

ATTACHMENT C - WORK PLAN

Phase II Environmental Site Assessment activities should advance the goals and priorities for revitalization and redevelopment of the area as expressed in the BOA Plan completed for the State-designated BOA.

BOA Phase II Environmental Site Assessment projects shall include, at a minimum, the following tasks:

Task 1: Project Initiation Meeting

The Contractor, the Department, and any partners responsible for managing the project, shall hold an initial meeting to review and agree upon the project scope and schedule, project requirements, roles and responsibilities, the selection process for procuring consultants, MWBE requirements, and any other information which would assist in project completion. The Contractor, or a designated project partner, shall prepare and distribute to all project partners a brief meeting summary clearly indicating the agreements reached at the meeting. Work on subsequent tasks shall not proceed prior to Department approval of the proposed approach as outlined in the meeting summary.

Products:

- Project initiation meeting held with appropriate parties.
- Written meeting summary outlining agreements reached.

Task 2: Procurement of Consultant (if applicable)

Prepare a Request for Proposals (RFP) or similar instrument (if applicable), including a complete project description with community conditions, expected final products, a schedule for completion, MWBE requirements, and criteria for selecting a preferred proposal. Consultant services requested shall include all applicable tasks, activities and responsibilities outlined in Component 4, Tasks 4-9 of this work plan.

The Contractor must actively solicit bids for contracts and subcontracts from qualified State certified MWBEs which can be identified using the NYS Directory of Certified Firms (<https://ny.newnycontracts.com/>). The Contractor must retain records of the procurement process including direct solicitation to MWBEs; results; and any actions that its subcontractors have taken toward meeting MWBE contract participation goals. To demonstrate good faith efforts to achieve MWBE contract goals the following should be retained:

- Evidence of outreach to MWBEs: mail, email, phone calls and follow-up. Scroll down at this link to find MWBE solicitation log and good faith effort instructions: <https://dos.ny.gov/opdci-contract-resources>.
- Written responses by MWBEs to the Contractor/vendor's outreach.
- Copies of search(es) of the directory and advertisements for participation by MWBEs in appropriate general circulation, trade, and minority or women-oriented publications.
- Attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the Contractor with MWBEs including dates and location.
- Description of how the RFP maximizes opportunities for MWBE participation.
- Description of how non-MWBE subcontractors' have engaged MWBEs to undertake part of the project's work or to procure equipment/ materials/supplies.

Submit the RFP or similar instrument to the Department for review and approval prior to release for solicitation of proposals.

Product(s):

- Approved RFP or similar instrument released through advertisement in local papers, the New York State Contract Reporter, or other appropriate means.
- Documentation of procurement including direct solicitation to MWBEs and actions taken toward meeting MWBE contract participation goals.

Task 3: Subcontract and Compliance with Local Procurement Requirements

Prepare the draft subcontract(s) to conduct project work with the selected consultant(s). The subcontract(s) shall contain a detailed work plan with adequate opportunity for review at appropriate stages of product completion, a payment schedule with payments tied to receipt of products, and project costs.

The consultant chosen for the BOA Environmental Site Assessment must meet the definition of a Qualified Environmental Professional as provided at 6 NYCRR Part 375-1.2(ak).

The Contractor shall incorporate the Department's comments on the subcontract work plan, or scope of services, prior to execution of the final subcontract(s).

The municipal attorney, chief legal officer or financial administrator of the municipality shall certify in writing to the Department that the Contractor fully complied with applicable provisions of General Municipal Law and with local procurement procedures. A procurement certification form will be supplied by the Department.

The Contractor's procurement record and consultant selection are subject to approval by the Department.

The Contractor remains responsible for the legal sufficiency of the subcontract in accordance with the requirements in the Master Grant Contract and all attachments.

Product(s):

- Consultant(s) selected by Contractor and approved by the Department
- Executed subcontracts and written certification of compliance with procurement procedures

Task 4: Phase I Environmental Site Assessment

If no ASTM E1527 Phase I Environmental Site Assessment is available for the property, the Contractor or its consultant(s) shall develop a draft Phase I Environmental Site Assessment and supporting materials. The Phase I Environmental Site Assessment shall be provided to the Department for review. Comments from the state must be addressed to the satisfaction of the Department before proceeding to the next phase. A Phase II Environmental Site Assessment Work Plan cannot be created without a Phase I for the property.

Products:

- Phase I Environmental Site Assessment adhering to current ASTM E1527 standard

Task 5: Draft Phase II Environmental Site Assessment Work Plan

The Contractor or its consultant(s) shall develop a draft Phase II Environmental Site Assessment Work Plan. The Work Plan shall be provided to the Department for review and will include but not be limited to the following information:

- Statement of Objectives
- Scope of Work
- Identification of Investigation Areas
- Investigation Procedures (Sampling and Analysis)
- Waste Management
- Reporting
- Health and Safety Plan
- Quality Assurance Project Plan
- Project Schedule
- Figures, including proposed sampling locations

Comments from the Department must be addressed to the satisfaction of the Department in subsequent revisions of the products.

