

ENGINEERS  
AND  
CONSTRUCTORS

**MORRISON KNUDSEN CORPORATION**

**MK- FERGUSON GROUP**

WELDON SPRING SITE REMEDIAL ACTION PROJECT  
7285 HIGHWAY 94 SOUTH  
ST. CHARLES, MISSOURI 63304  
PHONE (314) 441-8086

**PROC-95-DH-12926**

November 21, 1995

Allied Technology Group, Inc.  
47375 Fremont Blvd.  
Fremont, CA 94538

**ATTENTION:**

**SUBJECT: Subcontract No. 3589-SC-WP466  
ENVIRONMENTAL SAFETY & HEALTH & WASTE MANAGEMENT  
TECHNICIANS  
LETTER CONTRACT**

Dear-

In accordance with Federal Acquisition Regulation 16.603, this letter is a written contractual instrument, that authorizes the above addressed Subcontractor to begin immediately performing the services for the attached statement of work.

The Subcontractor shall indicate acceptance of this subcontract in accordance with attached clause entitled, "Execution and Commencement of Work".

The Subcontractor shall not make expenditures or incur obligations to exceed the amount indicated in the attached clause, "Limitation of Contractors Liability".

The attached clauses may be incorporated into the resultant definitized contract and shall become part of the subcontract.

Sincerely,

  
Procurement Manager

Attachments: as stated

**ACKNOWLEDGEMENT/ACCEPTANCE:**

I hereby accept this letter contract.

BY: \_\_\_\_\_

TITLE: President

DATE: 12/01/95

ATTACHMENT 1

1. EXECUTION AND COMMENCEMENT OF WORK

The Subcontract shall indicate acceptance of this letter subcontract by signing three copies of the subcontract and returning them to the Contractor not later than November 27, 1995. Upon acceptance by both parties, the Subcontractor shall proceed with performance of the work, including purchase of necessary materials.

2. LIMITATION OF CONTRACTOR LIABILITY

A. In performing this letter subcontract, the Subcontractor is not authorized to make expenditures or incur obligations exceeding:

(b) (4)

\_\_\_\_\_ (Dollars)

B. The maximum amount for which the Contractor shall be liable if this letter subcontract is terminated is:

(b) (4)

\_\_\_\_\_ (Dollars)

3. CONTRACT DEFINITIZATION

A. A labor hour definitive subcontract is contemplated. The Subcontractor agrees to begin promptly negotiating with the Contractor the terms of a definitive subcontract that will include (1) all all standard MK-Ferguson clauses on the date of execution of the letter subcontract, (2) all clauses required by law on the date execution of the definitive subcontract, and (3) any other mutually agreeable clauses, terms, and conditions. The Subcontractor agrees to submit a fixed-price proposal and cost or pricing data supporting its proposal.

B. The schedule for definitizing this subcontract is:

Submission of Proposal	-	December 8, 1995
Submit Cost Pricing Data	-	December 8, 1995
Begin Negotiations	-	December 15, 1995
Definitization	-	January 31, 1996

ATTACHMENT 2

INVOICES AND PAYMENTS

- A. Payments due Subcontractor hereunder shall be paid within thirty (30) days after receipt of acceptable invoices, and at the time to termination of this Subcontract when such termination occurs prior to the end of the month.
- B. Payments will be made upon submission to the Contractor of a properly completed invoice prepared in duplicate, detailing the items covered by the invoice. Invoices shall be submitted by the 15th of each calendar month and shall be based on quantities of completed work mutually agreed to with the Contractor's Construction Engineer.

Each invoice shall be for one Subcontract only and must include;

1. the Subcontract number;
  2. Subcontractor's name;
  3. invoice date;
  4. description, price and quantity of item(s) delivered or service(s) rendered;
  5. shipping and payment terms (if applicable); and
  6. identification, telephone number, and mailing address of Subcontractor's office to which payment is to be made.
- C. The Contractor shall pay the final amount due the Subcontractor under this Subcontract after;
1. completion and acceptance of all work;
  2. presentation of a properly executed voucher; and
  3. presentation of release of all claims against the Contractor and the government arising by virtue of this Subcontract, other than claims, in stated amounts, that the Contractor has specifically excepted from the operation of the release. A release may also be required of the assignee if the Subcontractor's claim to amounts payable under this Subcontract has been assigned under the Assignment of Claims Act of 1940 (31 U.S.C. 203 and 41 U.S.C. 15).

