsible Parties (PRP) and Clean Water Act (CWA) (See Exhibit B); provide technical and administrative support to EPA for identification and notification of PRP related to a release on a site or facility (See Exhibit A); assist in preparing PRP objectives for site cleanup and work requirements (See Exhibit A); and review PRP work plans, monitor work to ensure that the assessment or cleanup activities are performed correctly and in accordance with applicable statute(s), the NCP, agency goals, and any other relevant law or regulations (See Exhibit B).

7. Minor Containment

Minor containment responses require all necessary response actions completed at the site or provide temporary stabilization prior to the mobilization of other responders. A minor containment response usually does not exceed 40 hours per assignment. The minor containment is a result of CERCLA 104(b) activities (pre-removal and investigatory activities) or NCP 300.305 (Phase II activities) for oil spill responses.

The vendor shall contain and stabilize minor releases of oil or hazardous substances, such as leaking containers (55 gallon drums, barrels, and smaller containers), oil discharged to waterways, or spills to soil; be capable of deploying sorbent booms in water bodies, building small dams to interrupt the flow of contaminants; be capable of emergency pumping over packing, hand bailing, or hand excavation; identify and advise EPA that a minor containment will either entirely address/complete the response or will provide necessary short-term stabilization until other responders arrive; and have EPA pre-approval for initial minor containment activities and containment activities which exceed 40 hours.

8. Chemical Safety Audits - Accident Investigations

The vendor shall provide technical support with respect to EPA's authority to investigate chemical accidents pursuant to CERCLA section 104 and CAA sections 103, 112, 114, and 307; have the capability to arrive on-site within 24 hours of notification by EPA; provide EPA with a summary report describing the accident, root cause determination, and recommendation for prevention; and review safety and accident prevention systems and records of equipment involved in accident(s).

B. ASSESSMENT/INSPECTION ACTIVITIES

The primary objective of the site assessment phase is to obtain the data necessary to identify the priority sites posing threats to human health or the environment. The site assessment phase begins with site discovery or notification to EPA of possible release of hazardous substances.

1. Pre-CERCLIS Screening

The vendor shall preform pre-CERCLIS screening activities in accordance with EPA OSWER Directive 9200.4-05, Pre-CERCLIS Screening Guidance, dated September 30, 1996. Pre-CERCLIS screening is the process of reviewing data on a potential site to determine whether the site should be entered into CERCLIS for further evaluation.

2. Removal Assessment

The vendor shall provide technical support to EPA on removal assessment activities; and perform removal assessment activities in accordance with EPA OSWER Directive 9360.3-08, Superfund Removal Procedures/The Removal Response Decision: Site Discovery to Response Decision dated September 1994, and the NCP.

A removal assessment focuses on determining the potential immediate threat a site may pose on human health and the environment. The results of this assessment are used by EPA to determine whether a removal action or some other response is warranted.

3. Preliminary Assessment (PA)

The vendor shall provide technical support to EPA on PA activities; review past and present facility waste handling practices and permit history; document the presence, quantity, type, or absence of uncontrolled or un-contained hazardous substance(s) on-site; document releases to the environment; identify pollution disposal pathways; determine pathway specific receptors and surrounding population density; locate other environmentally sensitive receptors (e.g., wetlands and endangered species); and perform PA activities in accordance with EPA OSWER Directive 9345.0-01A, Guidance for Performing Preliminary Assessment Under CERCLA, dated September 1991; EPA OSWER Directive 9375.2-09FS, Improving Sites Assessment: Abbreviated Preliminary Assessments, and the NCP.

A PA is the first step in determining whether a site warrants a Superfund response after the site has been entered into CERCLIS. A PA focuses on determining/verifying whether a site is eligible for a response action under CERCLA and the need for immediate and/or long-term response actions.

4. **Site Inspection (SI)**
The vendor shall provide technical support to EPA on SI activities; and perform SI activities in accordance with EPA/540-R-92-021, Guidance for Performing Site Inspections Under CERCLA, dated September 1992.

