

1165-1 STATEWIDE HAZARDOUS MATERIALS ABATEMENT PROGRAM INSTRUCTIONS

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Statewide Hazardous Materials Abatement Program Instructions
SECTION 1.0: PROGRAM OVERVIEW

1.1 Program Summary

The Department of Administrative Services – Real Estate and Construction Services (DAS RECS) administers the Statewide Hazardous Materials Abatement Program (HazMat Program) to provide funding and technical assistance for Connecticut State Agencies (the client agency) to investigate and remediate hazardous building materials (hazmats) including asbestos, lead, PCB's, universal wastes, and mold, in state-owned buildings.

Eligible activities include:

- **Environmental Consulting** pre-abatement services for investigation, testing, and reporting of suspected hazmats; development of abatement plans and specifications; and oversight, monitoring, and reporting of abatement activities. (See Section 2.0 for details).
- **Abatement Contracting** services for the removal and disposal of hazardous building materials in state facilities. The DAS HazMat Program authorizes up to \$500,000 for abatement activities on projects with total estimated construction costs less than \$1M. (Exclusions and limitations apply. See Section 3.0 for details).
- **Emergency Response** for environmental consulting and/or abatement contracting services in response to an imminent health and safety condition, or disruption to agency operations. To be eligible, emergency response services *must commence within 24 hours of submitting a funding request to DAS* or receive specific authorization from the DAS Chief Architect and/or DAS Deputy Secretary. (See Section 4.0 for details).

1.2 Submitting an Application:

A client agency requesting DAS HazMat funding must complete the 1165 HazMat Project Request process in [Trimble Unity Construction](#) and be approved by the DAS Chief Architect and/or DAS Deputy Secretary. Application requirements vary based on estimated cost and scope of services requested.

Step-by-step instructions for using TUC are in the [1165 HazMat Project Intake Request Section of the 0175 Trimble Unity Construct \(TUC\) Guidance Manual](#).

For assistance with accessing your TUC account, please contact timothy.o'brien@ct.gov.

1.3 Overview of the Review and Approval Process


A typical agency project will include at least two project phases under separate 1165 applications:

1. **Investigation and Testing:** Phase I generally includes an 1165 request for consultant services under Contract 19PSX0120 to investigate and identify hazardous materials and to develop an abatement work plan. A facility with an existing hazmat investigation report may skip this step and proceed to the abatement phase. Consult with the facility manager and DAS Technical Services to determine if existing reports are available.

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2. Abatement and Monitoring: Phase II generally includes a second 1165 request for abatement/remediation services under Contract 20PSX0154 and including consultant monitoring and reporting services under Contract 19PSX0120.

The client agency must complete the **1165 HazMat Project Intake Request (HAZ)** process in TUC, including required cost proposals from the consultant(s) and contractor(s). (See Sections 2.0 through 4.0 for details). The client agency is responsible for reviewing estimates for accuracy and completeness prior to submitting for DAS review and approval.

The DAS HazMat Program Manager reviews the completed application for funding eligibility and, if approved, assigns the consultant and/or contractor with the lowest bid to the project. An email will be sent to the client agency and the assigned consultant and/or contractor informing them of their assignment and identifying potential dates and times for a scope review meeting.

After completing the scope review meeting, the DAS HazMat Program Manager will make a recommendation to the DAS Chief Architect to approve or deny funding for the proposed project.

If approved, the client agency will receive email notification of approval and a PDF copy of the fully authorized 1165 form. The client agency is responsible for coordinating with the consultant and/or contractor to administer the project.

If the 1165 application is denied at any point in the process, the client agency will receive an email notification and DAS shall specify the reason for denial and any corrective action to be taken by the client agency.

Note that the 1165 process authorizes project *funding* and provides technical assistance from DAS staff. The client agency is fully responsible for coordinating and administering the project in accordance with the client agency's own project management requirements and the DAS Agency Administered Project Manual 0500, and for verifying project completion in accordance with the approved scope of work.

