

ITEM 202.0621--25 - REMOVAL AND DISPOSAL OF MISCELLANEOUS ASBESTOS CONTAINING MATERIAL (BRIDGES) FIXED PRICE LUMP SUM

1. DESCRIPTION:

- 1.01 Under this item, the Contractor shall remove and dispose of asbestos containing material from all locations on structures as indicated in the contract documents or where directed by the Engineer or the Engineer's designee in accordance with Industrial Code Rule 56 or approved variance thereof promulgated by the New York State Department of Labor (NYSDOL), the National Emission Standards for Hazardous Air Pollutants (NESHAP), promulgated by the United States Environmental Protection Agency (USEPA) and the Occupational Safety and Health Act (OSHA).

A partial list of applicable OSHA requirements is indicated below:

29 CFR 1910.1001	29 CFR 1910.2
29 CFR 1926.58	29 CFR 1910.1200
29 CFR 1910.134	29 CFR 1910.145

Asbestos containing material shall be disposed of in accordance with 40 CFR Part 61 and all other requirements and laws, rules and regulations of Federal, State or local agencies. Disposal sites which accept asbestos containing materials for disposal shall be permitted by the New York State Department of Environmental Conservation (NYSDEC) to accept such material for disposal. If disposed of out-of-state, the rules, regulations and laws of that state shall apply.

- 1.02 Additional project specific requirements may be found on the plans or elsewhere in the proposal in a note titled "Special Note-Asbestos Remediation Supplemental Requirements."

2. MATERIALS:

- 2.01 All materials used in the performance of work shall comply with all applicable regulatory standards. Respirators and filters shall comply with NIOSH and MSHA standards. All electrical equipment shall utilize ground fault interrupters and shall be listed by the Underwriter's Laboratory. HEPA filtration systems shall comply with ANSI Z9.2-79.

3. CONSTRUCTION DETAILS:

- 3.01 In addition to the requirements given above, the following shall also apply: Prior to beginning any work under this item, the Contractor shall supply the Engineer with proof that the firm performing the work has a valid asbestos handling license, that its insurance coverage consists of an asbestos specific-occurrence type policy with no deductible or sunset clause, that its project supervisor is a DOL certified asbestos project supervisor, that all employees engaged in the work are properly certified and current physical examinations and respirator fit tests, and that the proper notification of work beginning on the asbestos project has been given to NYSDOL and USEPA. Also, after the work is completed, the Contractor shall provide the Engineer with written certification ("Waste Shipment Record") that the material was disposed of in an approved waste disposal site. The certification shall include the name and address of the waste disposal site or sites used.

In the event of a conflict between these specifications requirements and laws, rules and regulations of other Federal, State or local agencies, the more restrictive laws, rules or regulations shall apply.

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3. CONSTRUCTION DETAILS: (cont'd)

- 3.02 Two copies of Daily logs, Visitor's logs, OSHA Air Monitoring Records, and New York State Department of Labor compliance air monitoring records shall be provided to the Engineer.

4. METHOD OF MEASUREMENT:

- 4.01 The lump sum of money shown in the itemized proposal for this work will be considered the price bid even though payment will be made only for the actual work performed. The lump sum figure is not to be altered in any manner by the bidder. Should the bidder alter the amount shown, the altered figure will be disregarded and the original price will be used to determine the total amount bid for the contract.
- A. Agreed Price: Based on a cost analysis submitted by the contractor in accordance with the provisions of Section 109-05 of the General Specifications prior to performing the work. It shall include a detailed estimate from the licensed asbestos removal contractor for the estimated cost of the removal and disposal.
- B. Force Account: Payment of the actual and reasonable cost of doing the work in accordance with the provisions of Section 109-05 of the General Specifications. A separate force account will be maintained of the total asbestos removal work performed on each bridge to be worked on.

5. BASIS OF PAYMENT:

- 5.01 The lump sum for this work shall include the cost of furnishing all materials, labor, equipment and fees necessary to complete the asbestos removal and disposal work in accordance with the plans, specifications, and applicable Federal, State, and Local laws, rules, and regulations. Asbestos specific insurance will be reimbursed as the actual cost of the premium.
- 5.02 Payment will be based on agreed prices or force account records for necessary work after all asbestos removal and disposal work is completed.

Payment will be authorized upon the project monitor's written concurrence with the asbestos contractor's certification that the removal area is visually free of asbestos and the removal of asbestos containing material was performed as required and the final clearance air monitoring results meet the acceptable level specified in Industrial Code Rule 56. Additionally, for payment, the Contractor shall present the Engineer with a certified statement from the disposal facility, signed by an official thereof, that the asbestos containing material has been accepted and disposed of in accordance with all applicable laws, codes and rules.