

### **3.6.3-12 Asbestos-Free Construction** (February 2003)

In performing this contract, the Contractor shall not use asbestos or asbestos-containing building materials during construction, renovation, and/or modernization of this facility and shall provide to the Contracting Officer (CO) a signed statement [*CO state due date of statement here related to completion of the project*] indicating that to the best of its knowledge and reasonable ability, no asbestos or asbestos-containing building materials were used during construction, renovation, and/or modernization of this facility. The Contractor's certification under this clause is considered a material requirement of the contract and TSA may withhold payment pending submittal and receipt of an acceptable certification.

The CO may request and authorize sample testing of contractor building materials used during construction, renovation, and/or modernization of this facility to verify they are asbestos-free. The TSA will bear the expense of this testing unless the testing reveals that the Contractor used asbestos-containing building material in performing this contract. If asbestos-containing material is found, the Contractor shall remove and replace the asbestos-containing material and decontaminate the site of asbestos contamination caused by the Contractor at no additional cost to the Government. In addition, the Contractor shall bear the expense of the original testing and retesting to determine that the asbestos removal and site decontamination are satisfactorily completed.

**(End of clause)**

### **PRESCRIPTION**

Shall be used in RFI/RFPs and contracts for construction, renovation and or modernization of facilities. CO to insert information in the fill-ins