

RFP PLN2022-05 Environmental Remediation at 5627 Niagara Falls Blvd

Addendum 2: Responses to Questions from Proposers

1. The RFP addresses plans, oversight and closeout but nothing about the actual site work. How does the actual construction fit in or will this be a separate RFP?

Response: The purpose of the Environmental Remediation RFP PLN2022-05 is to do the actual site work (i.e., soil remediation and asbestos/mold abatement in Building 1). Please provide the City with all proposed tasks, budget and schedule to complete the remedial design, remedial construction, remedial oversight, regulatory submission (as needed) and reporting. We leave it up to the Proposer to determine how the actual site work will be conducted based on the information provided.

2. The entire building needs to be cleaned out prior to Abating the Asbestos and Mold Remediation.

Response: We recommend that Proposers provide us with a cost estimate to abate the restaurant and motel Building 1 as-is, with a breakdown of tasks including a clean out prior to abatement.

3. The Mold Remediation Scope does not quantify nor single out where the Mold is. I walked the whole building yesterday and to me it seems the whole building needs to be cleaned out and then treated for mold.

Response: As discussed during the site visit on January 4, 2023, the restaurant and motel Building 1 appears to have more mold growth than was previously reported in 2018. We recommend that Proposers should provide us with a reasonable cost estimate to abate the mold within the building, which was identified in the 2018 report. Proposers should also include a separate line item for any additional mold removal beyond what was identified in 2018.

4. Since the responses to questions posed may modify the scope, one week between question response and proposal submission is likely to be inadequate to prepare the proposal. Would it be possible to extend the duration between after questions answered and proposals submitted?

Response: Per Addendum 1 of this RFP the deadline for submission has been extended to Wednesday, February 1, 2023 at 12 p.m.

5. Is the project budget solely for professional services? Or is it to include both professional design and administration and remedial contracting.

Response: The EPA grant funding is for professional services (20%), exterior soil remediation (40%) and interior hazardous material remediation (40%).

6. Does the City intend to solicit remedial contracting by a public works contract under a City-Contractor Construction Agreement?

Response: All subsequent work would be through a competitive solicitation and standard agreement between the City and the contractor.

7. Has there been any correspondence with NYSDEC relating to the Labella tank removal report or to petroleum spill number 1808353?

Response: Correspondence from NYSDEC re: Spill Number 1808353 included letters from DEC requesting a remediation work plan to complete the soil remediation. This RFP is intended to be responsive and mitigate DEC's request. See attached letter.

8. Although the RFP is titled “Environmental Remediation” and the RFP cover letter states “the purpose of the environmental remediation is to remediate the residual soil contamination in the UST area and abate the hazardous materials in Building 1”, Section 2.3 of the RFP which details the scope of work does not include tasks for the actual removal/remediation of petroleum impacted soil, asbestos abatement, or mold abatement, rather appears to be geared toward remedial design and plan preparation, professional oversight, remedial monitoring, and reporting services (i.e., Task 3 indicates “oversight of remediation”). Is the RFP scope of work intended to include remedial construction, or be limited to remedial design, remedial oversight, and reporting?

Response: Refer to the response to Question 1.

9. If remediation of petroleum impacted soil is to be included within the scope of work, it should be noted that the horizontal and vertical extent of the subsurface petroleum impact is unknown, specifically below the floor of the former UST excavation, and west of the former UST excavation. Does the City of Niagara Falls anticipate RFP responses to include additional assessment of the subsurface conditions proximate and adjacent to the known areas of impact to establish a) the approximate soil volume requiring removal/landfill disposal and b) the actual remedial cost? If not, what volume of petroleum impacted soil should be assumed?

Response: It is acknowledged that the soil volume requiring disposal is unknown at this time. We leave it up to the Proposer to provide a reasonable scope of work and cost estimate based on professional opinion and the information provided in the Labella Phase II ESA. All assumptions and unit rates should be clearly defined.

10. Task 2 requests “Preparation of an Implementation Plan” for asbestos abatement and Task 4 requests “Conduct air and dust monitoring during remediation”; however, the scope of work does not appear to include the asbestos abatement itself. Are both asbestos abatement and asbestos abatement project air monitoring included within the RFP scope of work? Does the City of Niagara Falls intend to procure an asbestos abatement contractor outside the scope of work of this RFP/contract?

