JAMES MADISON UNIVERSITY

COMMONWEALTH OF VIRGINIA
STANDARD CONTRACT

Contract No. UCPJMU6374

This contract entered into this 27th day of June 2022, by Applied Environmental, Inc. hereinafter called the "Contractor" and Commonwealth of Virginia, James Madison University called the "Purchasing Agency".

WITNESSETH that the Contractor and the Purchasing Agency, in consideration of the mutual covenants, promises and agreements herein contained, agree as follows:

SCOPE OF CONTRACT: The Contractor shall provide the services to the Purchasing Agency as set forth in the Contract Documents.

PERIOD OF PERFORMANCE: From June 30, 2022 through June 29, 2023 with 4 one-year renewal options.

The contract documents shall consist of:

(1) This signed form;

(2) The following portions of the Request for Proposal MPM-1153 dated May 2, 2022:
  (a) The Statement of Needs,
  (b) The General Terms and Conditions,
  (c) The Special Terms and Conditions together with any negotiated modifications of those Special Conditions;

(3) The Contractor's Proposal dated May 31, 2022 and the following negotiated modification to the Proposal, all of which documents are incorporated herein.
  (a) Negotiations Summary, dated June 27, 2022.

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed intending to be bound thereby.

CONTRACTOR:	PURCHASING AGENCY:
By: _____ (Signature)	By: _____ (Signature)
Jana H. Ambrosa (Printed Name)	Michael Morrison (Printed Name)
Title: President, CEO	Title: Buyer Senior

Rev. 5/12/21

NEGOTIATION SUMMARY **APPLIED ENVIRONMENTAL, INC.**

RFP# MPM-1153 INDUSTRIAL & ENVIRONMENTAL HYGIENE

6/27/2022

The Primary Point of Contact for this Contract is:

Jana Ambrose
President/CEO
1-703-648-0822
jambrose@appenv.com

CLARIFICATIONS:

1. The University expects that all labor role pricing will be considered complete and include all forms of overhead such as benefits, insurance, etc. as needed for that role. Please acknowledge that the price you are providing to JMU will be the price invoiced for work under this contract.

Answer: Our unit price as provided on the attached pricing schedule by zone will be the price on the invoices to the University and is inclusive of overhead, benefits, and insurance.

2. In terms of travel, JMU must abide by GSA rates and no other substitute or expenses are acceptable. Please acknowledge that this is acceptable.

Answer: Yes, JMU will only be billed GSA rates for travel reimbursement.

3. Should subcontractors be needed to provide any service under this contract, JMU expects that the mark up for subcontractor fees will not exceed 10%. All subcontractor fees will be documented on invoices and backup documentation provided to the University. Please acknowledge that this is acceptable.

Answer: In the event that Applied Environmental engages a subcontractor, our markup will not exceed 10% of all subcontractor costs. Proper documentation of the contractor fees, such as invoices, will be provided as backup.

4. As a state institution, JMU cannot award contracts with pricing on the basis of "cost plus a percentage of cost." This is covered by Section 2.2-4331 of the Code of Virginia. (https://law.lis.virginia.gov/vacode/title2.2/chapter43/section2.2-4331/) Please acknowledge that all equipment and materials charged to the University will be done so at your normal pricing with no added "percentage of cost."

Answer: Applied Environmental acknowledges that equipment and materials charged to the University will be done as our normal pricing structure with no added "percentage of cost" as covered by Section 2.2-4331 of the Code of Virginia.

PRICING SCHEDULE:
The following Labor, Other Fees, and Discounts sections represent the negotiated pricing for all represented items and should be reflected in all quotes and proposals for the University. No other fees or charges shall be acceptable.

LABOR & MISC.

	PRICING SCHEDULE BY ZONE								
	Zone 1	*Zone 2*	*Zone 3*	*Zone 4*	*Zone 5*	*Zone 6*	*Zone 7*	*Zone 8*	*Zone 9*
Regular Time Labor Rates (7:30 a.m. to 4:00 p.m. Monday – Friday)*									
Certified Industrial Hygienist Labor Rate $/hour	130	130	130	130	130	130	130	130	130
Certified Hazardous Materials Manager Labor Rate $/hour	130	130	130	130	130	130	130	130	130
Project Manager Labor Rate $/hour	103	103	103	103	103	103	103	103	103
Radon Measurement Specialist Labor Rate $/hour	103	103	103	103	103	103	103	103	103
Asbestos/Lead Designer Labor Rate $/hour	103	103	103	103	103	103	103	103	103
Environmental Scientist Labor Rate $/hour	130	103	103	103	103	103	103	103	103
Industrial Hygienist Labor Rate $/hour	73	73	73	73	73	73	73	73	73
Asbestos/Lead Inspector Labor Rate $/hour	103	103	103	103	103	103	103	103	103
Project Monitor Labor Rate $/hour	73	73	73	73	73	73	73	73	73
Overtime/Emergency Labor Rates (Outside of Regular Time working hours)*									

	PRICING SCHEDULE BY ZONE									
Analytical Services Rates										
Service	**Response Time***	*Zone 1*	*Zone 2*	*Zone 3*	*Zone 4*	*Zone 5*	*Zone 6*	*Zone 7*	*Zone 8*	*Zone 9*
Radon/sample	5 days	11.00	11.00	11.00	11.00	11.00	11.00	11.00	11.00	11.00
Swab Cultures/sample (viable bacteria & fungi)	5 days	60.50	60.50	60.50	60.50	60.50	60.50	60.50	60.50	60.50
Bulk Cultures/sample (viable bacteria & fungi)	5 days	47.20	47.20	47.20	47.20	47.20	47.20	47.20	47.20	47.20
Air Culture/sample (bacteria & fungi)	5 days	46.20	46.20	46.20	46.20	46.20	46.20	46.20	46.20	46.20
Air Culture/sample (chemicals)**	5 days	206.00	206.00	206.00	206.00	206.00	206.00	206.00	206.00	206.00
Spore Analysis/sample	5 days	39.60	39.60	39.60	39.60	39.60	39.60	39.60	39.60	39.60
Fungal Swabs / sample***	5 days	33.00	33.00	33.00	33.00	33.00	33.00	33.00	33.00	33.00
Other Direct Read Instrumentation/sample	On site	0	0	0	0	0	0	0	0	0
PLM (bulk asbestos – standard TA)/sample	5 days	9.35	9.35	9.35	9.35	9.35	9.35	9.35	9.35	9.35
PCM (air asbestos – standard TA)/sample	On site	16.00	16.00	16.00	16.00	16.00	16.00	16.00	16.00	16.00
TEM (air asbestos – 24 hour)	1 day	77.00	77.00	77.00	77.00	77.00	77.00	77.00	77.00	77.00
Lead in Paint (bulk) Standard TA/sample	5 days	8.80	8.80	8.80	8.80	8.80	8.80	8.80	8.80	8.80
XRF Lead Paint Detector/day	n/a	250	250	250	250	250	250	250	250	250

* Please note that depending on the project, faster turn-around times for sample analysis may be needed, i.e. 4 hours, 6-8 hours, 1 – 4 days. Those prices will be different than the 5 day turn around (TAT) stated above. Some TATs may not be available due to location of a project and its proximity to the laboratory. Prices will be quoted in accordance with your requirements in our proposals.

** Organic solvent profile includes 28 common volatile organic compounds (VOCs) found in indoor environments and total VOC as n-hexane calculation.

*** Non-viable direct microscopy.

Other Fees/Charges
Charge Card Processing Fee: 0.00%

REQUEST FOR PROPOSAL
RFP# MPM-1153

Issue Date: **May 2, 2022**

Title: **Environmental & Industrial Hygiene Services**

Issuing Agency: **Commonwealth of Virginia**
James Madison University
Procurement Services MSC 5720
752 Ott Street, Wine Price Building
First Floor, Suite 1023
Harrisonburg, VA 22807

Period of Contract: From Date of Award Through One Year (Renewable)

Sealed Proposals Will Be Received Until 2:00 PM on May 31, 2022 for Furnishing The Services Described Herein.

MANDATORY/ OPTIONAL PRE-PROPOSAL: No pre-proposal meeting for this solicitation.

SEALED PROPOSALS MAY BE MAILED, EXPRESS MAILED, OR HAND DELIVERED DIRECTLY TO THE ISSUING AGENCY SHOWN ABOVE.

All Inquiries For Information And Clarification Should Be Directed To: Michael Morrison, Buyer Senior, Procurement Services, morrismp@jmu.edu; 540-568-6181; (Fax) 540-568-7935 not later than five business days before the proposal closing date.

NOTE: THE SIGNED PROPOSAL AND ALL ATTACHMENTS SHALL BE RETURNED.
In compliance with this Request for Proposal and to all the conditions imposed herein, the undersigned offers and agrees to furnish the goods/services in accordance with the attached signed proposal or as mutually agreed upon by subsequent negotiation.

Name and Address of Firm:

Applied Environmental, Inc.

200 Fairbrook Drive Suite 201

Herndon, Virginia 20170

By: _____ *(Signature in Ink)*

Name: Jana Ambrose *(Please Print)*

Date: May 31, 2022

Title: President/CEO

Web Address: https://www.appenv.com

Phone: (703)648-0822

Email: jambrose@appenv.com

Fax #: (703)-648-0575

ACKNOWLEDGE RECEIPT OF ADDENDUM: #1____ #2____ #3____ #4____ #5____ (please initial)

SMALL, WOMAN OR MINORITY OWNED BUSINESS:
☒YES; ☐ NO; *IF YES* ⇒⇒ ☒SMALL; ☒WOMAN; ☐ MINORITY ***IF MINORITY***: ☐ AA; ☐ HA; ☐ AsA; ☐ NW; ☐ Micro

Note: This public body does not discriminate against faith-based organizations in accordance with the *Code of Virginia*, § 2.2-4343.1 or against an offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

ENVIRONMENTAL & INDUSTRIAL HYGIENE SERVICES

Proposal

Submitted in Response to Request for Proposal # MPM-1153

JAMES MADISON UNIVERSITY

Submitted by:

applied environmental inc.

200 Fairbrook Drive • Suite 201 • Herndon, Virginia (703)648-0822 •
www.appenv.com

May 31, 2022

ENVIRONMENTAL & INDUSTRIAL HYGIENE SERVICES

Proposal

Submitted in Response to Request for Proposal # MPM-1153

Prepared for James Madison University
Harrisonburg, VA 22807

USE AND DISCLOSURE OF INFORMATION

This proposal includes data that shall not be disclosed outside James Madison University and shall not be duplicated, used, or disclosed – in whole or in part – for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of – or in connection with – submission of this data, James Madison University shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit James Madison University's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained on all sheets of this proposal.

Environmental & Industrial Hygiene Services
James Madison University
Harrisonburg, Virginia

Contents

Introduction

James Madison University is seeking qualified sources to provide asbestos and lead environmental consultation, project design, management, inspection, monitoring, and testing services.

Applied Environmental, Inc., a woman-owned small business (SWaM #675191), established in 1986, has provided these same services to educational entities, private businesses, and government clients for the past 36 years. With a diverse staff of scientists, industrial hygienists, and environmental technicians, our firm has established a track record of excellent service and attention to detail, regardless of the project size. In the following response, we will present our direct experience, expertise, project approach and examples of recent comparable projects in the format you specified

We begin our response on your page 1, IV STATEMENT OF NEEDS, D. Scope of Services:

Scope of Services *(IV.D.)*

A. AHERA compliant asbestos inspection, monitoring, and testing *(IV.D.a.)*

1. Inspection and reporting on buildings and components *(IV.D.a.i.)*

Applied Environmental has been performing asbestos inspections, management planning, designing, and project monitoring since the beginning of our firm in 1986. To date, we have performed well over 7,000 such surveys and have completed well over 5,000 asbestos abatement project monitoring projects since the company's inception. Loudoun County and Prince William County task us every three years to perform the mandated AHERA inspections in their schools.

The following text is taken from an actual report of a survey we performed at Montgomery College. It describes our methodology for inspection and reporting on buildings suspected to contain asbestos and other hazardous materials:

"Applied Environmental, Inc. conducted a hazardous material survey of Falcon Hall, located at the Takoma Park/Silver Spring campus of Montgomery College. The scope of this hazardous materials survey included the interior and exterior of the structure. The hazardous materials assessment included a survey for asbestos-containing material (ACM), lead-containing surface coatings (LCSCs), polychlorinated biphenyl (PCB)-containing equipment, and mercury-containing fixtures. The purpose of the survey was to identify hazardous materials that may be impacted during planned demolition of the structure.

As a result of the survey, several types of ACM were identified. Details of the survey findings and recommendations are provided as follows: All homogeneous materials considered to be potentially asbestos-containing that were identified and sampled during the current survey are delineated in Appendix A, "Homogeneous Material List." The laboratory reports are included in Appendix B, "Asbestos Bulk Sample Analysis Reports." All identified and assumed ACM are reported in Appendix C, "Identified and Assumed Asbestos-Containing Materials Estimated Quantities."

Falcon Hall was originally constructed circa 1978, and totals approximately 31,400 square feet. Major renovations to the gymnasium area were completed in the last five years. The building comprises two stories with a partial basement level containing mechanical piping and treatment systems associated with the pool area. The building contains a large gymnasium with a mezzanine level running track, a racquetball court, exercise rooms, administrative offices, classrooms, and mechanical spaces.

The building has a cementitious panel exterior with a flat, built-up roof. Interior finishing materials include carpet and floor tile over concrete floors; concrete masonry unit (CMU), gypsum board (drywall), or plaster walls; and suspended ceiling tiles beneath gypsum board or metal ceilings. Mechanical systems are predominantly insulated with fiberglass insulation wrapped in foil or paper with seam mastic."

The report concludes by providing recommendations regarding removal or management in place for the ACMs.

2. Asbestos hazard assessment surveys *(IV.D.a.ii.)*

Applied Environmental offers extensive experience in conducting partial and full-building asbestos assessment surveys in accordance with the U.S. Environmental Protection Agency (EPA), Asbestos Hazard Emergency Response Act (AHERA), and Occupational Safety & Health Administration (OSHA). In all survey work, all available building history is reviewed prior to conducting the survey. The techniques for determining proper numbers of samples and representative areas are consistent with protocols outlined by the EPA.

Our approach to asbestos sampling surveys includes the collection of bulk samples of building materials suspected to contain asbestos for laboratory testing throughout the survey space. Where available and complete, existing survey results can be utilized to maximize efficiency and control cost. If previous sampling data is not available, representative samples of suspect building materials are collected from various substrates, including building structural components, plumbing systems, ceilings, floors, and mechanical equipment. Suspect materials which are homogeneous in nature (i.e., uniform in color and texture) are identified, touched to determine friability, and sampled by removing a small piece (thumbnail size) and placed in a labeled container. For a given homogeneous area, one or more samples are collected in accordance with AHERA.

Applied Environmental Asbestos Inspectors, Project Designers, and Management Planners are all licensed, experienced, and highly qualified.

As defined by AHERA, suspect materials include the following building material types:

- Surfacing materials - including spray-applied or troweled-on wall/ceilingcoatings;
- Thermal System Insulation - including pipe insulation, boiler jagging; and,
- Miscellaneous materials including ceiling tiles, floor tiles/mastic, gaskets (if accessible), fire doors. Wallboard spackle

The number of samples collected depends on the type of building material identified within the homogeneous area prescribed by AHERA.

During the inspection and sample collection effort, information is obtained to properly document conditions including the material location, the type, quantity, and physical condition of the material; and the friability and damage potential of the material.

Based upon site observations and laboratory test results, EPA categorization and hazard ranking data are developed, and the potential for fiber release and exposure potential for each area found to contain asbestos determined. Applied Environmental provides recommended response actions and estimates their resulting costs in accordance with AHERA.

3. Abatement project designs and specifications *(IV.D.a.iii.)*

Asbestos project designs and specifications include a description of work, contractor qualifications, laboratory qualifications, and asbestos control limits in accordance with:

- American National Standards Institute (ANSI) Publication:
  Z9.2-79 Fundamentals Governing the Design and Operation of Local Exhaust System.
- American Society for Testing and Materials (ASTM) Publication.
- 849-82 Safety and Health Requirements relating to Occupational Exposure to Asbestos.
- Code of Federal Regulations (CFR).
- 29 CFR 1910.1001, Occupational Safety and Health Act (OSHA), including Appendix A through I.
- 29 CFR 1910.20, Subpart C, General Safety and Health Provisions.
- 29 CFR 1910.134, OSHA General Industry Respirator Requirements.
- 29 CFR 1926.1101. Occupational Exposure to Asbestos, Construction Industry Standard, INCLUDING Appendix A through K.
- 40 CFR Part 61, Subpart M: U.S. Environmental Protection Agency, National Emission Standards for Hazardous Air Pollutants (NESHAP) Asbestos.

Applied Environmental personnel have extensive experience in the development and review, and approval of asbestos abatement specifications and contractor submittals. Our project review process includes a thorough examination of client specifications, contractor OSHA compliance records (specifically respiratory protection and hazard communication programs), equipment and material evaluations, licensing, medical monitoring, and safety training documentation.

4. Asbestos abatement project monitoring *(IV.D.a.iv.)*

Applied Environmental field personnel have extensive asbestos abatement project monitoring experience and are licensed in the Commonwealth of Virginia. Their experience includes calibration, sampling, and analysis procedures specified by OSHA, National Institutes of Occupational Safety and Health (NIOSH), ANSI, American Conference of Governmental Industrial Hygienists (ACGIH), and industry standards.

Our experience spans from inspecting full containment operations to ensure integrity and compliance with OSHA protocol to mini-enclosures, glove bags, premanufactured isolation units, and other techniques utilized during abatement within confined or unusual spaces.

Air monitoring methods, sampling strategies, and other aspects of the project effort are performed per the most current applicable provisions, 29 CFR 1926, and 1910, 40 CFR Part 763, and any other regulatory guidance pertaining to asbestos air monitoring and testing. Air monitoring and sample analysis is conducted in accordance with OSHA Standard 29 CFR 1926.1101, using procedures outlined in the NIOSH 7400 Method for asbestos.

All Applied Environmental Industrial Hygiene Technicians participate in the NIOSH Proficiency Analytical Testing Program and are registered by the American Industrial Hygienists Association (AIHA) Asbestos Analysis Registry (AAR) for on-site analysis of airborne fiber samples.

5. Post abatement final clearance *(IV.D.a.v.)*
Analytical laboratory services *(IV.D.a.vi.)*
On-site sample collection and testing *(IV.D.a.vii.)*

When abatement of ACMs has been completed and after satisfactory visual inspections by our industrial hygiene project monitor, clearance air samples are collected to measure the final asbestos concentration in accordance with the EPA Standard 40 CFR 763, Subpart E, AHERA. For quantities greater than 160 square feet or 260 linear feet of ACM removed or where specified, five air samples are required to be collected inside each contained work area using aggressive methods, and analyzed by Transmission Electron Microscopy (TEM). For smaller areas, Phase Contrast Microscopy (PCM) clearance sampling can be utilized.

TEM samples are forwarded directly to a property accredited laboratory. PCM samples are analyzed on-site, using the NIOSH 7400 Method, and Applied Environmental standard operating procedures. The Applied Environmental asbestos analysts participate in the AIHA Asbestos Analyst Registry, and the Proficiency Analytical Testing programs.

Applied Environmental utilizes laboratories that are properly accredited and with whom we have long standing relationships and can attest to their quality and accuracy. (*See Page 14 of this response)*

6. Operations and Maintenance Plans *(IV.D.a.viii.)*

Operations and Maintenance Plans (O&M) Plans are developed to include awareness training, work practices, and periodic surveillance to maintain ACM within a building in good condition. The primary goal is to minimize exposure of all building occupants, outside contractors, and employees to asbestos fibers. Once an asbestos inspection/survey has been performed and ACM identified that will remain in the building, Applied Environmental, Inc. will create an O&M Plan that includes all relevant work practices and applicable forms to:

- Maintain ACM in good condition,
- Prevent further releases of asbestos fibers,
- Monitor the condition of ACM, and
- Document abatement and renovation actions.