SECTION 01065  
PROVISION OF ES&H AND WASTE MANAGEMENT TECHNICIANS

PART 1 - GENERAL

1.01 SCOPE

This specification describes the requirements for furnishing qualified environmental safety and health (ES&H) and waste management (WM) technicians to augment the permanent staff at the Weldon Spring Site Remedial Action Project (WSSRAP) near St. Charles, MO.

1.02 DEFINITIONS

- A. Contractor - MK-Ferguson Company, the Project Management Contractor to the U.S. Department of Energy.
- B. Subcontractor - The company, organization, or individual under contract to MK-Ferguson Company to provide the services specified herein.

1.03 WORK INCLUDED

- A. The primary work is to support interim response, remedial actions, and construction at the WSSRAP. This support will include activities listed below in conjunction with work by others for the temporary storage of quarry waste materials; dismantlement of building structures; treatment of surface waters; characterization and treatment of soils, sludges, and other media; and the construction of permanent and temporary facilities.
- B. The duties of an ES&H technician may include climbing ladders, working on scaffolding or aerial platforms, lifting heavy materials or equipment, or performing arduous tasks in both rough terrain field areas and confined spaces. Work may occur during any shift and during all types of weather. Specific tasks will include, but not be limited to the following:
  - 1. Quantitative sampling of air for the presence of contaminants such as radionuclides and asbestos.
  - 2. Hazardous atmosphere determinations.

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3. Analysis of air and soil samples.
  4. Radiation surveys.
  5. Noise measurements.
  6. Heat stress monitoring.
  7. Manning of access control points, including enforcement of site health and safety rules and policies, and monitoring of personnel and equipment for radioactive contamination.
  8. Surveillance of the work site and enforcement of site health and safety rules and policies.
  9. Collection of potentially contaminated soils or other media.
  10. Collection and disposition of bioassay samples.
  11. Preparation of field surveillance logs, survey reports, procedures, and other documentation as required.
  12. Calibration and maintenance of analysis, measurement, or test instrumentation.
  13. Maintenance, tracking, and storage of supplies such as protective clothing and equipment.
- C. The duties of waste management technicians may include, but are not limited to the following:
1. Providing support in the area of waste management practices.
  2. Providing assistance in the characterization, packaging, and handling of hazardous materials.
  3. Surveillance of hazardous and solid waste storage areas.
  4. Reviewing for compliance with regulations and carrier requirements.

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5. Assisting PMC supervision in preparation of revisions to standard operating procedures for handling, bulking, mixing, segregating, packaging, shipping, and transporting hazardous waste.
  6. Providing technical guidance and support on waste management issues.
  7. Preparation of periodic waste activity reports.
- D. Technicians may support other ES&H or waste management tasks as determined by the Contractor.

#### 1.04 MATERIALS, SUPPLIES, AND EQUIPMENT

Contractor-Furnished: The Contractor shall furnish all tools, material, supplies, equipment, sanitary facilities, and utilities to be used by Subcontractor personnel, including personal protective equipment, gloves, and rain gear, but excluding sturdy work shoes.

#### 1.05 REQUIREMENTS

##### A. ES&H and Waste Management Technicians

The Contractor's personnel requirements are as follows:

##### 1. Base Period (award through 12 months).

Estimated 20 personnel, 15 ES&H technicians, and five waste management technicians..... Estimated 43,680 work hours.

##### 2. First Option Period (12 months following base period).

Estimated 14 personnel, 11 ES&H technicians and three waste management technicians..... Estimated 32,760 work hours.

##### 3. Second Option Period (12 months following first option period).

Estimated 10 personnel, eight ES&H technicians and two waste management technicians..... Estimated 21,840 work hours.

