

**Statement of Work
Brownfield Remediation of NBRT Parcel 3
Town of Bath, WV**

GENERAL PROJECT NOTES

1. Brownfield remediation of Parcel 3 is being jointly funded under an EPA Grant for Brownfield Cleanup and the Town of Bath, WV.
 2. The area of Parcel 3 is 0.44 acres, or approximately 19,200 sq ft. The site is a former railroad right of way and is part of a Voluntary Remediation Program agreement between the Town of Bath and West Virginia Department of Environmental Protection (WVDEP).
 3. The cleanup parameters are intended to remediate the area of Parcel 3 resulting in the issuance of a WVDEP Certificate of Completion and the subsequent revision of the current Land Use Covenant on Parcel 3.
 4. The specific level of remediation to be accomplished by the Contractor has been approved by the WVDEP under a Remedial Action Work Plan (RAWP).
 5. The Town of Bath has retained a Licensed Remediation Specialist (LRS); any changes in the approved remediation must be coordinated with the LRS using the RAWP Soil Management Plan and accepted by WVDEP.
 6. This Work Statement covers the remediation only; actual building of the North Berkeley Rail Trail (NBRT) is to be covered by a separate contract to be management by the WV Department of Transportation.
 7. Drawings and sketches provided with this Work Statement may include information on this future trail and are provided as information only.
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REMEDIATION NOTES

1. Pre-remediation Meeting

A pre-remediation meeting shall be held prior to commencing work on this project. At a minimum the supervisor responsible for administrative work (including pay and site supervisor/foreman in charge of daily operations shall attend a meeting with Town of Bath Public Works representatives. The contractor should be familiar with the RAWP Appendix D Soil Management Plan.

prepared by the contractor to properly address worker health and safety to address handling of any excavated materials (see Item 14. Fencing).

The area is being remediated as a brownfield cleanup site and the soil material contains contaminants. The level of protective clothing will be dictated by the HASP. Precautions should be taken to not transfer contaminants into other areas that could expose others, particularly children.

2. Parcel Boundaries

The contractor is restricted to work within the designated area of Parcel 3. Staging will be on the Depot lot adjacent to Parcel 3. The boundaries of Parcel 3 shall be marked by the contractor prior to starting the remediation work to identify the eastern boundary of the Parcel 3.

A safety training will be required for all workers prior to cleanup activities.

4. Sediment and Erosion Control

Care must be taken during remediation to prevent erosion, dust, and mud from damaging adjacent property, clogging ditches, tracking public streets, and otherwise creating a public nuisance to surrounding areas.

3. Safety measures

Safety measures to protect workers on site shall be observed. A Health and Safety Plan (HASP) will be

Measures or work to control erosion and minimize the production of sediment and other pollutants

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will be in place prior to site clearing. Guidance found in the WV Erosion and Sediment Control Best Management Practices Manual 2006 will be followed.

Watertight tanks or barrels will be provided to collect and temporarily contain chemical pollutants, such as drained lubricating or transmission fluids, grease, or soaps produced as a by-product of the cleanup activities. Digging sumps is not permitted. Pollutants shall be disposed of in accordance with appropriate State and Federal regulations.

At the completion of the remediation work, tanks, and barrels, shall be removed. All pollution control measures and temporary works shall be adequately maintained in a functional condition for the duration of the remediation period.

5. Tree Protection

Large trees located marked with flagging will be protected from all clearing related impact. Active tree protection shall consist of establishing a tree protection zone around each tree or grouping of trees designated by flagging or safety fencing at the outer edges of the critical root zone, approximately two feet beyond the tree drip line.

Tree protection shall be installed prior to any clearing activity. Tree protection measures must remain in good condition throughout the remediation processes.

6. Clearing of Woody and Herbaceous Material

All trees NOT identified by flagging, and all snags, logs, brush, shrubs, stumps, and rubbish shall be cleared from within the limits of the project area. Trees and other woody vegetation will be removed so that the remaining stumps extend no higher than 2 inches above the ground surface.

7. Disposal of Woody Material

All materials cleared from the designated areas shall be disposed at locations designated by the Town. Trees and limbs smaller than 6 inches in diameter will be chipped.