SI incorporates and builds upon the objectives of the PA and may require the collection of samples or the evaluation of existing analytical data to evaluate site conditions.

5. **Combined PA/SI**
The vendor shall perform preliminary search and field activities outlined in section 4.2, PA and 4.3, SI, simultaneously, in accordance with EPA OSWER Directive 9375.2-10FS, Improving Site Assessment Combined Preliminary Assessment/Site Inspection Assessments.

6. **Site Inspection Prioritization (SIP)**
The vendor shall perform SIP activities, in accordance with EPA OSWER Directive 9345.1-15FS, Site Inspection Prioritization Guidance, dated August 1993, as amended.

The goal of SIP is to gather any additional information necessary following the completion of the SI to help set priorities among sites for NPL listing or to screen sites from further Superfund attention.

7. **Site Reassessment (SR)**
The vendor shall perform site assessment activities as described in sections 4.2(c) and 4.3. of this PWS. A SR represents the gathering and evaluation of new information on a site previously assessed under the Superfund program to determine whether further Superfund attention is needed. A SR serves as a supplement to previous assessment work and not a replacement for traditional assessment activities. The scope of work for SR activity is flexible but will usually represent a component of a traditional site assessment action, PA, SI, and SIP. The purpose of this action is to document the expenditure of Superfund resources on older sites where EPA has received new information or learned that the site conditions have changed.

8. **Expanded Site Inspections (ESI)**
The vendor shall perform ESI activities, in accordance with EPA 540-R-92-021, Guidance for Performing Site Inspections Under CERCLA, dated September 1992. The ESI has a two fold purpose to provide additional information required to support preparation of an HRS package for NPL listing which requires scoring of the site; and to further characterize and define a site for a potential response action, i.e. to begin a Remedial Investigation (RI).

9. **Expanded Site Inspections/Remedial Investigation (ESI/RI)**
The vendor shall perform ESI/RI activities. The ESI/RI is used to expedite

remedial response by gathering site characterization data common to both ESI and RI activities in one step, thereby expediting the later collection of data when comprehensive RI activities are preformed.

10. Integrated Assessments (IA)

The vendor shall assess the potential for short or long term clean-up actions; and perform IA activity in accordance with EPA OSWER Short Sheet 9345.16FS, Integrating Removal and Remedial Site Assessment Investigations, dated September 1993, and Removal Site Evaluation and Site Inspection documents referenced in Sections 1(b) Removal Assessments and 2(b) Site Inspections. The purpose of an IA is to gather data that meet the requirements of both a RA and a SI at the same site. The data gathering effort at these sites may require field screening and full Vendor Laboratory Programs (CLP) analysis of samples.

C. TECHNICAL SUPPORT ACTIVITIES

The requirements under this section include the gathering and analysis of technical information and related data, the preparation of draft technical reports and related materials on oil and hazardous substance investigation, assessment cleanup, disposal technologies, process activities, operations, problems, and trends.

1. Multi-media Surveys and Inspections

The vendor shall provide technical support to EPA for multi-media surveys and inspections activities. EPA conducts multi-media surveys and inspections at facilities where hazardous substances are managed, treated, stored, or disposed. EPA also conducts these activities at the release of environmental hazardous substances. These activities may support multiple environmental regulations and/or programs.

2. Treatability Studies

The vendor shall perform treatability studies in accordance with EPA 540-R-92-071A, Guide for Conducting Treatability Studies Under CERCLA, and OSWER Directive 9380-.3-10, NTIS Order Number# PB93-126787IN; and provide for laboratory, bench, and /or pilot scale treatability studies. The treatability study provides waste treatment and site specific response data to support the feasibility and use of technologies at a site.

3. Engineering Evaluation and Cost Analysis (EE/CA)

After EPA issues the EE/CA approval memorandum, the vendor shall conduct EE/CA activity in accordance with EPA 540-R-93-057, Guidance on Conducting Non-Time Critical Removal Actions Under CERCLA, dated August 1993. EE/CAs are required for non-time critical removal actions. The purpose of the Engineering Evaluation and Cost Analysis (EE/CA) is to allow public participation in the removal decision process, if time permits, and give consideration to alternatives to land disposal. The goal of an EE/CA is to identify the objectives of the removal action and to analyze various alternatives.

