

AGREEMENT EXHIBIT 12

SUBMITTALS

PART 1 - GENERAL

1.1 CONTRACT REFERENCES

- A. Attention is directed to the CONTRACT DOCUMENTS which are hereby made a part of this Section of the Specifications.

1.2 DESCRIPTION

- A. This Section includes general requirements and procedures related to the Contractor's responsibilities for preparing and transmitting submittals to the OWNER and the Engineer to demonstrate that the performance of the Work will be in accordance with the Specifications and Attachments.
- B. Submittals include schedules, test results, samples methods of construction, health and safety plans, work plans, permits, and waste slips. Additional requirements for submittals are specified under applicable sections of the Specifications.

1.3 SECTION INCLUDES

- A. Submittal Procedures.
- B. Schedule of Values.
- C. Health and Safety Documents.
- D. Work Plan.
- E. Construction Progress Schedules.
- F. Product Data.
- G. Samples.
- H. Manufacturer's Certificates.
- I. Statement of Qualifications.
- J. Schedule of Submittals.

1.4 SUBMITTAL PROCEDURES

- A. The Contractor shall submit a schedule of submittals with the first submission. The schedule of submittals shall be arranged so that related items are submitted concurrently. The Engineer may require changes to the submittal schedule to permit concurrent review of related items. Submittals shall be made promptly in accordance with approved schedules and in such sequence as to cause no delay in the work.
- B. Each submittal shall be transmitted to OWNER and the Engineer. The transmittal forms shall be sequentially numbered and submitted with one copy of each submittal to Owner, and one copy to the Engineer. Revised submittals shall be identified with the original number and a sequential alphabetic suffix.
- C. The submittals shall identify date or revision date, Project title and number, Names of Engineer, Contractor, Supplier manufacturer; pertinent drawing and detail number, applicable standards, such as ASTM number, and specification section number, as appropriate. The submittal shall provide space for Contractor and Engineer review stamps.
- D. The Contractor shall apply Contractor's stamp, signed or initialed certifying that review, verification of Products required, field dimensions, adjacent construction Work, and coordination of information, is in accordance with the requirements of the Work and Contract Documents
- E. Submittals shall be delivered to the Engineer at the meetings or through the Owner to the Address listed in the Agreement.
- F. For each submittal for review, 5 days excluding delivery time to and from the Engineer shall be allowed for review.
- G. Submittals shall clearly identify variations from Contract Documents and Product or system limitations, which may be detrimental to successful performance of the completed Work.
- H. Submittals that require resubmission shall identify all changes made since the previous submission.
- I. Copies of reviewed submittals shall be distributed as appropriate. For all reviewed submittals, the Engineer and OWNER shall each receive two copies. Subcontractors shall be instructed by the Contractor to promptly report any inability to comply with provisions.
- J. Submittals not required under these Contract Documents will not be recognized and will be returned to the Contractor.

- K. Delays, resequencing or other impact to the Work resulting from Contractor's submission of unchecked or unreviewed, incomplete, inaccurate, erroneous or nonconforming Submittals, which will require Contractor's resubmission of a Submittal for the Engineer's review, shall not constitute a basis for a claim for adjustment in Contract Price or Contract Times.

1.5 HEALTH AND SAFETY PLAN

- A. The General Contractor shall prepare a Health and Safety Plan that addresses maintaining safe working conditions relative to chemical constituents in soil, sediment, groundwater and air.
- B. The results of environmental testing known to Owner and the Engineer are presented in the reports submitted to the Massachusetts DEP under Release Tracking Numbers (RTN) 2-18007 and 2-17998. These reports are available for review at the Massachusetts DEP website, <http://db.state.ma.us/dep/cleanup/sites/search.asp>.
- C. The Contractor shall be cognizant of the standards set forth in OSHA 29 CFR 1910.120. The Health and Safety Plan shall include, but not be limited to, the following:
1. Identification of Contractor's Site Safety Officer;
 2. Identification of Contractor's Designated Field Personnel;
 3. Type of Medical Surveillance Program;
 4. Identification of Hazards and Risks Associated with the Project;
 5. Contractor's Standard Operating Procedures, including;
 6. Personnel Training and Field Orientation;
 7. Personal Hygiene Requirements and Guidelines;
 8. Field Monitoring Requirements of Site Contaminants;
 9. Respiratory Protection Training and Requirements;
 10. Levels of Protection and Selection of Equipment Procedures;
 11. Zone Delineation of the project Site;
 12. Site Security and Entry control Procedures;
 13. Contingency and Emergency Procedures; and
 14. Listings of Emergency Contacts.
- D. The Contractor shall provide the Engineer with written notice of the existence of said plan and of his/her communication of said plan to all relevant workers. Work may not proceed at the Project Site until the Engineer receives the written notice.

- E. The Contractor shall provide Owner and the Engineer each with a copy of the Health and Safety Plan for informational purposes.