The following restrictions apply regarding woody material and debris:

- No grubbing
- No burning
- Limit disturbance near stream
- No equipment in wetlands or stream

8. Placement of Demarcation Fabric

After clearing of the project area, the surface on which the geotextile is to be placed shall be graded to a reasonably smooth surface free of loose rock and clods, holes, depressions, projections, muddy conditions, and standing water. Before the geotextile is placed, the soil surface will be reviewed for quality assurance.

The geotextile shall be placed on the entire project area. It shall be unrolled along the placement area and loosely laid, without stretching. The geotextile may be folded and overlapped to permit proper placement in designated area. The geotextile shall be temporarily secured during placement of overlying material to prevent slippage, folding, wrinkling, or other displacement.

The geotextile to be used as the demarcation fabric will be supplied by the Town of Bath.

9. Tree Zone Remediation

Large trees marked with flagging (nine trees) will be protected from all remediation related impact.

Tree protection shall consist of installation of a six (6) inch deep geoweb cell area surrounding the trunk, beginning a distance from the trunk approximately 30 inches extending to approximately the drip line at a minimum

The geoweb cells will be filled with clean #57 gravel or its equivalent in size, and will extend approximately two (2) feet beyond the geoweb, which is approximately two (2) feet beyond the tree drip line. Approximately 75 to 80 tons of gravel will be used to fill geoweb. A six inch cover of clean fill will be spread over the gravel-filled geoweb.

The geoweb will be supplied by the Town of Bath.

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10. Pipe Conduit and Drop Inlet

The contractor will furnish and install a minimum two feet high concrete drop inlet and an 18 inch diameter pipe at the location shown on Figure 1 to collect and pass water from a pipe under N Washington St. The length of the pipe will be approximately 30 feet and will end approximately five (5) feet from the boundary of Parcel 3.

A three (3) foot long apron shall be installed at the pipe outlet. Any material that is excavated must be disposed on site prior to placement of demarcation fabric and covered by 23 inches of clean fill.

11. Hauling and Stockpiling Earthfill

Clean earth fill identified by the Town of Bath and from a source approved by WVDEP will be the only material used for fill other than clean gravel and stone from a commercial quarry.

Approximately 1,111 cubic yards (or 1,350 tons) of clean earth fill will be transported to Parcel 3 and spread to a depth of 18 inches (1.5 feet) plus an overfill of approximately five (5) inches (total minimum depth at completion will be 23 inches of material) .

Any stockpiling of material will be in an area approved by the Town of Bath. Appropriate erosion control measures will be applied to any stockpiles of clean fill prior to spreading.

12. Earthfill

Earthfill shall be placed in approximately three (3) horizontal layers. The thickness of each layer shall not exceed 8 inches of thickness. Materials placed by dumping in piles or windrows shall be spread uniformly to not more than the specified thickness before additional layers are applied.

Earth fill shall be placed in a manner that prevents damage to structures and fences and allows the structures to assume the loads from the earth backfill gradually and uniformly.

The finished grade on the site shall approximate the original contour with two exceptions:

- A crown or cross-slope of about 2 percent shall be maintained to ensure effective drainage, or as otherwise specified for drain fill.
- The eastern boundary will have no steeper than a 3:1 finished slope, with the toe slope ending at the property boundary

The earthfill material will be from a source identified by the town and the only cost incurred will be for hauling and spreading.

13. Soil Treatment and Vegetation Plan

The soil treatment and seeding of the project area will be in accordance with the **Stabilization Plan** detailed on page 4 of this document.

14. Fencing

The existing fence along N Washington St. and the south side of Parcel 3 will be removed to permit access to Parcel 3 from the Town property to the south of Parcel 3.

A six (6) foot high chain link fence 500 feet long will be installed on the eastern side of Parcel 3 on the boundary with Parcel 2.

Posts should be driven into the ground a minimum of three (3) feet. Posts shall be placed at 10-foot intervals and continuous top rails shall be provided; fabric shall be placed on the inside of post lines, with chain link installed no more than six (6) inches from the ground surface. Appropriate bracing as recommended by fence manufacturer/supplier will be installed.

