



Legislation Details (With Text)

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**Title:** Resolution to Ratify an Emergency Purchase Order Request for ATC Group Services LLC for Environmental Consulting Services (\$32,893.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Emerg PO Approval - ATC.pdf, 2. ATC - IAR proposal - revised 20200827.pdf

Date	Ver.	Action By	Action	Result
10/5/2020	1	City Council	Approved	Pass

Resolution to Ratify an Emergency Purchase Order Request for ATC Group Services LLC for Environmental Consulting Services (\$32,893.00)

The attached resolution ratifies and approves the issuance of an emergency purchase order by the City Administrator to ATC Group Services LLC (ATC) to complete the Tier 1 evaluation activities related to a confirmed discharge of petroleum products at 2000 S. Industrial Highway. The City recently removed two 15,000 gallon fuel underground storage tanks from this location for replacement with smaller aboveground fuel tanks. While there was no leak or discharge from these fuel tanks or piping, there was a suspected leak at the fuel dispenser area. After testing, the suspected release was upgraded to a confirmed release. ATC is the environmental consulting firm working on this project.

Compliant with State of Michigan regulations, the City immediately began remediation efforts to remove the contaminated soil and surface water that had collected in the excavations. These residuals were tested and properly disposed of. The next step of closing the site requires the installation of six groundwater monitoring wells, sampling and testing of these wells, and filing the required Initial Assessment Report which is due on January 2, 2021. The time needed for the sampling schedule and getting the test results back will be a minimum of 13 weeks after the wells are installed. To meet this deadline, it was necessary to immediately move forward with an Emergency Purchase Authorization.

ATC has provided a proposal in the amount of \$32,893.00 to complete the Tier 1 evaluation activities to comply with Part 213 of NREPA as required by the State. ATC is national, qualified environmental consulting firm who can complete the required activities and brings familiarity of the site, project and subsurface conditions. The cost estimate is based on that familiarity and they anticipate both preliminary and secondary samples will come back clean. If that is not the case, or the State requires additional actions, an amendment and additional funds may be required. Installation, and

future closure, of the six groundwater monitoring wells are included in the proposal. As provided in City Code Chapter 14, 1:316, the Fleet & Facilities Unit received authorization for an emergency purchase order to ATC Group Services LLC in the amount of \$32,893.00.

Budget/Fiscal Impact: As the activities covered under this purchase order may mitigate a public safety concern, a public health concern or a nuisance, or limit potential liability of the City of Ann Arbor, the funding is available in the approved FY21 Risk Fund budget.

ATC Group Services LLC complies with the requirements of the City's Conflict of Interest, Living Wage and Non-Discrimination ordinances.

Prepared by: Matthew J. Kulhanek, Fleet & Facilities Manager

Reviewed by: John Fournier, Assistant City Administrator

Approved by: Tom Crawford, Interim City Administrator

Whereas, As a result of a confirmed petroleum release at 2000 S. Industrial Highway, the City needed to take immediate action to undertake Tier 1 evaluation activities to comply with Part 213 of NREPA as required by the State of Michigan;

Whereas, ATC Group Services LLC was issued an emergency purchase order in the amount of \$32,893.00 to complete the installation of groundwater monitoring wells, sampling and testing of these wells and filing the Initial Assessment Report with the State of Michigan by January 2, 2021;

Whereas, Activities covered under this purchase order may mitigate a public safety concern, a public health concern or a nuisance, or limit potential liability of the City of Ann Arbor;

Whereas, ATC Group Services LLC complies with the requirements of the City's Conflict of Interest, Living Wage and Non-Discrimination ordinances; and

Whereas, The Interim City Administrator has exercised Chapter 14, Section 1:316 for an emergency purchase order for this service.

RESOLVED, That Council ratifies the emergency purchase order issued by the Interim City Administrator under Chapter 14, Section 1:316 of the Ann Arbor City Code to ATC Group Services LLC in the amount of \$32,893.00 for the completion of Tier 1 evaluation activities to comply with Part 213 of NREPA as required by the State of Michigan;

RESOLVED, That Council has determined that activities covered under this purchase order may mitigate a public safety concern, a public health concern or a nuisance, or limit potential liability of the City of Ann Arbor and funding for this work should be paid from the FY21 Risk Fund budget; and

RESOLVED, That the Interim City Administrator be authorized to take necessary administrative action to implement this resolution.