



ADDENDUM NO. 2 TO PROJECT NO. 44802

**HAZARDOUS MATERIALS WORK
 HAZARDOUS MATERIALS ABATEMENT
 BUILDING NO. 5
 STATE OFFICE BUILDING CAMPUS
 1220 WASHINGTON AVENUE
 ALBANY, NY**

June 7, 2013

NOTE: This Addendum forms a part of the Contract Documents. Insert it in the Project Manual. Acknowledge receipt of this Addendum in the space provided on the Bid Form.

SPECIFICATIONS

1. SITE SPECIFIC VARIANCE FILE 13-0428: Add attached Document (14 pages) to the Project Manual.
2. Page 011000-5, Subparagraph 1.10 L.1.: Add the following Subparagraph:
 "a. Passenger elevators will not be available during shutdown period for the Switchgear Room Work."
3. Page 015000-1, Paragraph 1.05 A.: Delete this Paragraph in its entirety, and replace with the following:
 - "A. Existing ground floor toilet rooms to be used by the Contractor's and subcontractors' employees will be designated by the Director's Representative. Maintain assigned toilet rooms in a sanitary condition.
 1. Exception: The designated ground floor toilet room will not be available during ground floor asbestos abatement. Provide temporary toilet as specified in Paragraph below.
 - B. Construction Work Contract: Provide toilet facilities for Contractor's and subcontractors employees engaged on the Project, including employees of other contractors. Locate toilets where directed, and maintain them in a sanitary condition.

NUMBER OF EMPLOYEES	MINIMUM NUMBER OF FACILITIES
20 or less	1 toilet
20 or more	1 toilet and 1 urinal per 40 employees

*Toilet/Urinal Combinations shall count as only one facility.

1. Where water and sewer connections are available, provide water closets, otherwise provide approved chemical or electric toilets.
2. Locate toilet facilities no more than 1000 feet from any work location.

- a. Exception: Mobile crews having readily available transportation to nearby toilet facilities.”
- 4. Page 015123-1, ARTICLE 1.01 TEMPORARY HEAT: Add the following Paragraph:
 - “C. Temporary Heat System: Will remain active for project duration and will be turned over to the State upon Project completion in satisfactory working condition.

DRAWINGS

- 5. Drawing No. H-100, GROUND FLOOR ABATEMENT PLAN:
 - a. Room No. 28: Add the following Note:
“Remove large air handling unit, air compressor, and various ventilation ductwork (approx. 48’’x42’’) as required to gain access to asbestos spray-on fire proofing at the ceiling”.
 - b. Room No. 33: Add the following Note:
“Remove redeployed XXR equipment to gain access”.
- 6. Drawing No. H-102, SECOND FLOOR ABATEMENT PLAN: Add the following Note to Room 206 (Kitchen):
“Remove and dispose of air handling unit not depicted on the plans, approx. 7’x 4’ ft., including all associated piping and electrical wiring to gain access to floor & ceiling. Remove and dispose of metal sliding gate not depicted on the plans to gain access to floor & ceiling.”
- 7. Drawing No. H-107, PENTHOUSE ABATEMENT PLAN: Change the Note, “Proposed location for exterior hoist to be constructed for access to the building and waste-out of asbestos to ground level. Remove windows and construct platforms on the interior of the building as necessary to allow entry and exit through windows”, to read “Proposed location for exterior hoist to be constructed for access to the building and waste-out of asbestos to ground level. Remove roof handrails and construct platforms on the roof surface as necessary to allow entry and exit to the temporary exterior hoist.”

END OF ADDENDUM

James Dirolf, P.E.
Director of Design

JRC:jc



New York State Department of Labor
Andrew M. Cuomo, Governor
Peter M. Rivera, Commissioner

June 5, 2013

CHA Consulting
3 Winners Circle
Albany, NY 12205

RE: File No. 13-0428

Dear Sir/Madam:

**STATE OF NEW YORK
DEPARTMENT OF LABOR
DIVISION OF SAFETY AND HEALTH**

The attached is a copy of Decision, dated, 5/23/2013, which I have compared with the original filed in this office and which I DO HEREBY CERTIFY to be a correct transcript of the text of the said original.