If post holes are excavated instead of driven, the post must be placed in cement. Any material that is excavated from post holes must be disposed on site prior to placement of demarcation fabric and covered by 23 inches of clean fill.

The work under this Section includes providing all labor, materials, tools and equipment necessary for furnishing and installing chain link fencing, as shown on the Remediation Drawings.

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STABILIZATION PLAN

Reference: WVDEP EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICE MANUAL REVISED 2016

Liming of subsoil: Incorporate approximately one (1) ton of lime on the project area to a depth of at least 2 inches by disking. (Rate: 2 1/4 tons/acre)

Fertilizer: Apply 440 lbs on the project area of 10-20-10 or equivalent. (Rate: 1,000 lbs/acre)

Permanent seeding: Seed listed in Table 1 below, or a similar mix approved by the Town of Bath prior to seeding, will be used. Seed inspected by the West Virginia Department of Agriculture will be used for all permanent seeding whenever possible. The seed must be appropriately labeled or tagged as defined in the West Virginia Seed Law, Chapter 19 Article 16.

Legume seed shall be inoculated appropriate to the species prior to seeding.

Seed will be uniformly with a broadcast seeder, drill, or culti-packer seeder. If broadcast, seed will lightly tracked or raked into the top 1/4 inch of soil.

Table 1: Seed mix			
COMMON NAME	SCIENTIFIC NAME	RATE/ACRE	ACTUAL PROJECT AREA AMOUNT
Perennial Ryegrass	<i>Lolium perenne</i>	50 lbs/ac	22 lbs
Birdsfoot Trefoil*	<i>Lotus corniculatus</i>	15 lbs/ac	7 lbs
Redtop	<i>Agrostis alba</i>	10 lbs/ac	4 lbs
Crimson clover*	<i>Trifolium incarnatum</i>	20 lbs/ac	9 lbs
* Inoculation with species specific bacteria is required.			

Mulch: The project area must be mulched immediately with approximately 40 to 50 bales of straw (approximately 3/4 ton) free from weeds and coarse matter upon completion of seed application.

Mulch material shall be spread uniformly, by hand or machine and anchored using a krimper or light tracking.

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REMEDIATION DRAWINGS

Figure 1: Future 20 ft. wide trail right of way (10 ft. surface and 5 ft. shoulders). Enlarged area shows area of placement of drop inlet at the existing storm drain outlet.

