

RESOLUTION NO. R2022-__

**A RESOLUTION APPROVING TASK ORDER NO. 7
WITH TERRACON CONSULTANTS, INC. FOR SITE INVESTIGATION SERVICES**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the City to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, on December 7, 2020 the City Council adopted Resolution No. R2020-73, approving a master contract with Consultant to perform the engineering services for the City as required by the City ("**Master Contract**") pursuant to task orders issued by the City in accordance with the Master Contract; and

WHEREAS, the City has identified the need for stage three site investigation services at the former Phillips 66 station located at the property commonly known as 28W244 Warrenville Road ("**Site Investigation Services**"); and

WHEREAS, Consultant submitted a proposal to perform the Site Investigation Services in the not-to-exceed amount of \$57,196; and

WHEREAS, the City has budgeted sufficient funds in the FY2022 and proposed FY2023 budget for the procurement of the Site Investigation Services; and

WHEREAS, the City proposes to enter into Task Order No. 7 under the Master Contract with Consultant for the procurement of the Site Investigation Services from Consultant in an amount of \$57,196 ("**Task Order No. 7**"); and

WHEREAS, the City Council has determined that it is in the best interest of the City and the public to enter into enter into Task Order No. 7 with Consultant;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Resolution as if fully set forth in this Resolution.

SECTION 2: Approval of Task Order No. 7. The City Council hereby approves Task Order No. 7 in substantially the form attached to this Resolution as **Exhibit A**, and in a final form to be approved by the City Administrator.

SECTION 3: Authorization to Execute Task Order No. 7. The City Council hereby authorizes and directs the City Administrator to execute, on behalf of the City, final Task Order No. 7 only after receipt by the City Clerk of at least one executed copy of final Task Order No. 7 from Consultant; provided, however, that if the City Clerk does not receive one executed copy of final Task Order No. 7 from Consultant within 60 days after the date of adoption of this Resolution, then this authority to execute and seal final Task Order No. 7 shall, at the option of the City Council, be null and void.

SECTION 4: Change Orders. The City Administrator, or his designee, is authorized to execute one or more Change Orders to Task Order No. 7 for additional work consisting of

additional unforeseen items of work related to, or arising from other work contemplated by, the scope of work in Task Order No. 7 in an amount not to exceed \$10,000, subject to the City Administrator making the necessary determination that the work contemplated by the Change Order complies with Section 33E-9 of Article 33E of the Criminal Code of 1961 and placing a copy of such determinations in the contract file.

SECTION 5: Effective Date. This resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS ____ day of _____, 2022.

AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED THIS ____ day of _____, 2022.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A
TASK ORDER NO. 7

TASK ORDER NO. 7

In accordance with Section 1.2 of the Master Contract dated December 7, 2020 between the CITY OF WARRENVILLE (the “*City*”) and TERRACON CONSULTANTS, INC. (“*Consultant*”), the Parties agree to the following Task Number No. 7:

- 1. Contracted Services:** Stage 3 site investigation services at the Former Phillips 66 Station located at the property commonly known as 28W244 Warrenville Road, as further described in Reference No. P11227061 (“*Proposal*”) attached to and, by this reference, made a part of this Task Order No. 7 as **Attachment 1**.
- 2. Project Schedule** (attach schedule if appropriate): The Project Schedule is set forth in the Proposal.
- 3. Project Specific Pricing** (if applicable): Project specific pricing is set forth in the Proposal.

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED

[signature page follows]

CITY

CONSULTANT

Signature
City Administrator

Signature
Name (Printed or Typed)

_____, 20____
Date

_____, 20____
Date

ATTACHMENT 1

Exhibit A
Former Phillips 66 Station, Warrenville, Illinois
Stage 3 Site Investigation
MSA Task Order March 15, 2022
Terracon Proposal P11227061

SCOPE OF SERVICES

Terracon's scope of services, as outlined below, is designed to meet the Illinois Environmental Protection Agency's (IEPA's) Stage 3 site investigation requirements (35 IAC Section 734.325). A Stage 3 Site Investigation Plan for the former Phillips 66 Station site in Warrenville, Illinois, was submitted to IEPA on February 8, 2022 and was conditionally approved, with modifications, by IEPA in a letter dated March 4, 2022. The Stage 3 site investigation will consist of off-site soil and groundwater investigation activities, as well as additional on-site groundwater sampling, to supplement existing data for the site.