If you are aggrieved by this decision you may appeal within 60 days from its issuance to the Industrial Board of Appeals as provided by Section 101 of the Labor Law. Your appeal should be addressed to the Industrial Board of Appeals, Empire State Plaza, Agency Building 2, 20th Floor, Albany, New York, 12223 as prescribed by its Rules and Procedure, a copy of which may be obtained upon request.

WITNESS my hand and the seal of the
NYS Department of Labor, at the City of
Albany, on this day of 5/23/2013.

A handwritten signature in black ink, appearing to read "Edward A. Smith".

Edward A. Smith, P.E.
Senior Safety and Health Engineer
Engineering Services Unit

RP

STATE OF NEW YORK
DEPARTMENT OF LABOR
STATE OFFICE BUILDING CAMPUS
ALBANY, NEW YORK 12240-0100

Variance Petition

Of

CHA Consulting, Inc.
Petitioner's Agent on Behalf of

NYSOGS
Petitioner

in re

Premises: Harriman State Campus – Bldg. 5
1220 Washington Avenue
Albany, NY 12226

**Interior Debris Cleanup and Various Friable &
Non-friable ACM Removal**

File No. 13-0428

DECISION

Cases 1 - 2

ICR 56

The Petitioner, pursuant to Section 30 of the Labor Law, having filed Petition No. 13-0428 on May 2, 2013 with the Commissioner of Labor for a variance from the provisions of Industrial Code Rule 56 as hereinafter cited on the grounds that there are practical difficulties or unnecessary hardship in carrying out the provisions of said Rule; and the Commissioner of Labor having reviewed the submission of the petitioner dated April 30, 2013; and

Upon considering the merits of the alleged practical difficulties or unnecessary hardship and upon the record herein, the Commissioner of Labor does hereby take the following actions:

Case No. 1

ICR 56-7.1(c)(4)

Case No. 2

ICR 56-7.8(a)(11)

VARIANCE GRANTED. The Petitioner's proposal for cleanup and removal of various friable & non-friable ACM, quantities as listed in the attached proposal, at the subject premises in accordance with the attached 10-page stamped copy of the Petitioner's submittal, is accepted; subject to the Conditions noted below:

THE CONDITIONS

1. As written with modifications as noted.
2. A full time project monitor shall be on site and responsible for oversight of the asbestos project during all abatement and cleanup activities to ensure compliance with ICR 56 as modified by this variance.
3. Usage of this variance is limited to those asbestos removals identified in this variance or as outlined in the Petitioner's proposal.

In addition to the conditions required by the above specific variances, the Petitioner shall also comply with the following general conditions:

GENERAL CONDITIONS

1. A copy of this DECISION and the Petitioner's proposals shall be conspicuously displayed at the entrance to the personal decontamination enclosure.
2. This DECISION shall apply only to the removal of asbestos-containing materials from the aforementioned areas of the subject premises.
3. The Petitioner shall comply with all other applicable provisions of Industrial Code Rule 56-1 through 56-12.
4. The NYS Department of Labor Engineering Service Unit retains full authority to interpret this variance for compliance herewith and for compliance with Labor Law Article 30. Any deviation to the conditions leading to this variance shall render this variance Null and Void pursuant to 12NYCRR 56-12.2. Any questions regarding the conditions supporting the need for this variance and/or regarding compliance hereto must be directed to the Engineering Services Unit for clarification.
5. This DECISION shall terminate on May 31, 2014.

Date: May 23, 2013

By

PETER M. RIVERA
COMMISSIONER OF LABOR



Edward A. Smith, P.E.
Senior Safety and Health Engineer

PREPARED BY: Ravi Pilar, P.E.
Senior Safety and Health Engineer

REVIEWED BY: Edward A. Smith, P.E.
Senior Safety and Health Engineer



13-0428

April 30, 2013

New York State Department of Labor
Division of Safety and Health - Engineering Services Unit
Building 12, Room 159
State Office Building Campus
Albany, New York 12240
Attn: Mr. Edward Smith

Re: Petition for Variance
Debris/Contamination Cleanup and Removals from Building 5 at the Harriman State Office Campus in Albany, New York.
CHA Project No. 24728

Dear Mr. Smith:

Background/Assessment

Building 5 is scheduled to undergo an extensive renovation which will entail a gut demolition that will include removal of all ceilings, walls, and generally all interior finishes. The building is current vacant and has been in that state for a number of years. There are a number of confirmed asbestos-containing materials present throughout the building and those are detailed in the table below.