4. **Site Discovery Program**
The vendor shall support EPA's determination of whether sites require additional site assessment activities by collecting, recording, and analyzing detailed information about the site; and perform site discovery activity in accordance with EPA OSWER Directive 9200.4-05, Pre-CERCLIS Screening Guidance, dated September 30, 1996. The purpose of the Site Discovery Program is to determine whether sites require additional site assessment activities.
5. **Human Health/Ecological Risk Assessment**
The vendor shall perform human health and ecological risk assessments in accordance with relevant guidance. Toxicity values can be sought using the Integrated Risk Information System (IRIS), Health Effects Summary Tables, and other sources. Risk assessment may include, but is not limited to data collection and evaluation, exposure assessment, toxicity assessment, and risk characterization.
6. **Administrative Records Support**
The vendor shall provide technical support to EPA for compiling information for inclusion in the Administrative Record, as defined in Section 113(k) of CERCLA. As Administrative Record included records, data, and guidance that EPA used to determine the federal response action.
7. **Regional Response Center (RRC) Support**
The vendor shall provide support to the RRC as described under Section A, Response Activities, of this PWS.
8. **Regional Response Team (RRT) Support**
The vendor shall provide technical support to the RRT. The RRT is comprised of federal and state entities, as well as representatives of the response community, local governmental agencies, and interested members of the public.
9. **Enforcement Support**
The vendor shall provide EPA with technical support for government enforcement at sites. The primary goal of EPA's enforcement program is to identify PRPs and to obtain voluntary settlement or, if necessary, to compel PRPs to implement site cleanups. Once the PRP has agreed to take response actions, the goal of the enforcement program is to ensure that the assessment or cleanup activities are performed in accordance with applicable statute(s), the NCP, and any other relevant guidance.

D. DATA MANAGEMENT SUPPORT

The vendor shall provide data management support to provide and utilize hardware and software to provide information technology support in the form of web applications; Geographical Information Systems (GIS); Personal Data Assistant (PDA) application development; maintenance of data applications utilized for inspections, investigations

response, and contingency planning; and be used routinely to enter, track, or retrieve information and data developed during the performance of the contract.

Communications Support

The vendor shall have the capability to communicate and transmit data both in and from the field. Communications capabilities shall include radio, cell phone and satellite communication options. Capabilities shall include both voice and data transmission in and from the field. Field communications shall include the use of radios suitable for Level A response activities and the use of repeaters to enhance field radio transmissions. Data transmission may include exchange of information within the field and between the field, office, Regional Response Center, and internet based information management systems such as WebEOC, and www.epaosc.net. Data transmission shall utilize the most efficient means such as dial-up, dsl, high speed cable, wireless, or satellite transmission. The vendor shall have the ability to transmit draft data from the field, during an emergency response, within 4 hours of arrival at the scene.

E. DOCUMENTATION REQUIREMENTS

In the course of performing tasks identified in this Performance Work Statement (PWS), the vendor shall submit all analyses, options, recommendations, reports, training materials, and any other work products in draft form for review by the Contracting Officer (CO) or the Contracting Officers Representative (COR) prior to use or distribution.

The vendor shall not publish, release, use, or disclose any work product generated under this PWS without EPAs advance written approval; interpret EPA policies or regulations when conducting any training, seminars, or presentations; and/or provide any legal advice or legal interpretations.

The Government will make all final regulatory, policy, and interpretative decisions resulting from vendor provided advice and assistance; and will also make all final decisions regarding compliance determinations, or the violations of an order, law, regulation, etc.

The vendor shall submit documents that demonstrate a good command and correct usage of the English language (e.g, discussion of facts flow in a coherent and organized manner); use proper grammar (noun and verb tense correspond, etc.); and are free of incomplete sentences and misspelled words.

For deliverables that contain recommendations, the vendor shall explain or rank policy; explain or rank alternative actions; describe procedures used to arrive at recommendations; summarize the substance of deliberation; report any dissenting views; and cite sources relied upon.

