



Legislation Text

File #: 14-0117, **Version:** 1

Resolution to Approve a Contract with Atwell, LLC for Environmental Site Assessment (ESA) Services (\$25,550.00)

We recommend your approval of the attached resolution authorizing a contract in the amount of \$25,550.00, with Atwell, LLC for environmental site assessment services for the evaluation of 2500 S. State St. (Edward Brothers Malloy facility). The City has previously completed a Phase I ESA of the property and preliminary ACM Survey of the facility. The Phase I ESA recommended further site investigation. This contract provides for the completion of a Phase II ESA and related testing.

Funding for the environmental site assessment services is available in the approved FY14 budget. It is anticipated all site assessment services will occur in this fiscal year.

Funding for any recommended remediation or due care activities will be separate addressed should the City acquire the property.

Atwell, LLC was selected to complete the due diligence environmental site assessment services for 2500 S. State St. based on their previous work on the Phase I ESA, their skill and knowledge of the site and the area, and the time sensitive nature of the work schedule.

The resolution includes a recommended 12% contract contingency to cover potential contract change orders to be approved by the City Administrator if necessary.

Atwell, LLC received Human Rights and Living Wage approval on January 6, 2014.

Prepared by: Mary Joan Fales, Senior Assistant City Attorney

Reviewed by: Tom Crawford, CFO/Finance and Administrative Service Area Administrator

Approved by: Steven D. Powers, City Administrator

Sponsored by: Mayor Hieftje

Whereas, The City hold the right of first refusal on the sale of the property at 2500 S. State St., Ann Arbor;

Whereas, The property owner, Edward Brothers Malloy, has indicated a desire to sell the property and has advised the City of same;

Whereas, It is necessary for the City to conduct due diligence evaluation of the property and facilities thereon in order to determine whether it is in the best interest of the City to exercise its right of first refusal;

Whereas, All appropriate inquiry includes the environmental site assessment of the property and facilities thereon;

Whereas, Atwell, LLC has the requisite knowledge and skilled employees to complete the environmental site assessment within the City's time constraints for exercise of the right of first

refusal;

Whereas, Atwell, LLC received Human Rights and Living Wage approval on January 6, 2014; and

Whereas, Funding for the contract is available in the approved FY14 budget;

RESOLVED, That City Council approve a contract with Atwell, LLC for environmental site assessment services in the amount of \$25,550.00;

RESOLVED, That City Council authorize a 12% contract contingency to cover potential contract change orders, subject to the approval of the City Administrator;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said contract after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take all necessary actions to implement this resolution, including the approval and execution of change orders within the approved contingency amount.

Sponsored by: Mayor Hieftje