Asbestos-Containing Material Summary

Material	Locations(s)	Estimated Quantity	Friability
Mudded Fitting Insulation	Throughout Building	833 fittings	Friable
Contaminated Duct Insulation Above Ceilings	Throughout Building	13,395 lf	Friable
Contaminated Pipe Insulation Above Ceilings	Throughout Building	7,000 lf	Friable
Contaminated Pipe Insulation Within Chases	Throughout Building	3,990 lf	Friable
Contaminated Concrete Duct Shafts	Throughout Building	Two shafts – ground floor to sixth floor	Friable
Spray-On Fireproofing	Applied Above Ceilings Throughout Building	329,437 sf	Friable
Spray-On Fireproofing Debris Above Ceilings	Debris Assumed on All Surfaces within Ceiling Spaces	227,537 sf	Friable

Material	Locations(s)	Estimated Quantity	Friability
Spray-On Fireproofing Debris on Floors	Various Locations throughout the Building	41,159 sf	Friable
Newer Spray-On Fireproofing	Boiler Room and Adj. Rooms	2,500 sf	Friable
Supply and Return Unit Insulation / Packing	Penthouse	4 Supply Units 2 Return Units	Friable
Floor Tile and Mastic	Throughout	182,712 sf	Non-Friable
Black Mastic Beneath Gray Carpet	5 th Floor (Room 523 and adjacent offices)	477 sf	Non-Friable
Duct Caulk	On AC Unit Duct (6 th Floor)	6 sf	Non-Friable
Black Coating on Back of Unit Ventilator Panel	Unit Ventilator Throughout	803 panels	Non-Friable

While there are a large number of asbestos-containing materials that will require removal prior to the planned renovation, by far the most extensive is the sprayed-on fireproofing present above the drop ceilings and plaster ceilings observed throughout the building. Intact fireproofing is present on the ceiling deck, steel beams and upper portion of columns above the drop ceiling system. There are also widespread areas of fire-proofing debris above the drop ceilings and plaster ceilings throughout the building. Because of the widespread debris present, the ceiling systems and all mechanical and electrical systems running within the ceiling spaces and chases throughout the building are considered contaminated and will be removed as asbestos or decontaminated prior to removal as non-ACM.

CHA completed a Pre-Renovation Hazardous Building Materials Survey Report dated March 29, 2013 that included a building-wide contamination assessment during which 21 PCM air samples and 34 microvac dust samples (ASTM D5755) were collected. This sampling was completed due to the extensive fireproofing and resultant debris present above the ceiling system and the fact that the ceiling spaces function as a return air plenum for the air handling system. The air samples were all below the regulatory limit 0.01 fiber per cubic centimeter with the majority being below the laboratory's detection limit. Of the 34 microvac dust samples collected, 21 were found to have no asbestos structures detected while 7 were found to have asbestos structures present. The remaining 6 microvac samples were not analyzed as they were part of a "stop first negative" sequence for debris delineation purposes. The microvac samples with asbestos structures identified were used to delineate contaminated areas in the building. This report or portions of it can be provided to NYSDOL upon request.

Based on the contamination assessment at the floor level (below the ceiling space) specific areas of contamination were confirmed in addition to the ceiling spaces and will require cleanup. See the attached figures for the locations of floor level debris. As the areas of asbestos debris are collectively greater than 10 square feet, a petition for a site specific variance to the New York State Department of Labor (NYSDOL) is required to notify the NYSDOL of the presence of the debris and set forth a plan for cleanup.



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Due the size of the contaminated areas and the fact that the building is entirely unoccupied the removals will largely be completed per Title 12 of the New York Codes, Rules and Regulations Part 56 (12 NYCRR 56), also known as New York State Industrial Code Rule 56 (Code Rule 56). We do however request relief from the following subsections of Code Rule 56 for this project.