Soil and Groundwater Sampling

- § Update Health and Safety Plan and perform utility clearances. A private utility locator will be contracted to clear the proposed soil boring locations.
- § Procure access agreements or permits with the east adjacent property owner, Voegtles Auto Service, Inc., and DuPage County, who has jurisdiction of Warrenville Road. It is assumed that the City of Warrenville will assist with communications pertaining to the access agreement for the Voegtles Auto Service property.
- § Advance four (4) soil borings using a Geoprobe to a maximum depth of 15 feet below ground surface (bgs), approximately 5 feet below encountered groundwater, or refusal, whichever occurs first. Boring SB-104A will be located on site, in close proximity to prior boring SB-104 along the south side of the former UST field. Boring SB-108 will be located in the Warrenville Road easement along the south side of the site. Borings PW-1 and PW-2 will be located on the east side of the Voegtles Auto Service property. The approximate boring locations are shown in Exhibit 7 of the IEPA-approved Stage 3 Investigation Plan, dated February 8, 2022.
- § From borings SB-108, PW-1, and PW-2, collect soil samples for analysis from each 5-foot interval above the groundwater table.
- § From boring SB-104A, collect a soil sample from the 6- to 8-foot interval bgs for methyl tert-butyl ether (MTBE) analysis.
- § Convert soil borings PW-1 and PW-2 into 2-inch diameter permanent monitoring wells with 10-foot screens.
- § Develop, purge, and sample new wells PW-1 and PW-2 using low-flow sampling techniques.
- § For two consecutive quarters, purge and sample existing groundwater monitoring well MW-5 using low-flow sampling techniques.
- § Survey the top-of-casing elevations for the new groundwater monitoring water well locations PW-1 and PW-2, and gauge existing well network at the site to evaluate groundwater flow.

- § Collect one soil sample for waste characterization analysis for disposal of investigation-derived waste (if required).

Analysis of Soil and Groundwater Samples by Accredited Laboratory

- § USEPA SW-846 and ASTM Methods, standard laboratory turnaround time (approximately 5 to 7 business days after receipt of samples by laboratory).
- § Analysis of up to nine (9) soil samples for indicator contaminants benzene, toluene, ethylbenzene, total xylenes (BTEX), MTBE, and polynuclear aromatic hydrocarbons (PNAs).
- § Analysis of one soil sample from SB-104A, from the 6 to 8 feet bgs interval, for MTBE.
- § Analysis of two (2) groundwater samples, from monitoring wells PW-1 and PW-2, for BTEX/MTBE and PNAs.
- § Analysis of two (2) groundwater samples from monitoring well MW-5, collected during consecutive quarterly events, for PNAs.
- § Analysis of one soil sample for potential waste characterization analysis, if needed.

Reporting and Communications

- § If analytical data meets IEPA Tier 1 remediation objectives (ROs) for the soil and groundwater samples collected for the Stage 3 investigation, Terracon will prepare a Site Investigation Completion Report (SICR).
- § If the analytical results for PNAs in MW-5 exceed the Tier 1, Class I RO, Terracon will advance two additional on-site wells to the west and south of MW-5, and conduct one round of groundwater sampling for PNAs from the well using low-flow sampling techniques, as specified in IEPA's letter of March 4, 2022; additional fees as outlined below will apply.
- § If the analytical results for the off-site samples from SB-108, PW-1 and/or PW-2 exceed Tier 1 ROs, Terracon will prepare a Stage 3 (off-site) Site Investigation Plan Addendum and Budget.
- § The SICR or Site Investigation Plan Addendum/Budget will be provided in draft to the City for review. Following review, the document will be finalized and submitted to the IEPA.

Disposal of Investigation-Derived Waste (IDW)

Soil cuttings and monitoring well purge water will be drummed. The drums will be properly labeled to identify the contents and accumulation date(s) and, if needed, a soil sample will be analyzed for waste characterization parameters for a LUST site. Subsequent to soil waste characterization results, Terracon will coordinate the disposal of IDW in accordance with applicable regulatory requirements. One drum of groundwater and two drums of soil are anticipated at this time. Assumes soils and groundwater are non-hazardous.

UST Fund Billing Package

The City is eligible to access funds for the site from Illinois' Underground Storage Tank Fund (UST Fund). Terracon will prepare one (1) reimbursement billing package to submit to the IEPA. It should be noted that

approved IEPA budgets typically are less than actual fees for services provided by contractors and consultants; the UST Fund does not fully reimburse the owner for the total expenditures.

Project Fees (time and materials)

The base budget for the scope of work discussed above is \$38,312 (time and materials). A fee breakdown is included below.

If the PNA concentrations in the groundwater sample from MW-5 exceed the Tier 1 RO during quarterly sampling, the budget to install, develop, survey, and sample two additional 2-inch monitoring wells near MW-5 (one sampling event), analyze the two groundwater samples for PNAs, is \$13,884 (time and materials).

