

Focus on Completing Cleanup Goals = **Milestones**.

Vs.

Completing Specific Activities = **Line Items**.

- Milestone example achieve a 50% reduction in baseline contamination.
- Line-item task #4 could include a five mobilizations: system and monitor well sampling, carbon replacement, air and water analysis, three quarterly and one annual operation and monitoring (O&M) report, professional time, etc.
- The success of a PBC depends on the assessment data available and the information included in the scope of work (SOW) prepared by the site manager and their professional.

WIN SOME LOSE SOME

The Agency Term Contractor (ATC) accepts the RISK.

- Locked into a fixed cost where the ATC is not paid until the milestone is completed.
- Time or costs increase to reach milestone payment unchanged [lose some].
- Time or cost decrease to reach milestone payment unchanged [win some].
- Paid for milestones when they're reached, even if more than one is reached at once. For example: If the 25%, 50%, and 75% reductions are all reached four months after start-up, all are paid at once.
- PBC Purchase Order (PO) has maximum term of five years and 10 milestones.

PBC PERFORMANCE-BASED CLEANUP

PBC, formerly known as Pay For Performance (PFP), is allowed, under the Petroleum Restoration Program's (PRPs) ATC, at PRPs discretion.

Some programs require a PBC scope of work (SOW/PO):

- Quote PBC (QPBC).
- Advanced Cleanup Bundles (PBAC).
- Advanced Cleanup for Redevelopment (ACR).

A site manager can create a PBC SOW.

An ATC can request work be done under a PBC.

An owner might be interested in work being done as a PBC.

File review is as important as a complete assessment.

Ultimate goal is a Chapter 62-780.680 Florida Administrative Code (F.A.C.) closure.

- Are all discharges eligible for funding?
- Were all source areas properly assessed?
- Were correct analyses run for type of discharge?
- Have all groundwater exceedances been cleared?
- Have all vadose soil exceedances been cleared?
- Is contamination horizontally and vertically delineated?
- Is there off-site contamination?
- Any special consideration/issues that would interfere with closure (funding caps, compliance violations, etc.)?

Review with your professional – would they be able to close the site with the information available and can we accurately estimate a cost to closure?



EXAMPLES OF MILESTONES

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Milestone 1: Complete HASP and RAP (approval)

Milestone 2: RAC

|Milestone 3: Baseline Sampling and System Startup

Milestone 4: Reduction to 25% of Baseline Concentrations

Milestone 5: Reduction to 50% of Baseline Concentrations

Milestone 6: Reduction to 75% of Baseline Concentrations

Milestone 7: Reduction to 90% of Baseline Concentrations

Milestone 8: Achieve CTLs

Milestone 9: Maintain CTLs (ALL Media) for one (1) year

Milestone 10: Abandon Wells and Restore Facility

Milestones four through seven/eight are basically O&M.



MILESTONE DESCRIPTION

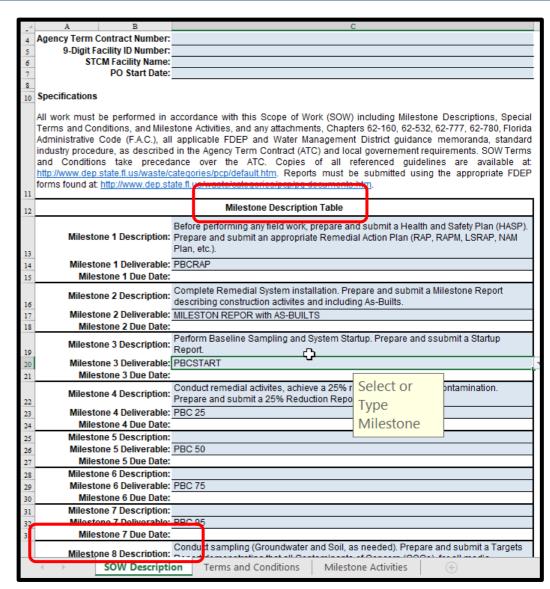
SOW Template.