Case No. 1 ICR 56 – 7.1 (c)(4)

Case No. 2 ICR 56 – 7.8 (a)(11)

56-7.1 (c)(4) Air Sampling at Negative Air Exhaust – The subject building is a 6 story building with a penthouse level. Many of the negative air exhaust locations therefore will be located above the ground level and will terminate at the windows. These exhaust locations will likely limit the ability to place air samples within 10 feet of the negative air exhausts. We propose that when necessary the negative air exhaust samples can be located within the negative air exhaust tubing, within the work area, directly adjacent to the window to which it exhausts. The samples will be placed through a small slit cut in the exhaust tubing and sealed with duct tape when in use or when not used.

Handwritten notes: "5/20/13" and "Windows shall be closed."

~~56-7.1 (c)(4) Exhaust Location~~ – The subject building is a 6 story building with a penthouse level. Many of the negative air exhaust locations therefore will be located above the ground level and will terminate at the windows. Typically the windows and receptors within 15 feet of the exhaust must be covered with 2 layers of 6 mil polyethylene. Since the building is unoccupied and is 6 stories in height we request relief from the requirement to poly the receptors within 15 feet of the exhaust as we believe this provides little to no additional level of protection to the workers and public and reducing the hardship involved with placing poly 6 stories high above the ground on the exterior of the building. If it is determined during construction that other trades are working on an adjacent floor that has receptors within 15 feet of an active negative air exhaust these receptors will be covered with 2 layers of 6 mil polyethylene sheeting per Subpart 56-7.1 (c)(4).

If you have any questions regarding the proposed work procedures requested relief please do not hesitate to contact the undersigned.

Sincerely,

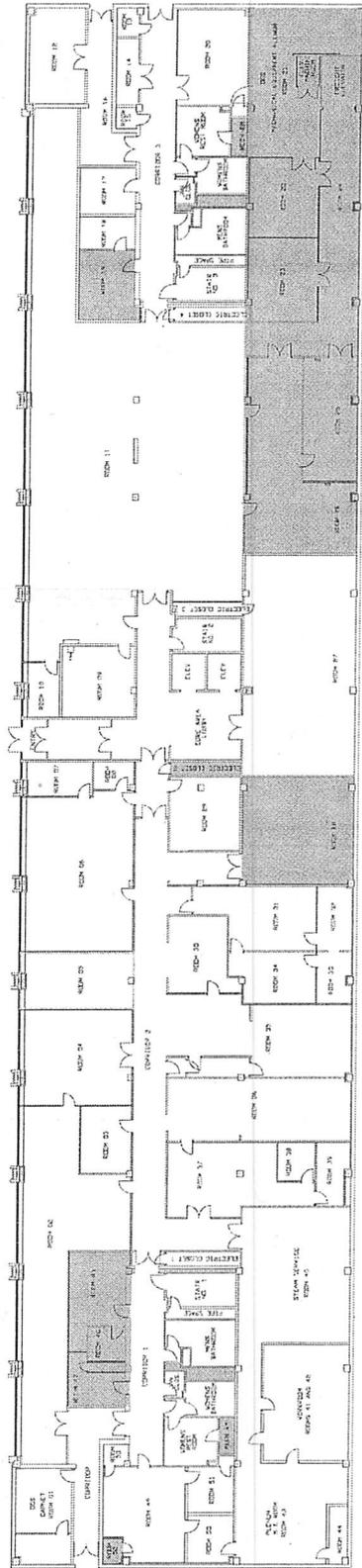
Seth H. Fowler, CHMM
Associate
Asbestos Inspector/Project Designer #99-08548

Enclosure





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 13 - 0428
 PROJECT NO. 24728
 DATE: 03/26/13