The vendor will not provide any legal services to EPA under this contract without the advance written approval of EPAs Office of General Counsel.

**STATEMENT OF WORK
APPENDIX 1
SPECIFIC TASKS LIST**

This list is not intended to be all inclusive, but it is a historically based list of tasks supporting the PWS requirements. For ease of organization, tasks are arranged by the activity where they have typically occurred first, for example, identification of local and elected officials could be performed as either a Response or Assessment activity. Since Response is the first activity in the PWS the task is listed under Response. This exhibit structure does not preclude using a task in any other contract activity.

PWS Activities:

RESPONSE
ASSESSMENT
TECHNICAL SUPPORT
DATA MANAGEMENT

RESPONSE Sample Tasks

1. Identify local and elected officials.
2. Obtain site access documentation from affected parties.
3. Collect and document facts regarding the discharge/release or threat of discharge/release to include its source and cause.
4. Analyze the nature, amount, and location of discharged or released materials.
5. Analyze the probable direction and time of travel of discharged or released materials.
6. Analyze whether the discharge is a worst case discharge, in accordance with Sec. 300.324 of the NCP.
7. Identify the pathways to human and environmental exposure.
8. Analyze the potential risk to human health and the environment posed by the release of hazardous substances, contaminants or pollutants, and discharge of oil.
9. Identify the pathway and nexus to navigable waters.
10. Analyze the potential impact on sensitive areas, natural resources, and property.
11. Develop options to abate, prevent, minimize, stabilize, mitigate, contain, control, eliminate, or remove the release or threat of release.
12. Prepare a sampling plan which describes the number, type, and location of samples and the type of analyses.
13. Monitor work of other federal vendors.
14. Coordinate with and assist other federal vendors, as directed by EPA.
15. Recommend waste disposal options.
16. Review completeness of disposal documentation, such as manifests, waste profile data, and other information.
17. Provide site security to prevent unauthorized access of any persons or animals to preserve public safety.

18. Provide site communications, for example, radios, repeaters, commercially available radio systems, telephones, and pagers.
19. Monitor and measure environmental conditions on a real-time basis using qualitative and quantitative instrumentation.
20. Identify site characteristics, for example, populations, sensitive environments, site usage, hydrogeological and meteorological conditions, and other pertinent site conditions.
21. Identify pollutant dispersal pathways.
22. Identify the extent of contamination, for example, soil, water, air, groundwater, sediments, and lagoon sludge.
23. Identify and confirm locations of areas of oil deposition/collection.
24. Identify locations for optimal for oil recovery.
25. Identify and develop strategies to protect sensitive areas.
26. Monitor for health and safety compliance.
27. Review and recommend health and safety procedures for response activities, such as OSHA levels of protection associated with a site.
28. Develop site specific Health and Safety Plans (HSPs) for field activities which comply with OSHA and EPA requirements.
29. Develop and submit a site sampling and Quality Assurance Project Plan (QAPP) for field activities to ensure the usability of the data.
30. Conduct both on-site and/or off-site environmental sampling activities.
31. Provide analytical services to include the following: Contract Laboratory Program (CLP) (via sample coordinator); non-CLP (including EPA regional laboratory and regional analytical services contracts); field screening; and mobile laboratories
32. Perform air monitoring.
33. Perform analytical data validation.
34. Complete and maintain documentation of all vendor actions and costs.
35. Provide information to federal and state natural resource trustees to assist the trustees in the determination of actual or potential natural resource injuries. Documentation shall provide the following: the source and circumstances of the release; the identity of responsible parties; the response action taken; an accounting of vendor costs incurred in support of EPA response actions; and the impacts and potential impacts to the public health and welfare and the environment
36. Assist in search and rescue efforts.
37. Perform nuclear/biological/chemical sampling and analysis.
38. Decontaminate equipment and personnel. This includes not only the vendors but also Government-owned and operated equipment that is used exclusively by the Government, as well as any shared equipment.
39. Evaluate appropriate decontamination techniques and recommend procedures for setup and implementation.
40. Provide for emergency transportation services.
41. Acquire specialized transportation during emergencies and time critical events.
42. Provide transportation of emergency equipment via air and/or land support during emergencies and time critical events.
43. Procure office facilities during emergencies and time critical events.

