

SECTION I Statement of Work

A. Description of Services

The purpose of this statement of work is to assist the General Services Administration (GSA) in the preparation of Environmental Scoping, and an Environmental Assessment (EA) for the proposed construction of a new 157,500 occupiable square foot (265,300 gross square feet) U.S. Courthouse in Eugene, Oregon. The building is to be constructed on a full city block within an area known as the Eugene Government Center Area.

Scoping is an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. An EA is a document which provides sufficient information on potential environmental effects of a proposed action and its alternatives to lead to a Finding of No Significant Impact (FONSI) or a determination an EIS is required and to assist the agency in complying with the National Environmental Policy Act (NEPA), whether or not an EIS is required. In order to ensure such compliance, preparation of documents must be carried out in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et. seq.), the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR, Parts 1500-1508, as July of 1986), and PBS P 1095.4B, Handbook on PBS Preparation of Environmental Assessments and Environmental Impact Statements.

GSA will require the Contractor maintain a close working relationship with the designated Contracting Officer's Representative and the Technical Representative (Regional Environmental Program Officer)(REPO) throughout all phases of this contract in order to ensure all documents produced are acceptable to GSA and in compliance with all applicable federal statutes, regulations, guidelines, and significant judicial decisions. GSA shall retain the right of final approval before any documents are published.

The Contractor shall be familiar with all applicable statutes, regulations, guidelines, and significant judicial decisions and must comply with them in preparation of the EA. The Contractor shall establish and maintain a complete Administrative Record which will include, but not be limited to, all technical data, expert opinions, completed studies and other background data that form the basis of the EA. The Administrative Record will serve to document all research performed under this Contract. It shall specifically list the dates and sources of data used in all documents produced under this contract. All documents of the EA shall contain specific references to the sources of data used in the text and graphics that comprise the EA.

The Contractor shall furnish the necessary personnel, materials, services, equipment, facilities, and otherwise do all things necessary for and incident to the performance of the work specified in Section II in a manner consistent with accepted professional standards. The Contractor shall be familiar with all of the rules stated above and must comply with them in preparing the EA and any other documentation.

B. Offer for Basic Services

The Contractor must employ the following professional personnel to perform the services required under this contract. A substitution may not be made without the approval of the Contracting Officer and the REPO. An increase in salary rates is not allowed when substitute personnel are authorized. The Government reserves the right to decrease rates in these instances. The following types of personnel should perform the functions necessary to complete the statement of work:

Project Administrator - The Contractor's representative with responsibility for the overall management of this contract.

Project Task Manager - Contractor's personnel with management and supervisory responsibilities for individual task orders. The Project Task Managers may be from any of the professional disciplines as listed below.

Planners - May include urban/regional planners, land use and transportation planners, and demographers.

Environmental Scientists - May include biologists, ecologists, chemists, hydrologists, and geologists.

Cultural Specialists - May include archaeologists, historians, and architectural historians.

Economists - May include economists and financial analysts.

Engineers - May include sanitary engineers, soils engineers, civil engineers, structural engineers, and environmental engineers.

Technical Assistants - May include graphic artists, editors, researchers, draftpersons, and junior/entry level professionals.

Clerical - May include typists, clerks, and word processors.

The Contractor and team members shall work closely and under the direction of the REPO whom will be an integral member of the team. The REPO shall be the point of contact at GSA for all environmental issues regarding the proposal.

SECTION II DESCRIPTION/SPECIFICATIONS

A. Work Elements

1) These several work elements shall be considered as a basic guide to preparing the EA. The final EA shall include all necessary information and analyses based upon professionally accepted standards for documents of this type.

2) Classes of PBS Actions as defined in GSA Order PBS P 1095.4B, April 5, 1990, Chapter Nos. 1-4, and Indicators of Significance, Chapter 2 No. 5, and the CEQ Regulations for Implementing NEPA, and any subsequent and supplementary revisions shall be used to assist GSA and the Contractor in the determination of a need to prepare an EA and/or an EIS. In all cases, GSA shall make the final decision as to whether or not there is a need for environmental review of the proposed actions.

3) The Contractor should pay special attention to the following areas:

B. General Requirements

1) In general, the documents prepared shall include, but not be limited to;

a) Descriptions of the existing physical, biological, man-made, socioeconomical, and cultural environment;

b) Descriptions of the potential physical, biological, man-made, socioeconomical, and cultural environmental impacts;

c) Categorizations of the potential impacts by geographical area (i.e., on site, immediate vicinity, etc.);

d) A discussion, in comparison form, of the affected environment and the environmental impacts of the proposed action and the reasonable alternatives, including the alternative of "no action";

e) Definitions and discussions of primary impacts, secondary, cumulative, and long term impacts;

f) Descriptions of measures to be implemented by the Government to mitigate any potential adverse environmental impacts resulting from the proposed action;

g) Descriptions of any unavoidable adverse impacts should the preferred alternative be implemented;

h) Descriptions of the relationship between the local short-term uses and the maintenance and enhancement of the long-term productivity of the human environment;

i) Analyses of any irreversible or irretrievable commitments of resources required to complete the proposed project;

j) Documentary support for all of the above.