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- B. Existing ES&H and Waste Management Technician Work Force
1. The existing subcontract ES&H and waste management technician work force will meet the required qualifications under a grandfather clause.
- C. Account Manager
1. The Subcontractor shall designate an off-site account manager responsible for administering this subcontract. The account manager will have authority to act on behalf of the Subcontractor concerning all contractual matters. No separate payment will be made by the Contractor for the off-site account manager's position.
  2. The off-site account manager shall not be one of the technicians nor act in a supervisory capacity concerning the performance of ES&H or waste management technician tasks. The off-site account manager shall represent the Subcontractor in all contractual matters and shall have the authority to discipline, remove, and replace ES&H or waste management technicians in concurrence with the Contractor.
- D. The standard work week will be 40 hours, Monday through Friday. Standard working hours will be 8:00 AM until 5:00 PM. These hours are subject to change with little or no prior notice, depending on the daily progress of work activities or changes in the weather. Overtime and holiday work may be required with little or no prior notice.
- E. The Contractor reserves the right to reduce the number of ES&H or waste management technicians required at any time. The Contractor does not guarantee the duration of any technician's employment. It is not the intent of this subcontract to provide short-term (less than 30 days) employment, but the Contractor reserves the right to do so.
- F. The Contractor reserves the right to procure like services from more than one source.

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**1.06 TECHNICIAN QUALIFICATIONS**

- A. ES&H technician candidates shall meet the following minimum education and experience requirements:
1. High school education or GED certification.
  2. Two years of verifiable experience as an ES&H technician at a DOE facility, a Nuclear Regulatory Commission (NRC) facility, or an environmental restoration site, or in a position in the private sector or the nuclear Navy. The experience requirement can be substituted with the following additional educational qualifications: an A.S. in Health Physics or Industrial Hygiene or a B.S. in a technical discipline such as engineering, physics, math, or chemistry.
  3. The Subcontractor will submit resumes detailing verifiable education and experience for each candidate.
- B. Waste management technician candidates shall meet the following minimum education and experience requirements:
1. High School education or GED certification.
  2. Candidates must also have two years of experience in general industry, preferably within the U.S. Department of Energy (DOE) or in environmental remediation. One year of operational experience in hazardous waste handling is desired. The experience requirement can be substituted with the following additional educational qualifications: a B.S. in a technical discipline such as engineering, chemistry, biology, or a related field.
  3. The Subcontractor will submit resumes detailing verifiable education and experience for each candidate.
- C. All candidates for ES&H and waste management technician will meet the following requirements:
1. Technician candidates must possess a valid State driver's license. Additionally, all technicians must

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successfully complete a defensive driving course certified by the National Safety Council.

2. Candidate technicians must provide proof that they are at least 18 years old.
  3. Candidate technicians should not have received a total effective dose equivalent (sum of the committed effective dose equivalent from internally deposited radionuclides and the deep dose equivalent from external radiation exposure) in excess of 1.5 rem in the current calendar year. The Contractor will review these records and reserves the right to reject candidates on the basis of previous radiation exposure.
- D. Preference may be given to candidate technicians who have demonstrated experience in facilities which handle or process uranium, thorium, or the transuranic elements; and/or those who have had experience in asbestos abatement work.
- E. The Contractor reserves the option to test technician candidates via written and/or practical tests to determine their qualifications with respect to Paragraphs 1.06 A and B of this section. Candidates must also meet the criteria in Paragraphs 1.06 C and D. The Contractor reserves the right to reject technician candidates at no cost to the Contractor. If a candidate is rejected, the Subcontractor shall supply a new candidate within 10 working days. The Contractor reserves the right to select from those candidates offered by the Subcontractor.
- F. Medical Qualification
1. Each Subcontractor employee performing on-site work shall be medically qualified to perform the duties described in Paragraph 1.03, and to wear air-purifying respirators, airline respirators, self-contained breathing apparatus (SCBA), and full-body chemical protective clothing.
  2. Initial and annual medical qualification requirements and the Medical Evaluation Report Form are included in the Health and Safety Plan (HASP). A completed form, certified by a licensed examining physician, must be

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submitted for Contractor approval prior to the commencement of work by any technician provided by the Subcontractor.