Three Tabs: SOW Description.

Terms and Conditions.

Milestone Activities.

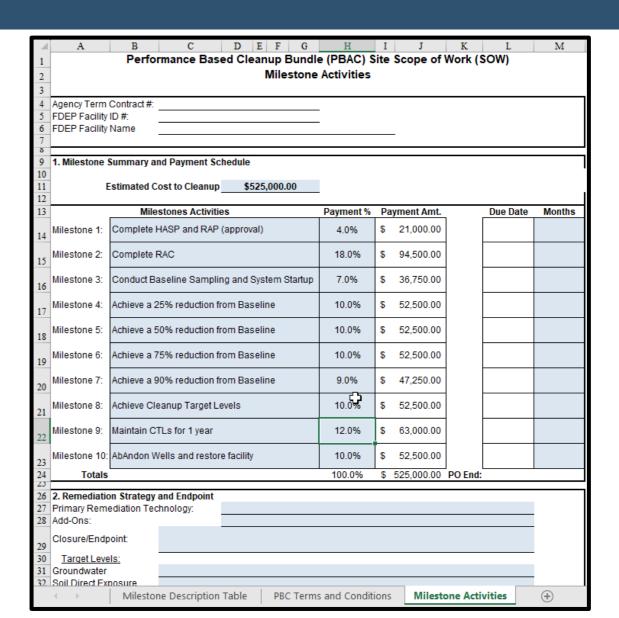
PBC shares some deliverable/report names but also has its own unique Storage Tank Contamination Monitoring (STCM) names.





MILESTONE ACTIVITIES

- Total amount is encumbered in the first PO.
- Milestone payment is a percentage of the total.





MILESTONE ACTIVITIES

- Site manager (SM) and professional fill this out based on file review.
- Note that only key wells are used to calculate reductions but...
- All wells must meet target levels for the achieve targets to be achieved.
- In addition to milestone reports, all reports required per Chapter 62-780 F.A.C. are submitted and reviewed to monitor the progress of the cleanup.

A milestone 9.	В	C	D	E	F	G	H	I	J	K	L	M
willestone 5.								Ψ				
Milestone 10:								\$	-			
Totals							0.0%	\$	-	PO End:		
3333 7 3 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2												
2. Remediation	on Goals:											
Target Leve	els:											
Groundwater												
Soil Direct Exp	posure											
Soil Leachabi	ility											
Surface Water	г	n/a										
Other		n/a										
3. Baseline G	roundwater	Sampling:	Is Free	Pro	duct f	Presen	т⊓ү⊓и	Has	Free Produc	ct been P	re nata N	
MWs (list):												
Contaminants	s of Concern	1:										
☐ BTEX/MTBE	_		Lead	EC	ов 🗆	Other						
			, (
4 Man Mall C	E											
4. Key Well S												
Key Wells (lis												
Minimum San												
Contaminants	_	1:	_			¬						
BTEX/MTBE	PAH:	TRPHs	Lead	ШЕ	DB _	_ Other						
5. Perimeter	•	ing:										
Perimeter We												
Minimum San												
Contaminants				_								
■ BTEX/MTBE	☐ PAHs	TRPHs	Lead	ED	B	Other						
6. Confirmato	ory Soil Sam	npling: The Dep	artment	t will	perfo	rm cor	ifirmatory sar	npling	at their sol	e discret	ion in accord	ance with
Paragraph 14	of the Term	ns and Condition	ns, prio	r to p	aym	ent of a	ny milestone	. In a	ddition, the l	Departm	ent will perfo	rm
confirmatory s	sampling pri	ior to approval f	or paym	nent (of Ma	intain 1	arget Levels	Miles	tone. Samp	les may	consist of an	y and all
confirmatory sampling prior to approval for payment of Maintain Target Levels Milestone. Samples may consist of any and all petroleum contaminants of concern and any possible byproducts of remedial efforts in locations determined by the Department.												
Minimum # of Borings (w Est. Total Footage):												
Soil Sampling Locations:												
Contaminants of Concern: BTEX/MTBE PAHs TRPHs Lead EDB Other												
BTEX/MTBE	PAHs	TRPHs L	.ead	FDB		otner						
7. Site Specific Considerations (eligibility, funding caps, additional SAA requirement, etc.)												
r. site specii	ı	1	-									
4 →	SOW De	scription	Terms	and	Cond	ditions	Milesto	ne A	ctivities	+		



