

July 8, 2019

Franklin County Board
Attn: Selection Committee
901 Public Square
Benton, IL 62812

RE: Proposal 003-19 for Phase II Environmental Site Assessment and Project Manager

Dear Selection Committee:

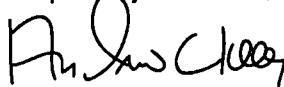
We have reviewed your Request for Proposal for the work requested. It is our understanding that the building is a two-story structure (approximately 20,000 sf) with a partial basement located at One Public Square, Benton, Illinois 62812. It is also our understanding that floor plans for reference were not issued with the RFP and that existing condition plans for each level are not available and will need to be produced.

We will be teaming with Summit Environmental Services, Inc. to provide the full scope of the RFP. We propose the following bid breakdown per the request.

- | | |
|---|--------------|
| 1. Asbestos Survey and Report | |
| a. Total Price: | \$6,595.00 |
| b. Anticipated Quantity of Samples: | 100 |
| c. Unit Price per additional sample: | \$30.00 |
| 2. Project Design/Bid Specifications for Abatement RFP | \$4,000.00 |
| a. Price may vary depending on actual survey findings. | |
| 3. Asbestos Project Management | \$95.00/hour |
| 4. 3 rd Party Air Monitoring during Abatement Period | |
| a. Daily Air Monitoring Rate | \$95.00/hour |
| i. Includes all samples except clearance air samples. | |
| b. Unit Price per additional sample. | \$20.00 |
| c. Unit Price per Clearance Air Samples | \$20.00 |
| 5. Availability to begin investigation. | immediately |
| 6. Anticipated duration of investigation. | 5 days |
| 7. Lead time to produce report after investigation. | 10 days |
| 8. Document the existing building | \$3,000.00 |
| a. Includes field measuring and digitizing | |

Thank you so much for all you do. Please feel free to contact me at your convenience if there is anything further I need to provide or can assist you.

Respectfully Submitted,



Andrew C. Kelly – NCARB
Principal
KELLY Architecture & Consulting, LLC



Proposal Acceptance:

If this proposal is acceptable to you, please sign and date below, and return a copy to our office.

Accepted by: _____

Date: _____



Company Profile

Introduction

KELLY Architecture & Consulting, LLC is full service architectural design firm located in Franklin County and was founded in the summer of 2015 by Andrew Kelly. We provide architectural design and planning services, consulting services, and many other services for public and private clients. We serve a range of projects such as educational, commercial, restaurant and religious.

Certificates and Memberships

Asbestos Building Inspector – Illinois
Asbestos Management Planner – Illinois
Asbestos Project Designer – Illinois
National Council of Architectural Registration Boards (NCARB)
Sesser Area Chamber of Commerce
Benton/West City Area Chamber of Commerce
Marion Chamber of Commerce

Licenses

KELLY Architecture & Consulting, LLC – Design Firm – 184.007202-0001
Andrew Kelly - Architect – 001.020572
Andrew Kelly – IDPH -100-19019

Experience

Meridian Middle School and High School – Mounds, Illinois
Andrew assisted the districts AOR with project design for asbestos removal in a condemned middle school building to be demolished, as well as a kitchen in the high school building undergoing renovation.

Cobden High School – Cobden, Illinois
Andrew assisted the districts AOR with the project design for asbestos removal.



Andrew C. Kelly, NCARB Registered Architect | NCARB | Managing Member

Education

University of Arkansas, Fayetteville, Arkansas, Bachelor of Architecture, 1995
University of Arkansas, Rome, Italy, Urban Design, 1994

Registrations

Registered Architect in Illinois 001-020572
NCARB
Registered Architect in Florida AR96710
IDPH Licensed Professional 100-19019
Asbestos Inspector, Project Designer, Management Planner

As the Managing Member and Architect of Record, Andrew is involved during all phases of a project and with consultant and construction coordination. He manages the project team during all stages of the project. He has vast experience with projects from a few hundred thousand to tens of millions of dollars.

Volunteer

Sesser Area Chamber of Commerce

November 2016 - Present
Currently serves as the Chamber President.

Community Member of the Distinguished Alumni Committee; Sesser-Valler CUSD #196

April 2015 - Present
Provides a time donation to this committee. This committee is a superintendent's committee that reviews nominations of alumnus and selects a Distinguished Alumni each year.