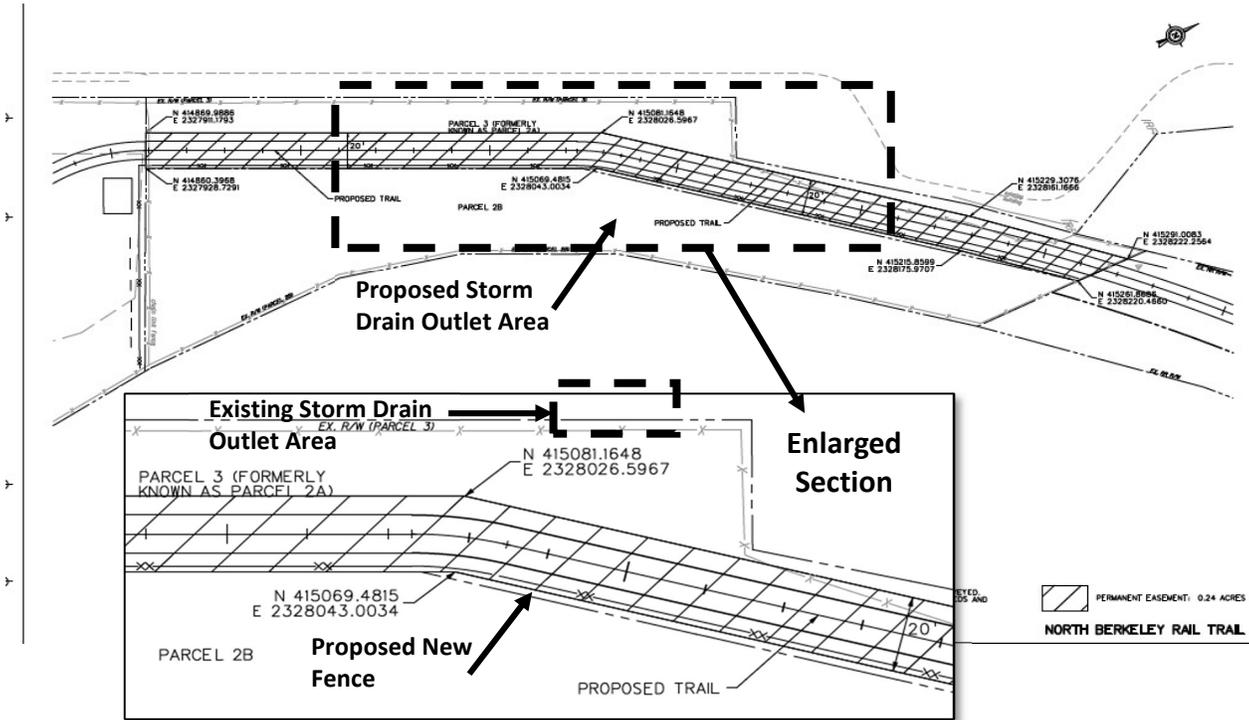
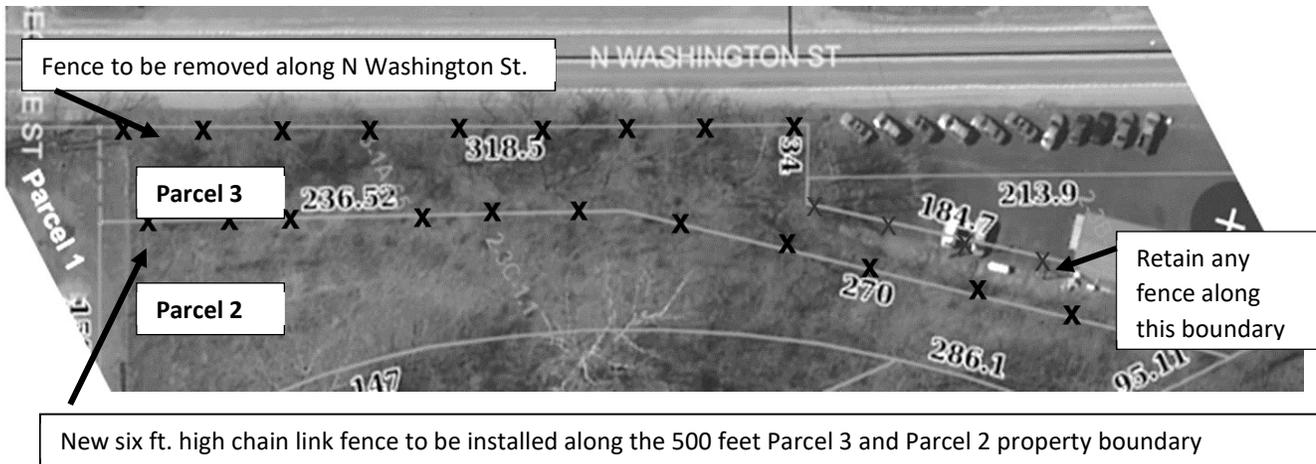


Figure 2: Fencing detail shows fence to be removed along N Washington St. and new 500 feet of fence to be installed on the boundary of Parcel 3 and Parcel 2.



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PAYMENT

Payment will constitute full compensation for all labor, material, equipment, and all other items necessary and incidental to the performance of the work except the demarcation fabric, geoweb supplied by the Town of Bath, and the clean fill material.

Under the Davis-Bacon and related Acts, the contractor is required to pay not less than prevailing wage, including fringe benefits, as predetermined by the Department of Labor. The contractor's obligation to pay fringe benefits may be met either by payment of the fringe benefits to bona fide benefit plans, funds or programs or by making payments to the covered workers (laborers and mechanics) as cash in lieu of fringe benefits.