An Asbestos Program Manager (APM) designated by the University will oversee the maintenance of the O&M Plan and oversee all asbestos-related activities in the building, including inspections, O&M activities, and other abatement actions. The APM will either train

building workers in O&M techniques or ensure that such worker training takes place. In addition, he or she should oversee the custodial and maintenance staffs, contractors, and outside service vendors with regard to all asbestos-related activities.

The applicable regulations are OSHA 29 CFR 1910.12 for asbestos, and OSHA 29 CFR 1926.62 for lead.

7. Regulatory consultation services *(IV.D.a.ix.)*

Applied Environmental performs asbestos regulatory compliance services to help our clients navigate and effectively meet the regulatory requirements set forth by Federal, state, and local agencies including EPA and OSHA. Our asbestos related services can encompass the full project scope or be utilized for specific aspects of a project including asbestos surveys, project monitoring and site-specific regulations.

8. Media relations services *(IV.D.a.x.)*

Applied Environmental is often tasked with giving presentations to stakeholders regarding the findings of hazardous materials surveys performed in occupied structures to allay concerns and present facts. Such outreach is very beneficial, especially when risk perception is high, even though there is a low probability of injury or damage. Risk communication includes involving the public/shareholders, managing overreactions, and being adequately prepared to address their fears and correct public misinterpretations regarding the actual hazards.

B. Lead-based paint services *(IV.D.b.)*

1. Development of testing protocols *(IV.D.b.i)*

Testing for lead-based paint has been part of our services since OSHA and HUD issued regulations. Refinements of protocols have taken place over the years but always includes EPA certified and licensed lead inspectors or risk assessors. Assessment methodologies are based on the most up-to-date EPA and HUD guidelines for evaluation and control of lead-based paint hazards in housing.

2. Lead and lead base paint inspection and testing *(IV.D.b.ii)*
Hazard assessment *(IV.D.b.iii)*
Laboratory analytical services *(IV.D.b.ix)*
On-site sample collection and testing *(IV.D.b.x)*

Applied Environmental, Inc. has been conducting lead-based paint surveys, risk assessments, and designs since 1993 and has in fact completed over 4,000 such lead surveys since that time. Although Applied Environmental has conducted lead-based paint surveys in target housing using United States Department of Housing and Urban Development (HUD) protocol, the majority of our services have consisted of conducting lead paint surveys prior to impacting painted surfaces during renovation and demolition projects. The bulk of the work consists of “non-lead abatement” projects, whereas, Applied Environmental provides awareness training and specification development for various trades whose work may impact painted surfaces in the course of their normal work. Over the years, Applied Environmental

assisted many different trades in compliance with the OSHA Lead in Construction Standard and types of work that impact painted surfaces and increasing levels of engineering controls and work practices that are necessary to minimize exposures to the workers. On-site awareness training with real-time project specific examples greatly assists trades and allows the project to be completed without stoppage due to accidental impact.

Lead-containing surface coating screening surveys are performed to measure lead concentrations of typical painted surfaces in order to provide information to contractors for appropriate precautions to be taken during renovation/demolition activities. Typical surfaces tested include, walls, floors, baseboards, doors, structural components, window components, and ceilings. Testing to determine the lead concentration of painted surfaces is performed using a Niton XLp 300A, X-Ray Fluorescence spectrum analyzer which is a handheld, portable lead detector, designed to make accurate, non-destructive measurements of lead concentration in LP. The detection level of the Niton XLp 300A is 0.1 milligrams of lead per square centimeter of area tested. Paint chip samples are occasionally collected for confirmatory purposes and submitted to an EPA accredited laboratory for analysis. During the inspection and testing survey, the condition of the painted surfaces is documented as solid, peeling, cracked, or chalking. All Applied Environmental personnel conducting inspections have XRF instrument manufacturer training and are Virginia licensed Inspectors or Risk Assessors. Caution is exercised at all times to ensure that facility occupants are never within range of the X-rays emitted by the device such as on the other side of a wall or door.

3. Abatement project design and specifications *(IV.D.b.iv)*
Project monitoring *(IV.D.b.v)*
Final clearance inspection and testing *(IV.D.b.vi)*

Applied Environmental field personnel have extensive project monitoring experience for abatement of lead paint by chemical or mechanical removal methods. Applied Environmental has also conducted Negative Exposure Assessment (NEA) monitoring for lead under a variety of situations, including testing in firing ranges, at a manufacturing plant during soldering within an electronics laboratory, and during an active ceramics facility resulting in a lead contamination remediation project. Applied Environmental monitors to ensure work practices and engineering controls comply with OSHA Standard 29 CFR 1926.62.

Applied Environmental assisted many different trades in compliance with the OSHA Lead in Construction Standard and types of work that impact painted surfaces and increasing levels of engineering controls and work practices that are necessary to minimize exposures to workers. On-site awareness training with real-time project specific examples greatly assists trades and allows the project to be completed without stoppage due to accidental impact.

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Final clearance inspection and testing following abatement activities for HUD projects is performed in accordance with ASTM Method E1728-03 and consists of collecting surface wipe samples throughout the abated area and submitting these to an accredited laboratory for analysis via Atomic Absorption Spectroscopy in accordance with NIOSH Method 7082M. Post abatement dust levels per EPA must be below the applicable clearance levels of 10 µg/ft^2 for floors, 40 µg/ft^2 for windowsills, and 100 µg/ft^2 for window troughs.

4. Re-occupancy certification *(IV.D.b.vii.)*

After Applied Environmental has conducted post-renovation clearance testing using dust wipe sampling in general accordance with HUD guidelines *Chapter 15 (*and as stated on page 6, 3. Final Clearance Inspection) and conducted a visual inspection of all abatement areas for any evidence of settled dust or debris, we will issue a report stating that the applicable clearance levels have not been exceeded and the area is clear for re-occupancy.

5. Waste disposal characterization and consultation *(IV.D.b.viii.)*

TCLP or Toxicity Characteristic Leaching Procedure is a chemical analysis process used to determine whether there are hazardous elements present in a waste. The test involves a simulation of leaching through a landfill and can provide a rating that can prove if the waste is dangerous to the environment or not. This rating can dictate the waste management methodology that Applied Environmental recommends to the University to dispose of the waste afterwards.

6. Regulatory consultation services *(IV.D.b.xi.)*

Applied Environmental performs lead-based paint regulatory compliance services to help our clients navigate and effectively meet the regulatory requirements set forth by Federal, state, and local agencies including EPA, OSHA, and HUD.

7. Media relations services*(IV.D.b.xii.)*

Applied Environmental is often tasked with giving presentations to stakeholders regarding the findings of hazardous materials surveys performed in occupied structures to allay concerns and present facts. Such outreach is very beneficial, especially when risk perception is high, even though there is a low probability of injury or damage. Risk communication includes involving the public/shareholders, managing overreactions, and being adequately prepared to address their fears and correct public misinterpretations regarding the actual hazards.

C. Industrial hygiene services *(IV.D.c.)*

1. Indoor air quality surveys *(IV.D.c.i.)*

Applied Environmental currently manages ongoing proactive IAQ programs for facility management firms in over 70 million square feet of office and workspace. Our IAQ investigations include an evaluation of conditions on-site which may generate contaminants, the configurations and condition of ventilation systems, and existing controls.

Applied Environmental performs IAQ surveys based upon procedures established by NIOSH, the AIHA, and current industry standards. Our investigations generally begin with a review and assessment of the IAQ complaint history. Sampling to evaluate employee exposures is conducted in accordance with NIOSH and OSHA protocols. An assessment of the collected data is made in accordance with the (non-regulatory) standard for IAQ developed by

the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard, "Ventilation for Acceptable Air Quality," applicable NIOSH recommendations and OSHA standards, and current research in this area.

Our initial standard evaluations commonly include the following parameters:

- Relative Humidity
- Carbon Dioxide
- Formaldehyde
- Volatile Organic Compounds
- Ambient Temperature
- Carbon Monoxide
- Respirable Particulate
- Bioaerosols

Both direct read real time measuring instruments and laboratory analytical procedures are used in conducting the investigations. Parameters such as temperature, relative humidity, respirable particulate, organic vapors, carbon dioxide (CO_2), and carbon monoxide (CO) are measured and quantified by properly calibrated direct read instrumentation.

2. Industrial hygiene surveys *(IV.D.c.ii.)*

An Applied Environmental Certified Industrial Hygienist (CIH) performs industrial hygiene surveys to investigate concerns identified by the client such as IAQ issues, suspect mold, employee exposures, contamination, water intrusion and elevated moisture etc.

These services are completed in general accordance with investigative procedures established OSHA, NIOSH, AIHA, ACGIH, EPA, and current industry standards. Evaluation of data will be made in accordance with applicable NIOSH, AIHA, and ACGIH recommendations, EPA guidelines, and OSHA regulations to be applied where appropriate. Procedures include collection of direct read measurements, air samples, bulk particulate samples, and fungal air and surface samples, and others, as necessitated by the scope or work.

3. Air and employee monitoring for hazardous substances *(IV.D.c.iii.)*

Applied Environmental uses standards and guidelines referenced by OSHA, ACGIH, the NIOSH, and other appropriate industry groups. Monitoring includes exposure to hazardous substances which can affect the respiratory, cardiovascular, cardio-pulmonary, and reproductive systems. Personal exposure sampling provides the most accurate and representative assessment of exposure to a pollutant. Sampling results indicate whether there is a need to implement further controls to limit inhalation exposures, including the mandatory use of respiratory protection, to prevent exposure via skin or ingestion, or provide additional protection from sounds in the work environment.

Employees are monitored during their entire shift while performing duties typical in a normal workday. Both personal sampling pumps (affixed to the employee in their breathing zone), and stationary samples (affixed in the work environment) may be utilized. The Industrial Hygienist will document the work performed, including PPE utilized and any engineering or administrative controls. The final report will summarize the sampling conditions, work practices observed during the exposure assessment, and the laboratory analysis results.

Applied Environmental maintains working relationships with numerous accredited laboratories with a wide variety of analytical capabilities.

4. Inspection and evaluation of mechanical systems *(IV.D.c.iv.)*

During an IAQ or industrial hygiene survey, mechanical equipment is visually inspected, and its operation observed on site identify any deficiencies apparent at the time of the inspection as they relate to the issues being investigated. The scope of this inspection includes visual observations of the readily accessible mechanical equipment and appliances typically without disassembly of any unit inspected and without removing items causing visual obstruction. The functional equipment is generally operated in at least one mode, but not necessarily every mode, suited to demonstrate its condition. This includes, but is not limited to, elevator systems, lifts, pumping systems, and HVAC systems. Determining compliance with codes is not included as part of this inspection.

Wipe sampling is most often performed on potentially contaminated surfaces or within components of the HVAC system serving the areas where microbial air sampling is performed to assess microbial population. Typical HVAC components sampled are areas where microbial growth conditions are optimal, including condensate drip pans, condenser coils, and interior surfaces of the supply air sides of Air Handling Units (AHUs). Air diffusers, condensation areas, moisture prone locations, and other surfaces within a building are also candidates for microbial surface wipe sampling.

5. Microbiological contaminant inspections *(IV.D.c.v.)*

Samples for viable bacteria or mold are collected in accordance with protocols recognized by the ACGIH. Selection of suitable growth media will depend upon the type of microbe to be enumerated and identified using standard isolation and identification techniques. In all cases, Applied Environmental utilizes appropriate collection techniques and sampling media for standard tests and/or those methods recommended by the testing microbiology laboratory for unusual or atypical sampling survey activities. Trypticase Soy Agar (TSA) media is used for bacterial samples and Modified Malt Extract AGAR (MMEA) for fungal samples; however, selective, or enhanced media is also available to use in field studies of more specific contaminants of concern.

Air Samples can also be collected for non-viable analysis of fungal spores. In this method, both viable and non-viable fungal spores may be present and counted during analysis of the sample, but lack of laboratory culturing for this method prevents differentiating viable from non-viable spores in the sample. However, both viable and non-viable fungal spores may potentially contribute to allergic response type symptoms, making non-viable fungal sampling a valuable tool when evaluating potential mold concerns. Samples are collected using an Aerobiology Aero Trap Model ALAI-5000, which draws air into a chamber containing a glass slide prepared with a treated cellulose ester capture medium. Fungal spores and other particulate present in the air are impacted onto the capture medium and analyzed by direct microscopic examination.

In addition to the fungal air sampling discussed above, Applied Environmental conducts surface wipe sampling for mold. Surface wipe samples are collected using a *Culturette II* rayon-tipped sampling swab and transport system manufactured by Becton Dickinson Microbiology Systems. The swab is used to wipe a known area of the surface to be sampled, and then stored in a

modified Stuart's transport medium during handling and transport to the laboratory. Analysis of the microbial samples is performed in accordance with standard medical/public health microbiological isolation and characterization techniques, and NIOSH Method 501, (draft document) and American Society of Microbiologists protocols. The samples are analyzed to identify the predominant species of viable bacterial and fungal organisms present, and their concentrations in total Colony Forming Units (CFU).

6. Moisture intrusion surveys and reporting *(IV.D.c.vi.)*

Surveys are performed in response to a water intrusion event due to a variety of causes. An Applied Environmental Industrial Hygienist will perform a visual inspection of the affected area(s) and direct read measurements for moisture of porous and semi-porous building materials. If permitted, limited destructive assessment will be conducted, i.e. small sections of drywall will be cut out and inspected.

If visible suspect mold growth is observed, confirmatory surface samples may be collected using NIOSH Analytical Method 800 in accordance with protocols recognized by the ACGIH. Fungal surface samples will be enumerated and identified using standard isolation and identification techniques. Sample results are provided with a total count of colony forming units per square inch of surface area and are analyzed to identify the species or genus of fungi present and the percent concentration of those microorganisms in the total count.

The report will describe site observations and building descriptions, e.g.: "The office building is a two-level slab-on-grade structure. The exterior is brick with a flat built-up roof. The interior finishes consist of a two-foot by two-foot suspended tile ceiling throughout the building, gypsum board (drywall) walls, and a combination of floor finishing materials which included carpet in the inspected office areas. The windows around the perimeter of the building are inoperable."

The area(s) of concern are noted e.g.: "The occupants of the areas of concern have reported past water intrusion from the window systems during heavy precipitation events. Specifically, water periodically comes into the building from the top of the window installation and accumulates along the drywall windowsill area."

Our report concludes with a summary of laboratory results, and our conclusions e.g.: "The results of this survey indicate that air quality within the assessment area was within acceptable limits for the parameters measured. Temperatures measured during the survey were slightly below or at the low end of recommended ranges, and relative humidity was at the upper limit of the recommended range. Low temperatures may be the result of reduced occupancy in the office areas compared to HVAC system design parameters. The fungal spore concentrations measured within the sampled areas of the building were well below the outdoor concentration and were composed mostly of ascospores and basidiospores. The composition of these indoor samples does not suggest the presence of significant indoor fungal growth.""

Finally, our recommendations are presented e.g.:

- The operating parameters for the air handling unit (AHU) serving the assessment area should be evaluated and adjusted, if possible, to maintain lower relative humidity in the space.
- The window systems should be inspected and properly resealed to ensure that bulk water intrusion does not occur.

7. PCB testing, analysis, and reporting *(IV.D.c.vii.)*

Applied Environmental has extensive experience of polychlorinated biphenyl (PCB) testing and analysis for both commercial and governmental clients. Our staff of environmental professionals has the expertise to properly complete small to large and complex PCB projects by following EPA written guidance manuals (EPA 560/5-85-026) for the proper sampling and analysis of PCB sites. Applied Environmental's experience includes testing of electrical transformers and switch boxes for PCB containing oils, the testing of light ballasts, electrical motors, surface soils, water samples, and PCB wipe samples. Applied Environmental can also develop a comprehensive PCB Management Plan for clients with site-specific conditions as necessary.

An example of a PCB survey includes examination of fluorescent lighting fixtures within the building to identify any PCB markings on the ballasts. A representative number of the light ballasts will be visually inspected for markings indicating that the ballasts do not contain PCB's. Ballasts that are not marked as "No PCBs" will be assumed to contain PCB's. The manufacturer name and product number of the ballasts will also be noted, along with any evidence of leakage. The written final report will include the assumed PCB-containing ballast manufacturer name, product number, and appropriate handling and disposal recommendations. During the survey Applied Environmental will look for other items that may contain PCBs. An inventory listing the items and their location will be provided in our report along with removal cost estimates.

The EPA PCB spill Cleanup Policy requires wipe sampling for the determination of surface levels of PCBs resulting from PCB spills onto hard, "smooth", surfaces such as metal, wood, concrete, plastic, and glass (see Tables 1 and 2). There are several activities surrounding a PCB spill cleanup where wipe sampling may be used: (a) site characterization; (b) interim evaluation of the progress of the cleanup; and (c) the final process to verify that the cleanup has met requirements of the PCB Spill Cleanup Policy.

For other sample types (bulk solid samples, porous materials, indoor air) a sufficient sample size should be collected to ensure the laboratory can measure the concentrations of PCBs at levels required by the PCB cleanup and disposal regulations at 40 CFR part 761.61.

8. Noise monitoring and hearing conservation programs *(IV.D.c.viii.)*

The OSHA Occupational Noise Exposure Standard (29 CFR 1910.95) has established a limit of 90 dBA for an eight-hour Time Weighted Average (TWA) exposure to noise to reduce the risk of hearing damage. An action level of 85 dBA TWA has also been established to trigger the inclusion of affected employees in a Hearing Conservation Program. A Hearing Conservation Program includes periodic noise monitoring to identify exposures of 85 dBA and above, annual audiometric testing of affected employees, employee training, and the availability of appropriate hearing protection for employee use.

Applied Environmental utilizes handheld sampling equipment to survey the area(s) in various locations depending on the scope of work. Contour isometric lines are also developed for indoor areas that show specific sound levels at 100, 95, 90, and 85 decibels-A Scale (dBA). Noise attenuation features are also evaluated in addition to measuring the dBA.

Based on the sound level data collected, Applied Environmental presents recommendations for minimizing exposure and suggestions to include in a hearing conservation program which might consist of signage posting, stocking of hearing protection devices (HPDs) at specific locations, limiting access while, for example, machinery is in operation, requiring HPDs of simultaneous wearing of plugs and muffs with a combined noise reduction (NRR) of at least 25, just to mention a few. Exact recommendations are subject to analysis of collected data.

9. Radon testing and remediation design and inspection *(IV.D.c.ix.)*

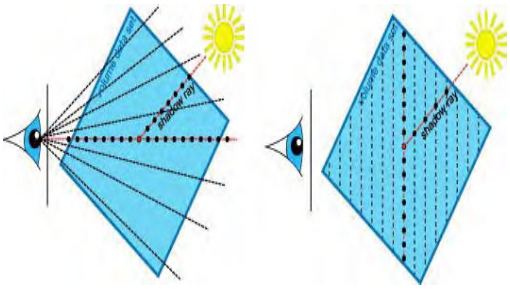
Radon is a radioactive gas. It comes from the natural decay of uranium that is found in nearly all soils. It typically moves up through the ground to the air above and into structures through cracks and other holes in the foundation. Radon is then trapped inside, where it can accumulate over time. The amount of radon in the air is measured in "picocuries per liter of air," or "pCi/L." The average indoor radon level is estimated to be about 1.3 pCi/L, and about 0.4 pCi/L of radon is normally found in the outside air. The U.S. Congress has set a long-term goal that indoor radon levels be no more than outdoor levels.