Security Committee; Sesser-Valler CUSD #196

June 2019 - Present
Provides a time donation to this committee. This committee is an advisory committee to discuss school security.

Architectural Consultant for Southern Illinois Worship Center

January 2015 - Present
Provides a time donation to review, critique, and suggest improvements for the sanctuary and office addition.

City Building Codes Consultant for the City of Sesser, Illinois

April 2014 - May 2015
Provided a time donation to the City of Sesser and the Mayor to review, critique, suggest improvements, and revise the outdated City Building Codes.

Sesser Junior Baseball, Inc.

November 2018 - Present
Currently serves as the Board Co-President.

Sesser Junior Baseball, Inc.

2018 season
Head baseball coach for my son's baseball team.

Career Experience

Mr. Kelly has approximately 25 years of experience within the field of architecture, mainly in educational and commercial design. Mr. Kelly has extensive experience with K-12, restaurant, shopping center, and office design. As the Managing Member, he is involved with all projects during all phases, and is skilled in programming, schematics, design development, construction documents, and managing production teams and consultants for projects small and large.

Relevant Experience

Campbell Building Renovations, Benton, Franklin County, Illinois

This is a single story building with a basement currently owned and operated by the County with previous renovations. We are assisting the county in renovating approximately 1/3 of the ground level into permanent offices for the County Treasurer and County Clerk offices. We are also assisting in renovating the basement into temporary courtrooms and Circuit Clerk office until they can be moved into the new courthouse. This project is ongoing.

Chick-fil-A, Inc., USA (Strategic Partnering with Hill Foley Rossi & Associates)

Various free standing store and licensee remodels.

The City of Sesser, Sesser, Franklin County, Illinois

Assisted the City of Sesser to review their outdated building codes and ordinances and make recommendations for needed revisions.

Effingham County Courthouse Feasibility Study, Effingham, Illinois *

Assisted with a feasibility study for a courthouse addition to an existing county office building and jailhouse building complex.

Herrin Police Station, Herrin, Illinois *

This project was a relocation of an existing police station. The City was donated/purchased land behind the city hall, demolished the building that was on it, and built a new building to house the police station. The project was approximately 5,050 sf, \$1,270,000, and completed in approximately 2000.

Marion Police Station, Marion, Illinois *

This project was the relocation of an existing police station from its location in the city hall to a building purchased by the city from the National Guard. The project was approximately 17,400 sf, \$1,600,000, and completed in 2014.

The Hub Recreation Center, Marion, Illinois *

This project was a recreation center for the City of Marion. The project was built on property the City owned where a hospital had previously stood. This project was approximately 68,000 sf, \$12,400,000, and completed in 2014.

Duluth City Hall, Duluth, GA (with Hill Foley Rossi & Associates) *

See project in Hill Foley Rossi & Associates section.

* Architectural work with a previous employer

IDPH ASBESTOS
PROFESSIONAL
LICENSE

ID NUMBER	ISSUED	EXPIRES
100 - 19019	4/5/2019	05/15/2020

ANDREW C KELLY
11305 FOX HUNTERS RD
MULKEYTOWN, IL 62886

Environmental Health



ENDORSEMENTS

TC EXPIRES

INSPECTOR	7/6/2019
PROJECT DESIGNER	8/2/2019
MANAGEMENT PLANNER	7/6/2019

Alteration of this license shall result in legal action
This license issued under authority of the State of Illinois
Department of Public Health
This license is valid only when accompanied by a valid
training course certificate.



SAFETY TRAINING CENTER

2539 Vandalia Street, Collinsville, IL 62234 * Phone: 618-855-8764

Environmental and Occupational Safety & Health Training

Does hereby certify

Andrew Kelly

11305 Fox Hunters Road, Mulkeytown, IL 62865

*Has successfully completed and passed the course examination with
at least 70% for re-accreditation under AHERA (Title II)*

Asbestos Project Designer Refresher

Class Date: August 2, 2018
Examination Date: 08/02/2018
STC Certificate Number: STC-08022018-000316APDR
Certification Expiration: 08/02/2019

David M. Mendoza – President/Training Director
Certified Environmental Specialist
OSHA Authorized Instructor

This training course is accredited by the Illinois Department of Public Health and the Missouri Department of Natural Resources