#### G. Training Requirements

1. All ES&H and waste management technicians provided under this subcontract will have successfully completed all training requirements described in the HASP.
2. Additionally, technicians will be required to successfully complete all site-specific training provided by the Contractor.
3. Subcontractor technicians will be required to attend and successfully complete any additional training the Contractor determines to be a requirement.

#### 1.07 SUBMITTALS

The submittals listed in the submittal checklist are required subsequent to subcontract award, but prior to the commencement of work by any Subcontractor technician at the WSSRAP unless otherwise stated. The submittal requirements listed are subject to change at the discretion of the Contractor.

#### PART 2 - PRODUCTS

NOT USED

#### PART 3 - EXECUTION

##### 3.01 SUPERVISION

The subcontracted technicians will work under the direct supervision of the Contractor's ES&H and Waste Management staff.

##### 3.02 COMPLIANCE WITH SAFETY AND HEALTH REQUIREMENTS

Subcontractor employees shall comply with all applicable regulatory requirements and site-specific requirements and policies regarding the conduct of work and the maintenance of a safe workplace and environment.

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**3.03 TESTING AND TRAINING**

- A. Within seven calendar days of receipt of a Notice to Proceed, the Subcontractor will provide the Contractor with the names and qualifications of the candidates for technician positions as outlined in Paragraphs 1.06 A & B of this specification. The Contractor will inform the Subcontractor of any candidates who require testing under the option described in Paragraph 1.06E. If required, testing will be scheduled at the convenience of the Contractor.
- B. All candidates approved by testing or those approved without testing shall receive site-specific training. This training will be conducted by the Contractor at his convenience. No Subcontractor employee will be permitted to perform service under this subcontract until all training requirements have been successfully completed.

**3.04 REMOVAL AND REPLACEMENT OF TECHNICIANS****A. Removal**

The Contractor may direct the Subcontractor to remove a technician at any time for (1) unexcused absence from the work site, (2) insubordination, (3) inability to perform specified duties, (4) inability to perform specified duties in a timely manner, (5) violation or disregard of site safety rules, or (6) behavior deemed by the Contractor to be irresponsible or reckless.

**B. Replacement**

If a technician is removed, or in the event of personnel attrition, whether voluntary or involuntary, the Subcontractor shall supply another qualified technician within 15 working days.

**PART 4 - MEASUREMENT AND PAYMENT****4.01 MEASUREMENT****A. Labor**

1. Payment for ES&H and waste management technician services shall be by the hour for each employee working at the project. The basis for the measurement shall be daily time sheets submitted by Subcontractor personnel and verified by the authorized Contractor Field Coordinator. Daily time sheets will be submitted to the field coordinator no later than noon of the first work day following the reporting period.
2. Straight time shall be the number of hours worked, up to 40 hours a week.
3. Overtime shall be the number of hours worked in excess of 40 hours a week.

**B. Examinations and Training**

1. Payment for all specified medical certifications requirements will be per employee examined and qualified, as evidenced by submittal of medical examination reports. If a prospective employee fails to pass a medical examination, the cost of the examination shall be paid by the Subcontractor.
2. Payment for all specified training will be per employee trained as evidenced by submittal of training certifications.

**4.02 PAYMENT****A. Labor**

Payment for technicians will be by the unit price for each labor hour as quoted in the bid schedule. The price quoted shall include full compensation for furnishing all labor as required, including direct labor costs, costs for the account representative, insurance, office and indirect expenses, and overhead and profit.

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**B. Examinations and Training**

Payment will be by the unit price quoted in the subcontract documents. The price quoted shall include all costs for performing the examination or testing as specified, including but not limited to direct expenses for examination, transportation, Subcontractor employee labor costs, insurance, office and indirect expenses, overhead, and profit.

**END SECTION 01065**

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