1 GROUND FLOOR
 1" = 30'

LEGEND
 ASBESTOS DEBRIS CONTAMINATED AREA

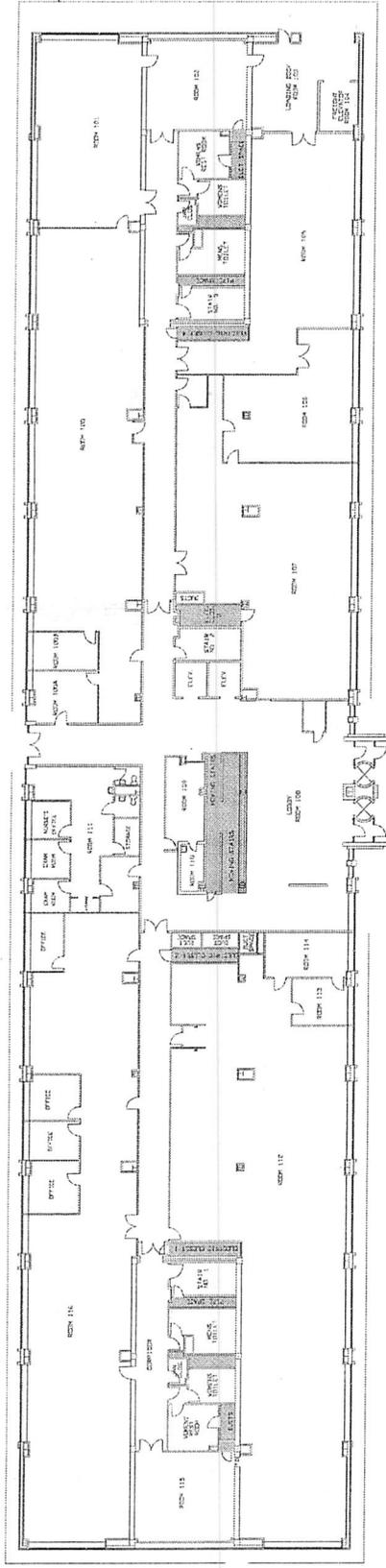


DEBRIS CONTAMINATION PLAN
 BUILDING 5
 STATE OFFICE BUILDING CAMPUS
 1220 WASHINGTON AVE, ALBANY, NY 12226

FIGURE 1



13- 0428



1 FIRST FLOOR
1" = 30'

LEGEND

ASBESTOS DEBRIS CONTAMINATED AREA

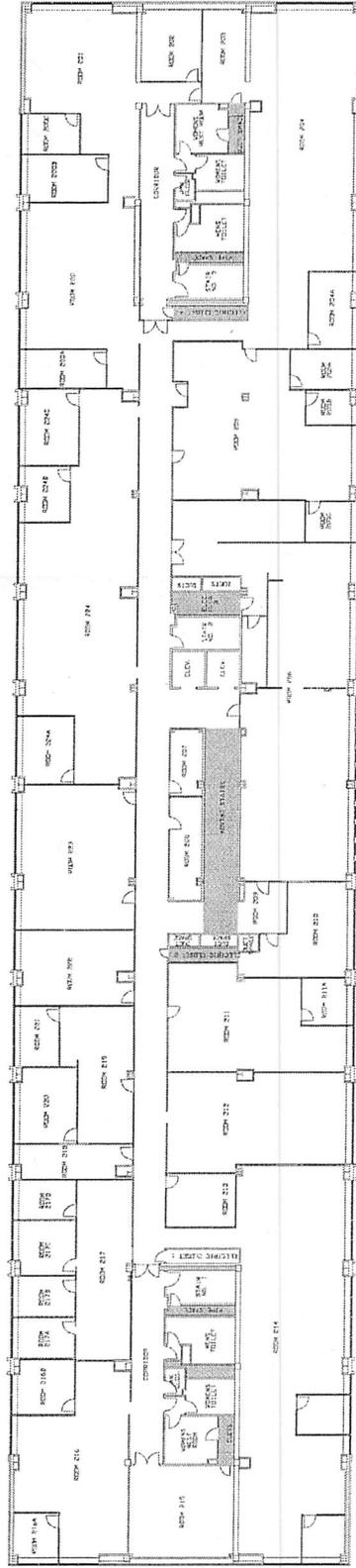


DEBRIS CONTAMINATION PLAN
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PROJECT NO.
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FIGURE 2