KELLYA1

OP ID: CK

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Tedrick Group PO Box 848 Mount Vernon, IL 62864 Chad Brandon	CONTACT NAME: Chad Brandon PHONE (A/C, No, Ext): 618-244-5800 E-MAIL ADDRESS: chadb@tedrickgroup.com	FAX (A/C, No): 618-244-7765
	INSURER(S) AFFORDING COVERAGE	
INSURED Kelly Architecture & Consulting LLC 15615 Vivian Street Sesser, IL 62884	INSURER A : Hanover Insurance Company	NAIC # 22292
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Prof Liability			LHC A718925 00	09/01/2016	09/01/2017	Per Claim 1,000,000 Aggregate 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

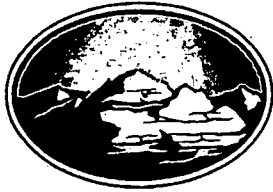
CERTIFICATE HOLDER**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Chad Brandon

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SUMMIT ENVIRONMENTAL SERVICES, INC.

P.O. Box 397
199 Kentucky Avenue
Kevil, Kentucky 42053
Phone 270-462-4172
Fax 270-462-8172

CHEMICAL ANALYSTS & CONSULTANTS

Website: www.sumenv.com

Brief Company Profile

Introduction

Founded in 1994, Summit Environmental Services, Inc. (SES) is an environmental consulting and analytical firm. SES has an office in Kevil, Kentucky as well as West Frankfort, Illinois. The staff at SES consists of 12 people with a combination of chemists, biologists, environmental scientists, industrial hygienists, safety professionals, civil engineers and office personnel.

Asbestos Field Services Division

All SES personnel receive formal training in the fields of asbestos inspections, management planning and design, project management and analytical techniques from the best training courses available. In addition, SES has an extensive in-house training program to effectively train all asbestos specialists in the existing asbestos regulations and techniques. This diverse staff of qualified experts provides professional services in the areas of:

- Abatement Project Plans and Specifications
- On-Site Project Supervision and Management
- Facility Investigations
- Exposure Risk Assessments
- Operations and Maintenance Programs
- Site Safety Services

Certifications & Memberships

Licensed Asbestos Inspectors – Illinois, Kentucky, Missouri & Tennessee

Licensed Asbestos Air Sampling Professionals/Project Managers – Illinois, Tennessee & Missouri

AIHA Proficiency Analytical Testing Participation for Asbestos Fibers

Certified Microbial Consultants (CMC)

Certified Residential Mold Inspector (CRMI)

Environmental Information Association Membership

Indoor Air Quality Association Membership

Licenses

Jordan Gough IDPH ASP/APM/INSP #100-19247

Experience Summary

Honeywell – Metropolis, Illinois

Sean Chisek 618 645-2435

Plant Wide Asbestos Inspection In 2007 & Plant Wide Asbestos Risk Assessment in 2017

Carbide Industries – Calvert City, Kentucky

Sherrie Guthrie 270 395-4143

Asbestos Inspection of Industrial Facility in 2012

Massac County Courthouse – Metropolis, Illinois

Gerald Childers 618 524-2587

Pre-Renovation Inspection in 2014

American Commercial Barge Line

Ron Schneider 270 441-2908

Inspections of Over 50 Tow Boat Engine Rooms for Asbestos-Containing Material at The Port of Cairo, Illinois and Other Newer Locations for the Past Five Years

Evonik Corporation

J.R. Reynolds 270 395-8353

Plant Wide Asbestos Inspection in 2018

JEFFREY C. GOUGH

SUMMIT ENVIRONMENTAL SERVICES, INC.

President/Owner

Field Services Division
PO Box 397
199 Kentucky Avenue
Kevil, KY 42053
Ph: (270) 462-4172
Cell: (270) 210-1941

Laboratory Services Division
17650 Rt. 37
West Frankfort, IL 62896
Ph: (618) 983-8280

EDUCATION:

Bachelor of Arts in Chemistry University of Kentucky
Lexington, Kentucky

Associate in Science
Paducah Community College
Paducah, Kentucky

PROFESSIONAL WORK EXPERIENCE/ACCREDITATIONS

Over 33 years of Industrial Hygiene Experience

Kentucky Licensed Asbestos Project Designer, Inspector, Management Planner

Missouri Licensed Asbestos Air Sampling Professional, Project Designer, Inspector

Certified Microbial Consultant (CMC)

Certified Residential Mold Inspector (CRMI)

Illinois Accredited Lead Inspector

Current Member of Indoor Air Quality Association

Conducted extensive environmental facility surveys in excess of 30 million square feet

Preparation of documents for asbestos and lead-based paint abatement, including specifications and field sampling plans

Provided on-site supervision and air monitoring for asbestos abatement and lead-based paint projects for over thirty-two years in more than five hundred facilities

Actively participates in the AIHA PAT sample program for asbestos fiber counting Analyzed bulk samples for asbestos content for more than eleven years

Jeffrey C. Gough, Page 2 **TRAINING:**

2016	IAQ: Advanced Fungal/Spore Identification	McCrone Research Institute
2015	IAQ: Fungal/Spore Identification	McCrone Research Institute
1987- 2019	AHERA Accreditation for Inspection and Management Planning	CRU/AHP, INC./META
1997- 2019	Asbestos Project Designer/Refresher	Great Lakes Center/META Safety Support Services
1997- 2019	Lead-Based Paint Building Inspector Course (Required every 3 years)	Safety Support Services, St. Louis, MO
1992- 2019	Asbestos Abatement Course for Contractors and Supervisors	Various
2003	Mold Remediation, Hazards, Standards and Sampling	META
2005- Present	Certified Residential Mold Inspector	American Council for Accredited Certification
2011- Present	Certified Microbial Consultant	American Council for Accredited Certification
1994	Lead-Based Paint Abatement Design Strategies: Course and Workshop	Georgia Tech Research Institute Atlanta, GA
1992	40-HR Hazardous Waste Site Worker	Enviro-Safe Paducah, KY
1991	Lead-Based Paint Detection & Abatement: The New Department of Housing & Urban Development Guidelines	Georgia Tech Research Institute, Atlanta, GA
1990	Instructions Pertaining to the PGT Model XK3 Lead in Paint Analyzer	Princeton Gamma-Tech, Inc.
1989	Instruction in Occupational Safety and Health Concerning Asbestos	Kentucky Labor Cabinet Frankfort, KY
1987	Identification of Asbestos using Polarized Light Microscopy	In-House Training
1986	Sampling and Evaluation of Airborne Asbestos Dust NIOSH 582	University of Birmingham Alabama

JORDAN C. GOUGH

DIRECTOR OF FIELD SERVICES

EDUCATION:

Bachelor of Science in Occupational Safety and Health
Murray State University
Murray, Kentucky
2013

Western Kentucky Community and Technical College
Paducah, Kentucky
2008-2010

EXPERIENCE:

Summit Environmental Services, Inc. Vice President, Director of Field Services	Kevil, Kentucky 2008 – Present
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- Developed and oversight of corporate safety policies
- Safety consulting – conducting risk assessments at industrial facilities
- Conducted exposure assessments for OSHA Compliance
- Managed and conducted air monitoring for over 400 asbestos abatement projects
- Completed over 500 facility inspections for asbestos, lead based paint and mold
- Collected Hexavalent Chromium air samples during welding operations
- Collected silica air samples
- Conducted mold air and tape sampling on over 300 projects
- Collect wastewater samples at wastewater treatment facilities
- Collect groundwater and surface samples at municipal landfills and coal mines

PROFESSIONAL SKILLS/TRAINING

- Illinois Accredited Asbestos Inspector
- Illinois Accredited Air Sampling Professional and Project Manager
- Illinois and Missouri Accredited Lead Inspector
- Missouri Accredited Asbestos Inspector
- Missouri Accredited Air Sampling Professional
- Kentucky Accredited Asbestos Inspector
- Kentucky Accredited Management Planner
- Tennessee Accredited Asbestos Inspector

- Microscopical Identification of Asbestos – McCrone Research Institute
- 5-Day Asbestos Abatement Contractor/Supervisor (2014-Present)
- OSHA 10
- OSHA 30
- Hazwoper 40 Hour
- Radiological Worker I/II
- Received training for Man Lifts, Confined Space, Lockout/Tagout, Hoisting and Rigging, CPR/First Aid
- Two (2) Hour Fall Protection Seminar
- Sampling and Evaluation of Airborne Asbestos Dust NIOSH 582, Equivalent
- Received NIMS 100 and 200 Incident Command Certificates
- Received site specific safety training in Industrial Facilities: Paducah Gaseous Diffusion Plant, Honeywell, Evonik, Wacker, New Madrid Power Plant, Electric Energy Incorporated



**ASBESTOS
PROFESSIONAL
LICENSE**

ID NUMBER ISSUED EXPIRES
100 - 19247 3/4/2019 05/15/2020

JORDAN C GOUGH
2734 TURNER LANDING ROAD
LA CENTER, KY 42056



Environmental Health

ENDORSEMENTS

TC EXPIRES

INSPECTOR

2/14/2020

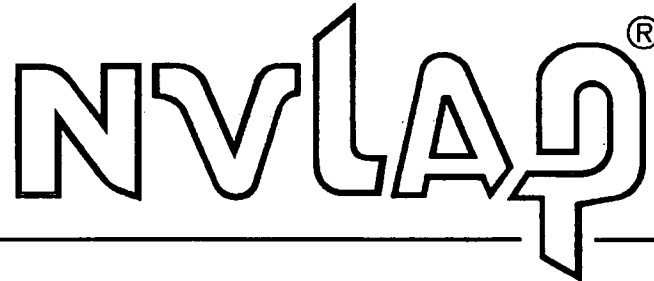
PROJECT MANAGER
AIR SAMPLING PROFESSIONAL

2/15/2020

Alteration of this license shall result in legal action
This license issued under authority of the State of Illinois
Department of Public Health

This license is valid only when accompanied by a valid
training course certificate.

United States Department of Commerce
National Institute of Standards and Technology



Certificate of Accreditation to ISO/IEC 17025:2005

NVLAP LAB CODE: 101882-0

Environmental Hazards Services, L.L.C.
N. Chesterfield, VA

*is accredited by the National Voluntary Laboratory Accreditation Program for specific services,
listed on the Scope of Accreditation, for:*


Asbestos Fiber Analysis

*This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2005.
This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality
management system (refer to joint ISO-ILAC-IAF Communiqué dated January 2009).*

2019-01-01 through 2019-12-31

Effective Dates




For the National Voluntary Laboratory Accreditation Program



SCOPE OF ACCREDITATION TO ISO/IEC 17025:2005

Environmental Hazards Services, L.L.C.

7469 Whitepine Road

N. Chesterfield, VA 23237-2261

Ms. Julie Dickerson

Phone: 804-275-4788 Fax: 804-275-4907

Email: jdickerson@leadlab.com

<http://www.leadlab.com>

ASBESTOS FIBER ANALYSIS

NVLAP LAB CODE 101882-0

Bulk Asbestos Analysis

<u>Code</u>	<u>Description</u>
18/A01	EPA -- 40 CFR Appendix E to Subpart E of Part 763, Interim Method of the Determination of Asbestos in Bulk Insulation Samples
18/A03	EPA 600/R-93/116: Method for the Determination of Asbestos in Bulk Building Materials

A handwritten signature in black ink, appearing to read "David S. Haman".

For the National Voluntary Laboratory Accreditation Program

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER p: HAZARDOUS AND POISONOUS SUBSTANCE
PART 855: ASBESTOS ABATEMENT FOR PUBLIC AND PRIVATE SCHOOLS AND
COMMERCIAL AND PUBLIC BUILDINGS IN ILLINOIS
SECTION 855.220 NOTIFICATION AND PROCEDURES FOR ABATEMENT OF
ASBESTOS IN COMMERCIAL AND PUBLIC BUILDINGS

Section 855.220 Notification and Procedures for Abatement of Asbestos in Commercial and Public Buildings

The work procedures and controls specified below shall be followed only for abatement of ACM in commercial and public buildings, except as indicated (Schools shall use procedures and controls specified in Subpart E of this Part.):

- a) Notification.
 - 1) Notification of friable and nonfriable asbestos abatement project activities ranging in size from 3 square feet/3 linear feet to 160 square feet/260 linear feet to be performed in commercial and public buildings, except industrial buildings as defined in Section 855.20, shall be made to the Department at least 2 working days before the initiation of abatement project activities.
 - 2) Notification to the Department is not required for asbestos abatement project activities performed in industrial buildings as defined in Section 855.20.
 - 3) Any notification required by this subsection (a) shall be made by the contractor or building owner on a form made available by the Department.

- b) Emergency Abatement Operations.
 - 1) Notification to the Department, as specified in subsection (a) of this Section, is not required for emergency abatement operations, as defined in Section 855.20 of this Part.
 - 2) The contractor shall notify the Department by telephone or telefax on the same business day that emergency operations are initiated. If emergency operations are initiated after business hours, the contractor shall notify the Department on the next business day.
 - A) Notification shall specify the location of the emergency abatement operation; name of contractor, building owner or his/her representative, and air sampling professional; reason why emergency operations are necessary; description of asbestos containing material;

abatement techniques to be used; and estimated time of completion of the project.

- B) Notification shall be made to the Asbestos Program, Division of Environmental Health, Illinois Department of Public Health at (217)782-5830 or (217)785-5897 (fax).
- C) After completion of emergency abatement operations, a written follow-up report shall be made to the Department using the Department's asbestos abatement notification form.

c) Work Practices and Controls for all Commercial and Public Buildings.

- 1) Removal of ACBM shall be conducted in accordance with NESHAP regulations 40 CFR 61, Subpart M, and OSHA regulations 29 CFR 1926.1101.
- 2) Encapsulation or enclosure of ACBM shall be considered a Class III operation and shall be performed using controls at least as stringent as those found in 29 CFR 1926.1101(g)(9) for Class III asbestos work.
- 3) Repair and maintenance of friable ACBM shall be performed using controls and work practices specified by 29 CFR 1101(g)(9) for Class III asbestos work.
- 4) All ACBM may be temporarily stored at the work area until completion of the abatement project. Temporarily stored ACBM shall meet the waste storage requirements of NESHAP regulations at 40 CFR 61, Subpart M. At the conclusion of the abatement project, all temporarily stored ACBM shall be removed from the work area and transported to a regulated landfill location approved for disposal of asbestos-containing waste.

d) Clearance Air Monitoring.

- 1) After the completion of the final clean and when all surfaces in the critical barriers are dry, the contractor, the building owner or the building owner's designee shall inspect the area inside the critical barriers for visible residue. If the area is clear of residue, the contractor, the building owner or the building owner's designee shall notify an air sampling professional that the contained area is ready for clearance air monitoring.
- 2) Air sampling shall be conducted by an air sampling professional. The air sampling professional is allowed to use PCM for clearance air monitoring in public and commercial buildings in lieu of TEM.
- 3) Required Samples.
 - A) A minimum of 2 samples shall be taken for areas up to 1,000 sq. ft.
 - B) A minimum of 5 samples shall be taken for areas larger than 1,000 sq. ft. but not exceeding 50,000 sq. ft.
 - C) One additional sample shall be taken for every 10,000 sq. ft. exceeding 50,000 sq. ft.

- 4) Each sample result shall be less than or equal to 0.01 f/cc. If the air sampling results indicate a concentration of airborne asbestos fibers in excess of clearance criteria, the contractor shall reclean the contained area. The contractor shall not be released until the contained area meets clearance criteria.
 - 5) The building owner shall give a copy of the test results to the contractor and retain a copy for its records for three years.
- c) An air sampling professional is not required to obtain a license pursuant to Section 855.100(i) to conduct asbestos air sampling in commercial and public buildings; however, an air sampling professional shall meet the following qualifications prior to conducting asbestos air sampling in commercial and public buildings:
- 1) Successfully complete a NIOSH #582 course "Sampling and Evaluating Airborne Asbestos Dust" or a course equivalent in length and content.
 - 2) Possess a Bachelor's Degree in the life, environmental or physical sciences or in engineering and written verification of 520 hours on-site experience in general indoor air pollution sampling; or an Illinois Industrial Hygienist License; or written verification of 2080 hours on-site experience in air sampling for asbestos on abatement projects under the supervision of a licensed Air Sampling Professional.



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

JB Pritzker, Governor
Colleen Callahan, Director

FAX (217) 524-7525

Franklin County
Benton
Demolition and New Construction of Courthouse
100 Public Square
SHPO Log #009041919

Eligible

June 7, 2019

Evan L. Owens
Franklin County State's Attorney
411 E. Main St.
Benton, IL 62812

BOARD MEMBER

Dear Mr. Owens:

I am replying to your correspondence of May 30, 2019. The State Historic Preservation Office of the Illinois Department of Natural Resources (SHPO) received correspondence from John Gulley of the Franklin County Board dated April 20, 2019 and received on April 19, 2019, advising of the potential demolition of the Franklin County Courthouse and asking for this office's comment. That correspondence stated that no state or federal funding will be involved in the proposed demolition and that although no state or federal permits related to the demolition were pending, such permits were anticipated to be necessary in the future. Your correspondence contradicts Mr. Gulley's correspondence and states no permits are anticipated. Our response of May 16, 2019 was based upon permits being required and stated that if the project were an undertaking subject to the Illinois State Agency Historic Resources Preservation Act 20 ILCS 3420/1 et. seq. (Act), we would find the Franklin County Courthouse eligible for listing in the National Register of Historic Places (NRHP). Your letter of May 30 provided written notice of the undertaking pursuant to the Act.

Under the Act, SHPO review is triggered by an "undertaking." An undertaking is defined broadly. An undertaking includes, but is not limited to, any state permit, license or approval, the granting of which can result in changes to the character of a historic property. 20 ILCS 3420/3(f). Although state funding triggers application of the Act, state funding is not required for the Act to apply.

The next issue is whether a "historic resource" is involved. A historic resource includes any property meeting the criteria for listing in the NRHP. 20 ILCS 3420/3(c). The SHPO asserted in its May 16, 2019, response to Mr. Gulley that if the Franklin County Courthouse were subject to an undertaking, this office would determine that the courthouse is a historic resource.

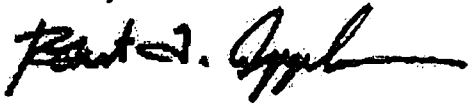
Once determined that a historic resource is affected, it must be determined as to whether the affect will be "adverse". 20 ILCS 3420/4(b). Obviously, demolition of a historic resource would be an adverse effect.

When the SHPO finds that an undertaking will have an adverse effect on a historic resource, the SHPO is required to consult with the state agency to whom the application for permit or license has been submitted, to eliminate, minimize or mitigate the adverse effect. Other entities, including Franklin County, may be involved in the consultation process. 20 ILCS 3420/4(c).

The last paragraph of your letter correctly points out that Franklin County is not a state agency. However, the question is not whether the applicant is a state agency but whether the applicant is applying to a state agency for a permit or license. Therefore, the SHPO disagrees with your conclusion that Franklin County is not subject to the Act.

The SHPO appreciates Franklin County's desire to co-operate in this matter and hopes that desire will continue.

Sincerely,



Robert F. Appleman
Deputy State Historic
Preservation Officer

c: John Gulley, Franklin County Board

I. Indemnification Clause

Here is the email I got back from our Insurance Representative: Melissa S. Roberts, AAI, Vice President, USI Insurance Services LLC

Doug,

That is a doozy. While there is no way to guarantee the insurability of a contract provision, the following revision would put it more in line with the insurance coverage of a Professional Liability insurance policy:

The selected Firm shall agree to indemnify and hold harmless the Owner, together with its employees, from and against losses, suits, actions, legal or administrative proceedings, demands, damages, liabilities, interest, reasonable attorney fees, costs and expenses, arising from claims by 3rd parties, and recoverable under applicable law, to the extent caused by the negligent act, error or omission of Firm, or of anyone for whom Firm is legally liable, in the performance of the Contract. Firm's indemnity and hold harmless obligations shall apply to the fullest extent permitted by law.

And here is the red-lined version:

The selected Firm shall agree to indemnify ~~and defend~~ and hold harmless the Owner, together with its employees, ~~agents, and authorized representatives,~~ from and against ~~any and all~~ losses, suits, actions, legal or administrative proceedings, ~~claims, demands, damages, liabilities, interest, reasonable attorney fees, costs and expenses,~~ arising from claims by 3rd parties, and recoverable under applicable law, ~~of whatsoever kind or nature whether arising before or after completion of the work and in any manner directly or indirectly caused, occasioned or contributed to in whole or in part, by reason of any action, omission, fault or negligence whether active or passive of~~ to the extent caused by the negligent act, error or omission of Firm, or of anyone acting under its direction or control or on its behalf in connection with or incidents to for whom Firm is legally liable, in the performance of the Contract. Firm's indemnity and hold harmless obligations shall apply to the fullest extent permitted by law.