Products:

- Draft Phase II Environmental Site Assessment Work Plan

Task 6: Final Phase II Environmental Site Assessment Work Plan

Based upon the approved draft Phase II Environmental Site Assessment Work Plan, the Contractor or its consultant(s) shall develop a final Phase II Environmental Site Assessment Work Plan and other supporting materials. The final Phase II Environmental Site Assessment Work Plan documents shall be provided to the Department for review before proceeding with investigation. Comments received must be addressed to the satisfaction of the Department before the project can proceed to the next phase.

Products:

- Final Phase II Environmental Site Assessment Work Plan

Task 7: Subsurface Investigation and Analysis

The Contractor or its consultant(s) shall perform the scope of work laid out in the Phase II Environmental Site Assessment Work Plan. Environmental media samples (e.g. soil, groundwater and soil vapor) will be collected in accordance with the current version of ASTM E1903 Standard Practice for Environmental Site Assessments. All samples will be submitted under chain-of-custody to a National Environmental Laboratory Accreditation Program (NELAP) certified laboratory for analysis.

For sites considering entry into the NYS Department of Environmental Conservation (DEC) Brownfield Cleanup Program (BCP), Contractor shall compare environmental media data to applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property. For each impacted medium, include a site drawing indicating: sample location; date of sampling event; key contaminants and concentration detected; for soil, highlight exceedances of reasonably anticipated use; for groundwater, highlight exceedances of 6 NYCRR part 703.5; for soil gas/soil vapor/indoor air, refer to the

NYS Department of Health matrix and highlight exceedances that require mitigation. See DEC's [BCP Application and Instructions](#) for further details.

Products:

- Subsurface Logs
- Monitoring Well Construction Details
- Photographic Log
- Chains of Custody
- Laboratory Reports with Quality Control Information,
- Other Investigation materials to be provided as attachments to the Phase II Environmental Site Assessment Report

Task 8: Draft Phase II Environmental Site Assessment Report

Upon completion of the above-described activities, the Contractor or its consultant(s) shall develop a draft Phase II Environmental Site Assessment Report (ASTM E1903) for the Brownfield Opportunity Area. The Phase II Environmental Site Assessment will be prepared to document the findings of the Site Investigation and shall include but not be limited to the following:

- Introduction stating the objective
- Summary of relevant background information
- Description and rationale of the work performed
- Methodology
- Presentation of the information and data, including figures
- Evaluation of the information and data
- Interpretation of the results
- Conclusions
- Signature of environmental professional
- Tables, figures and appendices
- For sites considering entry into the DEC Brownfield Cleanup Program, compare and document environmental media data to applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the site property. For each impacted medium, include a site drawing indicating: sample location; date of sampling event; key contaminants and concentration detected; for soil, highlight exceedances of reasonably anticipated use; for groundwater, highlight exceedances of 6 NYCRR part 703.5; for soil gas/soil vapor/indoor air, refer to the NYS Department of Health matrix and highlight exceedances that require mitigation. See DEC's [BCP Application and Instructions](#) for further details.”
- With all of the elements of E1903 being followed, the written report shall also include the following statement: “We have performed a Phase II environmental site assessment at the property at (address) in conformance with the scope and limitations of ASTM Practice E 1903-XX and for the following objectives: [list “statement of objectives” developed pursuant to section 5.1].”

The Contractor will submit a draft of the Phase II Environmental Site Assessment Report to the Department for review and approval.

Products:

- Draft Phase II Environmental Site Assessment Report and supporting materials adhering to current ASTM E1903 standard

Task 9: Final Phase II Environmental Site Assessment Report

Based upon the approved draft Phase II Environmental Site Assessment Report, the Contractor or its consultant(s) shall develop a final Phase II Environmental Site Assessment Report and other supporting materials. The Contractor shall provide the Department at least four weeks to review the final Phase II Environmental Site Assessment before product can be considered final. Department comments must be addressed to the satisfaction of the Department.

Products:

- Final Phase II Environmental Site Assessment Report and supporting materials adhering to current ASTM E1903 standard

Task 10: MWBE Reporting

The Contractor shall comply with MWBE Reporting Requirements by completing the following actions:

- Submit Form D - MWBE Utilization Plan to indicate any state-certified MWBE firms selected to work on this contract. Form D must be updated and submitted to the Department whenever changes to the selected MWBE firms occur (addition or removal).
- Record payments to MWBE subcontractors using Department of State funds through the New York State Contract System (NYSCS).

Technical assistance for use of the NYSCS system can be obtained through the NYSCS website at <https://ny.newnycontracts.com> by clicking on the “Contact Us & Support” link.

Product:

- Ongoing reporting through NYSCS during the life of the contract. Form D submitted as necessary to reflect updated MWBE subcontractors.

Task 11: Project Status Reports

The Contractor shall submit project status reports semi-annually (every June 30 and December 31) on the form provided, including a description of the work accomplished, the status of all tasks in this work plan, schedule of completion of remaining tasks, and an explanation of any problems encountered.

Products:

- Completed project status reports during the life of the contract.

Task 12: Final Project Summary Report

The Contractor shall work with the Department of State project manager to complete the Final Project Summary Report.

Product:

- Completed Final Project Summary Report.