C. Use of Existing Information

1) Existing data, available from Federal, state, and local government agencies or private entities shall be fully utilized whenever possible in order to avoid duplication of previous research that may be pertinent to the proposed project, assuming the data is widely considered as accurate and extant. The Contractor shall be responsible for thoroughly reviewing and assessing the validity of any previously generated data which it utilizes, and shall provide in the Administrative Record, a complete detailed description of the methodology used in this review and assessment.

D. Required Sections

1). Purpose and Need for the Action

a) In the preparation of the EA, the Contractor shall clearly state the nature of the project and the problem(s) it is intended to resolve, and discuss how the proposed actions or range of alternatives would solve the problem(s). The Contractor shall briefly discuss the relevant background information of the proposed action and summarize its operational, social, economic, and environmental objectives, as well as GSA's mandate to meet agency spaces needs under the Public Buildings Act of 1959, as amended, and other applicable laws and directives. The Contractor shall also discuss the benefits of the proposed action.

2) Alternatives to the Proposed Action

In preparation of the EA, as in keeping with Section 1502.14 of the CEQ Regulations, the Contractor shall:

a) Rigorously explore and objectively evaluate the environmental impacts of the proposed action and a number of reasonable alternatives, including the "no action" alternative. The "no action" alternative should provide a baseline for comparing proposed actions with existing conditions. The "no action" alternative should be considered in terms of predictable future actions by others if GSA fails to take action;

b) Devote substantial treatment to each alternative considered. Those alternatives shall include lease, construct, and the rehabilitation of the existing structure;

c) Include reasonable alternatives not within the jurisdiction of GSA;

d) Identify GSA's preferred alternative(s);

e) Identify appropriate mitigation measures not already included in the proposed action or alternatives.

The Contractor shall include in the alternatives discussion a matrix which provides

a clear basis of comparison between each studied alternative, the environment affected by those alternatives, and the environmental consequences of those alternatives. The discussion shall concisely illustrate the beneficial or adverse impacts of the proposed action, reasonable alternatives, and the "no action" alternative.

The discussion of the proposed action and the reasonable alternatives shall provide for GSA a clear basis for choice. The extent of the discussion on each alternative depends on the nature of the alternative discussed. The Contractor shall give particular attention to whether each alternative would avoid the adverse impacts expected from the proposed action. For any alternative which is eliminated from detailed study, the Contractor shall briefly discuss the reason(s) for the elimination of that alternative.

In the EA the Contractor shall focus on the environmental impacts of each alternative rather than on the program objectives and criteria. The alternative discussion in the EA must sharply define and discuss in detail the affected environment and the environmental consequences (both beneficial and adverse) of the proposed action and of each and every viable alternative, including the "no action" alternative.

The EA shall not only provide information on the nature of the affected environment and the consequences of the proposed action and reasonable alternatives but shall also analyze this information to determine its significance in each case. The Contractor shall integrate the information obtained through the various disciplines into a meaningful discourse on the proposed action and reasonable alternatives.

E. Data Collection

1) Collection of Empirical Data

The Contractor shall have the sole responsibility for obtaining and utilizing all information necessary for and relevant to the full, accurate, and timely completion of this contract. In all cases, the data assembled by the Contractor must be as comprehensive as possible and based on professionally accepted standards.

The Contractor shall, at all times, keep GSA apprised of its progress and findings. Any finding(s) holding the potential for significantly delaying the completion of the EA shall be verbally communicated to the REPO as soon as the Contractor learns of the finding(s). The Contractor shall put the finding(s) in writing to GSA within 48 hours of this verbal communication.

The Contractor shall institute a professionally acceptable program of empirical research and data collection, and shall establish a data baseline in those areas where data does not exist, is insufficient for thorough analysis, or is deemed obsolete. The use of field studies and on-site investigations, laboratory studies, various analytical models, literature searches, and contact with the public may be used by the Contractor in assessing the environmental impacts arising from the proposed action (CEQ, Section 1502.22).

If the expert judgments and determinations of officials in public agencies (such as GSA and other Federal, state or local government agencies) are included in the final EA as a part of the data collection process or as documentation for use in the Administrative Record, the name, agency, job title, and qualifications of the individual providing the information shall be referenced in the EA document.

The Contractor shall not be limited to the collection and analysis of data in these areas, but shall be responsible for obtaining and utilizing all data necessary for the satisfactory completion of the requirements of this contract. Information should be organized in an interdisciplinary manner in order to enable the reader to understand the overall environmental ramifications of a proposed action.

The following categories shall be considered as a basic guide for the collection and analysis of data for the EA and for determining potential impacts that may result from the proposed action and the reasonable alternatives, including the "no action" alternative:

2) Description of Existing Environment

A description of the natural and man-made environments existing within and immediately surrounding the proposed project site shall be included within the EA. The focus of the discussion will be on areas anticipated to be of concern based upon an initial site inspection, a review of previous environmental documentation for the area and some preliminary scoping. This description will provide baseline information necessary to assess potential environmental impacts of the proposal. The level of detail discussed for each feature shall be consistent with its degree of significance, recognizing the developed nature of the proposed project site and its environs. Data on the proposed project area will be gathered from published reports, maps, and field surveys.