1.4 Changes to Authorized Project Cost or Scope:

The client agency is responsible for immediately notifying DAS RECS of any anticipated changes to the project cost or scope authorized in the 1165, and for initiating the **HazMat Change Process (HzCh)** in TUC Unity Construction. See the HazMat Commitment Change Orders Section of the 0175 Trimble Unity Construct (TUC) Guidance Manual.

The Client Agency shall submit a Change Order request that includes a work plan and estimate from the environmental consultant and/or contractor. HazMat Program Change Order requests must be fully authorized by the DAS Chief Architect and/or DAS Deputy Secretary to ensure funding availability. The client agency is responsible for costs associated with unauthorized changes to scope or project cost.

DAS will review the application and approve or deny the funding request. DAS reserves the right to reject all, or any portion, of a funding request at the discretion of the DAS Deputy Commissioner or Chief Architect.

1.5 Payment Terms

Funding authorized under the HazMat Program is considered not-to-exceed the total approved amount for each vendor.

Payments will be made for actual time, materials, and equipment used, in accordance with the vendor's Exhibit B Price Schedules in the applicable state contract. Consultant and contractor invoices must include an accurate, itemized breakdown of all labor, materials, equipment, fees and other approved costs, accompanied by sufficient supporting documentation for verification (See Section 5.0 for details).

Statewide Hazardous Materials Abatement Program Instructions**2.0 ENVIRONMENTAL CONSULTANT SERVICES:**

2.1 General Requirements

DAS HazMat Program funding is generally available for consultant services consistent with [State Contract 19PSX0120](#), the [19PSX0120 Contract Usage Instructional Document](#), and these DAS HazMat Program policies. In limited instances, DAS may authorize funding for hazmat work performed under other state contracts if the work is consistent with (a) DAS HazMat Program policies, and (b) the public act authorizing language for the removal or encapsulation of asbestos and hazardous materials in state-owned buildings.

2.2 Eligible Scope of Services:

- **Pre-abatement Investigation** of known or suspected hazmats, survey report (SR) preparation, and development of abatement work plans/specifications. Funding is available for all project phases, including investigation/characterization of hazmats discovered during construction.
- **Abatement Monitoring** and related oversight, including compliance reporting. Funding for these services is only available for eligible abatement projects (see Section 3.2).

2.3 Application Requirements

Applications for environmental consultant services must include work plans and cost estimates consistent with the 19PSX0120 Contract Usage Instructional Document and with DAS HazMat Program requirements, as follows:

- **For consultant services estimated to be less than \$5,000:**
 - Obtain a work plan and estimate from at least one qualified consultant in accordance with the Contract 19PSX0120 Specialized Contract Use requirements and the Exhibit B Price Schedule. Multiple estimates are encouraged but generally not required.
- **For consultant services estimated to be \$5,000 or greater:**
 - Request work plans and cost estimates from *all qualified consultants* in accordance with Contract 19PSX0120 Standard Contract Use requirements and the Exhibit B Price Schedule.
 - Provide copies of all cost proposals received, and written verification that all qualified vendors were invited to bid.
 - If applicable, the agency may elect to use only a single bidder in accordance with the Special Contract Use if the agency determines that the vendor has special expertise, past performance, project knowledge, time sensitivity, or other factors that are advantageous to the project. Written justification is required.
- **For consultant services in an Emergency, refer to Section 4.0 for details.**

Statewide Hazardous Materials Abatement Program Instructions**3.0 ABATEMENT CONTRACTING SERVICES:**

3.1 General Requirements

DAS HazMat Program funding can be authorized for Abatement Contracting services consistent with [State Contract 20PSX0154](#), the [20PSX0154 Policy Statement](#), and these DAS HazMat Program policies. This Program can provide up to \$500,000 for abatement activities on projects with total estimated project construction costs less than \$1,000,000 (i.e.. all hard costs including abatement contractor costs). In limited instances, DAS may authorize funding for hazmat work performed under other state contracts if the work is consistent with (a) DAS HazMat Program policies, and (b) the public act authorizing language for the removal or encapsulation of asbestos and hazardous materials in state-owned buildings.

