

**MODIFICATION No. 3
TO
SAN RAFAEL CITY SCHOOLS
INDEPENDENT CONSULTANT AGREEMENT
FOR PROFESSIONAL SERVICES
WITH SENSIBLE ENVIRONMENTAL SOLUTIONS, INC.
FOR INDUSTRIAL HYGIENE (HAZMAT) SERVICES
AS APPROVED BY SAN RAFAEL CITY SCHOOLS BOARD OF EDUCATION
ON JANUARY 9, 2017**

This Modification No. 3 ("Modification") amends the Independent Consultant Agreement for Professional Services ("Agreement"), which was entered into by and between San Rafael City Schools ("District") and Sensible Environmental Solutions, Inc. ("Consultant") (together, "Parties") as follows:

RECITALS

WHEREAS, the parties entered into the Agreement executed on or about January 9, 2017; and

WHEREAS, both parties wish to make certain modifications to their Agreement; and

Now, THEREFORE, in consideration of the mutual promises and covenants set forth above and contained herein, the Parties agree as follows:

1. **Exhibit "A"** to the Agreement is deleted in its entirety and replaced with the document titled "**Exhibit "A"**" and attached to this Amendment.
2. In Section 4 of the Agreement ("Compensation"), "Forty-Six Thousand, Five Hundred Seventy-Eight Dollars (\$46,578)" is deleted and replaced with "One Hundred and Eight Thousand, Seven Hundred Nineteen Dollars (\$108,719)."
3. Subsection 4.2.2, 4.2.3, and 4.2.4 are added below subsection 4.2.1:
 - 4.2.2. Hazardous Materials Design and Construction Support Services subsequent to Hazardous Materials Inspection Report prepared for Glenwood Elementary School, dated January 31, 2018:
 - Task 1 - Development of Hazardous Materials Abatement Specifications
 - Task 2 - Meetings
 - Task 3 - Contractor Submittal Review
 - Task 4 - Construction Monitoring
 - Task 5 - Final Report
 - 4.2.3 Hazardous Materials Additional Survey and Design Services subsequent to Hazardous Materials Inspection Report prepared

for Laurel Dell Elementary School, dated August 18, 2017 and Hazardous Materials Inspection Report prepared for San Pedro Elementary School, dated August 21, 2017:

Task 1 – Hazardous Materials Data Review and Supplemental Site Survey

Task 2 – Development of Hazardous Materials Abatement Specifications

4.2.4 Hazardous Materials Construction Support for Laurel Dell Elementary School Modernization, Additions, and Site Work – Increments 1 and 2:

Task 1 – Meetings (Three)

Task 2 – Contractor Submittal Review

Task 3 – Construction Monitoring

4. All other provisions of the Agreement shall remain in full force and effect and are reaffirmed. If there is any conflict between this Agreement and any provision of the Agreement relating to this Amendment only, the provisions of this Amendment shall control.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment.

By _____
Dr. Michael Watenpaugh
Superintendent
San Rafael City Schools

Date

By _____
Mitchell M. Edwards
Senior Industrial Hygienist

Date

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Exhibit "A"

Sensible Environmental Solutions, Inc. ("SES") shall provide hazardous materials consulting services for Glenwood Elementary, Laurel Dell Elementary and San Pedro Elementary Schools ("projects") as further described below:

Pre-Design Phase

1. Hazardous Materials inspections, reporting and cost estimating (Glenwood Elementary, Laurel Dell Elementary and San Pedro Elementary)

a. Phase I: Preliminary Investigation/Site Assessment

- i.** Review all existing hazardous materials survey data as contained in the District's AHERA Management Plans and LBP Data records to determine what suspect building materials have been sampled and what additional sampling is required to fill in any data gaps;
- ii.** Conduct walkthroughs of all buildings to review locations of known and assumed asbestos-containing materials (ACMS), lead-based paint (LBP), PCB Ballasts and fluorescent light tubes and suspect mercury containing thermostats. Determine extent of sampling required to accurately represent existing hazardous materials within the buildings; and

b. Phase II: Hazardous Materials Investigations

From the data collected from the Preliminary Investigation/Site Assessment, conduct a comprehensive hazardous materials investigation at the site(s) including a detailed inspection of existing building construction assemblies. Services shall include:

- i.** Asbestos Survey: Upon completion of review of the District's existing data, SES will visit the sites and visually inspect interior and exterior building areas for suspect asbestos containing materials (ACMs). Samples of each homogeneous material will be collected if sufficient data is not available to determine whether or not a material contains asbestos or if varying sample results collected during previous surveys required additional sampling. Samples will be collected using methods that avoid rendering the material friable during sampling. Samples will be placed in sealed and labeled containers and sent to a NIST/NVLAP accredited laboratory for analysis of bulk samples for asbestos content. SES has budgeted for the collection of up to 835 bulk material samples on a 3-5 day turnaround. This total is equivalent to approximately 105 samples per campus. *To provide a cost savings to the District, SES will instruct the laboratory to stop analysis for each first positive result (asbestos identified at >1%) for each homogeneous material. The District will only be charged for those number of samples actually analyzed.*