Response: To clarify, this RFP does require the actual asbestos and mold abatement within the restaurant and motel Building 1. Please provide a detailed scope of work and cost estimate to abate the building in accordance with applicable guidelines and best practices. If there is a requirement to procure an independent air monitoring contractor during the abatement work, or other contractors as required by relevant guidelines, this should be clearly discussed within the proposal, including the potential cost estimate for said contractor. It is expected that the Proposer will be the Project Manager on the project. Proposers should indicate if such services are required and the cost to provide Project Management services to oversee the abatement work.

11. Is mold remediation to be included within the scope of work? If so, would demolition of Building 1 be considered if a budget analysis resulted in total mold abatement and asbestos abatement budgets to be similar to or exceed building demolition budgets?

Response: Yes, mold remediation of the restaurant and motel Building 1 needs to be included within the scope of work. We welcome the professional opinion of Proposers and will take demolition advice into consideration; however, we would require a cost benefit analysis to determine the best course of action.

**Attachment 1 –
NYS DEC Letter re: Spill Number 1808353**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 9
270 Michigan Avenue, Buffalo, NY 14203-2915
P: (716) 851-7220 IF: (716) 851-7226
www.dec.ny.gov

January 8, 2020

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Alan B. Nusbaum
Environmental Planner/GIS Coordinator
City of Niagara Falls
City Hall - Room 326
745 Main Street
Niagara Falls, New York 14302-0069

Dear Mr. Nusbaum:

Spill Number 1808353
5627 Niagara Falls Boulevard
Niagara Falls
Niagara County

This Department has reviewed the Phase II Site Assessment and UST Closure Report by LaBella Associates dated April 25, 2019 for the above referenced site. Based on that review, we have determined that remedial work is necessary in the areas for Samples IDs: Wall B, Wall C and Bottom B. Also, it is unclear whether the tank system piping was properly closed. If the piping was properly closed, please submit documentation supporting its closure. If the piping closure did not occur, it is required.

Since you have been identified as a potentially responsible party, you have two options:

1. You may do the necessary work to the satisfaction of this Department. Please notify this Department you will remediate the site and submit a work plan to us by April 30, 2020.
2. You may decline to do any work. This Department will then do the work with its own contractor. Since we must notify your insurance company of our work, please inform us of the name and address of your insurance company. If you are determined to be responsible for this spill, you, and possibly your insurance company, will be responsible for all costs incurred by the State of New York for the remedial work.

This work will be on your property. If you elect to have this Department do the work, please sign and return the enclosed Right-of-Entry form by April 30, 2020.



Department of
Environmental
Conservation

Mr. Alan B. Nusbaum
January 8, 2020
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Your cooperation is appreciated. If you have any questions, please contact at
(716) 851-7220.

Sincerely,



Salvatore A. Calandra, P.E.
Assistant Engineer

SAC/jl
Enclosure

ec: Ms. Mary McIntosh, NYSDEC Region 9 Regional Spill Geologist
Terri Mucha, Esq., NYSDEC Region 9 Office of General Counsel

New York State Department of Environmental Conservation

Division of Remediation, Region 9

270 Michigan Avenue, Buffalo, New York, 14203-2915

Phone: (716) 851-7220 § FAX: (716) 851-7226

Website: www.dec.ny.gov



Basil Seggos
Commissioner

Spill Number: 1808353

Address to Access: 5647 Niagara Falls Blvd, Niagara Falls, NY

RIGHT OF ENTRY FORM

The New York State Department of Environmental Conservation ("DEC") will be investigating and/or remediating environmental contamination on and/or in the vicinity of the property referenced above ("Site"). In order to perform soils drilling, groundwater and soil sampling, removal of contamination, underground storage tanks and associated piping systems, the construction/installation of a remedial system and/or other such similar activities, it will be necessary for the DEC and its contractors to enter upon the Site. Public records indicate that you own the Site.

Although the DEC has the legal right to enter your property for this purpose, as authorized by Chapter 845 of the laws of 1977, codified as Article 12 of the Navigation Law of the State of New York, Section 178, DEC would prefer to have your cooperation and permission to enter the Site. Accordingly, the DEC is requesting your permission to perform the necessary work on your property.

Every effort will be made to prevent damage to your property and any inconvenience to you and/or any active business at the Site. Should you feel that your property has been damaged as a result of this work, you have a right to file a claim with the DEC. Further, you may contact Salvatore Calandra at the DEC with any questions you may have regarding this project at (716) 851-7220.

Please sign below to acknowledge your consent to the DEC's and/or its contractor's entrance onto and use of the Site solely for the purposes set forth above.

Date: _____

By: _____

Signature

Printed Name

Title (if applicable)