



November 13, 2001

**Department of
Environmental
Protection**

59-17 Junction Boulevard
Corona, New York
11368-5107

**Joel A. Miele Sr., P.E.
Commissioner**

Stuart M. Erdfarb, P.E.
AGENCY CHIEF CONTRACTING OFFICER

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The Honorable Alan Hevesi
Comptroller
City of New York
1 Centre Street
New York, New York 10007
ATTN: Stanley Rosanoff (Muni Bldg)

The Honorable Michael Hess
Corporation Counsel
New York City Law Department
c/o Skadden Arps
4 Times Square
New York, New York 10036
ATTN: Steven Stein Cushman (109 E 16th St)

Re: **Written Determination**
Contract WTC-AIR
PIN 82602WTCAIRM
Air Monitoring Services in the Vicinity of
the World Trade Center Site

Gentlemen:

The tragic events of September 11, 2001 created an immediate and serious need for **emergency round-the-clock air monitoring, sample collection, and analyses at twenty sites in the vicinity of the the World Trade Center site** that cannot be met through normal procurement methods. In order to define the areas containing asbestos (the "hot zone") and to continually shrink the size of the hot zone, such monitoring is required. Therefore, in accordance with Section 315 of the Charter, on September 21, 2001, Commissioner Joel A. Miele Sr., P.E. orally issued a Declaration of Emergency in order to be able to procure contracts pursuant to Section 3-06 of the Procurement Policy Board Rules ("PPB Rules"). Due to administrative delays resulting from the tragedy, the written Declaration of Emergency was not signed by Commissioner Miele until October 19, 2001. A list of specialized contractors was compiled specifically for this EMERGENCY procurement.



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(718) DEP-HELP

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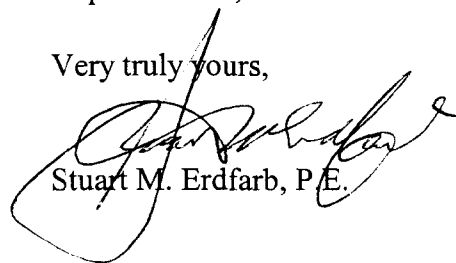
- Staff from DEP's Bureau of Environmental Compliance solicited the following suppliers by telephone:

Riverpoint Environmental Consultants
Pednault Associates
Independent Testing Labs
Environmental Testing Labs
National Testing Labs, Inc.

- Of the five companies listed above, bids were received from two firms:
 - Riverpoint Environmental Consultants, and
 - Pednault Associates.
- Riverpoint Environmental Consultants ("REC") submitted the lowest bid.
- The not-to-exceed amount of the Contract is \$400,000. REC's bid was \$1,900 per day plus \$80 for each Transmission Electron Microscopy ("TEM") sample.
- The selected supplier is not on the VENDEX database and has not held a prior DEP contract.
- The agency has let the following two related emergency contracts:
 - 1) Contract WTC-SCHL to provide daily emergency air sampling and monitoring at various schools in the vicinity of the World Trade Center site; and
 - 2) Contract WTC-REM to provide emergency round-the-clock asbestos remediation, including clean-up and removal at various sites in the vicinity of the World Trade Center site.

On September 13, 2001 the Corporation Counsel and the Comptroller jointly issued a blanket approval for all emergency contracts related to the events of September 11, 2001.

Very truly yours,



Stuart M. Erdfarb, P.E.

Attach: Declaration of Emergency
Blanket Approval for WTC-related Emergencies

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cc: Miele, Chapin, Hoffer, Fenves, Schiano, Avaltroni, Smyth, Singleton, Best (MOC)