3) Physical Characteristics

The Contractor shall collect and review available data and previous investigations regarding the physical characteristics at the proposed project site and immediate vicinity. Based upon this review, the Contractor shall prepare a written description of the existing geologic conditions, seismology, natural hazards, topography, soils, groundwater and surface water resources, floodplains and wetlands.

4) Biological Characteristics

The Contractor shall collect and review available data and previous investigations regarding the biological characteristics at the proposed project site and immediate vicinity. Based upon this review, the Contractor shall prepare a written description of the existing ecology, vegetation and wildlife communities as well as any threatened and/or endangered plant and animal species.

5) Man-made Characteristics

The Contractor shall collect and review available data and previous investigations regarding the man-made characteristics at the proposed project site and immediate vicinity. Based upon this review, the Contractor shall prepare a written description of the existing open space, natural and depletable resources, recreational resources, aesthetics, urban quality, air quality, noise conditions, utilities/public services availability, usage and consumption, water quality/supply, waste water disposal, solid waste disposal, hazardous materials, and transportation/circulation and parking, proposed plans for official, visitor, and employee parking associated with the proposed action, highway and transit capacity analysis, based upon projected volumes for the area, as well as planned transportation improvements which could possibly affect the accessibility of the area.

6) Socioeconomic Characteristics

The Contractor shall collect and review available data and previous investigations regarding the socioeconomic characteristics at the proposed project site and immediate vicinity. Based upon this review, the Contractor shall prepare a written description of the existing demographic information pertinent to the appropriate study area, economy, employment and commercial conditions and activity, local real estate market activity, land use patterns, regulations, plans, and zoning restrictions.

7) Cultural Characteristics

The Contractor shall ensure all documents prepared under this contract will enable GSA to comply with all applicable provisions of Section 106 of the National Historic Preservation Act of 1966, as amended. The Contractor shall collect and review available data and previous works for historic, archeological, and architectural resources. Based upon this review, the Contractor shall prepare a written description as outlined below.

For the purposes of this contract, "cultural resources" are defined as any real or personal property, record or lifeway including:

Historic Real Property - any archaeological or architectural district, site, building, structure or object, as well as monuments, designed landscapes, works of engineering, or other property that may meet the criteria for inclusion in the National Register of Historic Places or an equivalent register maintained by the state or local government or agency.

Historic Personal Property - any artifact, relic of battle experience or other military activity, piece of military equipment, weapon, article of clothing, flag, work of art, moveable object, or other item of personal property to which historical or cultural significance may be ascribed through professional evaluation of historical associations to persons, events, places, eras, or with military organizations.

Historic Records - any historical, oral-historical, ethnographic, architectural, or other document that may provide a record of the past, whether associated with real property or not, as determined through professional evaluation of the information content and significance of the information.

Community Resources/Lifeways - any resource to which a community such as a neighborhood or Indian tribe, or a community of interest such as a preservation organization or a veteran's group may ascribe cultural value. Such resources may include historic real or personal property such as natural landscapes and cemeteries, or have references to real property such as vistas or viewsheds which may help define an historic real property or may have no real property references, such as aspects of folklife, cultural and religious practices, language or traditions.

With respect to any cultural resources, the Contractor shall:

- a) Establish the area of potential effect (APE) of the proposed action and reasonable alternatives, as defined at 36 CFR 800.2(c);
- b) Conduct an assessment of information needs in accordance with 36 CFR 800.4(a) on behalf of GSA, coordinating with GSA during consultation with the State Historic Preservation Officer (SHPO) and others;
- c) Based on the assessment of information needs and subject to GSA approval, identify historic properties subject to possible effect by the proposed action and reasonable alternatives and evaluate their eligibility for the National Register of Historic Places, in accordance with 36 CFR 800.4(b) and (c), on behalf of GSA. Coordinate with GSA during consultation with the SHPO and others;
- d) Prepare for the EA a detailed study of present and past land uses, history and prehistory of the APE and a thorough analysis of the potential effects of the proposed action and reasonable alternatives, including the "no action" alternative, on historic properties within the APE, taking into account the Criteria of Effect and Adverse Effect at 36 CFR 800.9;
- e) Taking into account public comment on the EA, assist GSA in determining whether the proposed action will have effects on historic properties, and whether these effects will be adverse. Also assist GSA in consultation with the SHPO and others if necessary to resolve adverse effects, in accordance with 36 CFR 800.5;
- f) Include the results of the effect determination and any necessary consultation under 36 CFR 800.5 in the final EA.

A discussion of cultural resources shall include a definition of the area studied and an explanation of the methodology employed. The cultural resources section shall not be limited to a textual analysis of the material but shall incorporate graphic materials (figures, maps, photographs, etc.)