13 - 0428



1 SECOND FLOOR
1" = 30'

LEGEND

ASBESTOS DEBRIS CONTAMINATED AREA

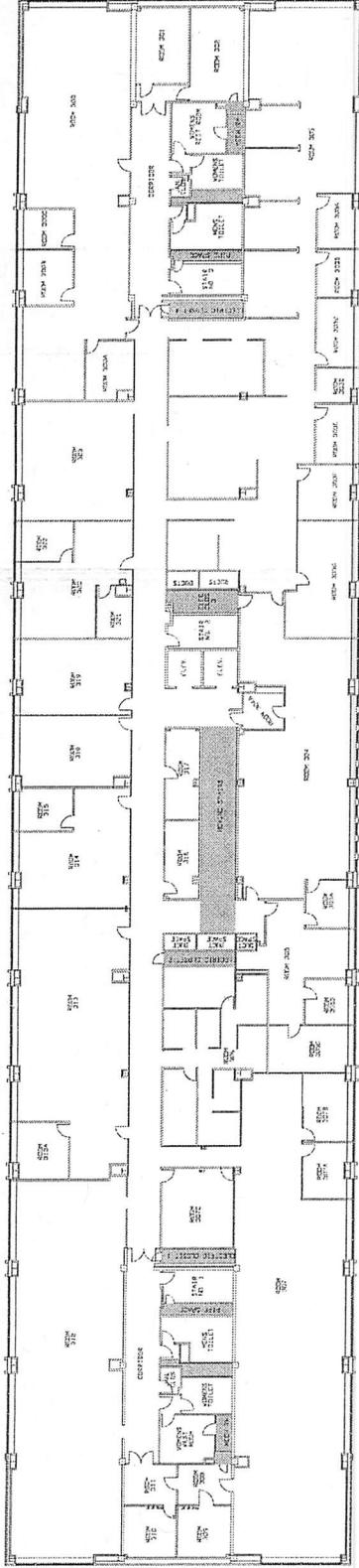


DEBRIS CONTAMINATION PLAN
BUILDING 5
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FIGURE 3



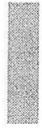
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1 THIRD FLOOR
1" = 30'

LEGEND

ASBESTOS DEBRIS CONTAMINATED AREA



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DEBRIS CONTAMINATION PLAN
BUILDING 5
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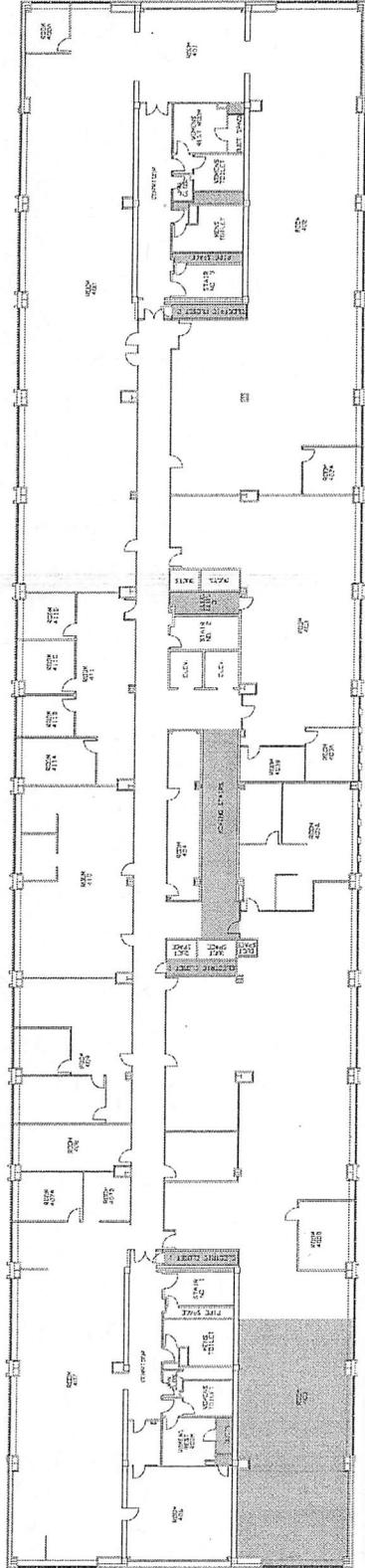
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FIGURE 4



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1 FOURTH FLOOR
1" = 30'