Completion of Payroll Form WH-347 is mandatory for covered contractors and subcontractors performing work on federally financed or assisted construction contracts. A weekly a statement with respect to the wages paid each employee during the preceding week. will be to submitted, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed.

"General Decision Number: WV20200072 01/24/2020 Superseded General Decision Number: WV20190072
State: West Virginia County: Morgan County in West Virginia.
Construction Type: Heavy

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.80 for calendar year 2020 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.80 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2020. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2020
1	01/24/2020

CARP0441-007 12/01/2018		
	Rates	Fringes
CARPENTER, Includes Form Work.	\$ 32.10	16.56
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ELEC0307-008 06/01/2019		
	Rates	Fringes
ELECTRICIAN.....	\$ 33.90	17.74
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ENGI0132-022 12/01/2018		
	Rates	Fringes
POWER EQUIPMENT OPERATOR:		
GROUP 1.....	\$ 35.95	18.60
GROUP 2.....	\$ 33.19	18.60
GROUP 3.....	\$ 32.08	18.60
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POWER EQUIPMENT OPERATOR CLASSIFICATIONS		
GROUP 1: Cranes (All types, including Tower Cranes), Excavators with an operating weight of one hundred ten thousand (110,000) pounds and over.		
GROUP 2: Compactor, Forklift, Grader/Blade, Mechanic, Excavators with an operating weight of up to one hundred ten thousand (110,000) pounds, Tractor, Trencher.		
GROUP 3: Roller.		
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IRON0549-013 12/01/2018		
	Rates	Fringes
IRONWORKER, ORNAMENTAL AND STRUCTURAL.....	\$ 33.34	20.81
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IRON0568-021 12/01/2017		
	Rates	Fringes
IRONWORKER, REINFORCING.....	\$ 33.29	16.93

LABO0379-033 12/01/2017		
	Rates	Fringes
LABORER:		
GROUP 1.....	\$ 26.17	16.50
GROUP 2.....	\$ 25.11	16.50
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GROUP 1: Chain Saw, Concrete Saw (Hand Held/Walk Behind), Concrete Worker, Hand Held Drill, Grade Checker, Mason Tender-Cement/Concrete.		
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GROUP 2: Common or General		
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LABO1149-011 12/01/2017		
	Rates	Fringes
LABORER:		
Asphalt Raker.....	\$ 26.17	16.75
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* PAIN1144-006 12/01/2019		
	Rates	Fringes
PAINTER: Spray.....	\$ 30.92	15.55
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PLAS0926-001 06/01/2018		
	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 31.63	21.26

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TEAM0175-006 12/07/2015

	Rates	Fringes
TRUCK DRIVER		
Flatbed Truck.....	\$ 30.98	15.98
Off the Road Truck.....	\$ 31.77	15.98
Tractor Haul Truck.....	\$ 31.77	15.98

* UAVG-WV-0013 01/01/2019

	Rates	Fringes
LABORER (Mortar Mixer)....	\$ 26.17	16.50

* UAVG-WV-0022 01/01/2019

	Rates	Fringes
POWER EQUIPMENT OPERATOR (Drill).....	\$ 32.19	18.30

SUWV2012-070 08/13/2012

	Rates	Fringes
LABORER: Flagger.....	\$ 21.76	10.95
LABORER: Pipelayer.....	\$ 22.82	10.95
OPERATOR: Backhoe.....	\$ 24.39	15.50
OPERATOR: Bobcat/Skid		
Steer/Skid Loader.....	\$ 24.75	14.94
OPERATOR: Boom.....	\$ 28.71	11.59
OPERATOR: Bulldozer.....	\$ 27.06	15.50
OPERATOR: Oiler.....	\$ 22.03	14.64
OPERATOR: Paver (Asphalt, Aggregate, and Concrete).....	\$ 24.39	15.50
Truck Driver, Dump (Excluding Off theRoad Trucks).....	\$ 22.39	12.01

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year.

Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

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WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- an existing published wage determination
- a survey underlying a wage determination
- a Wage and Hour Division letter setting forth a position on a wage determination matter
- a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION"