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STATEMENT OF WORK

ENFORCEMENT SUPPORT SERVICES (ESS)

I. INTRODUCTION

A. BACKGROUND

The purpose of this contract is to support the cost recovery and litigation efforts of Superfund enforcement personnel.

The contractor shall perform in accordance with all current or successor environmental statutes as appropriate (e.g., Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as amended by SARA (Superfund Amendment and Reauthorization Act of 1986), Resource Conservation and Recovery Act (RCRA), Clean Water Act, Clean Air Act, and Toxic Substances Control Act) including all applicable federal, state, and local laws, regulations, guidance and policies. Applicable laws, regulations, guidance and policies which become effective after the effective date of this contract will be incorporated by modification into the contract.

The contractor shall use and maintain computer software which is compatible with software currently in use by the Environmental Protection Agency (EPA). Subsequent versions or new software packages, shall be incorporated as necessary. These software packages shall routinely be used to enter, track or retrieve information and data developed during the course of this statement of work. The contractor shall transfer all deliverables electronically (i.e. via commercial phone line, electronic mail or by disk) unless otherwise requested by the contracting officer. In addition, the contractor shall provide a hard copy directly to EPA. Upon completion of the contract, any data bases or systems developed by the contractor for EPA will be transferred to EPA.

The contractor shall provide the personnel, materials, knowledge and expertise to successfully complete the tasks required under this contract.

II. TECHNICAL REQUIREMENTS

Technical Requirements under this contract include:

- Potentially Responsible Party Search
- Negotiation Support
- Expert/litigation Support
- Cost Recovery Support
- Technical and Administrative Support Activities
- Management Support and Project Management

A. POTENTIALLY RESPONSIBLE PARTY (PRP) SEARCH

1. Overview

The contractor shall perform PRP searches in accordance with the three principal program guidance documents, and any subsequently issued guidance documents which pertain to PRP search work as well as the Department of Justice (DOJ) case law outline for the CERCLA elements of liability. These documents are:

- a. Draft Revised Potentially Responsible Party (PRP) Search

Manual, OSWER Directive 9834.3-1A, September 1996;

b. Guidance on Preparing and Releasing Waste-in Lists and Volumetric Rankings to 1991 PRPs Under CERCLA, OSWER Directive 9835.16, February 1991; and

c. Elements of Liability Under Sections 104, 106, and 107 of CERCLA, U.S. Department of Justice, (current edition).

In planning and implementing PRP search support activities, the contractor shall ensure consistency with EPA-developed plans guiding site enforcement activities which may be in existence, such as a Site Management Plan, PRP Search Plan, etc.

2. Records Collection Activities

The contractor shall review relevant business records in order to document potential liability in accordance with CERCLA Section 107(a), and to document the PRP's volumetric contribution. Accordingly, the contractor shall:

- conduct interviews with personnel both in and outside the Agency to develop additional information on site operations, history, and PRPs; and to identify government agencies or private parties that may possess relevant documents or information;
- conduct review of records maintained in the ordinary course of business as well as documents kept in accordance with environmental regulations;
- conduct industrial surveys, using such records as industrial directories, Chamber(s) of Commerce records, business school libraries, insurance company maps, city directories, aerial photograph collections, and urban archives. Assist in the determination of which parties may have contributed to site contamination both currently and in the past;
- develop site histories which shall be based upon a comprehensive records search;
- provide technical and administrative assistance in development of administrative subpoenas and depositions;
- assess whether site records to be reviewed are contaminated by hazardous wastes. The contractor shall have the capability to handle contaminated documents and the capability to safely transport and/or store such records should the situation arise. The contractor shall undertake all appropriate measures to protect the health and well-being of its employees in these situations. Site-specific health and safety plans shall be required when handling potentially contaminated documents;
- photocopy documents, often at remote locations, consistent with Agency guidance on reproduction; document record collection activities in PRP search reports, including contacts, records availability, and its leads, consistent with OSWER Directive 9834.3-2a; organize records collected for a PRP search according to the regional Superfund filing structure and, at a minimum, shall identify each document by its source, location, provider, and legal status (i.e., original, certified copy, true copy, etc.)
- develop and maintain transactional databases. The task order will set

forth the parameters of the database, e.g., information contained in databases, document criteria, QA/QC process, document codes, field definitions, etc. Transactional databases developed by the contractor shall be compatible with EPA software. The contractor shall provide summaries of evidentiary information on the types of waste disposed, the generators and transporters of the wastes, the total volume of each type of waste, the quantity of each type of waste contributed by each generator or transporter, and the ranking of each generator or transporter as a function of the total quantity of hazardous wastes disposed;

- index documents, collected under the task order or as provided by the Agency, in a manner and format consistent and compatible with the Regional Superfund Record Center indexing format. Each document shall be assigned a unique pre-numbered identification label supplied by EPA. Only final versions of work products or deliverables shall be indexed unless otherwise specified in the task order.

3. Analysis of PRP Search Information for Evidence of Liability

The contractor shall analyze and organize the information obtained during the PRP search (Section II. A. 2 above) in accordance with the rules of evidence (i.e., collection, chain of custody, credibility and admissibility), CERCLA elements of liability and applicable case law. Specifically the contractor shall:

- propose classification of "persons" [as defined in CERCLA section 101 (e) (21)] identified during the research into appropriate PRP categories for EPA consideration and approval based on CERCLA Section 107(a) ;
- provide information on the liability case against each PRP consistent with the "evidence sheet" format described in OSWER Directive 9834.3-2a. The contractor shall prepare a PRP Profile Sheet for each PRP identified during the course of the investigation. This PRP Profile Sheet shall contain all liability and viability information obtained for that PRP during the search;
- incorporate site sampling data provided by EPA for purposes related to proving a release of hazardous substances.

4. Development of Waste-in Lists and Volumetric Rankings from PRP Search Information

The contractor shall provide technical support to EPA in the areas of chemical processes, chemical fate, and waste modelling to support EPA during the PRP search and in the analysis and development of waste-in information for possible release with special notice under CERCLA Section 122(e)(1). Specific tasks shall include:

- perform stoichiometric calculations, analyze material balances, and interpret process engineering data about manufacturing processes employed by PRP generators;
- compile an accurate inventory of wastes that were generated at, transported to, stored, or disposed of at a site by reviewing all waste stream records, operating logbooks, and analytical reports in accordance with the requirements identified at Section II.A.2 above;

- formulate standard unit conversion factors. Volumetric rankings for release with special notice under CERCLA Section 122(e)(1), shall be consistent with the format described in OSWER Directive 9835.16;
- after a waste-in list is developed, the contractor shall install a working copy of the waste-in list, with edit capability, either on a local area network (LAN) or on a stand-alone, IBM compatible personal computer, specified in the task order;

5. Corporate Successor/Parent Subsidiary Research

The contractor shall provide data to develop historical information on companies or individuals identified by EPA as PRP's (electronically or otherwise). Specifically, the contractor shall:

- develop historical information on companies and individuals as identified in individual task orders;
- support the Agency when it is necessary to assemble a case involving parent corporation-subsidiary liability issues;
- provide appraisals of real and personal property;

6. Investigations

During the course of PRP searches, it is routinely necessary to obtain and develop information from parties not known at the outset of the search. When conducting an investigation, the contractor shall:

- utilize rules of evidence (i.e., collection, chain of custody, credibility and admissibility);
- comply with the scope, application and specific provisions of CERCLA Section 104(e) relating to the investigative jurisdiction of EPA;
- identify and pursue investigative leads, including tracing individuals and businesses, locating assets and sources of information;
- identify discrepancies in information and take appropriate actions to substantiate discrepancies;
- provide testimony regarding PRP search activities conducted by the contractor in support of EPA's CERCLA 104(e) enforcement actions;
- prepare lists of persons to be interviewed by the contractor, as well as lists of persons to be interviewed by EPA personnel. Lists shall include the name, title, and current or last known address and telephone number for all persons named. The contractor shall prepare reports of interviews for all interviews conducted containing a detailed summary of information (including all opinions, comments and statements, whether or not erroneous) obtained. The contractor shall conduct recorded interviews following applicable laws and regulations, and transcribe the recording of the interview, as indicated in the written work assignment and provide audio/audio-visual recordings of interviews.

7. Title Searches

The contractor shall conduct title searches and analyze needed information as follows:

- identify and obtain copies of relevant title documents from approved city, county, or state offices, or other recognized sources. Title searches shall identify the current and past owners of properties identified as hazardous waste sites as well as properties located adjacent to hazardous waste sites which fall within the jurisdiction of the EPA.

After receiving a description of the property, the contractor shall perform the following tasks as part of the title search:

- review relevant title documents pertinent to the hazardous waste site. These relevant title documents include deeds, mortgages, deeds of trust, liens, leases, right-of-way easements recorded and any other documents which establish an ownership or possessory interest in the property. The contractor shall locate hazardous waste sites on county parcel maps as well as review metes and bounds legal descriptions to determine whether a parcel is part of a site;
- analyze the contents of the documents located, including leases, for information which will aid in identifying and issuing notice to owners and operators, as defined in CERCLA Section 107(a);
- provide copies of relevant title documents, either certified true copies or regular photocopies;
- analyze title records and develop chain of title, title abstracts, or lessee information summaries;
- develop an organizational chart or other graphic representation as part of its deliverable to aid in representing the chain of title;
- provide preliminary title reports establishing current ownership within the time frame identified in the work assignment;
- prepare site parcel overlays on aerial photography if tasked; and
- conduct lessee/operator searches.

8. Section 104(e) Information Request Letter and Notice Letter Support

To support Section 104(e) Information Request Letter and Notice Letter, the contractor shall perform the following:

- provide administrative and technical support for Section 104(e) information request(s), general, and special notice letter mailing processes. [For the purposes of this section "notice letters" refers to both general and special notice letters as defined in CERCLA Section 122 (e) (2)]. This support shall include the preparation of routine administrative (non-decision making) type letters based on a model or template provided by the Agency.
- collect, compile, summarize and analyze responses to the Section 104(e) and notice letters and provide this information in PRP search reports. PRP search reporting shall include concise summaries of the operational site history. PRP information and lists shall be maintained in a format which allows easy electronic transfer to EPA's CERCLIS 3 database. Reports should summarize all important information collected during both the baseline PRP search and additional site-specific tasks. Reports prepared by the contractor may be enforcement confidential and shall be

submitted only to EPA. The contractor shall, during the development of 104(e) enforcement referrals to DOJ, compile, review and prepare background summaries supporting the referrals.

9. Expedited PRP Search Work

The contractor shall provide expedited support for all PRP search activities when ordered, including records collection, title searches, interviews, financial research, 104(e) preparation, notice letter preparation, and corporate research and file evidence summary. Expedited PRP search support shall only be provided under task orders that are specifically created for this purpose. The contractor shall begin to mobilize the expedited PRP search staff after receiving oral or written notification. The contractor will usually receive two (2) days notification of the response required and must be sufficiently mobilized to respond within that time period. Within five (5) business days of oral notification, the contractor shall receive a written task order confirming the previous oral instructions. Occasionally, the contractor may be asked to respond with less than 2-day notification. For the expedited PRP Search the contractor shall:

- identify available personnel with Level C health and safety training (as specified in OSHA 29CFR 1910.120) and necessary equipment in order to respond on a contingency basis ;
- have in place administrative and accounting procedures for expedited task orders which shall be the same as those for any other ESS task order. However, the contractor must expedite the application of those procedures in order to ensure that performance is consistent with those deadlines established. In addition to the normal administrative procedures, the contractor shall maintain a site-specific log on expedited search tasks for review by the Agency (ie, health and safety issues, information discovered/disposition, action taken) .

B. NEGOTIATION SUPPORT

The contractor shall provide technical assistance to the Agency by providing data, for use by program personnel that will facilitate the negotiation of issues under the following contracts: removals (emergency, time critical and non-time critical); Remedial Investigation/Feasibility Study (RI/FS); Remedial Design/Remedial Action (RD/RA); Long Term Remedial Action (LTRA); Operation and Maintenance (O&M) negotiations; cost recovery; negotiations and claims defence as well as penalty proceedings under Section 109, 325 of SARA. The contractor shall also provide case support for liability and viability analyses and cost documentation support. The contractor shall provide technical support to EPA during the development of EPA/DOJ negotiating strategy and during EPA's negotiations with PRPs.

Additional information may be required from the contractor to supplement the PRP search report. Typical assignments may include providing assistance to the Agency by:

- summarizing draft orders, including collecting and analysing information;
- publication of public meeting notices, and preparing responses to comments;
- collecting and developing information for the Agency's use in evaluating

and preparing Preliminary Non-Binding Allocations of Responsibility (NBARs); and

- coordinating natural resources damages aspects of settlements.

C. LITIGATION SUPPORT

1. Overview

The contractor shall assist in the development of referrals pursuant to CERCLA Sections 103, 104, 106, 107, 109 and 122, or SARA/Title III Sections 304, 311, 312, and 325, and shall assist in the preparation of litigation reports, which document the site history (operational, corporate, cleanup, and enforcement), establish the prima facie case, and serve as the recommended basis for the EPA/DOJ-prepared complaint. The contractor shall also assist in the assembly of all documents which support the complaint and all discovery requests. Data collection, management, review, and assessment shall continue until prima facie case is determined by the agency to be complete and PRP searches have been completed. The contractor shall assist in the assembly of all documents which support the referral, including EPA-PRP contacts, sampling data, records collected during the PRP search, and various legal instruments. Contractor assistance may be required for the development of preliminary non-binding allocations of responsibility (NBARs), volumetric determination lists, witness lists, and document management.

2. Expert Witness(es)/Expert Consultants (Experts)

The contractor shall secure qualified experts that possess the special qualifications needed by the Agency for particular enforcement actions; and be considered preeminent in their fields to support EPA actions in scientific, technical and financial arenas.

The contractor shall, perform a search for potential experts having knowledge and experience in specific fields of the areas listed above. Although "name selection" of a particular individual is allowed for CERCLA actions [Section 109(e) of SARA permits "any executive agency (to) use competitive procedures or procedures other than competitive procedures to procure the services of experts"], when several candidates have been identified by the screening criteria provided or similar criteria, the contractor will be expected to narrow the list to three to five candidates for final consideration. In accomplishing this, the contractor shall secure and evaluate the professional resume (including experience relating to hazardous wastes as well as negotiation/litigation experience) from each candidate, determines willingness and availability to serve, methods for procurement and the fee schedule covered in COI plan for candidates receiving final consideration.

The contractor shall provide EPA with appropriate résumés and information as outlined in the proceeding paragraph, and when there is more than one final candidate, a matrix showing a basis for selection of a final candidate. The Contracting Officer will approve the final selection of an expert.

The contractor shall certify that an expert's credentials and expertise in any résumé or other information provided to the contractor is accurate.

Persons working for EPA or other governmental agencies (federal, state or local), may be available only under special request from EPA management at

an appropriate level. If a candidate from EPA or another government agency is a possible final candidate for selection as an expert, the contractor shall notify and coordinate with the primary contact of the expert before proceeding with the assignment.

Scientific or technical experts shall perform tasks related to their area of expertise which may include:

- visiting the hazardous waste site and/or other locations pertinent to the site/case;
- review of government, PRP and public comments and reports relevant to the site/case and provide an evaluation either orally or in writing;
- review of the literature for information relevant to the site/case;
- presentation of opinions and factual information in deposition of a case;
- testifying as an expert witness providing written or oral testimony in Federal Court and/or administrative hearings;
- performing property appraisals;
- providing legal expertise to research corporate successor issues.