- ii. Lead-based Paint Survey: Upon completion of review of the District's existing data, SES will conduct a "screening" for lead-based paint (LBP) of exterior and interior areas for suspect LBP if data is unavailable. The LBP survey will be conducted by X-ray fluorescent (XRF) testing using an RMD portable XRF spectrum analyzer, Model LPA-1. For each test performed, test data recorded includes the location, component name, substrate composition, sample time and sample result for lead content in milligrams per square centimeter (mg/cm²). LBP sampling utilizing an XRF spectrum analyzer allows for screening a large number of surfaces for moderate to high lead content without damaging the surface. Each test is assigned an arbitrary test sequential number by the XRF data management system as testing proceeds and information pertaining to test location, component tested and substrate are entered for each test.
- iii. Universal Waste Investigation: SES will visually inspect thermostats and random fluorescent light fixtures in all of the buildings scheduled for modernization at the subject site for the presence of mercury thermostats, PCB ballasts and mercury containing fluorescent light tubes.
- iv. Chemical Laboratory Inventory: SES's sub-consultant, Stericycle Environmental Solutions will visually inspect and inventory laboratory chemicals from the two high school and two middle school campuses. Chemicals in each science and chemistry classroom and the quantities will be noted for determining costs associated with proper lab packing and disposal.
- v. Document Review for Underground Storage Tanks: SES's sub-consultant, Quest GeoSystems Management will conduct a documentary search of the local jurisdiction in order to identify past and existing UST's associated with the seven listed District Campuses. This survey will include review of online historical UST data and local regulator agency file review.
- vi. Final Reporting and Cost Estimating: At the completion of the Hazardous Materials Investigation, SES will provide the District with a final report with our findings, recommendations and a preliminary abatement cost estimate. One final report will be provided for each campus inspected (8 separate reports). The preliminary abatement cost estimate for each site will provide costs associated with the removal of all hazardous materials for incorporation into the District's Master Plan. SES will provide one (1) hard copy and one (1) electronic copy of the final report for each campus.

Modification No. 1 - Design and Construction Support Phase

1. Development of Master Specifications

- a. Utilizing the information collected during the hazardous materials investigation phase, SES will develop a set of Master Specifications for the District. SES will provide draft specifications at the 90% completion stage of work for review and comment. Upon receipt of comments, SES will incorporate review comments and provide one (1) electronic copy and one (1) hard copy of the Master Specifications.

2. Hazardous materials design and construction support services

- a. Utilizing the information collected during the pre-design investigation phase, SES will prepare detailed hazardous materials abatement specifications for the abatement of identified hazardous materials that will be impacted by the projects. SES assumes the following specifications sections will be required:
 - i. Section 00 31 26 – Existing Hazardous Materials Conditions;
 - ii. Section 01 11 00 – Summary of Hazardous Materials Work;
 - iii. Section 02 82 00 – Asbestos Abatement; and
 - iv. Section 02 83 00 – Lead-impacted Construction and Abatement.
- b. SES will work closely with the project team to identify those hazardous materials which will be impacted by the projects and the most practical compliance approach. SES will provide draft specifications at the 90% completion stage of work for review and comment. Upon receipt of comments, SES will incorporate review comments and provide an electronic copy of Bid documents to the District for inclusion into the Bid Submittal.

3. Meetings (Two Budgeted)

- a. SES will attend one (1) pre-construction meeting to discuss and review the scope of work for the abatement project. SES will address contractor questions regarding the scope of work and the submittal process. SES has also budgeted for one (1) additional meeting for attendance to a site kick-off meeting on the first day of abatement.

4. Contractor Submittal Review

- a. SES will review and approve the hazardous materials abatement contractor's submittal package. SES's review will consist of ensuring the Contractor's work plan is acceptable and meets the requirements of the project and applicable regulations. SES assumes that the review will be for one (1) abatement contractor. If more than one (1) submittal package is provided or additional reviews are required, SES will be reimbursed in accordance with their standard fee schedule.

5. Construction Monitoring

- a. SES has budgeted for up to ten (10) 8-hour monitoring shifts working normal hours, Monday through Friday. Monitoring services will include the following:
 - i. Providing Hazardous Materials Management Services during abatement operations;

- ii. Providing an on-site inspector who is a California Certified Asbestos Professional (CAC/CSST) and California Department of Public Health (CDPH) Certified Lead Professional;
- iii. Conducting pre-start visual inspections of the contractor's work areas, documenting the contractor's work procedures and collecting daily submittals;
- iv. Collecting daily air samples for asbestos or lead outside of work areas during abatement activities. SES has budgeted for the collection of up to four (4) asbestos or lead air samples per shift for a total of 40 air samples; and
- v. Conducting final visual clearance inspections for asbestos at completion of abatement operations.

6. Final Report

- a. At the completion of the projects, SES will provide two (2) hard copies and two (2) electronic copies of the Final Hazardous Materials Management Report. The final report will document the hazardous materials procedures utilized during the projects and include a project narrative, daily logs, sample survey forms, laboratory results, photographs and Contractor's pre- and post-abatement submittal information.