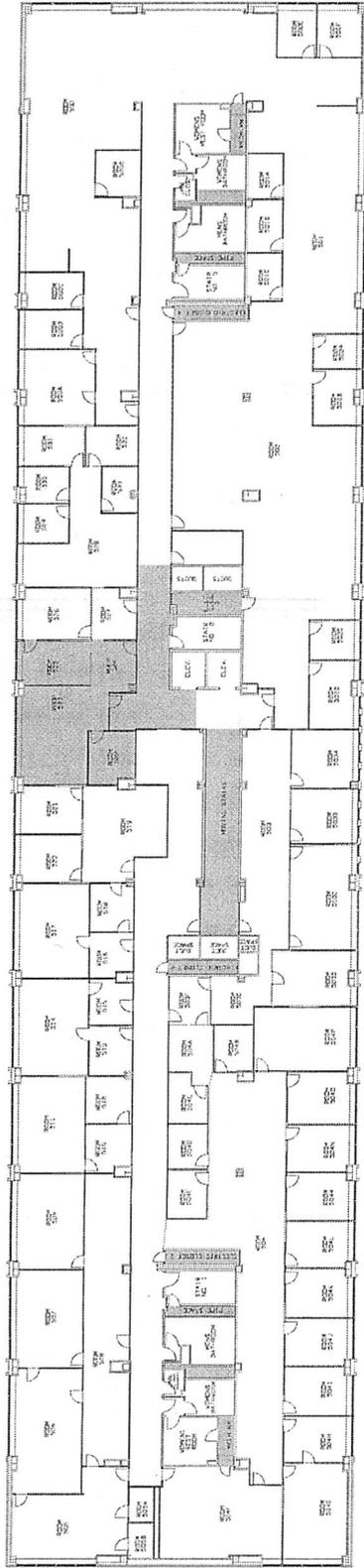
LEGEND

ASBESTOS DEBRIS CONTAMINATED AREA



DEBRIS CONTAMINATION PLAN
BUILDING 5
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FIGURE 5



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1 FIFTH FLOOR
1" = 30'

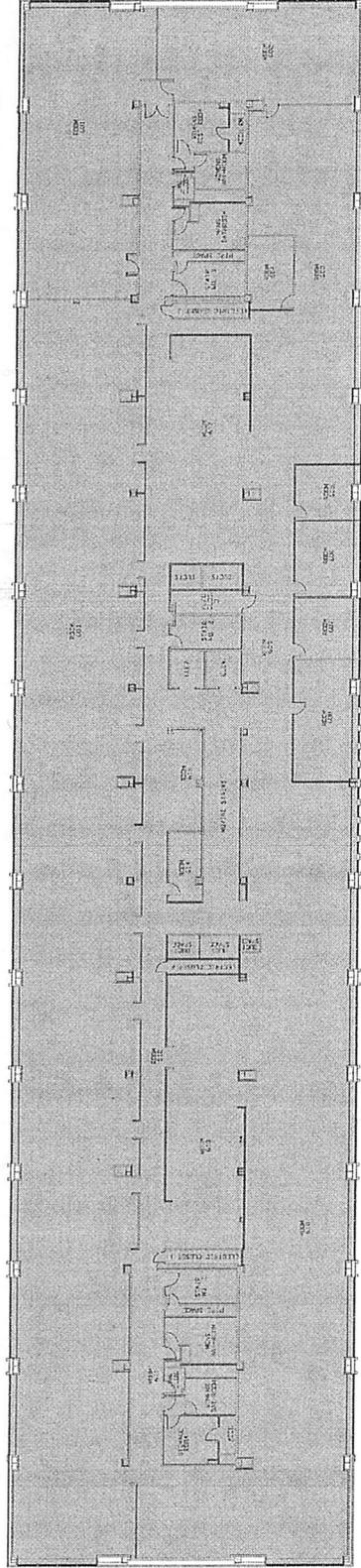
LEGEND

ASBESTOS DEBRIS CONTAMINATED AREA



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FIGURE 6



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1 SIXTH FLOOR
1" = 30'

LEGEND

ASBESTOS DEBRIS CONTAMINATED AREA



DEBRIS CONTAMINATION PLAN
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FIGURE 7