Radon is measured either with short-term tests (less than 90 days) or long term tests (more than 90 days). Applied Environmental has conducted assessments to identify radon levels in a large variety of commercial and other buildings by radon certified technicians. Site survey work includes placement of Alpha Track radon detectors or liquid-scintillation vials containing activated charcoal to measure the radon gas by professional staff members who participate in EPA's Radon Proficiency Programs for measurement and mitigation. Placement is performed as outlined in EPA documents. The vials are shipped to an EPA accredited laboratory for analysis.

Based on the results, recommendations are transmitted to the client regarding mitigation and future inspections.

10. Indoor lighting surveys *(IV.D.c.x.)*

Indoor lighting surveys are conducted to avoid potential hazards, evaluate risk to improve employee safety, and provide desirable working conditions. Proper lighting has a major impact on performance and efficiency of the employees at the workplace. There should be sufficient background lighting, in combination with supplemental task lighting where appropriate, for employees to perform their duties without strain or disruption. Poor lighting conditions can cause eye strain, eye discomfort, and headaches.



Surveys are performed using a standard light meter and, if applicable, a specialized LED light meter if the building uses LED lighting. Once the current lighting levels have been measured, recommendations are given for any adjustments in accordance with best practices. Applied Environmental has also found it helpful to ask employees if they are experiencing any issues such as visual strain or headaches to further identify any lighting problem areas.

11. Laboratory analytical services *(IV.D.c.xi.)*

Applied Environmental utilizes only properly accredited laboratories from whichever accreditation organization is appropriate for the services they offer such as:

- American Industrial Hygiene Association (AIHA LAP, LLC),
- National Voluntary Laboratory Accreditation Program (NVLAP),
- Virginia State Board of Drinking Water,
- CDC ELITE Legionella Program
- NELAP

The following are laboratories we use on a regular basis:

Aerobiology Laboratory, Inc.,
43760 Trade Center Place, Dulles, Virginia
Full range of analytical services include viable cultures for bacteria/fungi, non-viable spore traps, tape/swab/bulk direct microscopic analysis, *Legionella* culture analysis, PLM bulk and PCM air asbestos analysis.

AMA Analytical Services, Inc.
Forbes Boulevard, Lanham, MD 20706
Provides laboratory services for asbestos, metals (Pb & Cu), mold, and nano-particles.

AccuStar Labs
11 Awl Street, Medway MA 02053
Radon testing

Analytics
10329 Stony Run Lane, Ashland, VA
Industrial hygiene, environmental, water

Phase Separation Science
6630 Baltimore National Pike, Baltimore, MD
Water, soil

12. Ionizing and non-ionizing radiation testing and remediation design and inspection *(IV.D.c.xii.)*

Non-Ionizing radiation is most commonly tested in the Industrial Hygiene field and consists of occupational exposure to radar and communications equipment, industrial and commercial ovens, as well as hospital/laboratory equipment. Non-ionizing radiation includes visible, infrared, and ultraviolet light; microwaves; radio waves; and radiofrequency energy from cell phones. Ionizing radiation is emitted from radioactive atomic structures and would generally not be within the realm of applicable testing as mentioned in this RFP.

A project conducted for the local Police Department consisted of measuring the electromagnetic radiation (EMR) within police cars emitting from various equipment used by police officers. Criteria used to evaluate the survey results include standards and guidelines referenced by OSHA, ACGIH, EPA, NIOSH, and other applicable industry guidelines. Under normal use, the

EMR direct read measurements show that exposures are below the safe limit of nonionizing radiation exposure recommendations by the American National Standards Institute (ANSI/IEEE C95.1-1999 "Standard for Safety Levels With Respect to Human Exposure to Radio Frequency Electromagnet Fields, 3 kHZ to 30 GHz") which is 10 milliwatt per square centimeter (mW/cm^2). In addition, OSHA also recommends the same 10 mW/cm^2 exposure limit from the "Radiation Protection Guide", (29 CFR, Chapter XVII, Subpart G, Part 1910.97). ACGIH suggests a threshold limit value (TLV) related to frequency.

Based on the direct read measurements, recommendations for behavior modifications for certain equipment were provided to lower exposure to the police officers situated in the vehicles.

13. On-site air sampling and testing*(IV.D.c.xiii.)*

(See Page 7 – Indoor Air Quality Surveys -, Page 8 – Air and Employee Monitoring for Hazardous Substances -, and Page 9 – Microbiological contaminant inspections – of this response)

14. Regulatory compliance consultation*(IV.D.c.xiv.)*

Applied Environmental performs regulatory consultation/compliance services to help our clients navigate and effectively meet the regulatory requirements set forth by Federal, state, and local agencies including EPA, OSHA, and HUD. Services can encompass the full project scope or be utilized for specific aspects of a project including hazardous material surveys, project monitoring, industrial hygiene projects, and site assessments.

Applied Environmental's professional staff is qualified, licensed, and experienced in assuring that our clients are compliant with applicable code regarding asbestos, lead, and other hazardous materials. We offer extensive experience working with the Virginia Department of Environmental Quality (DEQ) in addressing underground storage tank and soil/groundwater remediation issues. Applied Environmental has the required resources and systems in place to monitor and remain current with changing federal and state regulations, as well as emerging technical and health issues.

In conformance with environmental training requirements and/or for personnel professional development, we provide our staff with initial training and annual re-certification training at approved provider facilities. During these courses and others, our staff is constantly updated regarding new regulations and the applications of regulations, as well as techniques in their respective fields of environmental consulting.

D. Compliance plans*(IV.D.d.i. - v.)*

- Health and Safety
  - HAZCOM
- Respiratory protection
- Hearing conservation
- Periodic air monitoring

Applied Environmental has written, edited, and monitored many compliance plans during the 36 years we have been in business. All topics shown above have been subject matter and are all based on current, applicable, federal, state, local standards.
We are experienced in supporting regulatory compliance issues and permit activities for our clients to ensure they are environmentally compliant, provide a safe and healthy working environment for their personnel and contractors, and operate sustainably and efficiently.

A compliance plan, regardless of subject matter, must establish a commitment to compliance with all federal, state, and local laws and regulations. It must further provide a path to implementing written policies and procedures and outline internal/external monitoring and auditing. Lastly, it must state standards and how they will be enforced.

E. Compliance consultation for EPA and Virginia regulations *(IV.D.e. i. – x.)*

Applied Environmental performs regulatory consultation/compliance services to help our clients navigate and effectively meet the regulatory requirements set forth by the EPA and the Commonwealth of Virginia. Services can encompass the full project scope or be utilized for specific aspects of a project including hazardous material surveys, project monitoring, industrial hygiene projects, and site assessments. In order to perform the services of an environmental consulting firm, it is our responsibility to have comprehensive knowledge of all the below listed regulations, standards, requirements, and laws. Our Industrial Hygienists and Technicians attend yearly refresher courses to ensure that our information is always up to date.
(See Page 14 – Regulatory Compliance Consultation – of this response)

i. EPA Clean Air Act
ii. EPA AHERA
iii. EPA RCRA
iv. OSHA asbestos, lead, and other standards
v. OSHA HAZCOM standards
vi. SARA title III reporting requirements
vii. Virginia DPOR, DOLI, DEQ, DOT, and DCR regulations
viii. 40 CFR part 262; Standards for Hazardous Waste
ix. 40 CFR part 273; Standards for Universal Waste Management
x. 49 CFR part 172; Hazardous Material Communications

F. Phase I and II environmental site assessments and audits *(IV.D.f.i. – v.)*

Applied Environmental, Inc. conducts various Environmental Site Assessments (ESAs) as part of the due diligence process to evaluate environmental risk and potential liability associated with property transactions. Our environmental staff have conducted over 1,500 assessments for various property types from undeveloped raw land to developed commercial and industrial properties in accordance with the latest American Society of Testing and Materials (ASTM) standards.

Our Environmental Site Assessment Services Include:

Phase I ESAs
Applied Environmental, Inc. conducts various Environmental Site Assessments (ESAs) as part of the due diligence process to evaluate environmental risk and

Applied Environmental has performed over 1500 Phase I Environmental Site Assessments (ESAs), over 420 Phase II ESAs, over 800 Transaction Screen Assessments (TSAs), and over 50 Phase III remediation projects.

potential liability associated with property transactions. Our environmental staff have conducted over 1,500 assessments for various property types from undeveloped raw land to developed commercial and industrial properties in accordance with the latest American Society of Testing and Materials (ASTM) standards. Our Phase I ESAs adhere to the ASTM Standard Practice E1527-13 and the All Appropriate Inquiry (AAI) 40 CFR Part 312 rule.

Modified Phase I ESAs

Applied Environmental's Modified Phase I ESA is an environmental assessment performed of a parcel of land tailored to meet the needs of a client. The Modified Phase I ESA includes the standard Phase I ESA as required by ASTM Standard Practice E1527-13 or AAI, but also may include non-scope items such as sampling for asbestos-containing materials (ACMs), lead-based paint (LBP), radon, mold, or soil and groundwater samples from the property.

Transaction Screen Assessments (TSAs)

A Transaction Screen Assessment (TSA), also known as a Transaction Screen Process (TSP) is an environmental screening assessment typically performed on presumed low environmental risk properties. Our TSAs are performed in general accordance with ASTM Standard Practice E1528-14. A TSA is conducted in a due diligence style format where a screening process is used to identify the presence or absence of visible environmental concerns during a checklist inspection of the property. A TSA can used to identify potential environmental risks, and is a prudent business practice to help safeguard the property owner. It should be noted that a TSA is not intended to provide the user of the report CERCLA Liability Protection, which only a Phase I ESA can provide.

Environmental Risk Reviews

An Environmental Risk Review (ERR) is a review of available government databases for documented records of potential environmental risks associated with a property or any adjoining and neighboring properties of potential environmental concern in the immediate site vicinity. Applied Environmental performs ERRs on properties that the client has identified, and provides our professional opinion on the environmental risk level for the property in review. This opinion will either be listed as a Low or Elevated environmental business risk. Following the ERR, the client can make an informed decision on whether to perform a Phase I ESA on the property if an elevated risk is present.

Phase II ESAs

Phase II ESA Investigations typically include sampling and laboratory analysis of potentially contaminated media. Because similar EPA laboratory analytical methods may vary widely with regard to parameters analyzed and detection limits required, Applied Environmental's staff are well trained and possess the experience necessary to request the appropriate methods and analysis by the laboratory.

A Phase II ESA is a site and context specific environmental site assessment performed on a property that has a perceived or elevated chance of having environmental contamination. A Phase II ESA may also be required when a Phase I ESA indicates there is a "recognized environmental condition" (REC) on a property. Applied Environmental's assessment approach in performing a Phase II ESA is to generate sound and objective information sufficient to satisfy the goal of the client, and help the client identify; is there contamination, and at what level, can it be cleaned up or remediated, and what is the potential cost for cleanup. Our Phase II ESAs implement a scientifically sound approach to evaluate possible areas of concern of substances including, but not limited to those within the scope of CERCLA, petroleum products, and

controlled or regulated substances and constituents. Our Phase II ESAs are performed in general accordance with ASTM Standard E1903-97. In addition, guidance from the U.S. EPA and local and state environmental agencies are also observed in defining the scope of work for a Phase II ESA investigation.

Often, a site with a limited potential for contamination does not require a complete Phase II investigation and a limited scope investigation can be completed with direct-push technology (e.g., GeoProbe). Applied Environmental will recommend the direct-push technology if appropriate, and if we are requested to review a Phase II ESA work plan performed by another contractor, we will ensure that correct scope of work is proposed. The direct push technology provides technically correct and industry-accepted data at a significant cost and time savings when compared to installation of groundwater monitoring wells during the Phase II Investigation. If Phase III Remediation is required, Applied Environmental offers experience addressing regulatory and remedial requirements for sites with contaminated soil, surface water, and ground water. Our project experience has included investigative and remedial measures, including Site Characterization Reports (SCRs), Risk Assessments (RAs), Corrective Action Plans (CAPs), regulatory negotiations, and site remediation. These projects have included the collection of soil and water samples for laboratory analysis, field screening of materials with direct--read instruments, directing extraction of soil for treatment, interpreting analytical data for characterization of the site, installation and operation of remediation equipment, and selection of treatment methodology for soil, and soil and water spoils treatment.

G. Commitment to comply *(IV.E.)*

Applied Environmental is committed to complying with all applicable federal, state, local, and University regulations in the performance of the services as stated in the RFP and detailed in our response.

H. Resources *(IV.F.)*

Applied Environmental acknowledges that we possess the necessary resources, both in equipment, technology, and staff to work on multiple jobs at the same time.

I. Approach description *(IV.G,)*

1. Approach to providing services *(IV.G.a.)*

The major component of our Quality Assurance (QA) Program is the establishment of a Work Plan for each task order. When a task order is submitted, the Program Manager will review the task order and select the best qualified Project/Task manager and project team based on the requirements of the task. Our QA Program is based on the selection of the proper personnel for the project, as well as ensuring that the personnel have the proper training, experience, and certifications. The Project Manager then details all the steps of the project noting all the project milestones and delivery schedules. Segments of the project time are set aside for QA/QC review.

In order to develop the Work Plan, the Project Manager fills out our Project Tracking Sheet which lists personnel and hours, subcontractors, reimbursables, status, due dates, etc. This sheet becomes incorporated into our Project Work Plan, as the project manager uses this information

to discuss the project during the "kick off" meeting as well as to track the progress of the project. Additional project data is added to our Work Plan as the team meets and discusses various aspects and approached to the project. For most projects, we set milestones and deliverables on a calendar as a menu of tracking dates and deliverables

2. Higher Education Institutions Project Examples *(IV.G.b.)*

Montgomery College, Takoma Park, Maryland, Falcon Hall,
31,400 square feet, constructed in 1978

Hazardous materials survey included the interior and exterior of the structure and an assessment for asbestos-containing material (ACM), lead-containing surface coatings (LCSCs), polychlorinated biphenyl (PCB)-containing equipment, and mercury-containing fixtures. The purpose of the survey was to identify hazardous materials that may be impacted during planned demolition of the structure.

Montgomery College, Takoma Park, Maryland, Science South Building,
23,800 square feet

Hazardous materials survey included the interior and exterior of the structure, excluding the roof) and an assessment for asbestos-containing material (ACM), lead-containing surface coatings (LCSCs), polychlorinated biphenyl (PCB)-containing equipment, and mercury-containing fixtures. The purpose of the survey was to identify hazardous materials that may be impacted during planned demolition of the structure.

Provided abatement specifications for both asbestos and lead for Falcon Hall and the Science South Building.

Catholic University, Washington, D.C.

Applied Environmental has been providing industrial hygiene services to this historic university (est. 1887) since 2007. Examples of services provided include:

- Oversight of asbestos removal projects at Salve Regina Hall, Harke Theater, Pangborn Hall, Marist Hall, Mullen Hall, Curley Hall, Father O'Connell Hall, Gibbons Hall, McCort Hall, Maloney Hall, Ward Hall, John K. Mullen Library, Gowen Hall, Cardinal Hall, and Seaton Hall.

- Conducted asbestos-containing material (ACM), lead-based paint (LBP), and lead-containing surface coating screening surveys at Seton Hall Annex, Caldwell Hall, Marist Hall, Curley Hall, Nugent Hall, and Father O'Connell Hall.

- Reviewed contractor submittal documents for Caldwell Hall to ensure adherence to appropriate laws and guidelines for a demolition and asbestos abatement project.

- Performed industrial hygiene monitoring during construction activities at Marist Hall, consisting of weekly monitoring for lead in dust, lead in air, and respirable particulates in non-construction areas, which are or may be occupied by university personnel.

- Investigated a potential asbestos exposure incident to a contractor at Curley Hall, which involved evaluating air sample and material testing results, and providing recommendations.

- Performed an environmental assessment consisting of lead air and lead surface sampling, as well as asbestos air sampling, of unoccupied areas in Marist Hall following structural repairs sustained as a result of the 2011 earthquake.

- Performed personal exposure sampling for total dust in the Edmond M. Crough Center.

Other College/University Experience:

SCHOOL	TYPE OF PROJECT
George Mason University	Asbestos Air Monitoring Indoor Air Quality Survey Microbial Assessment
Northern Virginia Community College	Asbestos Monitoring Lead Survey
University of Mary Washington	Mold Remediation Microbial Assessment
Montgomery College	Indoor Air Quality Survey
Wesleyan University	Phase I Environmental Site Assessment
George Washington University	Air Quality Analysis Phase I Environmental Site Assessment
University of Maryland	HazMat Survey Indoor Air Quality Survey Asbestos and Lead Abatement Survey Phase 1 Environmental Site Assessment
Georgetown University	Phase I Environmental Site Assessments Mold/Moisture Assessment

3. Other examples of recent projects *(IV.G.c.)*

Metropolitan Washington Airports Authority (MWAA), Dulles International Airport, Ronald Reagan national Airport, IDIQ industrial hygiene/environmental services performed since 1997.

- Air Permitting
- Indoor Air Quality
- Soil and Water Investigations
- Hazardous Materials Surveys
- Remediation Monitoring
- RCRA Facility Investigations
- Operations and Maintenance Plans
- Employee Exposure Assessments
- Fuel Oil and Supply Return Line Inspections

Contact: Jonathan Matheny, (636)578-0206, Jonathan.Matheny@MWAA.com
Revenue to date: $ 4.6M

The Pentagon, Arlington, Virginia, environmental services contract since 2008.

- Environmental Assessments and Analysis
- Spill Reporting, Investigation, and Cleanup Support
- Environmental Stormwater Sampling and Inspections
- Environmental Permitting Compliance Sampling and Reporting
- Hazardous Waste Management
- Environmental Sustainability – Greenhouse Gas Evaluations, Green Cleaning, Recycling, Pollution Prevention
- Air Permitting

Contact.: Joseph Eichenlaub, (703)614-9583, joseph.eichenlaub@whs.mil
Revenue to date: $ 27M

International Monetary Fund (IMF), Washington, D.C., environmental services contract since 2002:

- Inventory of COVID supplies in preparation of buildings being reoccupied
- Indoor airborne fungal non-viable and qualitative fungal surface sampling
- Indoor Air Quality (IAQ) assessment humidity
- Post-renovation safety review in mechanical spaces of HQ1
- Asbestos-containing materials and lead-containing surface coating screenings
- Water testing for Legionella and Lead in HQ1 and HQ2 buildings
- Potable water testing of consumption points inside HQ1 and HQ2 buildings for lead, copper, total coliform bacteria, and e. coli bacteria

Contact: Evelyn Nash, (202)623-9579, ENash@imf.org MPM
Revenue to date: $ 2.4M

These are just a few of the large contracts we were awarded over the years and still have. Many smaller routine and other, fast turnaround projects, further complete our workload.

Based on our current contracts and repeat obligations, Applied Environmental maintains a constant workload base of 70%. In addition, approximately 10% of our workload is daily call-ins and emergency projects for a total workload of 80%. Holidays, vacation, training, and administration account for approximately 15% of our time. Therefore, Applied Environmental has at least 5% open workload capacity at any given time, and the ability to “shift” our daily call-in tasks, which is more than adequate to serve special projects and project opportunities.

4. Certifications and licenses *(IV.G.d.)*

William Mikalik, Certified Professional Geologist, expires 8/2023
Bradley Pearson, Certified Industrial Hygienist, expires 12/2024
Bradley Pearson, Certified Hazardous Materials Manager, expires 12/2023
Osman Sharif, Asbestos Inspector License, expires 7/2023
Osman Sharif, Asbestos Project Designer License, expires 3/2023
Bradley Pearson, Asbestos Inspector License, expires 11/2022
Bradley Pearson, Lead Risk Assessor License, expires 04/2023

Dung Nguyen, Project Monitor License, expires 10/2022
Asbestos Analytical PCM Lab License, expires 8/2022
Member of AIHA

Copies of Licenses/Certifications are attached as Attachment F.

5. Primary point of contact *(IV.G.e.)*

Bradley Pearson, CIH, CHMM, Division Manager, Occupational Safety and Health
(c) [redacted]
(o) 703-648-0822
Bpearson@appenv.com

6. Approach to mobilization of management and work staff *(IV.G.f.)*

The corporate office of Applied Environmental is located at 200 Fairbrook Drive in Herndon, Virginia; less than two hours from the University. Our main telephone number is (703) 648-0822 and our fax number is (703) 648-0575. Our website can be viewed at www.appenv.com. All work to be performed under the proposed effort will be handled from this office.

We are strategically located near major roads and highways, and several of our personnel reside in the Shenandoah Valley. This will enable us to adequately handle routine as well as emergency/fast turn-around projects. The nature of our business, and our commitment to client service has made this level of responsiveness a standard internal operating procedure.

Applied Environmental understands that certain critical environmental problems requiring immediate evaluation may occur after business hours and during weekends. Each Applied Environmental management and technical staff employee is accessible via cell phone. Applied Environmental will provide the University with cell phone numbers for Project Managers for use under emergency conditions, and in particular, during off hours and weekends. Internal procedures have been implemented to assure proper lines of communication are in place so that emergency tasks can be addressed quickly and efficiently. Applied Environmental will respond verbally to all calls within one hour.

7. Invoicing procedure *(IV.G.g.)*

Once a project has been completed and the lab results received, a final report will be issued. Once that report has been electronically submitted to the University, our accounting department will prepare an invoice in accordance with the previously approved proposal. Our terms are Net 30 days after issuance, we accept all debit/credit cards, checks, and electronic transfers.

A sample invoice and matching proposal are attached as Attachment C

8. Other services offered *(IV.G.h.)*

Inventory of chemicals and/or COVID supplies
Laboratory safety surveys
Water testing
Underground and Aboveground tank services

Environmental Assessments and Analysis
Spill Reporting, Investigation, and Cleanup Support
Environmental Stormwater Sampling and Inspections
Environmental Permitting Compliance Sampling and Reporting
Hazardous Waste Management
Environmental Sustainability – Greenhouse Gas Evaluations, Green Cleaning, Recycling, Pollution Prevention
Air Permitting

Our response now continues on your page 4, V, PROPOSAL PREPARATION AND SUBMISSION, B. SPECIFIC PROPOSAL INSTRUCTIONS

1. RFP cover sheet and addenda acknowledgements are attached.

2. Plan and methodology for providing goods/services as described in Sections IV D. Scope of Services is covered on pages 1-16 of our response.

3. Resumes of specific personnel are attached as Attachment D.

4. Offeror Data Sheet is included as Attachment A.

5. During the past 12 months, we have not provided services to any VASCUPP members.

6. Pricing schedule is attached as Attachment E.
   NOTE: The 2nd table on the pricing schedule requests “per project (services)” pricing which generally does not apply to the services proposed as the individual parameters for each service are always different; i.e. doing an asbestos survey for 200 square feet will differ substantially in price than one for 4000 square feet.

7. Small, Women and Minority-owned Businesses (SWaM) Utilization Plan is attached as Attachment B

Attachment A

Offeror Data Sheet

ATTACHMENT A

OFFEROR DATA SHEET

TO BE COMPLETED BY OFFEROR

1. QUALIFICATIONS OF OFFEROR: Offerors must have the capability and capacity in all respects to fully satisfy the contractual requirements.

2. YEARS IN BUSINESS: Indicate the length of time you have been in business providing these types of goods and services.

   Years 36 Months 4

3. REFERENCES: Indicate below a listing of at least five (5) organizations, either commercial or governmental/educational, that your agency is servicing. Include the name and address of the person the purchasing agency has your permission to contact.

CLIENT	LENGTH OF SERVICE	ADDRESS	CONTACT PERSON/PHONE #
MWAA	25 years	Dulles/Arlington	Jonathan Matheny (636)578-0206
The Pentagon	14 years	Arlington, VA	Joseph Eichenlaub (703)614-9583
IMF	20 years	Washington, DC	Evelyn Nash (202)623-9579
Federal Reserve	24 years	Washington, DC	Dale Furrow (202)452-3704
Prince William County Schools	25 years	Manassas, VA	Mark Schaeffer (572)259-8194

4. List full names and addresses of Offeror and any branch offices which may be responsible for administering the contract.

   Not applicable

5. RELATIONSHIP WITH THE COMMONWEALTH OF VIRGINIA: Is any member of the firm an employee of the Commonwealth of Virginia who has a personal interest in this contract pursuant to the CODE OF VIRGINIA, SECTION 2.2-3100 – 3131?

   [ ] YES [X] NO

   IF YES, EXPLAIN:

Attachment B

Swam Utilization Plan

ATTACHMENT B

Small, Women and Minority-owned Businesses (SWaM) Utilization Plan

Offeror Name: Applied Environmental, Inc. **Preparer Name:** Eva Pede

Date: 5/31/2022

Is your firm a **Small Business Enterprise** certified by the Department of Small Business and Supplier Diversity (SBSD)? Yes X No

If yes, certification number: 675191 Certification date: 10/17/2018

Is your firm a **Woman-owned Business Enterprise** certified by the Department of Small Business and Supplier Diversity (SBSD)? Yes X No

If yes, certification number: 675191 Certification date: 10/17/2018

Is your firm a **Minority-Owned Business Enterprise** certified by the Department of Small Business and Supplier Diversity (SBSD)? Yes No X

If yes, certification number: Certification date:

Is your firm a **Micro Business** certified by the Department of Small Business and Supplier Diversity (SBSD)? Yes No X

If yes, certification number: Certification date:

Instructions: *Populate the table below to show your firm's plans for utilization of small, women-owned and minority-owned business enterprises in the performance of the contract. Describe plans to utilize SWAMs businesses as part of joint ventures, partnerships, subcontractors, suppliers, etc.*

Small Business: "Small business " means a business, independently owned or operated by one or more persons who are citizens of the United States or non-citizens who are in full compliance with United States immigration law, which, together with affiliates, has 250 or fewer employees, or average annual gross receipts of $10 million or less averaged over the previous three years.

Woman-Owned Business Enterprise: A business concern which is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more women, and whose management and daily business operations are controlled by one or more of such individuals. **For purposes of the SWAM Program, all certified women-owned businesses are also a small business enterprise.**

Minority-Owned Business Enterprise: A business concern which is at least 51 percent owned by one or more minorities or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more minorities and whose management and daily business operations are controlled by one or more of such individuals. **For purposes of the SWAM Program, all certified minority-owned businesses are also a small business enterprise.**

Micro Business is a certified Small Business under the SWaM Program and has no more than twenty-five (25) employees **AND** no more than $3 million in average annual revenue over the three-year period prior to their certification.

All small, women, and minority owned businesses must be certified by the Commonwealth of Virginia Department of Small Business and Supplier Diversity (SBSD) to be counted in the SWAM program. Certification applications are available through SBSD at 800-223-0671 in Virginia, 804-786-6585 outside Virginia, or online at http://www.sbsd.virginia.gov/ (Customer Service).

RETURN OF THIS PAGE IS REQUIRED

ATTACHMENT B (CNT'D)

Small, Women and Minority-owned Businesses (SWaM) Utilization Plan

Procurement Name and Number: Environmental & Ind. Hygiene Services MPM-1153 Date Form Completed: 5/31/2022

Listing of Sub-Contractors, to include, Small, Woman Owned and Minority Owned Businesses for this Proposal and Subsequent Contract

Offeror / Proposer:

Applied Environmental, Inc. (Firm) | 200 Fairbrook Drive, # 201, Herndon, VA 20170 (Address) | Eva Pede (Contact Person/No.)

Sub-Contractor's Name and Address	Contact Person & Phone Number	SBSD Certification Number	Services or Materials Provided	Total Subcontractor Contract Amount (to include change orders)	Total Dollars Paid Subcontractor to date (to be submitted with request for payment from JMU)
N/A					

(Form shall be submitted with proposal and if awarded, again with submission of each request for payment)

RETURN OF THIS PAGE IS REQUIRED

Attachment C

Sample Invoice and Proposal

INVOICE

Invoice Number: DRAFT
Date: May 31, 2022

To: Client Name
Address Line 1
Address Line 2
City, State, Zipcode

Project: Project Number Project Location
Project Task

Professional Services for the Period: 01/01/2022 to 05/31/2022

Professional Services	Work Hours/Shifts	Bill Rate	Charge
Corporate Principal			
Certified Industrial Hygienist	0.00	$0.00	$0.00
Senior Environmental Consultant	0.00	$0.00	$0.00
Senior Industrial Hygienist	0.00	$0.00	$0.00
Project Manager	0.00	$0.00	$0.00
Industrial Hygiene Technician	0.00	$0.00	$0.00
Clerical			
Professional Services Totals	0.00		**$0.00**

Laboratory Services	Bill Units	Charge Per Unit	Charge
Laboratory Analysis	0.00	$0.00	$0.00
Laboratory Services Totals			**$0.00**

Reimbursable	Bill Units	Charge Per Unit	Charge
ODC	0.00	$0.00	$0.00
Reimbursable Total			**$0.00**

Total Project Invoice Amount **$0.00**

Terms: Net 30 days. 1.5% service charge applied to invoices over 30 days.

Remit to: Applied Environmental, Inc.
200 Fairbrook Drive, Suite 201
Herndon, VA 20170
Phone (703) 648-0822
Fax (703) 648-0575

Accepting MasterCard/Visa for Payment

EFT Payments: Routing # [redacted]
Acct. # [redacted]

March 15, 2022

[redacted]

Re: Proposal for performing a Hazardous Materials Survey
[redacted] Washington, DC

Dear Mr. [redacted]:

Applied Environmental, Inc. is pleased to provide you with this proposal to perform a hazardous material survey of the [redacted] Washington, DC. It is our understanding that [redacted] was constructed in 1929 and the attached [redacted] building was constructed in the 1930s, for a total square footage of approximately 25,000. The main floor includes [redacted] The second floor includes [redacted] and additional office space. The basement, currently occupied by [redacted] The proposed plan is to rehabilitate the building and convert it into residential units and community facility spaces. Currently, the building is occupied and in good condition. The purpose of the survey is to identify hazardous materials that may be present in the building that could potentially be impacted during the renovation activities. Applied Environmental proposes to provide Environmental Protection Agency (EPA) accredited asbestos and lead paint (LP) inspectors to perform the survey.

SCOPE OF WORK

The hazardous material survey will consist of identifying asbestos-containing materials (ACM), lead-containing surface coatings, and an inventory for Polychlorinated Biphenyls (PCB) containing articles and mercury-containing light tubes. The deliverable product will be a report for both buildings summarizing the survey, including laboratory results from sampling suspect ACM, surface coatings for LP, and an inventory regarding PCBs and mercury-containing articles.

Applied Environmental will review existing hazardous material (e.g., asbestos, lead) reports/analyses provided, and will perform field survey and additional testing and analysis as necessary to determine the extent of hazardous materials possibly encountered during the renovation.

In performing this work, we assume that we will have full access to the building on the scheduled days of our survey on weekdays during normal business hours. While destructive inspection techniques will not be utilized, should we suspect ACM or other hazardous materials identified in this proposal in interstitial and/or inaccessible areas, we will note such in our report. If access to any part of the building interior is not feasible

and requires a lift, the client may elect to retain one, or we can rent it for an additional fee. Our proposed approach will not include sampling roofing materials. Any limitations encountered that may affect completion of the survey per federal and District of Columbia regulations will be noted.

ASBESTOS-CONTAINING MATERIAL SURVEY

The survey protocol will be conducted in accordance with EPA Standard 40 CFR 763, Subpart E, Asbestos Hazard Emergency Response Act (AHERA), and Occupational Safety and Health Administration (OSHA) Standard 29 CFR 1926.1101. Representative bulk samples will be collected from each suspect material in accordance with EPA-recommended asbestos inspection techniques. Bulk samples will be collected of materials that are homogeneous in appearance and texture. The samples for each homogeneous material will be analyzed until one of the samples is identified as an ACM (i.e., greater than one percent asbestos). Once a material has been identified as an ACM, any remaining samples for that material will not be analyzed. The client will only be charged for the samples analyzed.

All of the collected samples will be submitted to an accredited laboratory for analysis by Polarized Light Microscopy (PLM) in accordance with EPA testing methods. Samples will be analyzed by the EPA Method for the Determination of Asbestos in Bulk Insulation Samples (EPA 600M4-82-020). The asbestos analytical laboratory will be accredited by the National Voluntary Laboratory Accreditation Program for bulk asbestos identification by PLM. The results of the asbestos bulk sampling will be included in a written report detailing pertinent observations made while on-site, and recommendations for removal prior to demolition/renovation activities.

LEAD-CONTAINING SURFACE COATING SCREENING SURVEY

The lead-containing surface coating screening survey will be performed to measure lead concentrations of typical painted surfaces in order to provide information to contractors for appropriate precautions to be taken during renovation/demolition activities. Typical surfaces to be tested include, but are not limited to, the following: walls, floors, baseboards, doors, structural components, window components, and ceilings. Testing to determine the lead concentration of painted surfaces will be performed using a Niton XLp 300A, X-Ray Fluorescence spectrum analyzer.

The Niton XLp 300A is a handheld, portable lead detector, designed to make accurate, non-destructive measurements of lead concentration in LP. The detection level of the Niton XLp 300A is 0.1 milligrams of lead per square centimeter of area tested. Paint chip samples may be collected for confirmatory purposes and submitted to an EPA accredited laboratory for analysis. A data table containing testing locations and lead concentrations will be provided with the final report. If applicable, the laboratory report will be attached to the final report. TCLP sampling to characterize the waste stream is not included in this cost estimate.

POLYCHLORINATED BIPHENYLS ARTICLE SURVEY

A visual inspection of the fluorescent lighting fixtures within the structure will be conducted to identify any PCB labeling on the ballasts. A representative number (approximately 10%) of the light ballasts in the structure will be visually inspected for markings, indicating that the ballasts do not contain PCB. Ballasts not marked as "No PCB" will be assumed to contain PCB. The manufacturer name and product number of the ballasts will also be noted, along with any evidence of leakage. The written final report will include the assumed PCB-containing ballast manufacturer name, product number, and appropriate handling and disposal recommendations. The

survey will also include an inspection for other items that may contain PCB. An inventory listing the items and their location will be provided. Analytical testing for PCB is not included in this proposal.

MERCURY-CONTAINING ARTICLES AND FLUORESCENT LIGHT TUBE INVENTORY

Fluorescent light tubes may contain quantities of mercury that require disposal of these as hazardous waste. We will note if any fluorescent light tubes or mercury thermostats are present in the building and provide an inventory of light tubes/articles observed.

COST PROPOSAL

We propose to conduct the professional services described above, based on the not to exceed fees as follows:

Item	Cost Estimate
On-site Hazardous Materials Survey (includes site visit, travel time, admin., Sr. review, and preparation of final report)	[redacted]
ODCs	
Asbestos bulk analysis (200 samples @ [redacted])	[redacted]
Gravimetric /Point Count PLM confirmatory re-analysis (5 @ [redacted]) if needed	[redacted]
XRF Spectrum Analyzer	[redacted]
Lead Paint Chip Sample Analytical Fee, If needed (Estimated not to exceed 4 paint chip samples at [redacted] per sample with five-day TAT)	[redacted]
Total ODCs	[redacted]
Total (Estimated not to Exceed)	[redacted]

Our invoice terms are net 30 days with an additional 1.5% added fee per month for invoices not paid within 30 days. Our fee quotations are valid for a period of 45 days. This letter is the Agreement for the services described herein. Should you find this proposal acceptable, please return one signed copy. Please also provide your company's accounting point of contact in the space provided below. Applied Environmental appreciates the opportunity to offer its services and looks forward to working with you on this project. If you have any questions or require further information, please feel free to e-mail me at osharif@appenv.com or call me at 703-648-0822

If you have any questions about our proposal or approach to the project, please feel free to call.

Sincerely,

Osman Sharif
Division Manager – Field Services

Attachment D

Resumes of Key Personnel

Division Manager – Occupational Health and Safety

Project Assignment
Certified Industrial Hygienist

Years of Experience
Applied Environmental, Inc.:
9/2015 – Present

Triad Engineering, Ashburn, Virginia:
1/2005 – 9/2015

Education
B.S. – Environmental Science
Virginia Polytechnic Institute & State University
2006

Registrations & Certifications

Certified Industrial Hygienist (CIH)
Certificate No. 10570 CP

Certified Hazardous Materials Manager (CHMM)
Credential No. 16240

40-HR HAZWOPER

Asbestos Inspector (AHERA, VA, MD, PA, WV)
Asbestos Project Designer (VA, MD, PA, WV)
Asbestos Project Monitor (VA)
Asbestos Management Planner (VA)
Lead Inspector/Technician (VA, MD, DC, PA, WV)
Lead Risk Assessor (VA, WV)

Mr. Pearson is the Division Manager of the Occupational Health and Safety Division in the Herndon, Virginia headquarters of Applied Environmental, Inc. In this capacity, Mr. Pearson is responsible for preparation, management, and execution of a variety of environmental and industrial hygiene (IH) investigations and remediation projects. Mr. Pearson's technical work and fields of competence include indoor air quality (IAQ) surveys and IH investigations; employee exposure assessments; hazardous materials surveys, project monitoring, and abatement specification design; and mold and moisture surveys and remediation work plans. Mr. Pearson is a Certified Industrial Hygienist, certified by the American Board of Industrial Hygiene.

Relevant experience includes:

Department of Labor, Job Corps
Various locations throughout the US

Job Corps, with 123 locations throughout the US, is a national residential training and employment program created to address the multiple barriers to employment faced by disadvantaged youth throughout the US. In early March 2020, all Job Corps Centers (JCC) centers were closed and students sent home due to the COVID-19 pandemic. In April 2020, a task force was created with the objective to re-open all JCCs. As part of this task force for the US Department of Labor, we were charged with implementing and supplementing a logistical plan to reopen the Job Corps Centers (JCCs), and execute all activities required for reopening.

Project Manager – Mr. Pearson was charged with providing industrial hygiene subject matter expertise, consulting, and technical assistance for the following scope of work:

- Assist to develop a timeline to supplement the reopening of all JCCs,
- Develop a plan to reopen a JCC if there was a staff or student that tested positive,
- Develop a plan to identify deficiencies of adequate subsistence, testing of HVAC, boilers, and other environmental systems, testing of gates, doors, egress structures and lights, ensuring that security systems are operational and implement actions to resolve any identified deficiencies, and
- Ensure that educational equipment, medical equipment, IT equipment, security equipment and all corresponding systems are operational.

FAA, Andrews Air Force Base, Prince Georges County, Maryland

Project Manager – under the supervision of Mr. Pearson, a series of mold and moisture assessments were performed in the Air Traffic Control Tower (ATCT) at Andrews Air Force Base located in Prince George's County, Maryland. The assessments included:

- Initial visual assessment for mold and/or elevated moisture conditions;
- Non-viable fungal (mold) air sampling prior to cleaning;
- Non-viable fungal air sampling and visual assessment after cleaning; and
- Non-viable fungal air sampling and visual assessment after duct cleaning efforts.

The initial visual assessment was performed early in 2020 and Applied Environmental recommended the cleaning of several small areas of potential fungal growth and/or accumulated particulate observed on or near supply air diffusers. Applied Environmental, Inc. also performed baseline fungal air sampling to measure airborne concentrations of fungal spores.

After the recommended cleaning of air handling units and associated ductwork supplying air to the Base Building and the Tower Air Traffic Control Cab, final fungal air sampling was performed as a proactive action following the reported duct cleaning to verify that the cleaning procedures were completed successfully and the corrective recommendations were addressed.

Heery International, Washington, D.C.

Project Manager – Mr. Pearson is part of a team responsible for review of project submittals, meeting attendance, interface with government regulators, project area walkthroughs, technical discussions and recommendations as requested, review of project monitors actions, reports, and activities, timely delivery of reports, scheduling and direct daily supervision of the industrial hygiene technicians. The scope of work for this project involves removal of Asbestos-Containing and Contaminated Materials (ACM) from The International Monetary Fund (IMF) HQ1 Building which is undergoing a full renovation of existing space.

Metropolitan Washington Airport Authority, Dulles International Airport

Senior Industrial Hygienist – Mr. Pearson performed an IH investigation of employees utilizing a contact cement within the structures shop and upholstery shop at Dulles International Airport. The contact cement contained several potential contaminants of concern, including toluene, methyl ethyl ketone (MEK), and magnesium oxide fume. The investigation consisted of sampling and laboratory analysis of personal air samples for employees utilizing the contact cement and ambient air samples within the structures shop and upholstery shop work areas. Mr. Pearson provided recommendations for administrative and engineering controls to be utilized during future applications of the contact cement product.

Chemring Detection Systems, Charlotte, NC

Project Manager – Mr. Pearson conducted an Indoor Air Quality (IAQ) Assessment of the CSES NIITEK Headquarters facility, Dulles, Virginia. This IAQ assessment was initiated at the request of Chemring Detection Systems, the parent company of NIITEK, as a general screening for potential adverse IAQ conditions associated with operation of diesel-powered vehicles in the garage and warehouse area. Direct read measurements were collected for common diesel exhaust contaminants (sulfur dioxide, nitrogen oxides, and carbon monoxide) and air samples were collected and analyzed for diesel particulate matter (DPM) as elemental carbon via NIOSH Method 5040. Mr. Pearson provided recommendations for engineering controls to reduce impacts from nuisance odors associated with the vehicle operations.

Osman Sharif

Division Manager – Field Services

Project Assignment
Hazardous Material Surveys and Design

Years of Experience
With this firm: 18
With other firms: 11

Education

B.S., Mechanical Engineering
University of Maryland, College Park, Maryland/1989

A.A., Engineering Montgomery College, Rockville, Maryland/1985

Certificate, Computer Aided Drafting and Design (CADD)
Montgomery College, Germantown, Maryland/2002

Registrations & Certifications

40-Hour OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) Certification

EPA-AHERA Asbestos Building Inspector and Asbestos Project Designer/VA

NIOSH 582 - Certified Airborne Asbestos Sampling and Evaluation

EPA Lead Paint Inspector/Risk Assessor/VA

Confined Space Entry (16 hour)

RMD LPA-1 Lead Paint Inspection System

Radiation Worker Training GET-130

Mr. Sharif has managed numerous industrial hygiene survey teams in a wide variety of buildings and conditions. Mr. Sharif has a wide range of experience in lead paint and asbestos surveys, exposure monitoring, and project management. He develops specification document plans for the removal of hazardous materials, and provides cost estimate of removal. He managed and/or performed numerous comprehensive studies/surveys related to building system hazardous material exposure assessments. Mr. Sharif managed and/or performed surveys in facilities such as, schools, office buildings, industrial facilities, universities, hospitals, bridges, and research facilities.

Mr. Sharif's relevant experience includes:

DLR Group, Architect of the Capitol, Washington, D.C.

Project Manager – under the supervision of Mr. Sharif, paint chip sampling for laboratory analysis was performed the ascertain the presence of Polychlorinated Biphenyl's (PCBs) in support of the "Paint Analysis, Stairs and Hall, 1st and 2nd Floor, United States Capitol (USC)" project, located in the US Capitol in Washington, D.C., in the stair system known as the Memorial Stair. The purpose of this work was to determine if PCBs are present in painted surfaces. A Conservator/Historic Paint Research Specialist used this information to determine appropriate worker and area protection during removal of paint samples to document paint colors. Architect of the Capitol (AOC) representatives noted that lead is assumed in all painted surfaces in the Capitol; however, PCBs may also be present in paint coatings. The sampling was conducted by experienced Environmental Protection Agency (EPA) accredited asbestos and lead-based paint inspectors.

Samples were analyzed by Gas Chromatography in accordance with U. S Environmental Protection Agency (EPA) Test Methods (SW-846 8082 A) for evaluating PCBs. The samples were analyzed for Aroclors 1016, 1221, 1232, 1242, 1248, 1254, and 1260. Aroclor is one of the most commonly known trade names for PCB mixtures. There are many types of Aroclors and each has a distinguishing suffix number that indicates the degree of chlorination. Under the current Toxic Substances Control Act (TSCA) standard, materials containing PCBs in concentrations of 50 parts per million (ppm) or more are regulated. Recommendations were provided for worker protection and safe practices.

Loudon County Public Schools, Virginia.

Task Manager - Mr. Sharif managed and performed Asbestos Hazard Emergency Response Act (AHERA) Three Year Re-inspections for the Loudoun County Public Schools for the past three-year re-inspection cycle (2010). He reviewed Management Planner forms for asbestos containing materials identified in previous inspections that were observed to have changed in condition and recommended response actions based on the results of the latest re-inspection in accordance with the AHERA regulation. Mr. Sharif also produced a new form for any new material identified during a three-year Re-inspection, which was not identified during the initial AHERA Inspection or previous Three-Year Re-inspections and then added it to the existing Management Planner. He also developed and updated drawings showing ACM locations using CADD to assist in asbestos management, periodic surveillance, and 3-year re-inspections.

Fauquier County Public Schools, Virginia

Task Manager - Mr. Sharif managed and performed Hazardous Materials surveys of various Fauquier County Public Schools facilities. The scope of work consisted of surveying for Asbestos-Containing Materials (ACM), conducting a screening survey for Lead-Based Paint (LBP), and conducting an inventory of Polychlorinated Biphenyl (PCB)-containing light ballasts, and Mercury-containing fluorescent light tubes.

National Institutes of Health, Bethesda, Maryland

Task Manager - Mr. Sharif has managed hazardous materials surveys for asbestos-containing materials in various structures on the National Institutes of Health campus. These are fast-tracked projects requiring rapid reporting of results, and the development of a specification for the abatement of asbestos affected by renovation for this project.

Federal Facilities, Washington, D.C.

Task Manager - Mr. Sharif has managed and performed several hazardous materials surveys in various federal facilities. These facilities include the Mary Switzer Building, Internal Revenue Service Building, Department of the Treasury Building, Department of State-Harry S. Truman Building and Department of Commerce-Herbert C. Hoover Building, which was proclaimed the largest office building in the world upon its completion in 1932, and is a seven-story building containing more than 3,300 rooms joined by unbroken corridors over 1,000 feet long. He also developed specifications for the removal of hazardous materials. These were highly security sensitive projects.

Metropolitan Washington Airports Authority, Washington, D.C.

Task Manager - Hazardous Materials Inspector, Designer - Mr. Sharif has performed numerous hazardous materials surveys in both airport facilities for the past two term contracts. He also supported the design and specification process as required.

Various Foreign Embassies, Washington, D.C.

Task Manager - Mr. Sharif has managed and performed hazardous materials assessment surveys for the Embassy of Indonesia and the Embassy of Germany. He has designed and developed specifications for the abatement of asbestos affected by renovation for these projects. He has also managed the project abatement oversight at these project locations where it has been extremely important to keep the integrity of the building intact despite the removal of hazardous materials. Hazardous materials surveys have included asbestos, lead, polychlorinated biphenyls (PCB), mercury containing light tubes, chlorofluorocarbons refrigerants, and stored chemical inventories.

Director, Environmental Science and Engineering

Project Assignment
Project Manager, Senior Geologist, Environmental Site Assessment & Monitoring

Years of Experience
With this firm: 15
With other firms: 30

Education
MS, Geology
California University of Pennsylvania, California, PA, 1991
BS, Geology
California University of Pennsylvania, California, PA, 1988

Registrations & Certifications
Licensed/Certified Professional Geologist in Virginia, Pennsylvania, and Tennessee

Mr. Mikalik is responsible for the environmental oversight and technical and field management aspects of environmental projects in the region. This work includes Industrial Hygiene Services, UST & AST Management and Closures, Initial Abatement Measures Plans, Site Characterization Investigations, Environmental Site Assessments (ESA) and Phase II Investigations, Remedial Action Plans, National Environmental Policy Act (NEPA) Investigations, Environmental Compliance Audits, SPCC and SWPP Plans, and Radon Surveys.

Relevant experience includes:

Freddie Mac
McLean, Reston, and Herndon, Virginia Facilities

Mr. Mikalik performed underground storage tank (UST) compliance assessments for Freddie Mac of their Northern Virginia facilities. Mr. Mikalik visited and assessed four of eight Freddie Mac facilities for UST compliance status. The evaluation process included a review of available data and documentation provided by Freddie Mac from their records and information received and reviewed from the Virginia Department of Environmental Quality (DEQ). Mr. Mikalik then assisted Freddie Mac with updating UST Notification Forms, as necessary, for several tanks that were found not to have correct information to assist the client in becoming compliant with the Virginia DEQ UST regulations.

Major Oil Company Contract
Mid-Atlantic Region – Pennsylvania, Maryland, Virginia, West Virginia, District of Columbia

Mr. Mikalik served as Project Manager for a large portfolio of petroleum contamination sites for a major oil company client. Mr. Mikalik managed the remediation and monitoring of 53 individual gasoline filling stations, two bulk storage terminals, and one oil refinery as part of his duties. Mr. Mikalik managed a team of environmental field technicians and provided the environmental oversight of the required regulatory field sampling. Mr. Mikalik provided reports to the various state regulatory agencies for the initial abatement, site characterization reports, sensitive receptor surveys, tank closure reports, groundwater monitoring, NPDES DMRs, quarterly, semi-annual, and annual O&M activities. Mr. Mikalik also assisted with the design and construction of groundwater and soil vapor remediation systems, and the performance of remediation feasibility studies for the various petroleum contamination sites that required active treatment and cleanup.

Prince William County Public Schools
Former Nokesville Elementary School, Nokesville, Virginia

Mr. Mikalik performed and managed UST closure activities of a 500-gallon heating oil UST at the former school property. During the closure activities, a release was discovered upon removal of the tank when holes were observed on the bottom of the tank and petroleum impacted soils were observed in tank basin. Mr. Mikalik notified the Virginia DEQ upon discovery of the release on behalf of the client and managed the remediation of the property by coordinating the excavation and disposal of approximately 12 tons of petroleum impacted soil from the UST basin. Confirmatory soil sampling indicated that the UST basin had properly been abated and the Virginia DEQ granted leaking tank case closure to the property.

Raven Rock Mountain Complex
Fairfield, Pennsylvania

Mr. Mikalik manages the source testing services at the RRMC facility for compliance with Pennsylvania Department of Environmental Protection (PADEP) Title V Clean Air Act Permit for the facility. Mr. Mikalik coordinates and manages the necessary materials, labor, supervision, engineering, and other services and products necessary to perform the tasks in accordance with the project scope. Mr. Mikalik assists with the development and review of the test protocol, notifies PADEP of proposed timeline of testing, specifies the necessary source test equipment with vendors, manages and provides environmental oversight during on-site testing of the generators, assists and reviews the final source test report, and corresponds and submits reports directly to PADEP on behalf of the client.

Metropolitan Washington Airports Authority

Mr. Mikalik responded as part of a two-person team to an emergency call from MWAA on a spill of transformer oil at Dulles International Airport that possibly contained PCB oil. The oil was spilled when an airport worker fell asleep and hit the transformer unit, spilling oil over an approximate 20-foot linear area. Mr. Mikalik surveyed the area, documented the conditions, and collected a sample of the remaining transformer oil in the damaged unit. The oil sample was submitted to an analytical for expedited turnaround. Upon receipt of the analytical data, Mr. Mikalik reported the data to MWAA indicating that the oil was not PCB containing and notified them that the spill was non-hazardous and can be cleaned up as normal mineral oil spill.

Frederick County Public Schools, Virginia

Mr. Mikalik served as Project Manager/Coordinator for the completion of a series of Phase I ESAs for several sites that the Frederick County Public Schools were looking to evaluate for potential new school and bus maintenance garage project sites. Mr. Mikalik coordinated and provided environmental oversight to a staff of environmental professionals to complete the environmental assessments of the perspective properties to evaluate areas of potential environmental concern related to current and/or historical use of the former farm properties for chemical or petroleum concerns, historical orchard use, wetlands, geologic concerns, and flooding potential. Recommendations and professional opinions were then provided to the county for their evaluation of the properties.

Reston Parkway Shopping Center
Reston, Virginia

Mr. Mikalik conducted and managed an Ambient Vapor Intrusion Screening at a former dry cleaning facility at a shopping center in Reston, Virginia. The screening was initiated due to potential environmental concerns identified by a Phase l Environmental Site Assessment (ESA) of the Property. A subsequent Phase II ESA identified elevated dry cleaning solvents in the sub-slab air space that was also detected in the former dry cleaning unit. To abate the vapor intrusion into the Property, Mr. Mikalik designed and managed the installation of a Sub-Slab Depressurization System (SSDS) for the property. Upon activation of the SSDS system, volatile organic vapors (VOCs) levels within the unit dropped significantly to near background levels.

Attachment E

Pricing Schedule

X. PRICING SCHEDULE

The offeror shall provide pricing for all products and services included in proposal indicating one-time and on-going costs. The resulting contract will be cooperative and pricing shall be inclusive for the attached Zone Map, of which JMU falls within Zone 2.

Specify any associated charge card processing fees, if applicable, to be billed to the university. Vendors shall provide their VISA registration number when indicating charge card processing fees. Any vendor requiring information on VISA registration may refer to https://usa.visa.com/support/small-business/regulations-fees.html and for questions https://usa.visa.com/dam/VCOM/global/support-legal/documents/merchant-surcharging-qa-for-web.pdf.

Add additional rows as needed to list all rates and fees for labor and services offered.

	PRICING SCHEDULE BY ZONE								
	Zone	*Zone*	*Zone 3*	*Zone 4*	*Zone 5*	*Zone 6*	*Zone 7*	*Zone 8*	*Zone 9*
Regular Time Labor Rates (7:30 a.m. to 4:00 p.m. Monday – Friday)*									
Corporate Principal Labor Rate $/hour	145	145	145	145	145	145	145	145	145
Certified Industrial Hygienist Labor Rate $/hour	130	130	130	130	130	130	130	130	130
Senior Environmental Consultant *Senior Industrial Hygienist* Labor Rate $/hour	130	130	130	130	130	130	130	130	130
Project Manager Labor Rate $/hour	103	103	103	103	103	103	103	103	103
Industrial Hygiene Tech Labor Rate $/hour	73	73	73	73	73	73	73	73	73
Clerical Labor Rate $/hour	65	65	65	65	65	65	65	65	65
Overtime/Emergency Labor Rates (Outside of Regular Time working hours)*									
Corporate Principal Labor Rate $/hour	145	145	145	145	145	145	145	145	145
Certified Industrial Hygienist Labor Rate $/hour	130	130	130	130	130	130	130	130	130
Senior Environmental Consultant *Senior Industrial Hygienist* Labor Rate $/hour	130	130	130	130	130	130	130	130	130
Project Manager Labor Rate $/hour	103	103	103	103	103	103	103	103	103
Industrial Hygiene Tech Labor Rate $/hour	99	99	99	99	99	99	99	99	99
Clerical Labor Rate $/hour	74	74	74	74	74	74	74	74	74

	PRICING SCHEDULE BY ZONE									
Analytical Services Rates										
Service	**Response Time**	*Zone 1*	*Zone 2*	*Zone 3*	*Zone 4*	*Zone 5*	*Zone 6*	*Zone 7*	*Zone 8*	*Zone 9*
Not applicable										
See Note										
Occupational Health Services Rates										
Other Fees										
Charge Card Processing Fees:				**0%**						

Attachment F

Licenses/Certifications

INSTITUTE OF HAZARDOUS MATERIALS MANAGEMENT

THIS CERTIFIES THAT

BRADLEY C PEARSON

HAS SUCCESSFULLY MET ALL THE REQUIREMENTS OF EDUCATION, EXPERIENCE AND EXAMINATION, AND IS HEREBY DESIGNATED A

CERTIFIED HAZARDOUS MATERIALS MANAGER®
CHMM®

June 12, 2013
DATE OF CERTIFICATION

16240
CREDENTIAL NUMBER

June 30, 2023
CERTIFICATION EXPIRES

M. Patricia Bulley
DIRECTOR OF CERTIFICATION AND ACCREDITATION

VALID SO LONG AS THIS CREDENTIAL IS RENEWED ACCORDING TO SCHEDULE AND IS NOT OTHERWISE REVOKED.

ANSI

Accredited by the American National Standards Institute and the Council of Engineering and Scientific Specialty Boards

CESB

ABIH®

american board of industrial hygiene®

organized to improve the practice of industrial hygiene
proclaims that

Bradley C. Pearson

having met all requirements of
education, experience and examination, and
ongoing maintenance,
is hereby certified in the

COMPREHENSIVE PRACTICE
of
INDUSTRIAL HYGIENE

and has the right to use the designations

CERTIFIED INDUSTRIAL HYGIENIST

CIH

Certificate Number	**10570 CP**
Awarded:	**May 29, 2014**
Expiration Date:	**December 1, 2024**

Dirk Yamamoto
Chair, ABIH

Chief Executive Officer, ABIH

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
11-30-2022

NUMBER
3303003596

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS INSPECTOR LICENSE

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

DPOR

Mary Broz-Vaughan, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

(DETACH HERE)

DPOR COMMONWEALTH of VIRGINIA
Department of Professional and Occupational Regulation

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS INSPECTOR LICENSE
NUMBER: 3303003596 EXPIRES: 11-30-2022

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

(FOLD)

Status can be verified at http://www.dpor.virginia.gov

DPOR-PC (02/2017)

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
05-31-2023

NUMBER
3304001629

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS MANAGEMENT PLANNER LICENSE

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

DPOR

Dominica J. Mella, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

(DETACH HERE)

DPOR COMMONWEALTH of VIRGINIA
Department of Professional and Occupational Regulation

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS MANAGEMENT PLANNER LICENSE
NUMBER: 3304001629 EXPIRES: 05-31-2023

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

(FOLD)

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
04-30-2023

NUMBER
3305001195

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS PROJECT DESIGNER LICENSE

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

DPOR

Demetrios J. Melis, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

(DETACH HERE)

DPOR COMMONWEALTH of VIRGINIA
Department of Professional and Occupational Regulation

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS PROJECT DESIGNER LICENSE
NUMBER: 3305001195 EXPIRES: 04-30-2023

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

(FOLD)

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
05-31-2023

NUMBER
3309001623

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS PROJECT MONITOR LICENSE

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

DPOR

Demetrios J. Melis, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

(DETACH HERE)

DPOR COMMONWEALTH of VIRGINIA
Department of Professional and Occupational Regulation

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS PROJECT MONITOR LICENSE
NUMBER: 3309001623 EXPIRES: 05-31-2023

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

(FOLD)

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
04-30-2023

NUMBER
3356000997

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
LEAD RISK ASSESSOR LICENSE

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

DPOR

Dennitrios J. Metis, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

(DETACH HERE)

DPOR COMMONWEALTH of VIRGINIA
Department of Professional and Occupational Regulation

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
LEAD RISK ASSESSOR LICENSE
NUMBER: 3356000997 EXPIRES: 04-30-2023

BRADLEY C PEARSON
115 CLOVERDALE COURT
WINCHESTER, VA 22602

(FOLD)

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
07-31-2022

NUMBER
3303001632

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS INSPECTOR LICENSE

OSMAN AHMED SHARIF
21352 CAMERON HUNT PL
ASHBURN, VA 20147

Mary Broz-Vaughan, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

(DETACH HERE)

DPOR COMMONWEALTH of VIRGINIA
Department of Professional and Occupational Regulation

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS INSPECTOR LICENSE
NUMBER: 3303001632 EXPIRES: 07-31-2022

OSMAN AHMED SHARIF
21352 CAMERON HUNT PL
ASHBURN, VA 20147

(FOLD)

Status can be verified at http://www.dpor.virginia.gov

DPOR-PC (02/2017)

DPOR License Lookup License Number 3305001241

License Details

Name	SHARIF, OSMAN AHMED
License Number	3305001241
License Description	Asbestos Project Designer License
Rank	Asbestos Project Designer
Address	ASHBURN, VA 20147-0000
Initial Certification Date	2012-03-29
Expiration Date	2023-03-31

DPOR License Lookup build 1,452 (built 2021-09-14 01:36:33).

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
08-31-2023

NUMBER
2801001775

BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND PROFESSIONALS & GEOLOGISTS
CERTIFIED PROFESSIONAL GEOLOGIST

WILLIAM J MIKALIK
224 KEMPER COURT
STEPHENSON, VA 22656

DPOR

Mary Broz-Vaughan, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
10-31-2022

NUMBER
3309001906

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS PROJECT MONITOR LICENSE

QUOC DUNG DUONG NGUYEN
2916 JOHNSON RD
FALLS CHURCH, VA 22042

DPOR

Demetrios J. Melis, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

(DETACH HERE)

DPOR COMMONWEALTH of VIRGINIA
Department of Professional and Occupational Regulation

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS PROJECT MONITOR LICENSE
NUMBER: 3309001906 EXPIRES: 10-31-2022

QUOC DUNG DUONG NGUYEN
2916 JOHNSON RD
FALLS CHURCH, VA 22042

(FOLD)

Status can be verified at http://www.dpor.virginia.gov

DPOR-PC (02/2017)

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

EXPIRES ON
08-31-2022

NUMBER
3333000012

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS ANALYTICAL LABORATORY LICENSE
PCM

APPLIED ENVIRONMENTAL, INC.
200 FAIRBROOK DRIVE
SUITE 201
HERNDON, VA 20170-0000

DPOR

Mary Broz-Vaughan, Director

Status can be verified at http://www.dpor.virginia.gov

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)

(DETACH HERE)

DPOR COMMONWEALTH of VIRGINIA
Department of Professional and Occupational Regulation

BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS
ASBESTOS ANALYTICAL LABORATORY LICENSE

PCM
NUMBER: 3333000012 EXPIRES: 08-31-2022

APPLIED ENVIRONMENTAL, INC.
200 FAIRBROOK DRIVE
SUITE 201
HERNDON, VA 20170-0000

(FOLD)

JAMES MADISON UNIVERSITY

Request for Proposal

RFP# MPM-1153

Environmental & Industrial Hygiene Services

5/2/2022

VIRGINIA ASSOCIATION OF STATE COLLEGE & UNIVERSITY PURCHASING PROFESSIONALS

VASCUPP

REQUEST FOR PROPOSAL
RFP# MPM-1153

Issue Date: **May 2, 2022**

Title: **Environmental & Industrial Hygiene Services**

Issuing Agency: **Commonwealth of Virginia**
James Madison University
Procurement Services MSC 5720
752 Ott Street, Wine Price Building
First Floor, Suite 1023
Harrisonburg, VA 22807

Period of Contract: From Date of Award Through One Year (Renewable)

Sealed Proposals Will Be Received Until 2:00 PM on May 31, 2022 for Furnishing The Services Described Herein.

MANDATORY/ OPTIONAL PRE-PROPOSAL: No pre-proposal meeting for this solicitation.

SEALED PROPOSALS MAY BE MAILED, EXPRESS MAILED, OR HAND DELIVERED DIRECTLY TO THE ISSUING AGENCY SHOWN ABOVE.

All Inquiries For Information And Clarification Should Be Directed To: Michael Morrison, Buyer Senior, Procurement Services, morrismp@jmu.edu; 540-568-6181; (Fax) 540-568-7935 not later than five business days before the proposal closing date.

NOTE: THE SIGNED PROPOSAL AND ALL ATTACHMENTS SHALL BE RETURNED.
In compliance with this Request for Proposal and to all the conditions imposed herein, the undersigned offers and agrees to furnish the goods/services in accordance with the attached signed proposal or as mutually agreed upon by subsequent negotiation.

Name and Address of Firm:

_____

_____

_____

By: _____
(Signature in Ink)

Name: _____
(Please Print)

Date: _____ Title: _____

Web Address: _____ Phone: _____

Email: _____ Fax #: _____

ACKNOWLEDGE RECEIPT OF ADDENDUM: #1_____ #2_____ #3_____ #4_____ #5_____ (please initial)

SMALL, WOMAN OR MINORITY OWNED BUSINESS:
☐ YES; ☐ NO; *IF YES* ⇒⇒ ☐ SMALL; ☐ WOMAN; ☐ MINORITY ***IF MINORITY*** ☐ AA; ☐ HA; ☐ AsA; ☐ NW; ☐ Micro

Note: This public body does not discriminate against faith-based organizations in accordance with the *Code of Virginia*, § 2.2-4343.1 or against an offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

REQUEST FOR PROPOSAL

RFP # MPM-1153

TABLE OF CONTENTS

I. PURPOSE

The purpose of this Request for Proposal (RFP) is to solicit sealed proposals from qualified sources to enter into a contract to provide, but not be limited to, asbestos and lead environmental consultation, project design, management, inspection, monitoring, and testing services for James Madison University (JMU), an agency of the Commonwealth of Virginia. Initial contract shall be for one (1) year with an option to renew for four (4) additional one-year periods.

II. BACKGROUND

James Madison University is a public, comprehensive university of approximately 20,181 students, 924 full-time teaching faculty and 1,238 staff and administrators. The University is located in Harrisonburg, Virginia, a city of approximately 45,137 people located in the heart of the scenic and historically rich Shenandoah Valley. The University is known for the high quality of its academic programs, its commitment to liberal arts education and its extremely competitive admissions process.

The campus is 721 acres and includes approximately 150 buildings. The University has buildings of various ages and engages in periodic renovation as well as new construction. Inspection, testing, and monitoring services are needed on a regular basis.

III. SMALL, WOMAN-OWNED AND MINORITY PARTICIPATION

It is the policy of the Commonwealth of Virginia to contribute to the establishment, preservation, and strengthening of small businesses and businesses owned by women and minorities, and to encourage their participation in State procurement activities. The Commonwealth encourages contractors to provide for the participation of small businesses and businesses owned by women and minorities through partnerships, joint ventures, subcontracts, and other contractual opportunities. Attachment B contains information on reporting spend data with subcontractors.

IV. STATEMENT OF NEEDS

A. James Madison University (JMU) seeks to secure the services of contractors with the direct experience and expertise to provide campus-wide environmental and industrial hygiene consultation, project design, management, inspection, monitoring, and testing services. The contractor will furnish all documentation, equipment, insurance, labor, materials, disposal, and supervision to provide these services to the University. The contractor shall develop clear, concise, and professional quality proposal quotes for each project for review and acceptance by James Madison University.

B. James Madison University reserves the right to obtain other cost estimates prior to authorizing work and to solicit and project separate and apart from the resultant contract(s) as may be deemed in the best interest of the University. Upon approval of the proposal received by the University, a purchase order will be issued as authority to proceed with the work. No work is to be undertaken by the contractor until a purchase order has been received. Contractor shall not perform work or include additional services or equipment which would result in exceeding dollar limitation of the purchase order without first having obtained written approval from the University.

C. Contractor shall be responsible for adhering to all University Construction Guidelines and shall work directly with relevant personnel at the University. Contractor shall be responsible for all measurements, calculations, and other details for each project.

D. Scope of Services:

a. AHERA compliant Asbestos inspection, monitoring, and testing; to include:

i. Inspection and reporting on buildings and components
ii. Hazard assessment and reporting
iii. Abatement project designs and specifications
iv. Abatement project monitoring
v. Post-abatement final clearance
vi. Analytical laboratory services (PCM, TEM, SEM, PLM)
vii. On-site sample collection and testing
viii. Operations and maintenance plans
ix. Regulatory consultation services
x. Media relations services

b. Lead-based paint services; to include:

i. Development of testing protocols
ii. Lead and lead base paint inspection and testing
iii. Lead hazard assessment
iv. Abatement project designs and specifications
v. Abatement project monitoring
vi. Abatement final clearance inspection and testing
vii. Re-occupancy certification
viii. Waste disposal characterization and consultation
ix. Laboratory analytical services
x. On-site sample collection and testing
xi. Regulatory consultation services
xii. Media relations services

c. Industrial hygiene services; to include:

i. Indoor air quality surveys
ii. Industrial hygiene surveys
iii. Air and employee monitoring for hazardous substances
iv. Inspection and evaluation of mechanical systems
v. Microbiological contaminant inspections
vi. Moisture intrusion surveys and reporting
vii. PCB testing, analysis, and reporting
viii. Noise monitoring and hearing conservation programs
ix. Radon testing and remediation design and inspection
x. Indoor lighting surveys
xi. Laboratory analytical services
xii. Ionizing and non-ionizing radiation testing and remediation design and inspection.
xiii. On-site air sampling and testing
xiv. Regulatory compliance consultation

d. Compliance Plans

i. Health and Safety
ii. HAZCOM
iii. Respiratory protection
iv. Hearing conservation
v. Periodic air monitoring

e. Compliance Consultation for EPA and Virginia regulations

   i. EPA Clean Air Act
   ii. EPA AHERA
   iii. EPA RCRA
   iv. OSHA asbestos, lead, and other standards
   v. OSHA HAZCOM standards
   vi. SARA title III reporting requirements
   vii. Virginia DPOR, DOLI, DEQ, DOT, and DCR regulations
   viii. 40 CFR part 262; Standards for Hazardous Waste
   ix. 40 CFR part 273; Standards for Universal Waste Management
   x. 49 CFR part 172; Hazardous Material Communications

f. Phase I and II Environmental Site Assessments and Audits

   i. Site visits
   ii. Scope of services development on a per-project basis
   iii. Complete historical site research
   iv. Copies of plats, surveys, aerial photographs, and ownership history
   v. Identification and delineation of subsurface contamination

E. Contractor shall comply with all applicable federal, state, local, and University regulations in the performance of these services.

F. Contractor shall have sufficient resources to be able to work multiple jobs at the same time.

G. Describe in detail your approach to each of the following items and include all associated costs.

   a. Describe approach to providing the specified services for both large and small scale projects to include process, methodology, and work plan.

   b. Describe experience providing the specified services. Emphasize experience with other higher education institutions similar to JMU.

   c. Provide examples of recent projects of comparable services that have been completed by your firm. List the dollar amount, time frame, services performed, and contact information.

   d. Identify and provide copies of all relevant certifications and licenses that the contractor and/or employees currently hold.

   e. Designate the primary point of contact for this account. The University prefers to have a single, consistent point of contact for these services.

   f. Describe approach to mobilization of management and work staff to meet the needs stated herein. Include how you will meet the needs of fast turnaround projects. Include information on how contractor will meet these needs if your firm is not located in close proximity to JMU.

   g. Describe invoicing procedure. Provide a sample invoice and proposal.

   h. Identify other services offered to James Madison University and the associated costs.

V. PROPOSAL PREPARATION AND SUBMISSION

A. GENERAL INSTRUCTIONS

To ensure timely and adequate consideration of your proposal, offerors are to limit all contact, whether verbal or written, pertaining to this RFP to the James Madison University Procurement Office for the duration of this Proposal process. Failure to do so may jeopardize further consideration of Offeror's proposal.

1. RFP Response: In order to be considered for selection, the **Offeror shall submit a complete response to this RFP**; and shall submit to the issuing Purchasing Agency:

   a. **One (1) original** and **one (1) copy** of the entire proposal, INCLUDING ALL ATTACHMENTS. Any proprietary information should be clearly marked in accordance with 3.f. below.

   b. **One (1) electronic copy in WORD format or searchable PDF** (*flash drive*) of the entire proposal, INCLUDING ALL ATTACHMENTS. Any proprietary information should be clearly marked in accordance with 3.f. below.

   c. Should the proposal contain **proprietary information**, provide **one (1) redacted hard copy** of the proposal and all attachments with **proprietary portions removed or blacked out**. This copy should be clearly marked "*Redacted Copy*" on the front cover. The classification of an entire proposal document, line item prices, and/or total proposal prices as proprietary or trade secrets is not acceptable. JMU shall not be responsible for the Contractor's failure to exclude proprietary information from this redacted copy.

      No other distribution of the proposal shall be made by the Offeror.

2. The version of the solicitation issued by JMU Procurement Services, as amended by an addenda, is the mandatory controlling version of the document. Any modification of, or additions to, the solicitation by the Offeror shall not modify the official version of the solicitation issued by JMU Procurement services unless accepted in writing by the University. Such modifications or additions to the solicitation by the Offeror may be cause for rejection of the proposal; however, JMU reserves the right to decide, on a case-by-case basis in its sole discretion, whether to reject such a proposal. If the modification or additions are not identified until after the award of the contract, the controlling version of the solicitation document shall still be the official state form issued by Procurement Services.

3. Proposal Preparation

   a. Proposals shall be signed by an authorized representative of the Offeror. All information requested should be submitted. Failure to submit all information requested may result in the purchasing agency requiring prompt submissions of missing information and/or giving a lowered evaluation of the proposal. Proposals which are substantially incomplete or lack key information may be rejected by the purchasing agency. Mandatory requirements are those required by law or regulation or are such that they cannot be waived and are not subject to negotiation.

b. Proposals shall be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFP. Emphasis should be placed on completeness and clarity of content.

c. Proposals should be organized in the order in which the requirements are presented in the RFP. All pages of the proposal should be numbered. Each paragraph in the proposal should reference the paragraph number of the corresponding section of the RFP. It is also helpful to cite the paragraph number, sub letter, and repeat the text of the requirement as it appears in the RFP. If a response covers more than one page, the paragraph number and sub letter should be repeated at the top of the next page. The proposal should contain a table of contents which cross references the RFP requirements. Information which the offeror desires to present that does not fall within any of the requirements of the RFP should be inserted at the appropriate place or be attached at the end of the proposal and designated as additional material. Proposals that are not organized in this manner risk elimination from consideration if the evaluators are unable to find where the RFP requirements are specifically addressed.

d. As used in this RFP, the terms "must", "shall", "should" and "may" identify the criticality of requirements. "Must" and "shall" identify requirements whose absence will have a major negative impact on the suitability of the proposed solution. Items labeled as "should" or "may" are highly desirable, although their absence will not have a large impact and would be useful, but are not necessary. Depending on the overall response to the RFP, some individual "must" and "shall" items may not be fully satisfied, but it is the intent to satisfy most, if not all, "must" and "shall" requirements. The inability of an offeror to satisfy a "must" or "shall" requirement does not automatically remove that offeror from consideration; however, it may seriously affect the overall rating of the offeror' proposal.

e. Each copy of the proposal should be bound or contained in a single volume where practical. All documentation submitted with the proposal should be contained in that single volume.

f. Ownership of all data, materials and documentation originated and prepared for the State pursuant to the RFP shall belong exclusively to the State and be subject to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by the offeror shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the offeror must invoke the protection of Section 2.2-4342F of the Code of Virginia, in writing, either before or at the time the data is submitted. The written notice must specifically identify the data or materials to be protected and state the reasons why protection is necessary. The proprietary or trade secret materials submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal document, line item prices and/or total proposal prices as proprietary or trade secrets is not acceptable and will result in rejection and return of the proposal.

4. Oral Presentation: Offerors who submit a proposal in response to this RFP may be required to give an oral presentation of their proposal to James Madison University. This provides an opportunity for the Offeror to clarify or elaborate on the proposal. This is a fact-finding and explanation session only and does not include negotiation. James Madison University will schedule the time and location of these presentations. Oral presentations are an option

of the University and may or may not be conducted. Therefore, proposals should be complete.

B. SPECIFIC PROPOSAL INSTRUCTIONS

Proposals should be as thorough and detailed as possible so that James Madison University may properly evaluate your capabilities to provide the required services. Offerors are required to submit the following items as a complete proposal:

1. Return RFP cover sheet and all addenda acknowledgements, if any, signed and filled out as required.

2. Plan and methodology for providing the goods/services as described in Section IV. Statement of Needs of this Request for Proposal.

3. A written narrative statement to include, but not be limited to, the expertise, qualifications, and experience of the firm and resumes of specific personnel to be assigned to perform the work.

4. Offeror Data Sheet, included as *Attachment A* to this RFP.

5. Small Business Subcontracting Plan, included as *Attachment B* to this RFP. Offeror shall provide a Small Business Subcontracting plan which summarizes the planned utilization of Department of Small Business and Supplier Diversity (SBSD)-certified small businesses which include businesses owned by women and minorities, when they have received Department of Small Business and Supplier Diversity (SBSD) small business certification, under the contract to be awarded as a result of this solicitation. This is a requirement for all prime contracts in excess of $100,000 unless no subcontracting opportunities exist.

6. Identify the amount of sales your company had during the last twelve months with each VASCUPP Member Institution. A list of VASCUPP Members can be found at: www.VASCUPP.org.

7. Proposed Cost. See Section X. Pricing Schedule of this Request for Proposal.

VI. EVALUATION AND AWARD CRITERIA

A. EVALUATION CRITERIA

Proposals shall be evaluated by James Madison University using the following criteria:

		Points
1.	Quality of products/services offered and suitability for intended purposes	20
2.	Qualifications and experience of Offeror in providing the goods/services	25
3.	Specific plans or methodology to be used to perform the services	20
4.	Participation of Small, Women-Owned, & Minority (SWaM) Businesses	15
5.	Cost	20
		100

B. AWARD TO MULTIPLE OFFERORS: Selection shall be made of two or more offerors deemed to be fully qualified and best suited among those submitting proposals on the basis of the evaluation factors included in the Request for Proposals, including price, if so stated in the Request for Proposals. Negotiations shall be conducted with the offerors so selected. Price shall be considered, but need not be the sole determining factor. After negotiations have been conducted with each offeror so selected, the agency shall select the offeror which, in its opinion, has made the best proposal, and shall award the contract to that offeror. The Commonwealth reserves the right to make multiple awards as a result of this solicitation. The Commonwealth may cancel this Request for Proposals or reject proposals at any time prior to an award, and is not required to furnish a statement of the reasons why a particular proposal was not deemed to be the most advantageous. Should the Commonwealth determine in writing and in its sole discretion that only one offeror is fully qualified, or that one offeror is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that offeror. The award document will be a contract incorporating by reference all the requirements, terms and conditions of the solicitation and the contractor's proposal as negotiated.

VII. GENERAL TERMS AND CONDITIONS

A. PURCHASING MANUAL: This solicitation is subject to the provisions of the Commonwealth of Virginia's Purchasing Manual for Institutions of Higher Education and Their Vendors and any revisions thereto, which are hereby incorporated into this contract in their entirety. A copy of the manual is available for review at the purchasing office. In addition, the manual may be accessed electronically at http://www.jmu.edu/procurement or a copy can be obtained by calling Procurement Services at (540) 568-3145.

B. APPLICABLE LAWS AND COURTS: This solicitation and any resulting contract shall be governed in all respects by the laws of the Commonwealth of Virginia and any litigation with respect thereto shall be brought in the courts of the Commonwealth. The Contractor shall comply with applicable federal, state and local laws and regulations.

C. ANTI-DISCRIMINATION: By submitting their proposals, offerors certify to the Commonwealth that they will conform to the provisions of the Federal Civil Rights Act of 1964, as amended, as well as the Virginia Fair Employment Contracting Act of 1975, as amended, where applicable, the Virginians With Disabilities Act, the Americans With Disabilities Act and §10 of the Rules Governing Procurement, Chapter 2, Exhibit J, Attachment 1 (available for review at http://www.jmu.edu/procurement). If the award is made to a faith-based organization, the organization shall not discriminate against any recipient of goods, services, or disbursements made pursuant to the contract on the basis of the recipient's religion, religious belief, refusal to participate in a religious practice, or on the basis of race, age, color, gender, sexual orientation, gender identity, or national origin and shall be subject to the same rules as other organizations that contract with public bodies to account for the use of the funds provided; however, if the faith-based organization segregates public funds into separate accounts, only the accounts and programs funded with public funds shall be subject to audit by the public body. *(§6 of the Rules Governing Procurement*).

In every contract over $10,000 the provisions in 1. and 2. below apply:

1. During the performance of this contract, the contractor agrees as follows:

a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

c. Notices, advertisements, and solicitations placed in accordance with federal law, rule, or regulation shall be deemed sufficient for the purpose of meeting these requirements.

2. The contractor will include the provisions of 1. above in every subcontract or purchase order over $10,000, so that the provisions will be binding upon each subcontractor or vendor.

D. ETHICS IN PUBLIC CONTRACTING: By submitting their proposals, offerors certify that their proposals are made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other offeror, supplier, manufacturer or subcontractor in connection with their proposal, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

E. IMMIGRATION REFORM AND CONTROL ACT OF 1986: By entering into a written contract with the Commonwealth of Virginia, the Contractor certifies that the Contractor does not, and shall not during the performance of the contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

F. DEBARMENT STATUS: By submitting their proposals, offerors certify that they are not currently debarred by the Commonwealth of Virginia from submitting proposals on contracts for the type of goods and/or services covered by this solicitation, nor are they an agent of any person or entity that is currently so debarred.

G. ANTITRUST: By entering into a contract, the contractor conveys, sells, assigns, and transfers to the Commonwealth of Virginia all rights, title and interest in and to all causes of action it may now have or hereafter acquire under the antitrust laws of the United States and the Commonwealth of Virginia, relating to the particular goods or services purchased or acquired by the Commonwealth of Virginia under said contract.

H. MANDATORY USE OF STATE FORM AND TERMS AND CONDITIONS RFPs: Failure to submit a proposal on the official state form provided for that purpose may be a cause for rejection of the proposal. Modification of or additions to the General Terms and Conditions of the solicitation may be cause for rejection of the proposal; however, the Commonwealth reserves the right to decide, on a case by case basis, in its sole discretion, whether to reject such a proposal.

I. CLARIFICATION OF TERMS: If any prospective offeror has questions about the specifications or other solicitation documents, the prospective offeror should contact the buyer

whose name appears on the face of the solicitation no later than five working days before the due date. Any revisions to the solicitation will be made only by addendum issued by the buyer.

J. PAYMENT:

1. To Prime Contractor:

    a. Invoices for items ordered, delivered and accepted shall be submitted by the contractor directly to the payment address shown on the purchase order/contract. All invoices shall show the state contract number and/or purchase order number; social security number (for individual contractors) or the federal employer identification number (for proprietorships, partnerships, and corporations).

    b. Any payment terms requiring payment in less than 30 days will be regarded as requiring payment 30 days after invoice or delivery, whichever occurs last. This shall not affect offers of discounts for payment in less than 30 days, however.

    c. All goods or services provided under this contract or purchase order, that are to be paid for with public funds, shall be billed by the contractor at the contract price, regardless of which public agency is being billed.

    d. The following shall be deemed to be the date of payment: the date of postmark in all cases where payment is made by mail, or the date of offset when offset proceedings have been instituted as authorized under the Virginia Debt Collection Act.

    e. Unreasonable Charges. Under certain emergency procurements and for most time and material purchases, final job costs cannot be accurately determined at the time orders are placed. In such cases, contractors should be put on notice that final payment in full is contingent on a determination of reasonableness with respect to all invoiced charges. Charges which appear to be unreasonable will be researched and challenged, and that portion of the invoice held in abeyance until a settlement can be reached. Upon determining that invoiced charges are not reasonable, the Commonwealth shall promptly notify the contractor, in writing, as to those charges which it considers unreasonable and the basis for the determination. A contractor may not institute legal action unless a settlement cannot be reached within thirty (30) days of notification. The provisions of this section do not relieve an agency of its prompt payment obligations with respect to those charges which are not in dispute (*Rules Governing Procurement, Chapter 2, Exhibit J, Attachment 1 § 53; available for review at http://www.jmu.edu/procurement*).

2. To Subcontractors:

    a. A contractor awarded a contract under this solicitation is hereby obligated:

        (1) To pay the subcontractor(s) within seven (7) days of the contractor's receipt of payment from the Commonwealth for the proportionate share of the payment received for work performed by the subcontractor(s) under the contract; or

(2) To notify the agency and the subcontractors, in writing, of the contractor's intention to withhold payment and the reason.

b. The contractor is obligated to pay the subcontractor(s) interest at the rate of one percent per month (unless otherwise provided under the terms of the contract) on all amounts owed by the contractor that remain unpaid seven (7) days following receipt of payment from the Commonwealth, except for amounts withheld as stated in (2) above. The date of mailing of any payment by U. S. Mail is deemed to be payment to the addressee. These provisions apply to each sub-tier contractor performing under the primary contract. A contractor's obligation to pay an interest charge to a subcontractor may not be construed to be an obligation of the Commonwealth.

3. Each prime contractor who wins an award in which provision of a SWAM procurement plan is a condition to the award, shall deliver to the contracting agency or institution, on or before request for final payment, evidence and certification of compliance (subject only to insubstantial shortfalls and to shortfalls arising from subcontractor default) with the SWAM procurement plan. Final payment under the contract in question may be withheld until such certification is delivered and, if necessary, confirmed by the agency or institution, or other appropriate penalties may be assessed in lieu of withholding such payment.

4. The Commonwealth of Virginia encourages contractors and subcontractors to accept electronic and credit card payments.

K. PRECENDENCE OF TERMS: Paragraphs A through J of these General Terms and Conditions and the Commonwealth of Virginia Purchasing Manual for Institutions of Higher Education and their Vendors, shall apply in all instances. In the event there is a conflict between any of the other General Terms and Conditions and any Special Terms and Conditions in this solicitation, the Special Terms and Conditions shall apply.

L. QUALIFICATIONS OF OFFERORS: The Commonwealth may make such reasonable investigations as deemed proper and necessary to determine the ability of the offeror to perform the services/furnish the goods and the offeror shall furnish to the Commonwealth all such information and data for this purpose as may be requested. The Commonwealth reserves the right to inspect offeror's physical facilities prior to award to satisfy questions regarding the offeror's capabilities. The Commonwealth further reserves the right to reject any proposal if the evidence submitted by, or investigations of, such offeror fails to satisfy the Commonwealth that such offeror is properly qualified to carry out the obligations of the contract and to provide the services and/or furnish the goods contemplated therein.

M. TESTING AND INSPECTION: The Commonwealth reserves the right to conduct any test/inspection it may deem advisable to assure goods and services conform to the specifications.

N. ASSIGNMENT OF CONTRACT: A contract shall not be assignable by the contractor in whole or in part without the written consent of the Commonwealth.

O. CHANGES TO THE CONTRACT: Changes can be made to the contract in any of the following ways:

1. The parties may agree in writing to modify the scope of the contract. An increase or decrease in the price of the contract resulting from such modification shall be agreed to by the parties as a part of their written agreement to modify the scope of the contract.

2. The Purchasing Agency may order changes within the general scope of the contract at any time by written notice to the contractor. Changes within the scope of the contract include, but are not limited to, things such as services to be performed, the method of packing or shipment, and the place of delivery or installation. The contractor shall comply with the notice upon receipt. The contractor shall be compensated for any additional costs incurred as the result of such order and shall give the Purchasing Agency a credit for any savings. Said compensation shall be determined by one of the following methods:

   a. By mutual agreement between the parties in writing; or

   b. By agreeing upon a unit price or using a unit price set forth in the contract, if the work to be done can be expressed in units, and the contractor accounts for the number of units of work performed, subject to the Purchasing Agency's right to audit the contractor's records and/or to determine the correct number of units independently; or

   c. By ordering the contractor to proceed with the work and keep a record of all costs incurred and savings realized. A markup for overhead and profit may be allowed if provided by the contract. The same markup shall be used for determining a decrease in price as the result of savings realized. The contractor shall present the Purchasing Agency with all vouchers and records of expenses incurred and savings realized. The Purchasing Agency shall have the right to audit the records of the contractor as it deems necessary to determine costs or savings. Any claim for an adjustment in price under this provision must be asserted by written notice to the Purchasing Agency within thirty (30) days from the date of receipt of the written order from the Purchasing Agency. If the parties fail to agree on an amount of adjustment, the question of an increase or decrease in the contract price or time for performance shall be resolved in accordance with the procedures for resolving disputes provided by the Disputes Clause of this contract or, if there is none, in accordance with the disputes provisions of the Commonwealth of Virginia Purchasing Manual for Institutions of Higher Education and their Vendors. Neither the existence of a claim nor a dispute resolution process, litigation or any other provision of this contract shall excuse the contractor from promptly complying with the changes ordered by the Purchasing Agency or with the performance of the contract generally.

P. DEFAULT: In case of failure to deliver goods or services in accordance with the contract terms and conditions, the Commonwealth, after due oral or written notice, may procure them from other sources and hold the contractor responsible for any resulting additional purchase and administrative costs. This remedy shall be in addition to any other remedies which the Commonwealth may have.

Q. INSURANCE: By signing and submitting a proposal under this solicitation, the offeror certifies that if awarded the contract, it will have the following insurance coverage at the time the contract is awarded. For construction contracts, if any subcontractors are involved, the subcontractor will have workers' compensation insurance in accordance with§ 25 of the Rules Governing Procurement – Chapter 2, Exhibit J, Attachment 1, and 65.2-800 et. Seq. of the Code of Virginia (available for review at http://www.jmu.edu/procurement) The offeror further certifies that the contractor and any subcontractors will maintain these insurance coverage during the entire term of the contract and that all insurance coverage will be provided by insurance companies authorized to sell insurance in Virginia by the Virginia State Corporation Commission.

MINIMUM INSURANCE COVERAGES AND LIMITS REQUIRED FOR MOST CONTRACTS:

1. Workers' Compensation: Statutory requirements and benefits. Coverage is compulsory for employers of three or more employees, to include the employer. Contractors who fail to notify the Commonwealth of increases in the number of employees that change their workers' compensation requirement under the Code of Virginia during the course of the contract shall be in noncompliance with the contract.

2. Employer's Liability: $100,000

3. Commercial General Liability: $1,000,000 per occurrence and $2,000,000 in the aggregate. Commercial General Liability is to include bodily injury and property damage, personal injury and advertising injury, products and completed operations coverage. The Commonwealth of Virginia must be named as an additional insured and so endorsed on the policy.

4. Automobile Liability: $1,000,000 combined single limit. (*Required only if a motor vehicle not owned by the Commonwealth is to be used in the contract. Contractor must assure that the required coverage is maintained by the Contractor (or third party owner of such motor vehicle.*)

NOTE: In addition, various Professional Liability/Errors and Omissions coverages are required when soliciting those services as follows:

Profession/Service	**Limits**
Accounting	$1,000,000 per occurrence; $3,000,000 aggregate
Architecture	$2,000,000 per occurrence; $6,000,000 aggregate
Absestos Design, Inspection, or Abatement Contractors	$1,000,000 per occurrence; $3,000,000 aggregate
Health Care Practitioner [*to include Dentists, Licensed Dental Hygienists, Optometrists, Registered or Licensed Practical Nurses, Pharmacists, Physicians, Podiatrists, Chiropractors, Physical Therapists, Physical Therapist Assistants, Clinical Psychologists, Clinical Social Workers, Professional Counselors, Hospitals, or Health Maintenance Organizations*.]	$2,450,000 per occurrence; $4,250,000 aggregate
Limits increase each July 1 through fiscal year 2031. Contractor shall maintain coverage that meets or exceeds statutory limitations in compliance with the *Code of Virginia* (https://law.lis.virginia.gov/vacode/title8.01/chapter21.1/section8.01-581.15/) *§8.01-581.15.*	
Insurance/Risk Management	$1,000,000 per occurrence; $3,000,000 aggregate
Landscape/Architecture	$1,000,000 per occurrence; $1,000,000 aggregate
Legal	$1,000,000 per occurrence; $5,000,000 aggregate
Professional Engineer	$1,000,000 per occurrence; $6,000,000 aggregate
Surveying	$1,000,000 per occurrence; $1,000,000 aggregate

R. ANNOUNCEMENT OF AWARD: Upon the award or the announcement of the decision to award a contract over $100,000, as a result of this solicitation, the purchasing agency will publicly post such notice on the DGS/DPS eVA web site (www.eva.virginia.gov) for a minimum of 10 days.

S. DRUG-FREE WORKPLACE: During the performance of this contract, the contractor agrees to (i) provide a drug-free workplace for the contractor's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over $10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a contractor, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

T. NONDISCRIMINATION OF CONTRACTORS: An offeror, or contractor shall not be discriminated against in the solicitation or award of this contract because of race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, faith-based organizational status, any other basis prohibited by state law relating to discrimination in employment or because the offeror employs ex-offenders unless the state agency, department or institution has made a written determination that employing ex-offenders on the specific contract is not in its best interest. If the award of this contract is made to a faith-based organization and an individual, who applies for or receives goods, services, or disbursements provided pursuant to this contract objects to the religious character of the faith-based organization from which the individual receives or would receive the goods, services, or disbursements, the public body shall offer the individual, within a reasonable period of time after the date of his objection, access to equivalent goods, services, or disbursements from an alternative provider.

U. eVA BUSINESS TO GOVERNMENT VENDOR REGISTRATION, CONTRACTS, AND ORDERS: The eVA Internet electronic procurement solution, website portal www.eVA.virginia.gov, streamlines and automates government purchasing activities in the Commonwealth. The eVA portal is the gateway for vendors to conduct business with state agencies and public bodies. All vendors desiring to provide goods and/or services to the Commonwealth shall participate in the eVA Internet eprocurement solution by completing the free eVA Vendor Registration. All offerors must register in eVA and pay the Vendor Transaction Fees specified below; failure to register will result in the proposal being rejected. Vendor transaction fees are determined by the date the original purchase order is issued and the current fees are as follows:

Vendor transaction fees are determined by the date the original purchase order is issued and the current fees are as follows:

1. For orders issued July 1, 2014 and after, the Vendor Transaction Fee is:

    a. Department of Small Business and Supplier Diversity (SBSD) certified Small Businesses: 1% capped at $500 per order.

    b. Businesses that are not Department of Small Business and Supplier Diversity (SBSD) certified Small Businesses: 1% capped at $1,500 per order.

2. For orders issued prior to July 1, 2014 the vendor transaction fees can be found at www.eVA.virginia.gov.

3. The specified vendor transaction fee will be invoiced by the Commonwealth of Virginia Department of General Services approximately 60 days after the corresponding purchase order is issued and payable 30 days after the invoice date. Any adjustments (increases/decreases) will be handled through purchase order changes.

V. AVAILABILITY OF FUNDS: It is understood and agreed between the parties herein that the Commonwealth of Virginia shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this agreement.

W. PRICING CURRENCY: Unless stated otherwise in the solicitation, offerors shall state offered prices in U.S. dollars.

X. E-VERIFY REQUIREMENT OF ANY CONTRACTOR: Any employer with more than an average of 50 employees for the previous 12 months entering into a contract in excess of $50,000 with James Madison University to perform work or provide services pursuant to such contract shall register and participate in the E-Verify program to verify information and work authorization of its newly hired employees performing work pursuant to any awarded contract.

Y. CIVILITY IN STATE WORKPLACES: The contractor shall take all reasonable steps to ensure that no individual, while performing work on behalf of the contractor or any subcontractor in connection with this agreement (each, a "Contract Worker"), shall engage in 1) harassment (including sexual harassment), bullying, cyber-bullying, or threatening or violent conduct, or 2) discriminatory behavior on the basis of race, sex, color, national origin, religious belief, sexual orientation, gender identity or expression, age, political affiliation, veteran status, or disability.

The contractor shall provide each Contract Worker with a copy of this Section and will require Contract Workers to participate in training on civility in the State workplace. Upon request, the contractor shall provide documentation that each Contract Worker has received such training.

For purposes of this Section, "State workplace" includes any location, permanent or temporary, where a Commonwealth employee performs any work-related duty or is representing his or her agency, as well as surrounding perimeters, parking lots, outside meeting locations, and means of travel to and from these locations. Communications are deemed to occur in a State workplace if the Contract Worker reasonably should know that the phone number, email, or other method of communication is associated with a State workplace or is associated with a person who is a State employee.

The Commonwealth of Virginia may require, at its sole discretion, the removal and replacement of any Contract Worker who the Commonwealth reasonably believes to have violated this Section.

This Section creates obligations solely on the part of the contractor. Employees or other third parties may benefit incidentally from this Section and from training materials or other communications distributed on this topic , but the Parties to this agreement intend this Section to be enforceable solely by the Commonwealth and not by employees or other third parties.

VIII. SPECIAL TERMS AND CONDITIONS

A. AUDIT: The Contractor hereby agrees to retain all books, records, systems, and other documents relative to this contract for five (5) years after final payment, or until audited by the Commonwealth of Virginia, whichever is sooner. The Commonwealth of Virginia, its authorized agents, and/or State auditors shall have full access to and the right to examine any of said materials during said period.

B. CANCELLATION OF CONTRACT: James Madison University reserves the right to cancel and terminate any resulting contract, in part or in whole, without penalty, upon 60 days written notice to the contractor. In the event the initial contract period is for more than 12 months, the resulting contract may be terminated by either party, without penalty, after the initial 12 months of the contract period upon 60 days written notice to the other party. Any contract cancellation notice shall not relieve the contractor of the obligation to deliver and/or perform on all outstanding orders issued prior to the effective date of cancellation.

C. IDENTIFICATION OF PROPOSAL ENVELOPE: The signed proposal should be returned in a separate envelope or package, sealed and identified as follows:

From: _____

Name of Offeror Due Date Time

Street or Box No. RFP #

City, State, Zip Code RFP Title

Name of Purchasing Officer:

The envelope should be addressed as directed on the title page of the solicitation.

The Offeror takes the risk that if the envelope is not marked as described above, it may be inadvertently opened and the information compromised, which may cause the proposal to be disqualified. Proposals may be hand-delivered to the designated location in the office issuing the solicitation. No other correspondence or other proposals should be placed in the envelope.

D. LATE PROPOSALS: To be considered for selection, proposals must be received by the issuing office by the designated date and hour. The official time used in the receipt of proposals is that time on the automatic time stamp machine in the issuing office. Proposals received in the issuing office after the date and hour designated are automatically non responsive and will not be considered. The University is not responsible for delays in the delivery of mail by the U.S. Postal Service, private couriers, or the intra university mail system. It is the sole responsibility of the Offeror to ensure that its proposal reaches the issuing office by the designated date and hour.

E. UNDERSTANDING OF REQUIREMENTS: It is the responsibility of each offeror to inquire about and clarify any requirements of this solicitation that is not understood. The University will not be bound by oral explanations as to the meaning of specifications or language contained in this solicitation. Therefore, all inquiries deemed to be substantive in nature must be in writing and submitted to the responsible buyer in the Procurement Services Office. Offerors must ensure that written inquiries reach the buyer at least five (5) days prior to the time set for receipt of offerors proposals. A copy of all queries and the respective response will be provided in the form of an addendum to all offerors who have indicated an interest in responding to this

solicitation. Your signature on your Offer certifies that you fully understand all facets of this solicitation. These questions may be sent by Fax to 540/568-7935.

F. RENEWAL OF CONTRACT: This contract may be renewed by the Commonwealth for a period of four (4) successive one-year periods under the terms and conditions of the original contract except as stated in 1. and 2. below. Price increases may be negotiated only at the time of renewal. Written notice of the Commonwealth's intention to renew shall be given approximately 90 days prior to the expiration date of each contract period.

1. If the Commonwealth elects to exercise the option to renew the contract for an additional one-year period, the contract price(s) for the additional one-year shall not exceed the contract price(s) of the original contract increased/decreased by no more than the percentage increase/decrease of the other services category of the CPI-W section of the Consumer Price Index of the United States Bureau of Labor Statistics for the latest twelve months for which statistics are available.

2. If during any subsequent renewal periods, the Commonwealth elects to exercise the option to renew the contract, the contract price(s) for the subsequent renewal period shall not exceed the contract price(s) of the previous renewal period increased/decreased by more than the percentage increase/decrease of the other services category of the CPI-W section of the Consumer Price Index of the United States Bureau of Labor Statistics for the latest twelve months for which statistics are available.

G. SUBMISSION OF INVOICES: All invoices shall be submitted within sixty days of contract term expiration for the initial contract period as well as for each subsequent contract renewal period. Any invoices submitted after the sixty day period will not be processed for payment.

H. OPERATING VEHICLES ON JAMES MADISON UNIVERSITY CAMPUS: Operating vehicles on sidewalks, plazas, and areas heavily used by pedestrians is prohibited. In the unlikely event a driver should find it necessary to drive on James Madison University sidewalks, plazas, and areas heavily used by pedestrians, the driver must yield to pedestrians. For a complete list of parking regulations, please go to www.jmu.edu/parking; or to acquire a service representative parking permit, contact Parking Services at 540.568.3300. The safety of our students, faculty and staff is of paramount importance to us. Accordingly, violators may be charged.

I. COOPERATIVE PURCHASING / USE OF AGREEMENT BY THIRD PARTIES: It is the intent of this solicitation and resulting contract(s) to allow for cooperative procurement. Accordingly, any public body, (to include government/state agencies, political subdivisions, etc.), cooperative purchasing organizations, public or private health or educational institutions or any University related foundation and affiliated corporations may access any resulting contract if authorized by the Contractor.

Participation in this cooperative procurement is strictly voluntary. If authorized by the Contractor(s), the resultant contract(s) will be extended to the entities indicated above to purchase goods and services in accordance with contract terms. As a separate contractual relationship, the participating entity will place its own orders directly with the Contractor(s) and shall fully and independently administer its use of the contract(s) to include contractual disputes, invoicing and payments without direct administration from the University. No modification of this contract or execution of a separate agreement is required to participate; however, the participating entity and the Contractor may modify the terms and conditions of this contract to accommodate specific governing laws, regulations, policies, and business goals

required by the participating entity. Any such modification will apply solely between the participating entity and the Contractor.

The Contractor will notify the University in writing of any such entities accessing this contract. The Contractor will provide semi-annual usage reports for all entities accessing the contract. The University shall not be held liable for any costs or damages incurred by any other participating entity as a result of any authorization by the Contractor to extend the contract. It is understood and agreed that the University is not responsible for the acts or omissions of any entity and will not be considered in default of the contract no matter the circumstances.

Use of this contract(s) does not preclude any participating entity from using other contracts or competitive processes as needed.

J. SMALL BUSINESS SUBCONTRACTING AND EVIDENCE OF COMPLIANCE:

1. It is the goal of the Commonwealth that 42% of its purchases are made from small businesses. This includes discretionary spending in prime contracts and subcontracts. All potential offerors are required to submit a Small Business Subcontracting Plan. Unless the offeror is registered as a Department of Small Business and Supplier Diversity (SBSD)-certified small business and where it is practicable for any portion of the awarded contract to be subcontracted to other suppliers, the contractor is encouraged to offer such subcontracting opportunities to SBSD-certified small businesses. This shall not exclude SBSD-certified women-owned and minority-owned businesses when they have received SBSD small business certification. No offeror or subcontractor shall be considered a Small Business, a Women-Owned Business or a Minority-Owned Business unless certified as such by the Department of Small Business and Supplier Diversity (SBSD) by the due date for receipt of proposals. If small business subcontractors are used, the prime contractor agrees to report the use of small business subcontractors by providing the purchasing office at a minimum the following information: name of small business with the SBSD certification number or FEIN, phone number, total dollar amount subcontracted, category type (small, women-owned, or minority-owned), and type of product/service provided. **This information shall be submitted to: JMU Office of Procurement Services, Attn: SWAM Subcontracting Compliance, MSC 5720, Harrisonburg, VA 22807.**

2. Each prime contractor who wins an award in which provision of a small business subcontracting plan is a condition of the award, shall deliver to the contracting agency or institution with every request for payment, evidence of compliance (subject only to insubstantial shortfalls and to shortfalls arising from subcontractor default) with the small business subcontracting plan. **This information shall be submitted to: JMU Office of Procurement Services, SWAM Subcontracting Compliance, MSC 5720, Harrisonburg, VA 22807**. When such business has been subcontracted to these firms and upon completion of the contract, the contractor agrees to furnish the purchasing office at a minimum the following information: name of firm with the Department of Small Business and Supplier Diversity (SBSD) certification number or FEIN number, phone number, total dollar amount subcontracted, category type (small, women-owned, or minority-owned), and type of product or service provided. Payment(s) may be withheld until compliance with the plan is received and confirmed by the agency or institution. The agency or institution reserves the right to pursue other appropriate remedies to include, but not be limited to, termination for default.

3. Each prime contractor who wins an award valued over $200,000 shall deliver to the contracting agency or institution with every request for payment, information on use of subcontractors that are not Department of Small Business and Supplier Diversity (SBSD)-

certified small businesses. When such business has been subcontracted to these firms and upon completion of the contract, the contractor agrees to furnish the purchasing office at a minimum the following information: name of firm, phone number, FEIN number, total dollar amount subcontracted, and type of product or service provided. **This information shall be submitted to: JMU Office of Procurement Services, Attn: SWAM Subcontracting Compliance, MSC 5720, Harrisonburg, VA 22807**.

K. AUTHORIZATION TO CONDUCT BUSINESS IN THE COMMONWEALTH: A contractor organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity if so required by Title 13.1 or Title 50 of the Code of Virginia or as otherwise required by law. Any business entity described above that enters into a contract with a public body shall not allow its existence to lapse or its certificate of authority or registration to transact business in the Commonwealth, if so required under Title 13.1 or Title 50, to be revoked or cancelled at any time during the term of the contract. A public body may void any contract with a business entity if the business entity fails to remain in compliance with the provisions of this section.

L. PUBLIC POSTING OF COOPERATIVE CONTRACTS: James Madison University maintains a web-based contracts database with a public gateway access. Any resulting cooperative contract/s to this solicitation will be posted to the publicly accessible website. Contents identified as proprietary information will not be made public.

M. CRIMINAL BACKGROUND CHECKS OF PERSONNEL ASSIGNED BY CONTRACTOR TO PERFORM WORK ON JMU PROPERTY: The Contractor shall obtain criminal background checks on all of their contracted employees who will be assigned to perform services on James Madison University property. The results of the background checks will be directed solely to the Contractor. The Contractor bears responsibility for confirming to the University contract administrator that the background checks have been completed prior to work being performed by their employees or subcontractors. The Contractor shall only assign to work on the University campus those individuals whom it deems qualified and permissible based on the results of completed background checks. Notwithstanding any other provision herein, and to ensure the safety of students, faculty, staff and facilities, James Madison University reserves the right to approve or disapprove any contract employee that will work on JMU property. Disapproval by the University will solely apply to JMU property and should have no bearing on the Contractor's employment of an individual outside of James Madison University.

N. INDEMNIFICATION: Contractor agrees to indemnify, defend and hold harmless the Commonwealth of Virginia, its officers, agents, and employees from any claims, damages and actions of any kind or nature, whether at law or in equity, arising from or caused by the use of any materials, goods, or equipment of any kind or nature furnished by the contractor/any services of any kind or nature furnished by the contractor, provided that such liability is not attributable to the sole negligence of the using agency or to failure of the using agency to use the materials, goods, or equipment in the manner already and permanently described by the contractor on the materials, goods or equipment delivered.

O. ADDITIONAL GOODS AND SERVICES: The University may acquire other goods or services that the supplier provides than those specifically solicited. The University reserves the right, subject to mutual agreement, for the Contractor to provide additional goods and/or services under the same pricing, terms, and conditions and to make modifications or enhancements to the existing goods and services. Such additional goods and services may include other products, components, accessories, subsystems, or related services that are newly

introduced during the term of this Agreement. Such additional goods and services will be provided to the University at favored nations pricing, terms, and conditions.

P. ADVERTISING: In the event a contract is awarded for supplies, equipment, or services resulting from this proposal, no indication of such sales or services to James Madison University will be used in product literature or advertising without the express written consent of the University. The contractor shall not state in any of its advertising or product literature that James Madison University has purchased or uses any of its products or services, and the contractor shall not include James Madison University in any client list in advertising and promotional materials without the express written consent of the University.

Q. ELECTRICAL EQUIPMENT STANDARDS: All equipment/material shall conform to the latest issue of all applicable standards as established by National Electrical Manufacturer's Association (NEMA), American National Standards Institute (ANSI), and Occupational Safety & Health Administration (OSHA). All equipment and material, for which there are OSHA standards, shall bear an appropriate label of approval for use intended from a Nationally Recognized Testing Laboratory (NRTL).

R. SUBCONTRACTS: No portion of the work shall be subcontracted without prior written consent of the purchasing agency. In the event that the contractor desires to subcontract some part of the work specified herein, the contractor shall furnish the purchasing agency the names, qualifications and experience of their proposed subcontractors. The contractor shall, however, remain fully liable and responsible for the work to be done by its subcontractor(s) and shall assure compliance with all requirements of the contract.

S. STANDARDS OF CONDUCT: The work site will be occupied by students and University Personnel during the times work is performed. Contractor and Contractor's personnel shall exercise a particularly high level of discipline, safety and cooperation at all times while on the job site. The Contractor shall be responsible for controlling employee conduct, for assuring that its employees are not boisterous or rude, and assuring that they are not engaging in any destructive or criminal activity. The Contractor is also responsible for ensuring that its employees do not disturb papers on desks, or open desk drawers, cabinets, or briefcases, or use State phones, and the like, except as authorized.

IX. METHOD OF PAYMENT

The contractor will be paid based on invoices submitted in accordance with the solicitation and any negotiations. James Madison University recognizes the importance of expediting the payment process for our vendors and suppliers; we request that our vendors and suppliers enroll in our bank's Comprehensive Payable options: either the Virtual Payables Virtual Card or the PayMode-X electronic deposit (ACH) to your bank account so that future payments are made electronically. Contractors signed up for the Virtual Payables process will receive the benefit of being paid Net 15. Additional information is available online at:
http://www.jmu.edu/financeoffice/accounting-operations-disbursements/cash-investments/vendor-payment-methods.shtml

X. PRICING SCHEDULE

The offeror shall provide pricing for all products and services included in proposal indicating one-time and on-going costs. The resulting contract will be cooperative and pricing shall be inclusive for the attached Zone Map, of which JMU falls within Zone 2.

Specify any associated charge card processing fees, if applicable, to be billed to the university. Vendors shall provide their VISA registration number when indicating charge card processing fees. Any vendor requiring information on VISA registration may refer to https://usa.visa.com/support/small-business/regulations-fees.html and for questions https://usa.visa.com/dam/VCOM/global/support-legal/documents/merchant-surcharging-qa-for-web.pdf .

Add additional rows as needed to list all rates and fees for labor and services offered.

	PRICING SCHEDULE BY ZONE								
	Zone 1	*Zone 2*	*Zone 3*	*Zone 4*	*Zone 5*	*Zone 6*	*Zone 7*	*Zone 8*	*Zone 9*
Regular Time Labor Rates (7:30 a.m. to 4:00 p.m. Monday – Friday)*									
Supervisor Labor Rate $/hour									
Inspector Labor Rate $/hour									
Overtime/Emergency Labor Rates (Outside of Regular Time working hours)*									
Supervisor Labor Rate $/hour									
Inspector Labor Rate $/hour									

		PRICING SCHEDULE BY ZONE								
Analytical Services Rates										
Service	**Response Time**	*Zone 1*	*Zone 2*	*Zone 3*	*Zone 4*	*Zone 5*	*Zone 6*	*Zone 7*	*Zone 8*	*Zone 9*
Occupational Health Services Rates										
Building Inspection Services Rates										

Other Fees	
Charge Card Processing Fees:	**%**

XI. ATTACHMENTS

Attachment A: Offeror Data Sheet

Attachment B: Small, Women, and Minority-owned Business (SWaM) Utilization Plan

Attachment C: Standard Contract Sample

Attachment D: Zone Map

Attachment E: JMU Design & Construction Guidelines (dated 8/1/2020)

ATTACHMENT A

OFFEROR DATA SHEET

TO BE COMPLETED BY OFFEROR

1. QUALIFICATIONS OF OFFEROR: Offerors must have the capability and capacity in all respects to fully satisfy the contractual requirements.

2. YEARS IN BUSINESS: Indicate the length of time you have been in business providing these types of goods and services.

   Years_____ Months_____

3. REFERENCES: Indicate below a listing of at least five (5) organizations, either commercial or governmental/educational, that your agency is servicing. Include the name and address of the person the purchasing agency has your permission to contact.

CLIENT	LENGTH OF SERVICE	ADDRESS	CONTACT PERSON/PHONE #

4. List full names and addresses of Offeror and any branch offices which may be responsible for administering the contract.

_____

_____

_____

_____

5. RELATIONSHIP WITH THE COMMONWEALTH OF VIRGINIA: Is any member of the firm an employee of the Commonwealth of Virginia who has a personal interest in this contract pursuant to the CODE OF VIRGINIA, SECTION 2.2-3100 – 3131?
   [ ] YES [ ] NO
   IF YES, EXPLAIN:_____

_____

_____

_____

ATTACHMENT B

Small, Women and Minority-owned Businesses (SWaM) Utilization Plan

Offeror Name: _____ Preparer Name: _____

Date: _____

Is your firm a **Small Business Enterprise** certified by the Department of Small Business and Supplier Diversity (SBSD)? Yes_____ No_____

If yes, certification number: _____ Certification date:_____

Is your firm a **Woman-owned Business Enterprise** certified by the Department of Small Business and Supplier Diversity (SBSD)? Yes_____ No_____

If yes, certification number: _____ Certification date:_____

Is your firm a **Minority-Owned Business Enterprise** certified by the Department of Small Business and Supplier Diversity (SBSD)? Yes____ No_____

If yes, certification number: _____ Certification date:_____

Is your firm a **Micro Business** certified by the Department of Small Business and Supplier Diversity (SBSD)? Yes_____ No_____

If yes, certification number: _____ Certification date: _____

Instructions: *Populate the table below to show your firm's plans for utilization of small, women-owned and minority-owned business enterprises in the performance of the contract. Describe plans to utilize SWAMs businesses as part of joint ventures, partnerships, subcontractors, suppliers, etc.*

Small Business: "Small business " means a business, independently owned or operated by one or more persons who are citizens of the United States or non-citizens who are in full compliance with United States immigration law, which, together with affiliates, has 250 or fewer employees, or average annual gross receipts of $10 million or less averaged over the previous three years.

Woman-Owned Business Enterprise: A business concern which is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more women, and whose management and daily business operations are controlled by one or more of such individuals. **For purposes of the SWAM Program, all certified women-owned businesses are also a small business enterprise.**

Minority-Owned Business Enterprise: A business concern which is at least 51 percent owned by one or more minorities or in the case of a corporation, partnership or limited liability company or other entity, at least 51 percent of the equity ownership interest in which is owned by one or more minorities and whose management and daily business operations are controlled by one or more of such individuals. **For purposes of the SWAM Program, all certified minority-owned businesses are also a small business enterprise.**

Micro Business is a certified Small Business under the SWaM Program and has no more than twenty-five (25) employees **AND** no more than $3 million in average annual revenue over the three-year period prior to their certification.

All small, women, and minority owned businesses must be certified by the Commonwealth of Virginia Department of Small Business and Supplier Diversity (SBSD) to be counted in the SWAM program. Certification applications are available through SBSD at 800-223-0671 in Virginia, 804-786-6585 outside Virginia, or online at http://www.sbsd.virginia.gov/ (Customer Service).

RETURN OF THIS PAGE IS REQUIRED

ATTACHMENT B (CNT'D)

Small, Women and Minority-owned Businesses (SWaM) Utilization Plan

Procurement Name and Number: _____ Date Form Completed:_____

Listing of Sub-Contractors, to include, Small, Woman Owned and Minority Owned Businesses
for this Proposal and Subsequent Contract

Offeror / Proposer:

_____	_____	_____
Firm	Address	Contact Person/No.

Sub-Contractor's Name and Address	Contact Person & Phone Number	SBSD Certification Number	Services or Materials Provided	Total Subcontractor Contract Amount (to include change orders)	Total Dollars Paid Subcontractor to date (to be submitted with request for payment from JMU)

(Form shall be submitted with proposal and if awarded, again with submission of each request for payment)

RETURN OF THIS PAGE IS REQUIRED

ATTACHMENT C

COMMONWEALTH OF VIRGINIA
STANDARD CONTRACT

Contract No._____

This contract entered into this_____day of_____20____,by _____ hereinafter called the "Contractor" and Commonwealth of Virginia, James Madison University called the "Purchasing Agency".

WITNESSETH that the Contractor and the Purchasing Agency, in consideration of the mutual covenants, promises and agreements herein contained, agree as follows:

SCOPE OF CONTRACT: The Contractor shall provide the services to the Purchasing Agency as set forth in the Contract Documents.

PERIOD OF PERFORMANCE: From_____ through_____

The contract documents shall consist of:

(1) This signed form;

(2) The following portions of the Request for Proposals dated _____:
- (a) The Statement of Needs,
- (b) The General Terms and Conditions,
- (c) The Special Terms and Conditions together with any negotiated modifications of those Special Conditions;
- (d) List each addendum that may be issued

(3) The Contractor's Proposal dated _____and the following negotiated modification to the Proposal, all of which documents are incorporated herein.
- (a) Negotiations summary dated _____.

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed intending to be bound thereby.

CONTRACTOR:	PURCHASING AGENCY:
By:_____ (Signature)	By:_____ (Signature)
_____ (Printed Name)	_____ (Printed Name)
Title:_____	Title:_____

ATTACHMENT D

Zone Map

Virginia Association of State College & University Purchasing Professionals (VASCUPP)

List of member institutions by zones

Zone 1	**Zone 2**	**Zone 3**
George Mason University (Fairfax)	James Madison University (Harrisonburg)	University of Virginia (Charlottesville)
Zone 4	**Zone 5**	**Zone 6**
University of Mary Washington (Fredericksburg)	College of William and Mary (Williamsburg) Old Dominion University (Norfolk)	Virginia Commonwealth University (Richmond)
Zone 7	**Zone 8**	**Zone 9**
Longwood University (Farmville)	Virginia Military Institute (Lexington) Virginia Tech (Blacksburg) Radford University (Radford)	University of Virginia - Wise (Wise)