Modification No. 2 – Additional Survey and Design Support Services – Laurel Dell and San Pedro Elementary Schools

1. Hazardous Materials Data Review and Supplemental Site Survey – Laurel Dell Elementary School and San Pedro Elementary School

- b. SES will review all available existing hazardous materials survey data and the DD documents to identify known and assumed hazardous materials (asbestos, lead, universal wastes, etc.) at the site. After review, SES to visit the site and conduct a supplemental hazardous materials survey which will include the following:
 - i. Asbestos Survey: SES's California Certified Asbestos Consultants (CACs) will visit the site and visually inspect impacted roof areas related to this project for suspect asbestos containing materials (ACMs). Homogenous materials will be identified and noted. Samples of each homogeneous materials will be collected if sufficient data is not available to determine whether or not a material contains asbestos or if varying sample results collected during previous surveys require additional sampling. Samples will be collected using methods that avoid rendering the material friable during sampling. Samples will be placed in sealed and labeled containers and sent to a NIST/NVLAP accredited laboratory for analysis of bulk samples for asbestos content.
 - ii. Lead-based Paint Survey: SES's California Department of Public Health (CDPH) Certified Lead Inspectors/Risk Assessors will

conduct a limited lead-based painted (LBP) survey of roof areas for suspect LBP. The LBP survey will be conducted by X-ray fluorescence (XRF) testing using an RMD portable XRF spectrum analyzer, Model LPA-1. For each test performed, test data recorded will include the location, component name, substrate composition, sample time and sample result for lead content in milligrams per square centimeter (mg/cm²). Each test is to be assigned an arbitrary test sequential number by the XRF data management system as testing proceeds and information pertaining to test location, component tested and substrate are to be entered for each test.

- iii. PCB Caulking / Putty Survey: SES to collect representative bulk samples of exterior window and door putties and caulking at the site for the presence of PCBs.
- iv. Reporting: At the completion of the supplemental site sampling, SES will provide a survey report which will incorporate all findings from this inspection.

2. Development of Hazardous Materials Abatement Specifications

- a. Utilizing the information collected during the pre-design investigation phase, SES to prepare detailed hazardous materials abatement specifications for the abatement of identified hazardous materials that will be impacted by the project. SES assumes the following specification sections will be required:
 - i. Section 01 11 00 – Summary of Hazardous Materials Work;
 - ii. Section 02 82 00 – Asbestos Abatement
 - iii. Section 02 83 00 – Lead-impacted Construction and Abatement; and
 - iv. Section 02 84 00 – PCB Ballasts, PCB Transformers, and Universal Wastes
- b. SES to work closely with the project team to identify those hazardous materials which will be impacted by the project and the most practical compliance approach. SES will provide draft specifications at the 90% completion stage of work for review and comment. Upon receipt of comments, SES to incorporate review comments and provide an electronic copy of Bid Documents to the District for inclusion into the Bid Submittal.

Modification No. 3 – Hazardous Materials Construction Support Services for Laurel Dell Elementary School Modernization, Additions and Site Work – Increments 1 and 2

1. Hazardous Materials Construction Support Services – Laurel Dell Elementary School

- a. Sensible Environmental Solutions, Inc (SES) to attend one (1) pre-construction meeting to discuss and review the scope of work for the

abatement project. SES is to address contractor questions regarding the scope of work and the submittal process. SES to attend two (2) additional kick-off meetings for each increment of work.

- b. SES to review and approve the hazardous materials abatement contractor's submittal package. SES's review will consist of ensuring the Contractor's work plans are acceptable and meet the requirements of the project and applicable regulations. This review is based off of the assumption that both increments will be included in one submittal package.
- c. SES to monitor to include the following:
 - i. Provide Hazardous Materials Management Services during abatement operations;
 - ii. Provide an on-site inspector who is a California certified Asbestos Professional (CAC / CSST) and California Department of Public Health (CDPH) Certified Lead Professional;
 - iii. Conduct pre-start visual inspections of the contractor's work areas, documenting the contractor's work procedures and collecting daily submittals;
 - iv. Collect up to four (4) daily air samples for asbestos or lead outside of work areas during abatement activities;
 - v. Conduct final visual clearance inspections for asbestos and lead at completion of abatement operations. For buildings scheduled for renovation and re-occupancy, SES will collect up to three (3) sets of clearance air samples to be analyzed by transmission electron microscopy (TEM) and four (4) sets of clearance air samples to be analyzed by phase contrast microscopy in accordance with EPA AHERA Protocol. For buildings scheduled for demolition, SES to collect up to 21 air samples for analysis.
- d. At the completion of the project, SES to provide two (2) hard copies and two (2) electronic copies of the Final Hazardous Materials Management Report. The final report is to document the hazardous materials procedures utilized during the project and include a project narrative, daily logs, sample survey forms, laboratory results, photographs and the Contractor's pre- and post-abatement submittal information.