1.6 WORK PLAN

- A. Submit to Owner and Engineer for review and approval, as a single submittal, a Work plan, within 10 calendar days after issuance of the Notice of Proceed, which shall include a detailed description of Work activities and progress schedule for each phase of Work. The following shall be included:
 - 1. Mobilization.
 - 2. Excavation methods detailing operations necessary to ensure no excavated materials migrate into adjacent wetlands or water bodies.
 - 3. Stockpile, sample and analysis.
 - 4. Vehicle routing plan.
 - 5. Contaminated soil disposal.
 - 6. Utility protection.
 - 7. Storm water controls.
 - 8. Site grading.
 - 9. Field sampling methods and quality control procedure.
 - 10. Backfill and compaction.
 - 11. Demobilization.
 - 12. The name(s) and address(es) of Subcontractor(s) for the Work
 - 13. Supplier and installer of wetland plants and excavation area cover vegetation.
 - 14. The Contractor must submit a Truck Routing Plan identifying roads he/she intends to use to access the Site and transport soil. All routing will be subject to the approval of Owner and shall be adhered to throughout the duration of the project.
 - 15. Identification of fill material borrow areas, and waste materials, and means of transportation.
 - 16. Identify the Laboratory and lab methods to be used to test contaminated soil and waste materials.
 - 17. Phase excavation methods detailing operations necessary to ensure no blending of contaminated soils or sediments with non-contaminated soils and phased work methods detailing operation to limit amounts of on-site stockpiled materials.
 - 18. Identify excavation-dewatering methods (in the event these prove necessary) including water handling and disposal.
 - 19. Identification of fill material and debris disposal facilities.

20. Design of stone wheel wash station, including plans and cross sections.
21. Excavation methods detailing operations necessary to relocate contaminated soil materials to achieve preparation grades, as shown on the Drawings. All excavation lifts and limits shall be noted.

1.7 CONSTRUCTION PROGRESS SCHEDULES

- A. The Contractor shall submit an initial construction schedule within 10 days after date of OWNER issuance of Notice to Proceed. The schedule shall show the order in which the Contractor proposes to carry out the Work and the dates upon which he proposes to start and complete each major work item. The schedule will outline in detail the proposed equipment, manpower, and production rates necessary to achieve the schedule.
- B. The construction schedule shall be in a horizontal bar chart form showing contemplated completion percentages and arranged to record actual completion percentages at state intervals. Separate lines for each major section of Work or operation shall be used. The schedule shall identify the workday of each week.
- C. Owner and the Engineer may require and, if so, the Contractor shall furnish such additional information as required to justify the basis of the schedule. The accepted construction schedule shall be kept up-to-date as work progresses, including work added by change order.
- D. The schedule shall in general determine the order in which work is to proceed. However, Owner or the Engineer may order and authorize minor changes to this schedule whenever such changes are of definite advantage to or necessary for the operations of Owner.
- E. Revised schedules shall be submitted with each Application for Payment, identifying changes since previous version. Subsequent submissions shall indicate estimated percentage of each item of Work completed at each submission. Submittal dates shall be indicated for required product data, samples and product delivery dates, including those furnished by Owner.

1.8 PRODUCT DATA

- A. Manufacturer's catalog, product, and equipment data shall be certified and shall include materials type, performance characteristics, and similar data. Complete component information shall be provided to verify all specified required items.
- B. Manufacturer's catalog shall be marked to indicate applicable products, models, options, and other data. Manufacturers' standard data shall be supplemented to provide information unique to this Project.

- C. After the Engineer's review, the Contractor shall produce copies and distribute in accordance with the SUBMITTAL PROCEDURES article above and for record documents purposed described in Section 01701-CONTRACT CLOSEOUT and in accordance with the General Provisions.

1.9 SAMPLES

- A. As soon as practicable prior to the start of Work, the Contractor shall submit names of materials suppliers and borrow sources along with samples required by the Specifications or requested by the Engineer. Unless otherwise specified, the original submittal shall be a sample of each item. The Engineer's review and acceptance shall be obtained prior to delivery of the material to the site. Such samples shall be representative of the actual material proposed for use in the project. If samples deviate from the contract documents, the Contractor shall so advise the Engineer in writing with the submittal and state the reason therefore.
- B. Each sample or laboratory test data result shall have the following identification data permanently attached:
 - 1. Project name and location.
 - 2. Product identification.
 - 3. Applicable contract drawing and specification section number.
 - 4. Subcontractor's, vendor's, and/or manufacturer's name, address, and phone number.
- C. The Contractor shall allow the Engineer 5 days for checking and determining appropriate action. Certain samples may be tested for specified requirements by Owner. Failure of a sample to pass such tests will be sufficient cause for refusal to consider further samples of the same brand and make of that material. Rejected samples will be returned upon request, and any or all resubmittals required shall consist of new samples and additional 5 day for review. The Contractor, at the Contractor's expense, will perform all sample testing. Upon acceptance by the Engineer, the Engineer will retain a portion of the sample until completion of the work. The Engineer will provide a duplicate of the retained sample to the Contractor at the Contractor's request.
- D. Samples of various material or equipment delivered to the site or during placement may be taken by the Engineer for testing. Samples failing to meet contract requirements will automatically void previous approvals, and resubmittal or retesting of samples will be required.

1.10 MANUFACTURER'S CERTIFICATES

- A. When required in these specifications, Contractor shall provide manufacturer's certifications to Engineer. The certifications shall be submitted prior to shipment of the product or material to the site.
- B. The certifications shall indicate that the material or product conforms to or exceeds specified requirements. Supporting reference data, affidavits, and certifications shall be submitted as appropriate.
- C. Certificates may be recent or previous test results on material or Product, but must be acceptable to Owner and the Engineer.

1.11 STATEMENT OF QUALIFICATIONS

- A. Evidence of qualification, certification, or registration shall be submitted to Owner and the Engineer. Submission of these documents shall be as required in the Specifications to verify qualifications of material testing laboratories, specialty Subcontractors, trades, specialists, consultants, and other professionals.

1.12 SCHEDULE OF SUBMITTALS

- A. The listing of submittals in this Exhibit is intended to be as complete as possible; however, the inadvertent omission of a particular item in the listing shall not free the Contractor from the responsibility of furnishing the submittal.
- B. A complete list of required submittals shall be submitted by the Contractor to Owner and the Engineer with the first submittal.
- C. Requests for information issued by the Contractor will be answered within 10 days