44. Report to and work within the incident command structure.
45. Provide minor containment, transport, and disposal actions (generally not exceeding 40 hours per assignment).
46. Provide temporary stabilization prior to the mobilization of other responders.
47. Coordinate with state and Federal Natural Resource Trustees.
48. Provide cost analysis/information for response alternatives.
49. Document site-specific vendor costs incurred for response actions.
50. Observe and document federal, state, and private actions taken to conduct a response action.
51. Obtain permits from federal, state, or local agencies, associated with the vendors response activities.
52. Develop and/or evaluate plans for the remediation of habitats affected by the release of hazardous substances and/or other aspects of site remediation activities. EPA will evaluate recommendations of the vendor and any final plans will be prepared by EPA.

ASSESSMENT Sample Tasks

1. Locate and review existing site, facility, and/or release data.
2. Conduct off-site perimeter visual observation of the site.
3. Conduct site visits to identify all potential hazards. Document site conditions with written and visual documentation.
4. Conduct waste profile analyses.
5. Assess potential impact to endangered species, historical sites, and other cultural resources.
6. Conduct file reviews, for example, federal, state, and local agency records, to obtain background information to analyze releases of hazardous substances, pollutants, contaminants, or oil.
7. Collect or review data such as site management practices, information from generators, photographs, historical photographic analyses, literature searches, and personal interviews.
8. Identify active or historical facility processes or operations that may contribute to the release or threat of release of hazardous substances, pollutants, contaminants, or discharge of oil.
9. Collect, analyze, and validate data in accordance with EPA standard methods for sample collection and analysis.
10. Review and interpret environmental data.
11. Identify and address data gaps required to meet EPA assessment objectives, for example, background levels, applicable or relevant and appropriate requirements (ARARs), groundwater information.
12. Install monitoring wells and/or piezometers.
13. Conduct geophysical surveys/investigations.
14. Dispose of investigation derived wastes in accordance with EPA OSWER Directive 9345.3-02, Managing IDW for Site Inspections.
15. Determine pathway-specific receptors and surrounding population density.
16. Locate other environmentally sensitive receptors, for example, wetlands and endangered species.

17. Provide recommendations and options regarding the following:
 - \$ identify releases that pose no significant threat to public health or the environment
 - \$ whether an immediate threat to public health or the environment exists
 - \$ potential need for a removal action
 - \$ further investigation
 - \$ no further action
 - \$ state referral
 - \$ referral to other federal agencies
 - \$ referral to other EPA programs
 - \$ facility actions
 - \$ other actions
18. Collect or develop data to evaluate the release pursuant to the HRS.
19. Collect additional sampling data to adequately develop the HRS package.
20. Collect data required to better characterize the release for more effective and rapid initiation of the remedial investigation/feasibility Study (RI/FS) or response .
21. Generate preliminary HRS score.
22. Analyze site risks regarding whether site contaminants pose a current or potential risk to human health and the environment in the absence of any response action to include the following:
 - \$ contaminant identification
 - \$ exposure assessment
 - \$ toxicity assessment
 - \$ risk characterization
 - \$ provide information necessary to determine whether or not a response is necessary at the site, provide justification for any response action proposed, and explain what exposure pathways need to be addressed
23. Provide a hazard ranking system screening in accordance with EPA OSWER Directive 9345.1-07, The Hazard Ranking System (HRS) Guidance Manual, dated November 1992, using the PREScore software.
24. Report the draft score to the EPA prior to proceeding with the formal HRS package.
25. Prepare a draft HRS package according to EPA guidance to include the following: site summary, PREScore HRS score sheets, documentation record, figures, maps, and references.
26. Prepare full HRS documentation packages for review and approval by EPA.
27. Upon receipt of EPAs comments, revise and submit a formal HRS package.
28. Update or revise the preliminary HRS Score.
29. Identify data gaps.
30. Perform desktop data collection and evaluation to support the revised score.
31. Perform analytical sampling.
32. Conduct site visits and inspections as necessary to identify, evaluate, and delineate habitat types including wetlands.
33. Collect, review, and/or analyze topographic, photographic, and available relevant data from scientific publications, federal, state and local agencies, and academic institutions to provide support in the identification of physical and biological

factors to be considered in the determination of areas and resources (physical and biological) that have potentially been affected by the release of hazardous substances.

34. Evaluate site data, media, habitats, and ecological relationships to identify, analyze, and document pathways of contaminant migration and concentration. This may include the use of computerized information systems and models.
35. Collect, preserve, identify, and prepare terrestrial and/or aquatic biological specimens for population and community analysis. Evaluation of gross pathology and individual organs and/or cells on a histological or sub-cellular basis for any pathological changes resulting from the release of hazardous substances, oil, or petroleum products.
36. Design, perform, and analyze both field and laboratory bioassay/toxicity tests on plant, invertebrate and vertebrate species.

TECHNICAL SUPPORT Sample tasks

1. Locate and review files of waste generator(s), site owner(s), site operator(s), and other documents relating to past operator(s), for example, deeds, court transcripts.
2. Interview site owner(s), operator(s), state/local officials, residents, and other interested parties.
3. Provide a written record of PRP identification efforts to assist EPA in determining cost liability.
4. Identify PRPs.
5. Analyze the accuracy, timeliness, and completeness of PRP reports.
6. Document PRP activities and provide negotiation support.
7. Verify PRP compliance with enforcement orders.
8. Analyze PRP documents and actions for compliance with enforcement actions.
9. Conduct deed and title searches.
10. Provide appraisals of real property.
11. Provide financial analysis and corporate research.
12. Develop public information summaries for internet distribution.
13. Disseminate EPA-approved information to the public.
14. Provide expert testimony.
15. Provide health indication sampling and analysis.
16. Provide engineering design products and services.
17. Collect and compile data from spill reports, pollution reports (POLREPS) and spill notification phone lines.
18. Provide COR-approved information to the state, local, or natural resource trustee agencies.
19. Input data from spill reports.
20. Provide information for Freedom of Information Act (FOIA) request responses and to evaluate facilities release history for inclusion in COR specified internet websites.
21. Maintain an electronic emergency information system that contains all contingency plans, databases, and geographic information necessary to support

- emergency operations. This system must be accessible from field locations via the internet.
22. Provide technical support to EPA for the identification of PRPs associated with a site, facility, and/or release.
 23. Provide technical and administrative support to EPA for notification of PRPs as to their status related to a site, facility, and/or release.
 24. Provide technical support to EPA in connection with proceedings against owners or operators of facilities operating in violation of reporting requirements and uncontrolled hazardous substances present. Such technical support will include providing background technical information to EPA in obtaining an injunction against continued use of the site, an order to undertake remedial action, or recovery of cost incurred by the government in undertaking such action.
 25. Provide technical support to EPA in enforcement case development support including well drilling and sampling, field sampling, geophysical surveys, well inventories and other support to provide evidence to support EPA litigation or negotiation with PRPs. Work may be undertaken to fill a variety of data gaps related to extent of contamination and damages or to augment enforcement investigation efforts.
 26. Provide technical and administrative support to EPA in the development of an enforcement plan.
 27. Collect and review available data and background information about a site, facility, or release. This shall include information about the nature of the waste present, waste management at the site, environmental data, and health data. Collection of data also includes photographic and cartographic documentation of site conditions.
 28. Analyze and document the extent of an incident, the potential hazards, type of resources needed, and the actions of the PRPs to respond.
 29. Draft lessons learned reports.
 30. Design, develop, prepare, analyze, and report observations of planning, training, and drills/exercises to provide options for preparedness and operational readiness of the RRT and the response community within the region.
 31. Analyze responses to discharges of oil and releases of hazardous substances, pollutants or contaminants, assess equipment availability, readiness, and coordination among RRT member agencies, and other public and private agencies.
 32. Document and analyze plans and planning efforts for the Regional Contingency Plan, Area Plans, and special subject plans.
 1. Provide logistical support for scheduled RRT meetings.
 34. Select and reserve meeting space.
 35. Arrange site tours and meetings.
 36. Develop visual aids to include computer driven presentations.
 37. Document technical meeting minutes.
 38. Provide a technical summary of the meeting.
 39. Attend scheduled RRT meetings.
 40. Develop and update the RRT mailing list, an RRT e-mail list, and an e-mail group distribution capability to send EPA approved and EPA-authorized notices.

41. Accompany the EPA during on-site facility surveys and inspections at sites, facilities or releases where hazardous waste contaminants or pollutants are managed, treated, stored or disposed.
42. Record and document compliance with applicable or relevant and appropriate federal and state requirements related to environmental statutes such as the Resource Conservation and Recovery Act or the Clean Water Act (CWA).
43. Compile multi-media checklists to be used at sites, facilities, or releases. During the performance of multi-media surveys and inspections the vendor may have access to CBI. The vendor shall treat all CBI in accordance with the CBI clauses in the contract.
44. Perform literature surveys including the use of the Alternative Treatment Technology Information Center (ATTIC), the Superfund Innovative Technology Evaluation (SITE) Program, the Record of Decision Systems (RODS) database, and the Risk Reduction Engineering Laboratory (RREL) Treatability Database. Access to be provided by EPA, if necessary.
45. Prepare project planning documents to include the following: work plan, field operations plan, health and safety plan, and/or quality assurance project plan specifically for treatability study efforts.
46. Perform laboratory, bench, and/or pilot-scale testing of established, emerging, and/or innovative technologies.
47. Evaluate the effectiveness and compliance of the tested or proposed technologies with federal and state requirements. EPA will review all evaluations and make any and all decisions or determinations regarding the proposed technologies.
48. Report the findings of the studies to EPA.
49. Oversee and review treatability studies being performed by PRPs.
50. Provide technical and administrative support in the preparation of a draft EE/CA approval memorandum. All final EE/CA approval memoranda will be prepared by EPA.
51. Provide technical and administrative support in preparing a draft EE/CA report, which shall include the following sections: site characterization, identification of removal action objectives, identification of ARARs, identification and initial screening of removal action alternatives, analysis of removal action alternatives, comparative analysis, and selection of the removal action. While the vendor will analyze the alternative removal actions, final decisions, determinations and judgements will be made by EPA.
52. Provide technical and administrative support for the preparation of a summary of the responses by interested parties.
53. Conduct community interviews to develop an understanding of local concerns and desired involvement as part of the development of the Community Relations Plan.
54. Prepare a community relations plan in accordance with Community Relations in Superfund: A Handbook, January 1992.
55. Provide data management for tracking community relations activities, including milestones in community relations plans.
56. Establish and update information repositories at or near the facility.

57. Prepare general or site specific fact sheets.
58. Provide support in planning and conducting public meetings and technical discussions involving PRPs and the public. This support will include the provision of audio-visual aids and reports as required by EPA.
59. Assist in planning and conducting public briefings, conferences, workshops, community conferences, and training workshops.
60. Write and/or place newspaper notices regarding the availability of site-related documents and public meetings.
61. Provide recording/transcript services for public meetings or for the administrative record.
62. Prepare studies and reports evaluating the effectiveness of community relations efforts and other topics of general interest, such as how incineration is perceived, and how to improve on communication regarding alternative and innovative technologies.
63. Provide for a complete and operating public information office at locations specified by task orders. Such a public information office shall be maintained and operated by the vendor to provide the public with access to EPA generated informational documents concerning sites.
64. Assemble EPA-provided records.
65. Organize, maintain, and duplicate materials.
66. Compile documents for the administrative record.
67. Publicize location of the repository in local newspapers.
68. Coordinate records compilation with state offices and federal facilities.
69. Organize and compile records for enforcement cases.
70. Operate government-owned equipment at the direction of the OSC, to include vehicles.