3.2 Eligible Scope of Services

- Up to \$500,000 of DAS HazMat funds for abatement, remediation, encapsulation, and disposal of asbestos, PCB's, lead, universal waste, and mold in accordance with State Contract 20PSX0154 and the 20PSX0154 Policy Statement, as part of capital renovation projects with total construction costs (i.e.. hard costs including abatement contractor costs) less than \$1,000,000.
- Exclusions and Limitations:
 - Excludes demolition, except as necessary and ancillary for eligible abatement activities.
 - Excludes cleaning and sanitizing in response to pathogens, including COVID.
 - Excludes Radon testing.
 - Excludes roof replacement projects. Roofing contractors on other state labor contracts are properly licensed to remove and dispose of asbestos containing roofing material as part of a roof replacement project.
 - Excludes soil abatement, including removal of Underground Storage Tanks (USTs). Abatement funding under this program is limited to hazardous *building materials*.
 - Excludes abatement of unforeseen hazmats *discovered during project construction*. DAS hazmat funds are designated for agencies to investigate, plan for, and conduct abatement activities *prior to or in conjunction with construction activities*. Unanticipated hazmats discovered during construction must use agency project funds. Limited exceptions may be granted with authorization from the DAS Deputy Commissioner and/or DAS Chief Architect.
 - Excludes funding for projects with \$1,000,000 or greater in total construction costs (i.e.. hard costs plus abatement contractor costs). Such projects must use project funds for abatement contracting and related environmental consultant monitoring and reporting. Limited exceptions may be granted with authorization from the DAS Deputy Commissioner and/or DAS Chief Architect.

3.3 Application Requirements

Applicants must comply with the 20PSX0154 Policy Statement Standard Contract Use requirements for all requests, regardless of the estimated costs of services, as follows:

- Request work plans and cost estimates from *all qualified contractors* in accordance with the Contract 20PSX0254 Standard Contract Use requirements, and Exhibit B Price Schedule.
- Provide copies of all cost proposals received and written verification that all qualified vendors were invited to bid. The client agency must demonstrate a good-faith effort to provide a minimum of three (3) responses from vendors, including “no bid” responses.

For abatement services in an Emergency, refer to Section 4.0 for details.

Statewide Hazardous Materials Abatement Program Instructions

4.0 EMERGENCY USE OF HAZMAT FUNDS:

4.1 General Requirements

DAS RECS uses an abbreviated application process to authorize DAS HazMat Program funding for consultant services consistent with [State Contract 19PSX0120](#), the [19PSX0120 Contract Usage Instructional Document](#), and for Abatement Contracting services consistent with [State Contract 20PSX0154](#), the [20PSX0154 Policy Statement](#), and DAS HazMat Program policies.

Detailed instructions for submitting an emergency application for funds are available in the HazMat Emergency Project (Agency PM) Section of the 0175 Trimble Unity Construct (TUC) Guidance Manual.

An emergency under this program must meet both of the following conditions:

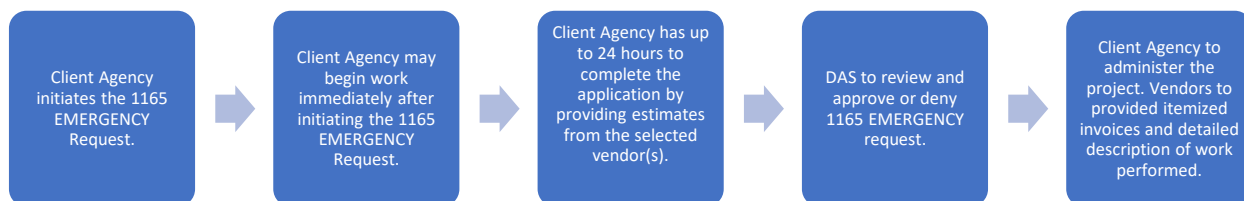
- 1) **Be an immediate threat to the health and safety of any persons, and/or disrupts the normal operation of the agency (or portions thereof), *and***
- 2) **Require the commencement of hazmat services within a twenty-four (24) hour period.**

4.2 Eligible Scope of Services

All eligible environmental consulting and abatement contracting services identified in Sections 2 and 3. Emergency funding is limited to resolving the imminent threat to health and safety and restoring normal agency operations. Planned renovations, alterations, or additions to a facility are not considered emergencies.

During an emergency, the DAS HazMat Program applies the Specialized Contract Use provisions of the corresponding PSX contract(s).

4.3 Application Process and Additional Requirements:



In an emergency, the client agency is required to notify DAS of its intent to use HazMat Program funds by initiating the standard 1165 hazmat request in TUC Unity Construction and selecting “Yes” to the “Emergency Use of Funds” question. The client agency may immediately begin work after initiating the 1165 request. No scope review meeting or DAS pre-authorization is required.

Emergency applications do not require written proposals from the consultant or contractor at the time of application but do require the client agency to identify the consultant and/or contractor and provide an estimated cost of services within 24 hours of initiating the 1165 emergency request. Failure to complete this information within twenty-four hours of initiating the request may invalidate the application.

DAS will review the application and approve or deny the funding request at the discretion of the DAS Deputy Commissioner or Chief Architect.

Standard DAS HazMat Program Payment Terms (Section 1.5) and Closeout Requirements (Section 5.0) apply, but with additional invoice requirements. DAS reserves the right to reject payment at the discretion of the DAS Deputy Secretary or Chief Architect.

The client agency and the consultant and/or contractor are responsible for compliance with all applicable state and federal requirements, applicable state contract requirements, and any corresponding DAS policies.

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5.0 PROJECT CLOSEOUT:

The DAS HazMat Program provides funding and technical assistance only. The client agency is responsible for coordinating and administering the project in accordance with the client agency's project management requirements and the DAS Agency Administered Project Manual 0500.

DAS's role is limited to verifying that expenditures comply with all PSX Contract requirements and HazMat Program policies. This involves reviewing invoices for accuracy and completeness and verifying receipt of required reporting. Projects are considered closed once final payment is issued to the vendor(s).

DAS HazMat Program requirements are as follows:

5.1 Invoice Submittal and Review Process



The consultant or contractor is responsible for submitting its invoices to TUC. See the Hazmat Invoice Instructions for Agencies Section of the 0175 Trimble Unity Construct (TUC) Guidance Manual for details.

Invoices must include the following:

- DAS HazMat Project Name *(see 1165 authorization)*.
- DAS HazMat Project Number *(see 1165 authorization)*.
- DAS/DPW Building Number *(see 1165 authorization)*.
- Consultant/Contractor PO Number *(contact DAS staff for assistance)*.
- Consultant/Contractor FEIN or SSN No.
- Consultant or Contractor Project Number.
- Consultant or Contractor Invoice Number.
- Consultant or Contractor Invoice Submittal Date *(must be updated each time invoice is revised and resubmitted)*.
- Start and end dates for work included in the invoice.
- Identify if the invoice is a progress payment or final payment.
- A *meaningful* description of the work performed, including location details, work phase, etc.
- Itemized breakdown of time, materials, and equipment utilized on the project in conformance with the Exhibit B Price Schedule for each vendor contract.
- Supporting documentation (e.g. receipts, invoices, etc) for all additional fees and non-contract items, including EPA and DPH notifications, waste disposal, and subcontractor charges.
- Invoice file names shall clearly identify the HazMat Project Number, consultant or contractor name, and consultant or contractor invoice number.

Invoices for EMERGENCY projects must also include:

- Payroll reporting to verify the staff time and labor committed to the project, and
- A more detailed description of the work performed.

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DAS will review invoices for accuracy, completeness, and adherence to contract rates, and verify receipt of all required documentation including project reporting, USEPA and CTDPH notifications, supporting documentation, waste manifests, etc. Incomplete invoices will be rejected, and DAS will specify the reason for rejection and required corrective action.