Following completion of archival and historical work, if the archaeological investigation indicates that further on-site investigation will be necessary, the Contractor shall describe in detail the purpose of such further work and justify the need for additional work by the archaeological research. The Contractor shall also assist in coordinating any additional

work with the SHPO if requested. The final decision regarding the need for and the scope of any additional archaeological work shall be made by GSA.

F. Environmental Impacts

Environmental impacts as a result of the proposed project shall be described for each of the categories (physical, biological, man-made, socioeconomic, cultural) described above in writing for the EA document. The environmental impact review shall be a detailed analysis of all potential environmental impacts that reasonably can be expected to occur as a result of a proposed project. Any potential adverse significant impacts which cannot reasonably be avoided shall be discussed in detail. Measures to avoid, minimize, compensate (mitigate) all impacts shall be discussed in detail and recommendations for implementation strategies shall be included in the discussion.

Impacts include ecological, such as the effects on physical and biological natural resources and on the components, structures, and functioning of affected ecosystems, man-made, socioeconomic, cultural whether direct, indirect, or cumulative.

SECTION III CONTRACT DELIVERABLES

All documents prepared under this contract will be written in plain language and shall use appropriate graphics so that decision makers and the public can readily understand them. All results will be explained in enough detail to allow a lay person to fully comprehend the ramifications of the findings and proposed action. All technical terms will be clearly defined.

The Contractor shall provide the following services under this contract:

A. Scoping

1) There are no established or required procedures for scoping. The process can be carried out by public meetings, verbal or written correspondence, or a combination of both. However, the Contractor shall prepare a schedule to perform scoping functions in compliance with CEQ regulations. The scoping services shall be a three phase work program.

a) Phase I - Prepare Notice of Intent (NOI) for publishing in the *Federal Register* to develop EA and time of scoping meeting, prepare information (newsletter/poster boards) for scoping meeting identifying significant issues believed to be associated with the project, mail newsletters to interested parties, make arrangements and hold small discussion meetings with cooperating agencies, and other significant interest groups prior to public meeting, make meeting arrangements and publish notice in local legal newspaper. During Phase 1, discuss in a general way, how the project would affect environmental factors such as the following and provide the information required for the public scoping documents. Primarily describe the proposed project using existing

materials such as the Master Development Plan (Feasibility Studies), Prospectus Development Study (PDS), or Prospectus:

Site Physical Characteristics;

Land Formations/Floodplains/Wetlands;

Vegetation/Wildlife/endangered species;

groundwater/surface water quality;

Open Space/aesthetics/light and glare;

Socioeconomic/Land Use/Zoning/Housing;

Historic/Cultural/Archeological/Architectural Resources;

Utilities and Energy Sources;

Water Quality/Supply;

Solid Waste Disposal;

Hazardous Waste Substances and disposal;

Transportation and Parking;

Air Quality and Noise;

Relocation, condemnation.

b) Phase II - Arrange for and conduct scoping meeting or meetings and prepare a report of the meeting regarding the issues raised at such meeting(s) and transcripts of the submissions. Develop strategies for resolution of any key issues raised.

c) Phase III - Establish the level of effort needed to provide a thorough examination of EA topics and issues associated with the project and provide a schedule. A working paper called Scoping Document will be prepared outlining:

The results of the scoping process, strategies for resolution of key issues, and recommendations regarding whether an EA is required;

A table of contents for the EA;

A work program for each of the EA topic areas;

A schedule for preparing the EA;

B. Preparation of the Environmental Assessments

1) EAs shall be performed according to NEPA, the CEQ Regulations, and GSA Order PBS P 1095.4B. EAs shall include, but not be limited to, discussions of the following categories of information;

a) Purpose and Need for Action;

b) Alternatives, including the proposed action, reasonable alternatives, and the

"no action" alternative. The "no action" alternative should provide a baseline for decision making, and should consider the effects on no action by GSA in terms of predictable action by others if GSA fails to act;

c) The existing/affected environment, including an overview of the delineated area, a description of physical characteristics, biological characteristics, man-made characteristics, socioeconomic characteristics, and cultural characteristics. Discussion should include past usage of the delineated area and proposed project sites for the above characteristics.

d) Environmental consequences, including an overview; impacts on physical resources, biological resources, man-made characteristics, socioeconomic characteristics, and cultural resources. Mitigation of unavoidable impacts; the relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity, including function of the proposed action, land use patterns, ecological systems, other uses and productivity. All significant impacts, beneficial and adverse, must be noted including primary and secondary impacts and direct and indirect impacts.

e) Irreversible and Irretrievable Commitments of Resources to complete the proposed action.

2) If the EA results in a finding that the proposed action will not have a significant impact on the quality of the human environment and therefore does not require an Environmental Impact Statement, the Contractor will provide GSA with a draft Finding of No Significant Impact (FONSI).

3) If it is determined upon completion of the EA significant adverse unavoidable impacts would occur as a result of the proposal, the need for the preparation of an Environmental Impact Statement (DEIS) would be decided upon by GSA. The Contractor will prepare the necessary EIS as stipulated by GSA under a separate work order.