3. Service of Process and other Documents

The contractor shall provide delivery of various enforcement related documents including information requests, notice letters, demand letters, subpoenas, orders, summons, and complaints on various parties. If needed, the contractor shall provide overnight or same day delivery service. The contractor shall be prepared to complete an affidavit, or certificate of service or other document to serve as evidence of service, in accordance with Federal Rules of Civil procedure, local court rules, and other EPA procedures.

4. Filing of CERCLA Liens

The contractor shall assist in preparing notices of liens against property and develop lien records. This shall include assisting EPA in determining the correct legal description of the property EPA proposes to lien, and filing the lien for recording in the appropriate jurisdiction in compliance with the particular rules of that jurisdiction. The contractor shall furnish EPA with evidence that the lien has been recorded including a certified copy of the recorded lien. The contractor shall also track sites which have EPA liens filed and when appropriate, assist EPA in the removal of liens.

5. Alternative Dispute Resolution (ADR) Support

The contractor shall identify qualified individuals to serve as Alternative Disputes Resolution (ADR) professionals for conducting case evaluations and the conduct of any ADR process, including but not limited to, convening, facilitation, mediation, allocation and stakeholder involvement processes.

As initiated by a task order, the contractor shall provide a list of 3-5 firms or individuals for consideration. ADR professionals must meet the general qualification requirements. Additionally, the contractor shall

include a detailed resume of the suggested firms or individuals, and a list of 2-4 references with addresses and phone numbers.

As appropriate for each task order, the contractor shall provide cost rates for all proposed personnel, including clerical, administrative staff and ADR professionals.

The project officer and case team shall review the list of qualified ADR professionals with the parties to the dispute, as appropriate. The contracting officer will notify the contractor of which ADR professional is acceptable to the case team and the parties. As required by the case team and the parties in the selection of an appropriate ADR professional, interviews may be required with professionals selected from the list of qualified ADR professionals. Since selection is at the discretion of the parties, if none of the recommended sources are considered acceptable, the contractor may be required to generate a second or third list.

Lists of Tasks Assigned to ADR Professionals:

- Case Evaluation for ADR
- Convening of a Case
- Conducting an ADR Process
- Conducting a Stakeholder or Community Involvement Process

6. Evaluation of Cost Information

In preparation of litigation referrals and during ensuing discovery/litigation, the contractor shall assist EPA in the compilation of cost packages which document costs incurred for a particular site. The contractor shall conduct periodic reviews of the cost packages to identify and correct errors (i.e., costs incorrectly charged to a site). During litigation or settlement discussions, the contractor shall support EPA in maintaining an accurate estimate of its continuing expenses. The contractor shall assist EPA in reconciling cost updates from EPA's current cost documentation packages, including, but not limited to, Integrated Financial Management System (IFMS) and Management Accounting Reports System (MARS) reports. The contractor shall assist EPA in reconciling new cost documentation packages to original cost packages. During this reconciliation, the contractor shall consult with members of the negotiation/litigation team. For specific instructions see Section II. D. Cost Recovery Support.

7. Deed Restrictions

The contractor shall provide assistance in the preparation and filing of deed restrictions pursuant to CERCLA and state laws. This shall include reviewing documentation to determine the correct legal description of the subject property, recording the deed restriction in the appropriate jurisdiction in compliance with the particular rules of that jurisdiction, and monitoring PRP compliance with the deed restriction. The contractor shall be prepared to furnish evidence that the deed restriction has been recorded including furnishing a certified copy of the recorded deed restriction document.

D. COST RECOVERY SUPPORT

The contractor shall provide support to EPA in collecting and securing evidence in order to aid in cost recovery efforts. Tasks may include

assisting in preparation of cost documentation packages; developing litigation cases for the purpose of establishing liability as described in previous Sections; and assembling documentation supporting response decisions. The contractor shall also provide support in defense of claims, such as those for reimbursement under CERCLA and any other applicable environmental statutes as appropriate (e.g., Resource Conservation and Recovery Act (RCRA), Clean Water Act, Clean Air Act and Toxic Substances Control Act). This assistance will be in support of preparation by EPA for civil and administrative settlements including pre-trial and auxiliary services, leading to formal negotiations/meetings with private parties, and trial.

The contractor shall provide support for data analysis of government furnished documentation (e.g., be capable of providing support for data analysis of the overall cost recovery program). Government-furnished documentation may include a description of work performed, site-specific cost summaries, tracking of oversight costs, billings and payments received, statute of limitations, and status of past removals and remedial actions. EPA will generally provide access to documents needed in the performance of these activities. Where EPA is unable to provide site-specific cost information, the contractor may be tasked to obtain site-specific cost information from firms whose contracts with EPA have expired.

The contractor may be required to perform the following cost recovery support tasks:

- collect and summarize all available cost documentation in support of Superfund costs incurred, using existing cost documentation systems;
- perform a review of cost documentation based upon EPA guidance: Superfund Cost Recovery Referrals, September 6, 1983, OSWER Directive No. 9832.0; Superfund Cost Recovery Strategy, July 29, 1988, OSWER Directive No. 9832.13.; and Superfund Removal Procedures (Revision No. 3), February 1988, OSWER Directive No. 9360.0-03B. , inclusive of the following tasks:
 - Producing a document trail to establish proof of costs incurred using existing systems and other documentation guidance;.
 - Ensuring that the cost document compilation is complete;
 - Providing assistance in developing proof to support allocation of non-site specific charges on a site specific basis;
 - Accumulating and verifying all costs incurred in connection with a site or sites by reconciling all supporting documentation with data in Agency financial and documentation systems;
 - Review all cost documentation or accounting procedures and identify to the Agency deficiencies and/or potential sources of challenge.
- produce and maintain an organized cost package or cost document file that includes cost summaries for each cost element claimed together with organized supporting documentation;
- review and analyze audits or technical reports (e.g., GAO audits, grant agreements, etc.) for relevance to cost claims and assist EPA in preparing any defenses that may affect a cost claim;

- provide administrative assistance to the Agency by compiling work performed documents to support cost recovery actions including documentation that describe the site-specific response actions taken, e.g. contractual, cooperative agreements, and interagency agreement documents that describe response actions taken; progress reports and final reports by EPA officials; and documents by contractors, state officials, and from other federal agencies or groups of individuals to EPA officials that describe the implementation of the response action;
- provide administrative assistance to the Agency by collating, organizing, storing, maintaining and refileing the above information;
- provide administrative assistance to the Agency to copy, organize, summarize, maintain and track evidentiary materials which are stored in a non-site specific manner to facilitate liability review and connection determinations.

E. MANAGEMENT SUPPORT

1. General Records Management (pertaining to evidence records)

The Contractor shall electronically organize and control case document files and summarize case-specific information contained in the documents. The system should be compatible with and build upon earlier described evidence tracking and transactional data bases, so that information in those data bases may be loaded directly into this system. Any system proposed by a contractor must provide an efficient way of locating and retrieving documents by keyword, subject, author, or date; a document control system to assure that documents are not lost or misplaced; and a means for assuring timely response to discovery orders and to voluntary document exchanges. The contractor may be required to perform the following general records management support tasks:

- identify and develop screening criteria, key word indices, and coding strategies and procedures;
- perform all operations to create and maintain data bases and to conduct searches of the data bases;
- prepare and execute plans for transitioning custody of those records meeting EPA criteria for records custody to EPA or to an EPA-designated recipient (1) before this contract expires, or (2) when a centrally located records center is established;

2. Case/Project Analysis

The Contractor shall collect data for a case, identifying all involved parties, issues, status and timetables. As a minimum, all party identification must be substantiated with supporting documents, including but not limited to title documents, deeds, manifests, bills of lading, or depositions. Corroborating evidence pertaining to party identification shall be organized in a rational manner, which will be specified within the task order SOW. The contractor shall make issue statements concerning the presence or absence of document discrepancies. The contractor shall describe document completeness and authentication issues, documents will not be presented without source identification. The contractor may be called upon to review documents that are dirty, moldy, or otherwise unpleasant, including contaminated with hazardous substances. The contractor shall have a safety

plan to ensure that these types of documents can be reviewed by their staff and under appropriate conditions. Refusal to store, review, and analyze documents that fall under one or more of these descriptors is unacceptable. Case/Project analysis may include:

- documenting information required to support the case as indicated by EPA's evidentiary needs, output implications of those needs, and types of documents, and types of information to be extracted. All party identification must be substantiated with supporting document.
- summarization of data in a table format to be furnished both on paper and electronically. Contractor shall clearly identify fact from conjecture in its presentation of conclusions. Issues arising from document discrepancies shall also be clearly identified at the party level. Interim progress reports for title searches and PRP searches may be required. Analysis reports and summary reports shall be delivered within specified deadlines. Documents themselves, as well as extracted data, may be required in more than one media format, to be determined on a case specific basis. Documents shall be numbered according to the specified format on a case by case basis, and reports shall reference document numbers employed.
- based on EPA identification on a case by case basis, identify the range of sources to explore for document retrieval. For each document source, the contractor shall identify the location, volume, condition, custodian (name, title, agency, address, and phone number), and access constraints.

3. Database Design

The Contractor shall provide Database Design support to identify and resolve questions which arise during the analysis of database requirements to include:

- describe and develop output and system requirements; research and document regulatory and statutory authorities, where appropriate and/or available;
- develop criteria, forms, and procedures for executing the action plan for each major operational function (e.g., screening, filming, scanning/imaging, document coding, data conversion, loading, retrieval, document center and trial support center);
- develop a database design for capturing data and information related to Enforcement Activities (e.g., Cost Recovery, Litigation Support, DOJ Referrals, Document Collections, Administrative Records, etc.). Databases will conform to Agency standards as outlined in the EPA Information Technology Architecture Roadmap, Office of Information Resources Management (OIRM) Policy Manual, EPA Information Systems Guidance and Agency SOPs.

4. Operations

The Contractor shall provide the following Operations support:

- provide recommendations or comments regarding responsiveness, privilege, and confidentiality, after screening documents previously designated by EPA;
- preparing documents: disassembly, binding identification, start/stop

identification, re-assembly, preparation of phase labels;

- obtaining (but not purchasing) and reproducing documents to provide to other parties;
- hand numbering documents (Bates stamp or label);
- photocopying (in addition to or in place of filming; on-demand copying of documents) and other reproduction (see contract "Printing" clause);
- storing and circulating film and paper copies;
- reorganizing documents as needed to identify duplicates, replicate aging/damaged documents, organize records into Agency file standards, etc.;
- checking for duplicates (through screening or bibliographic cataloguing, or both) to obtain EPA approval for destruction of duplicate records material;
- coding key words;
- maintaining data base, update, and clean-up;

5. Data Management

The contractor shall provide technical assistance to the Agency in managing data collected in the course of CERCLA investigations and enforcement activities. This data may include results of environmental measurements, characteristics of hazards, remedial action schedules, compliance and enforcement plans and accomplishments, corrective action costs, cost recovery data, obligation rates and other financial information, applicable regulations and criteria, mailing lists and manifest files uncovered in a responsible party search. Data management may involve data screening, formatting, input, quality assurance of data, processing, and selective retrieval; preparation of special displays; and providing and implementing a plan for a secure system to ensure the integrity of enforcement related records. Data management may involve review of CERCLIS 3 (or other system) reports to assist data quality control of missing or erroneous data.

The principal sources of the data are:

- PRP searches;
- Feasibility studies;
- Investigation reports; and
- Endangerment assessments and reports from states and EPA regions regarding their activities.

The data can be used in the feasibility studies and review of the PRP's plans. The contractor shall perform all automatic data processing in accordance with the EPA 2100 Information Resources Management Policy Manual, approval date 7/21/87; System Design and Development Guidance, dated June 1989; Operations and Maintenance Manual, dated April 1990; and EPA System Design and Development Guidance: Supplemental Guidance to Volume B; EPA/ADP Applications; and Guidance to Hardware/Software Selection, dated August 1990. The contractor shall develop printouts for EPA and DOJ during litigation.

The contractor's computerized management information system (MIS) shall be compatible with CERCLIS 3 and other Agency systems supporting enforcement planning, financial management and tracking activities as specified by the Project Officer (PO). The format of work assignment reports will be stipulated in the Work Assignment.

6. Quality Assurance Supplements

The contractor shall implement a quality assurance program adequate to ensure that documents/deliverables/work are of a quality suitable for their intended purpose. The documents (both for program and project purposes) shall be complete, accurate, and delivered on time.

Complete means: All work products, documents, or other deliverables which are required by statute, regulation, guidance, or terms of the task order are submitted by the contractor, or an exception granted by the Project Officer upon satisfactory showing of good cause.

Accurate means: The content of all work products, documents, or other deliverables submitted have been determined by the contractor to be true, to the best of the contractor's knowledge and belief, or to be true and correct original or photocopies of relevant documents whose contents cannot be verified by the contractor but which are nevertheless important to the Agency.

Delivered on time means: All work products, documents, or other deliverables are placed in the custody or control of the designated Task Order Manager on or before the date agreed upon in the task order, unless an extension is granted by the Task Order Manager after a satisfactory showing of good cause.

Quality assurance shall be applied to all aspects of each project and task order. This includes data management and project (task order) management. At all times under this contract, the contractor shall utilize methods that ensure that work is performed in a manner that minimizes the need for internal revision and rework by using resources and personnel that are at an appropriate level of experience and ability. Internal review should be performed before delivery of documents and deliverables to EPA. This review should involve personnel that are experienced in the type of activity but not otherwise involved in the specific project, as well as personnel (other than the document authors) who are familiar with the specific aspects of the project that are the subject of the document.

With respect to data management, the contractor's quality assurance program supplements must be approved by EPA, within 7 days after receipt, assuring a known quality of performance and compliance with applicable policies and procedures by all personnel. A quality assurance program must be written to include both auditing and corrective action. The program must describe how all deliverables generated will be assessed for accuracy, precision, and completeness. Auditors shall report directly to the contractor's corporate management, which will then be expected to bring the resources of the firm to bear on the solution of any problems uncovered. The program will cover all other tasks, including routine health and safety screening. The contractor shall include the quality assurance program as part of the proposal.

F. DELIVERABLES

The contractor shall furnish monthly, 3 copies of both a technical progress

report and a financial progress report (2 to the PO and 1 to the CO). Reports are due NLT the 20th calendar day of each month following the first complete month of contract performance.

Technical Progress Report - Report shall address each active task order individually, provide a general outline of efforts expended, state percentage of work completed during the reporting period, and relate it to the overall effort. Specific discussions shall include any difficulties encountered and actions taken during the reporting period. It shall also include an outline of anticipated activity, manpower requirements, and an estimate of progress to be made during the next reporting period. In addition, any anticipated changes in personnel and a comparison of the work accomplished to that specified in the SOW shall be included.

Financial Progress Report - Report shall provide the percentage or status of work completed, number of hours expended, labor rate applied, and total dollar amount expended to date for each worker in all labor categories utilized specifically for each task order during the reporting period. Also, contractor shall provide cumulative number of hours and dollar amounts expended to date, and estimates of hours still required to complete performance for each task order. A graph shall be included which uses a vertical axis for dollars and a horizontal axis for expenditures against the total estimated cost of the task order.

In addition to the monthly technical and financial reports, the following deliverables are required under this contract and shall be provided to the Project Officer:

- a. Conflict of Interest Review (for each task order)
- b. Confidentiality Agreements (for each employee under this contract)
- c. Background Check (for each employee using EPA computers)
- d. Notification of Delivery (for each cost package)
- e. Notification of Delivery (for each litigation package)
- f. Cost Estimate for each PRP/Title Search Deliverable
- g. Notification of Delivery (for each PRP/Title Search Deliverable)