Upon DAS approval, the client agency will receive notice via email to review the invoice and verify completion and acceptance of the work performed by the consultant/contractor. If approved by the client agency, DAS shall process the invoice for payment.

As noted previously, final payments are not-to-exceed based on actual time, material, equipment, and other approved costs in accordance with the approved rates in each vendor's state contract.

5.2 HazMat Reporting Requirements:

All Survey Reports, Compliance Reports, and related documentation must comply with state and federal reporting requirements, including [State of Connecticut Regulations Section 19a-332a-4](#).

Environmental consultants are primarily responsible for ensuring that the client agency and DAS receive completed copies of Survey Reports (SR), Compliance Reports (CR), and other required reports. Contractors may use this same process to upload any project reports or supporting documentation.

Reports must be submitted to DAS using the **Environmental Report (EnvRp) Process Instance** in TUC. See the Filing Environmental Reports Section of the 0175 Trimble Unity Construct (TUC) Guidance Manual.

Reports must include the following to be accepted by DAS:

- DAS HazMat Project Name (*see 1165 authorization*)
- DAS HazMat Project Number (*see 1165 authorization*)
- DAS/DPW Building Number (*see 1165 authorization*)
- Consultant/Contractor Project Number
- Date of the report
- Date range for work included in the report
- Consultant/contractor contact information
- All state and federally required information.

Reports uploaded into TUC must include the following file-name format (File names cannot include special characters or punctuation):

DAS Building #_Building Name_SR or CR or N_HazMat Project #_8-digit date(MMDDYYYY)_report descriptor

(Example: 16958_Durant Building_SR_2B-15-05_12032015_Asbestos.pdf)

SR = Survey or Investigation Reports;
 CR = Compliance Reports;
 N = Asbestos Abatement Notification Forms.
 IAQ = Indoor Air Quality Inspection
 Work Plan = Work Plan

Statewide Hazardous Materials Abatement Program Instructions**6.0 ADDITIONAL PROGRAM DETAILS**

Environmental Consultants, Abatement Contractors, and Client Agencies are responsible for familiarizing themselves with the contents of the corresponding PSX contracts. This section provides additional details on HazMat Program policies and highlights important contract topics. See the corresponding PSX contracts for complete details.

6.1 Supplemental Unit Pricing for Non-Contract Items, including Subcontractor services

Contract 19PSX0120, Exhibit A, Section III Contract Pricing and Contract 20PSX0154, Exhibit A, Section 2, Exhibit B Pricing requires written approval from DAS for all services, equipment, and materials not found in the Exhibit B Price Schedule.

Prior to performing the work, the consultant or contractor shall provide written notice to the Client Agency and DAS requesting approval of non-contract items. DAS will provide a written response approving or denying the request.

Subcontractors: The Client Agency shall, when available, use available DAS procurement contracts for any additional services - no markup is allowed. If the necessary services are not available on an existing DAS procurement contract, the primary contractor may seek other subcontractors and be allowed a 5% markup, if authorized by the Client Agency and DAS. DAS must approve, in writing, any subcontractors utilized by the Contractor prior to commencing work. The primary contractor must perform the majority of the work.

6.2 Standard and Specialized Contract Use

The Contract 19PSX0120 Contract Usage Instructional Document and the 20PSX0154 Policy Statement describe Standard and Specialized Use requirements as follows:

Standard Use: The client agency must request a scope of work plan, schedule, and cost from each of the vendors on the contract and select the contractor with the best overall proposal. Generally applies to environmental consultant services \$5,000 or greater and all abatement contractor activities under the DAS HazMat Program, except emergency activities.

Specialized Use: The client agency must request a scope of work plan, schedule, and cost from at least one vendor determined by the Client Agency to be the most qualified for the specific work, based on special expertise, availability, building knowledge and cost effectiveness. The Client Agency must provide a written explanation why only one vendor was solicited. Generally applies to environmental consultant services less than \$5,000 or environmental consultant services greater than \$5,000 that meet the contract provisions.

6.3 Prevailing Wage Requirements

Abatement activities more than \$100,000 are considered renovation projects and are subject to the prevailing wage requirements of Connecticut General Statute Section 31-53.

6.4 Commission on Human Rights and Opportunities (CHRO) Good Faith Efforts Plan Requirements

Abatement activities where total contractor costs exceed \$150,000 must develop and file a good faith efforts plan with [CHRO](#) in accordance with Connecticut General Statutes §§ 4a-60, 4a-60g, and 46a-68b–46a-68g. DAS will notify the contractor, client agency, and CHRO when such projects receive HazMat Program funding. The Contractor is responsible for satisfying all CHRO requirements, and DAS may withhold payment until compliance is confirmed.

Statewide Hazardous Materials Abatement Program Instructions**7.0 SAMPLE SCOPE OF SERVICES FOR CONSULTANT/CONTRACTOR INVITATION TO BID**

The following are generic examples for client agencies to use as a starting point for developing a scope of services for hazmat investigation and abatement projects. The client agency is responsible for adding, deleting, or modifying the language below specific to the needs of the project.

7.1 Sample Scope of Services for Investigation and Testing:

[Agency] is requesting environmental consultant services in accordance with State Contract 19PSX0120 for the investigation of potential hazardous building materials in conjunction with the following project:

[Include Project Location and Description of the Proposed Work]

The requested scope of environmental consultant services includes:

- Review existing reports for the presence of hazardous building materials (HBMs).
- Perform additional investigation and testing, as needed, to identify any asbestos containing materials (ACM) lead-based paint (LBP), and mold.
- Investigate and identify suspected PCB containing material and universal wastes. No testing unless authorized in writing by the agency.
- Unless otherwise specified, the consultant should expect to investigate and document all materials and surfaces within the project area for the presence of HBM's. Includes destructive testing where applicable and approved by the agency.
- Develop a Survey Report, including site sketches, identifying all areas tested and the corresponding results.

Additional project-specific services to be included at the client agency's discretion:

- Develop a Work Plan and Specifications to be used in bidding abatement/remediation activities; [Client Agency should specify if the consultant will need to work with the designer to develop the specs, or will be providing a standard work plan and specs for the designer to incorporate into the bid documents or for the agency to use to directly bid the abatement work].
- Provide an estimated cost to complete the abatement work as specified in the work plan including but not limited to contractor costs inclusive of all disposal, notification, and other fees; and all consultant monitoring and reporting.

7.2 Sample Scope of Services for Abatement and Monitoring:

[Agency] is requesting environmental consultant services in accordance with State Contract 19PSX0120 and 20PSX0154 for the abatement of known hazardous building materials in conjunction with the following project:

[Include Project Location and Description of the Proposed Work]

The requested scope of environmental consultant services includes:

- Conduct pre-abatement inspection of the work area.
- Review abatement contractor training and medical documentation.
- Monitor and record abatement activities while on-site (Consultant to specify frequency of monitoring – full-time, part-time, daily, as-needed, etc).
- Monitor conditions of the work area and adjacent areas, and implement corrective actions as needed.
- Conduct post-abatement visual inspection and final air clearance monitoring (Consultant to specify type of clearance testing required).

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- Prepare and deliver a final abatement compliance report.

The requested scope of abatement contracting services includes:

- Supply all labor, materials, equipment, services, insurance, and incidentals, including but not limited to disposal, necessary to perform the specified abatement work in accordance with all governmental regulations.
- Identify any subcontractor or non-contract materials or equipment necessary to complete the abatement work as specified, and their associated costs.
- Identify any specific project needs, such as water, electricity, access, or trade labor to be provided by the agency.
- File all applicable CTDPH and USEPA notifications.
- Provide the environmental consultant with all necessary documentation to complete the Compliance Report, including waste disposal manifests.