C. Preparation of the Administrative Record

1) The Contractor shall establish and maintain a complete Administrative Record which will include, but is not limited to, all technical data, expert opinions, completed studies, and other background data that form the basis of the EA. The Administrative Record will serve to document all research performed under this contract. It shall specifically list the dates and sources of data used in all documents produced under this contract. All documents supporting the EA shall contain specific references to their source data. The complete Administrative Record shall be organized, indexed, and delivered to the REPO prior to final payment of this contract.

D. Preparation of other Documents as Necessary

These will be determined by GSA and when required will be issued under a separate work order.

1) Environmental Checklist

The Environmental Checklist is an "in-house" document done by the REPO to be shared with the Contractor during project development.

2) Monthly Status Reports

The Contractor shall provide the REPO with a monthly status report during EA development.

3) Biological Assessments

Independent of the written NEPA documents (EA or EIS), but as a part of the environmental process, presented as a separate study, the Contractor shall prepare a Biological Assessment in accordance with Section 7(c) of the Endangered Species Act of 1973, as amended, if it is determined through informal consultation with the U.S. Fish and Wildlife Service and GSA, if endangered species are believed to exist on sites under consideration by GSA for the proposed action.

3) Preparation of Phase I Environmental Site Assessment

Independent of the written NEPA documents, but as part of the environmental process, presented as a separate study, the Contractor shall prepare a Phase I Environmental Site Assessment examining sites selected by GSA and under consideration by GSA for the proposed action.

The purpose of the assessment is to investigate the sites under consideration by GSA for the proposed action. Through this Phase I Assessment, the Contractor shall determine or discover the obvious presence or likely presence of a hazardous material which has been released or is likely to be released on the sites under consideration by GSA. This

investigation shall consist of a review of the following sources of information regarding the previous use and ownership of the sites under consideration, but shall not be limited to these sources of information if the Contractor deems additional sources of information as important or necessary to the thorough and successful completion of the contamination assessment process;

- a) Land use history, including names of previous owners and major activities conducted on the property, for a period of at least 50 years;
- b) Aerial photographs which may reflect prior uses of the real property and which are reasonably obtainable through state or local government agencies, or through utility companies;
- c) Determination of the existence of recorded environmental cleanup liens against the real property which have arisen pursuant to Federal, State, and local statutes;
- d) Federal, State, and local government records of sites or facilities where there has been a release of hazardous substances and which are likely to cause or contribute to a release or threatened release of hazardous substances on the real property, including investigation reports for such sites or facilities; Federal, State, and local government environmental records, obtainable through a Freedom of Information Act request, of activities likely to cause or contribute to a release or threatened release of hazardous substances on the real property, including landfill and other disposal location records, underground storage tank records, hazardous waste handler and generator records and spill reporting records; and such other Federal, State, and local government environmental records which report incidents or activities which are likely to cause or contribute to release or threatened release of hazardous substances on the real property;
- e) A visual site inspection of the proposed sites and facilities and improvements on the real property, and a visual inspection of immediately adjacent properties from the proposed sites, including and investigation of any chemical use, storage, treatment and disposal practices on the property.

The Contractor shall begin this Phase I Environmental Assessment when the potential sites for consideration are known to GSA. The Contractor shall provide GSA with the environmental assessment as an appendix to the EA and two (2) separately bound copies of the Phase I Assessment.

4) Preparation of Phase II Environmental Site Assessment

If requested by GSA, as part of the environmental process, but presented as a separate study, the Contractor shall prepare a Phase II Environmental Assessment examining the sites under consideration by GSA for the proposed action. The Phase II Assessment will be a continuance of the investigation conducted for the Phase I Environmental Site Assessment. Information reviewed for the Phase II shall include some or all of the

following items, as well as other sources of information as the Contractor deems necessary for the successful completion of the study:

- a) Sampling of soil from representative locations throughout the entire delineated area, or other areas as specified on the scope of work, to determine the existence of any significant contamination from past or present circumstances and activities;
- b) Sampling of suspect building materials for such contaminants as asbestos, lead, radon, and other materials;
- c) Installing groundwater monitoring wells and collecting and analyzing groundwater samples;
- d) Monitoring ambient air quality;
- e) Sampling and identifying potentially hazardous wastes stored on-site;
- f) Options for abatement of any and all contaminated materials on the site in full

compliance with existing State and Federal regulations.

g) Prior to beginning any on-site work, the Contractor shall: obtain permission to enter upon the site from the property owner of record; and, notify all municipal agencies and service utility companies having jurisdiction over the area in which the work is to be performed, in order to protect and all existing sewer, water, gas, electricity, and other utility services and structures. In the performance of this work the Contractor shall provide safe support and necessary protection to adjacent property and structures and maintain safe conditions to protect life, limb, and property.

5) Additional Archaeological Work

- a) If requested by GSA, as part of the EA process but presented as a separate study, the Contractor shall conduct an archaeological reconnaissance on the site. The purpose of this work is to test the predictions set forth in preliminary archaeological work and to locate and describe significant or potentially significant sites and areas. As part of this work the Contractor shall:
- b) Conduct on-site archaeological work, including sampling. The Contractor shall employ a research design that utilizes controlled surface collecting and/or test excavations sufficient to document whether individual archaeological sites or groups of archaeological sites meet National Register criteria. Examination should include the use of shovel test-pitting and appropriate mechanized investigations;
- c) Design testing to provide coverage of the project area or those portions of the project area previously determined to have potential archaeological significance. Testing must be adequate to assess the nature and number of archaeological resources present;

d) Notify all municipal agencies and service utility companies having jurisdiction over the area in which the work is to be performed prior to any work occurring, in order to protect any and all existing sewer, water, gas, electric and other service utility services and structures. In the performance of this work the Contractor shall provide safe support and necessary protection to adjacent property and structures and maintain safe conditions to protect life, limb, and property;

e) Provide GSA with an overview of the impacts from the proposed project and make recommendations for completing further archaeological work;

f) Inform GSA within twenty-four (24) hours of the discovery of any archaeological manifestations or human remains.

If the archaeological reconnaissance indicates the presence of significant historical remains GSA may further require the contractor to: proceed with Data Recovery Excavation to recover the maximum amount of archaeological data prior to construction on a site; and, proceed with total excavation or a system of excavation unties that intensively sample the site. If the site will not be completely destroyed by implementation of the preferred alternative, the salvage may be limited to the area of the site within the project right-of-way, with other areas sampled if critical for interpretation.

Following completion of all on-site work, the Contractor shall submit a report detailing the work completed and describing the nature of any findings. This report shall present the material requested above in a lucid and succinct manner. The report shall define the area studied, and explain the methodology employed in the preparation of the report.

Any and all archaeological manifestations obtained from any investigation performed under this contract shall become the sole property of the Federal Government. Working with the Contractor, and the SHPO, GSA shall develop an appropriate preservation strategy for any such manifestations.

Any human remains of Native American origin shall be dealt with in accordance with the Native American Graves Protection and Repatriation Act, Sections 3(c) and (d). Non-Native American remains shall be dealt with in accordance with any existing state and local regulations.

SECTION IV Procedural Requirements

A. Recommended Outline of the EA

1) In preparing the EA, the Contractor will follow the outline as recommended by the REPO. The final format and outline of the document will be determined by the REPO after consulting with the Contractor.

B. Recommended Outline for Phase I/Phase II Environmental Site Assessment

1) The final format and outline of the document will be determined by the REPO after consulting with the Contractor.

C. Mailings to Third Parties

1) When mailings to third parties are required under the above stated regulations for projects covered under this contract:

- a) The Contractor shall be responsible for all costs associated with mailing the newsletters and documents, including postage and packaging;
- b) The Contractor shall be responsible for assembling documents, preparing all documents for mailing, and mailing all required documents and announcement materials in a timely and accurate manner. The Contractor shall be responsible for preparing all mailing lists (with the aid of the REPO); updating those lists as necessary; preparing mailing labels; preparing the envelopes for mailing, and assuring that all mailings are timely, accurate, and inclusive of all required materials. GSA shall review and approve all mailing lists and documents before the documents are mailed;
- c) GSA shall prepare, with the assistance of the Contractor, all required letters announcing a scoping meeting(s) or public hearing(s), and transmittal letters for the EAs;
- d) The Contractor shall prepare, with the review and approval of GSA, all notices to the two (2) specified local newspapers, as required under this contract.

SECTION V PACKING AND MARKING

A. All postage and fees related to submitting information (including forms, reports, etc.) to the Contracting Officer of REPO shall be paid by the Contractor, except where specifically stated otherwise.

B. All information submitted to the Contracting Officer shall clearly indicate the contract number of the contract for which the information is being submitted.

SECTION VI INSPECTION AND ACCEPTANCE

A. Contractor's Responsibility

The Contractor shall provide for the day-to-day inspection and monitoring of all work

performed to ensure compliance with the contract requirements. The results of inspections conducted shall be documented in an inspection report for submission to the Government. The Contractor shall follow through to assure that all defects or omissions are corrected.

B. The Role of Government Personnel and Responsibility for Contract Administration:

1) Contracting Officer

The Contracting Officer (CO) has the overall responsibility for the administration

of this contract. The CO alone, without delegation, is authorized to take action on behalf of the Government to: amend, modify, or deviate from the contract terms, conditions, requirements, specifications, details, and/or delivery schedules; make final decisions on disputed matters for nonperformance or unsatisfactory performance; terminate the contract for convenience or default; issue final decisions regarding contract questions or matters under dispute. The Contracting Officer may delegate certain other responsibilities to authorized representatives.

Final acceptance of all items submitted under this contract shall be the responsibility of the Contracting Officer.

2) Regional Environmental Program Officer (Technical Representative)

The Regional Environmental Program Officer will serve as the technical representative or environmental project manager for the proposal. Duties performed shall include:

- a) Ensuring compliance of work performed with environmental regulations, rules, and orders;
- b) Prepare in cooperation with the Contractor all letters announcing scoping meeting(s), public hearing(s), letters to third parties (A-95 letters), transmittal letters;,
- c) Prepare and submit in cooperation with the Contractor the NOI, and NOA to *Federal Register*;
- d) Review and comment on all submitted documents from Contractor prior to final publishing;
- e) Assist Contractor in other functions as necessary in completion of documents.
- f) Point of Contact,

Name

Title

U.S. General Services Administration
Public Buildings Service - 1 OPT
400 15th Street, SW
Auburn, WA 98001
SECTION VII
DELIVERIES OR PERFORMANCE

A. The Contractor shall submit all materials required hereunder to the REPO in accordance with the following schedule. All times are in calendar days, and refer to the date by which the REPO must receive the deliverable. EAs shall be performed according to the GSA Order PBS P 1095.4B, April 5, 1990 and the CEQ Regulations for Implementing NEPA. The Contractor will be required to send copies to all interested parties.

1) Environmental Assessments

It is estimated that approximately four (4) to six (6) months are necessary for the completion of an Environmental Assessment. The actual time for an EA will vary depending on the complexity of the project and will be determined on a case-by-case basis.

A draft EA should be provided to GSA approximately two (2) months from the executed delivery order. GSA will have seven (7) days to review the draft EA, although work by the Contractor should continue during the review period.

The Contractor shall coordinate and conduct a scoping meeting, if such a meeting is deemed appropriate, to solicit public involvement in the decision making process. The Contractor and GSA shall determine the format of the scoping process appropriated for a specific project on a case-by-case basis. If GSA determines a scoping meeting is not necessary, the Contractor shall be responsible for soliciting public comment through mailings (newsletter) to interested parties. Interested parties include those persons who under NEPA and GSA regulations must be included in the scoping process, state and local officials, citizens groups, community leaders, etc.

The Contractor shall prepare a draft FONSI to accompany the EA to GSA for review before finalizing the EA. The draft FONSI and final EA shall be made available for public review for thirty (30) days following publication of the NOA of the EA in the *Federal Register*;

The Contractor shall coordinate and conduct a public meeting or hearing on the EA during the 30 day public review period, if found to be necessary.

The Contractor shall promptly inform the REPO of any conditions that will cause a significant delay in the delivery of the draft FONSI and final EA.

2) Phase I/Phase II Environmental Site Assessment

a) It is estimated that a maximum of two (2) months are necessary to complete a Phase I Environmental Site Assessment. If a Phase II is needed, it is anticipated an additional four (4) may be required. The actual time for these assessments will vary depending on the complexity of the project and will be determined on a case-by-case basis.

b) The Contractor shall promptly inform the REPO of any conditions which may cause a significant delay in the delivery of these assessments.

GSA shall have the right to review any ongoing work after giving reasonable notice to the Contractor.

All documentation that results from this contract shall be the sole property of GSA and will not be released in any part without prior written consent of GSA.

Payment for environmental review process will be made according to the following schedule:

a) Scoping

Scoping Phase I- 6 weeks after Notice to Proceed. Payment upon completion of this phase.

Scoping Phase II - 14 weeks after NTP. Payment upon completion of this phase.

Scoping Phase III - 17 weeks after completion of Phase II. Payment upon delivery of scoping document.

b) Environmental Assessment

Approval of Preliminary Draft EA - % of contract payment = 25%

Approval of draft FONSI and Preliminary Final EA - % of contract payment = 30%

Publication of NOA of EA and draft FONSI in Federal Register - % of contract payment = 30%

Completion of 30-day public review and comment period - % of contract payment = 10%

Execution of Release of Claims and receipt of all originals and the administrative record - % of contract payment = 5%

Any questions regarding payment shall be directed to:.

U.S. General Services Administration
Finance Division - 7BCP
P.O. Box 17181
Fort Worth, TX 76102
(817) 334-8599
SECTION VIII
SPECIAL CONTRACT REQUIREMENTS

Submission Requirements

1) All documents shall be prepared on 8 1/2 x 11 inch recycled bond paper. The paper for this contract shall meet the U.S. EPA Guidelines for Federal Procurement of Paper and Paper Products Containing Recycled Materials (*Federal Register* - June 22, 1988, pp. 23546-23566) which states that high grade bleached printing and writing papers must contain at least 50 percent "waste paper" defined as post consumer materials or secondary wastes. The documents must be bound in a manner agreed upon by the REPO. A cover page design for the EA shall accompany each of those documents for approval by GSA. For camera-ready submissions, all tables, charts, plans or maps, and other graphics that are prepared under this contract shall be reduced by the Contractor to 8 1/2 x 11 inches. The full size originals of these graphics shall be submitted along with the final, approved version of each document produced under this contract. In the event that photographs are used in any of the documents covered by this contract, the Contractor shall submit one print of the photograph, along with the corresponding negatives.

2) The EA shall be printed as double sided documents on recycled bond paper which has sufficient opacity to provide a clear reading surface such that type from one side of the page is not visible through to the opposite side of the page.

B. Progress Reports

1) Monthly progress reports shall be submitted to the REPO beginning one month from the date of the Executed Delivery Order, for all environmental review processes. The monthly reports shall be concise, factual, and informal, and include (but not be limited to) the following:

a) Work accomplished during the period;

b) A description of the overall progress, including data, in sufficient detail to explain the progress achieved.;

c) A description of the current problems that may impede performance, along with the proposed corrective actions;

d) A description of the work to be performed during the next reporting period.

SECTION IX LIST OF DOCUMENTS, EXHIBITS, ATTACHMENTS

GUIDELINES FOR PHASE I/PHASE II ENVIRONMENTAL SITE ASSESSMENTS

1) Background and Regulatory Requirements

The Comprehensive Environmental Response, Compensation, and Liability Act

of 1980 (CERCLA), also known as Superfund, was created to provide the authority and a source of funding for cleaning up hazardous substances released into the environment. A basic goal of Congress in writing CERCLA was to make those who are in control of property (owners and operators) contaminated by hazardous substances financially responsible for their clean up. Under CERCLA; you are potentially liable for clean up if you were a past owner/lessor/lessee of property when it was contaminated, are a current owner/lessor/lessee of contaminated property, or if you buy or lease property already contaminated by someone else.

Current property owners who did not cause contamination may still be financially liable for contamination associated with their land because of CERCLA's provisions of strict liability for contamination, and joint and several liability among potentially responsible parties (PRPs).

The Superfund Amendment and Reauthorization Act of 1986 (SARA) amended CERCLA and created an "innocent purchaser" exception to owner responsibility. The current legislative, regulatory, and judicial climate has provided notice to property buyers, developers, and lending institutions of the environmental risks associated with purchasing property. In some cases, the cost of cleaning up a hazardous waste site can far exceed the value of the property. This risk, as well as the "innocent purchaser" defense, has created the need for contamination site assessments.

A Phase I Environmental Site Assessment is a mechanism to identify and analyze the potential environmental risks and liabilities associated with a real estate transaction. It has two basic components: a site inspection, and a historical records search and public agency file review. They shall be completed in accordance with ASTM standards. Results are provided in a report.

A Phase II Environmental Site Assessment is required if the results of the Phase I indicate the possible presence of contaminated substance(s), or the need for additional information. The purpose of the Phase II is to confirm the presence of contamination, determine its type(s), outline the amount of remedial actions required and list any risks to current/future users. They will also identify how much the remediation can cost and how long it may take to complete. They are completed in accordance with ASTM standards. Results are provided in a report.

2) Procedures

A thorough inspection of the site is usually conducted first to familiarize the assessor with the physical parameters of the property and the surrounding properties. During this inspection, the assessor inspects the property and adjacent properties at the property line for signs of obvious contamination such as discolored soil, dead vegetation, underground tank appurtenances, leaking drums or other containers, transformers, and evidence of asbestos or radon gas. The assessor also takes note of all current facility users and any relevant activity that may have impacted the property being assessed. These observations are documented with photographs. If the property is undeveloped, a historical review of

agricultural uses of the area is conducted to identify possible pesticide or herbicide use. The site visit can include interviews with current business owners and employees to determine current uses of the property. Surrounding business owners and employees may also be interviewed to determine past uses of the site and surrounding areas.

Historical records are also searched to determine historical ownership and occupancy of the subject property for the past 50 to 100 years. Chain-of-title documents are obtained from a title company and are reviewed for property ownership. Because property owners are not always property occupants, historical maps and city directories are viewed for property occupancy. Historical references include Polk City Directories, Sanborn Fire Insurance Maps, and Metsker and Kroll Atlases.

Available aerial photographs are also reviewed for historical and current property occupants and uses. Aerial photographs are usually available for the past 50 to 60 years and property development can be verified by reviewing them.

Public agency files are then reviewed for information on the subject property. Environmental regulatory agency files are reviewed for documentation of hazardous substance contamination and/or regulation of the subject property. Files and site lists are reviewed at the Environmental Protection Agency (EPA).

Local city and county agencies such as fire departments, health departments, and public works departments records are also reviewed. These local agency files may contain building and commercial utilities permits (water, sewer, and electrical permits), fire department inspection records/permits for buildings and underground storage tanks and information on zoning, adjacent landfills, and electrical transformers. Interviews with representatives of these local agencies are conducted to expand the information found in file reviews.

Based on the site inspection, interviews, historic records, and public agency file review a report is prepared that summarizes the findings and presents recommendations for field and laboratory work, if required. If contamination is identified or suspected, soil and ground-water samples may be collected and analyzed.

3) Substances Addressed during Assessments

While conducting a Environmental Site Assessment, the assessor should be aware of the most common contaminants for a given site, what they are, where they exist, and what may be involved in responding to their presence. Historical and agency research provides the background information needed for determining contaminants present at a site. Hazardous substances commonly found include:.

a) Asbestos

b) Polychlorinated biphenols (PCBS)

c) Chlorinated Hydrocarbons

d) Petroleum Products

e) Pesticides and Herbicides

f) Heavy Metals

g) Lead-based paints