



## Legislation Text

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**File #:** 21-0971, **Version:** 1

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### Resolution to Ratify an Emergency Purchase Order Request for ATC Group Services LLC for Environmental Consulting Services (\$31,414.00)

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 removal and environmental testing of a recently identified abandoned underground storage tank located at 2000 S. Industrial Highway. The tank was located recently by a City contractor installing an underground electrical service for the new EV charging stations being installed at this site. This is an unknown, unlicensed tank so no information on size or the material contained exists. The excavation did not penetrate the tank wall.

Staff immediately contacted ATC Group Services, an environmental consultant already working at the site, for assistance regarding notification requirements to the State of Michigan. Based on tank location, probable size (it is close to the building), and discussion with veteran South Industrial City staff, we believe it is an abandoned heating oil tank used for the building. It has likely been out of service for over 50 years. The State expects the tank to be removed; cleaned and properly disposed of; soils samples taken and analyzed; contaminated soil removed and disposed of; clean fill installed, and site closure reporting completed.

The abandoned tank has resulted in a work stoppage for the EV infrastructure at South Industrial. The new transformer pad location is close enough to the abandoned tank that any significant excavation of contaminated soils will impact it. Getting the tank removed and site backfilled quickly is imperative to completing the EV infrastructure project. Both DTE and the electrical contractor are on hold until the tank is removed and backfilled.

ATC has provided a proposal in the amount of \$31,414.00 to complete the anticipated tasks. This price includes the work to be completed by their subcontractor for excavation, tank removal, dewatering, and backfill. Since the tank has not been disturbed yet, their proposal includes several assumptions that may either increase or decrease the costs of the work based on what we find underground.

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 are already working on the site with the City to monitor and closeout the contamination from the UST removed last summer.

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 \$31,414.00.

Budget/Fiscal Impact: 2000 S. Industrial is a Water Supply Fund owned location and funds are available in the approved Water Fund Operations and Maintenance 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, City Administrator

Whereas, An unknown and abandoned underground storage tank was recently located at 2000 S. Industrial Highway during the installation of a new electrical service for EV charging infrastructure at the site;

Whereas, The State of Michigan requires that the underground tank be excavated, properly identified, the site tested for contamination and remediated if required, which has caused a work stoppage on the electrical project;

Whereas, ATC Group Services LLC was issued an emergency purchase order in the amount of \$31,414.00 to complete the removal of the tank, testing, remediation if needed, and site closure reporting;

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;

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

Whereas, Funding is available to the approved Water Supply Fund Operations and Maintenance Budget.

RESOLVED, That Council ratifies the emergency purchase order issued by the City Administrator under Chapter 14, Section 1:316 of the Ann Arbor City Code to ATC Group Services LLC in the amount of \$31,414.00 for the abandoned underground storage tank removal and other activities 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

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