ATTACHMENT B - Schedule of Pay Items (SPI)

The PBC SPI uses miscellaneous, 22-x. lines only – one milestone per line.

				PO Rate S	heet	Previously Invoiced Th		Invoice	Balance		
PAY ITEM	DESCRIPTION	UNIT OF MEASURE	UNITS	NEGOTIATED ITEM PRICE	TOTAL EXTENDED PRICE	UNITS	UNITS	EXTENDED PRICE	UNITS		
Task 1											
22-1.	Remedial Action Plan and Health Site and Safety Plan	Per Report	1	\$ 15,750.00	\$ 15,750.00	0	0	\$ -	1		
		RETAINAGE			\$ -	\$ -		\$ -	\$ -		
		SUBTOTAL			\$ 15,750.00	\$ -		\$ -	\$ 15,750.00		
Task 2											
22-2.	PE signed and sealed red line drawings	Per Report	1	\$ 63,000.00	\$ 63,000.00	0	0	\$ -	1		
		RETAINAGE			\$ -	\$ -		\$ -	\$ -		
		SUBTOTAL			\$ 63,000.00	\$ -		\$ -	\$ 63,000.00		
Task 3											
22-3.	Startup Report including the Baseline Sampling Results	Per Report	1	\$ 31,500.00	\$ 31,500.00	0	0	\$ -	1		
		RETAINAGE			\$ -	\$ -		\$ -	\$ -		
		SUBTOTAL			\$ 31,500.00	\$ -		\$ -	\$ 31,500.00		
Task 4											
22-4.	Milestone Completion Report - 25% Reduction from Baseline Concentrations	Per Report	1	\$ 15,750.00	\$ 15,750.00	0	0	\$ -	1		
		RETAINAGE			\$ -	\$ -		\$ -	\$ -		

MANAGING PBC'S

The better the SOW the easier to manage.

Making due dates is critical! Why was due date missed?

- Retainage not withheld since payment is not made until milestone is achieved.
- We have to predict due dates when we write the SOW not so easy to predict when the site will hit 50% reduction from baseline.

PBCs allow time extension change orders.

- If due dates are missed site manager (SM) must discuss with ATC.
- Is corrective-based action (CBA) required (at the ATC/owner expense).



VERIFICATION SAMPLING

The Site Manager (SM) and their professional complete the Forensics & Technical Support (F&TSS) memo and attachment. Work requested (may include groundwater sampling, monitor well installation, installation of soil borings with Organic Vapor Analysis (OVA) screening and soil sampling).

DEP pays 100% for verification sampling.

Contact Melissa Brock (Melissa.Brock@floridadep.gov) or Brittany Anding (Brittany.Anding@floridadep.gov) for the most recent verification sampling request template.



VERIFICATION SAMPLING

Verification sampling is performed on all PBCs by an independent contractor.

PBC terms and condition (second tab of SOW).

"The department reserves the right to verify representations made regarding progress, milestones or other conditions, at its sole cost and discretion, at any time. The department is not under any obligation to notify contractor of such inspections. Any and all costs incurred by the contractor for participating in an inspection shall not be compensated or reimbursed in any way by the department. Specific inspection activities may include, but are not limited to the following:"



PERFORMANCE-BASED CLEANUP (PBC)

Questions?