TASK	DESCRIPTION	FEE
1	Off-Site Access Agreements (T&M) Principal Consultant (1 hr @ \$200 per hour) Senior Environmental Engineer (4 hrs @ \$180 per hour) Scientist II (10 hrs @ \$115 per hour) Administrative Assistant (1 hr @ \$60 per hour) Permit Fee (Estimated @ \$575)	\$2,705.00
2	Soil Borings and Monitoring well Installation (T&M), including project and subcontractor coordination Senior Environmental Engineer (2 hrs @ \$180 per hour) Scientist II (4 hrs @ \$115 per hour) Senior Technician (16 hrs @ \$95 per hour) Travel Fees (1 day @ \$72 per day) Equipment and Sampling Supplies (Estimated @ \$250) Private Utility Locator (Estimated @ \$425) Drilling Subcontractor (Estimated @ \$4,500) Analytical Laboratory Fees (Estimated @ \$2,400)	\$9,987.00
3	Monitoring Well Development and Groundwater Sampling (T&M), including surveying monitoring well top-of-casing elevations, and quarterly sampling (2 quarters) for MW-5 Senior Environmental Engineer (5 hrs @ \$180 per hour) Scientist II (2 hrs @ \$115 per hour) Senior Technician (34 hrs @ \$95 per hour) Travel Fees (4 days @ \$72 per day) Equipment– Sampling and Surveying (Estimated @ \$1,200) Equipment – 2 nd Quarterly MW-5 Sampling Event (Estimated @ \$850) Analytical Laboratory Fees (Estimated @ \$650)	\$7,348.00
4	SICR or Stage 3 Site Investigation Plan Addendum/Budget (T&M) Principal Consultant (3 hrs @ \$200 per hour) Senior Environmental Engineer (10 hrs @ \$180 per hour)	\$6,185.00

	Scientist II (26 hrs @ \$115 per hour) Administrative Assistant (3 hr @ \$60 per hour) Senior CAD Operator (5 hrs @ \$115 per hour) Shipping Expense (1 @ \$40 each)	
5	Communications with IEPA (T&M) Principal Consultant (2 hrs @ \$200 per hour) Senior Environmental Engineer (5 hrs @ \$180 per hour)	\$1,300.00
6	Disposal of Investigation-Derived Waste (T&M) Senior Environmental Engineer (2 hrs @ \$180 per hour) Scientist II (3 hrs @ \$115 per hour) Senior Technician (3 hrs @ \$95 per hour) Travel Fees (1 day @ \$72 per day) Disposal of 55-Gallon Drums (3 @ \$425 per drum) Waste Characterization (1 @ \$1,450 per sample)	\$3,787.00
7	UST Fund Billing Package (T&M) Principal Consultant (2 hr @ \$200 per hour) Senior Environmental Engineer (14 hrs @ \$180 per hour) Scientist II (32 hrs @ \$115 per hour) Administrative Assistant (6 hr @ \$60 per hour) Shipping Expense (1 @ \$40 each)	\$7,000.00
	ESTIMATED BASE TOTAL =	\$38,312.00

ADDITIONAL TASKS / CONTINGENCY

A	<u>If needed</u> – Installation and Sampling of Two Monitoring Wells Near MW-5 (T&M), including additional reporting time, additions to billing package, drum disposal, IEPA communications Principal Consultant (3 hr @ \$200 per hour) Senior Environmental Engineer (13 hrs @ \$180 per hour) Scientist II (13 hrs @ \$115 per hour) Senior Technician (26 hrs @ \$95 per hour) Administrative Assistant (3 hr @ \$60 per hour) Senior CAD Operator (2 hrs @ \$115 per hour) Travel Fees (2 days @ \$72 per day) Equipment and Sampling Supplies (Estimated @ \$1,100) Private Utility Locator (Estimated @ \$425) Drilling Subcontractor (Estimated @ \$3,700) Analytical Laboratory Fees (Estimated @ \$350) Disposal of 55-Gallon Drums (2 @ \$425 per drum)	\$13,884.00
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B	Contingency (T&M) For unforeseen circumstances, if any, and subject to written approval by the City prior to any expenditures	\$5,000.00
	TOTAL WITH LINES A AND B =	\$57,196.00

MASTER SERVICES AGREEMENT

TASK ORDER

This TASK ORDER is issued under the MASTER SERVICES AGREEMENT dated 12/07/2020 between City of Warrenville IL ("Client") and Terracon Consultants, Inc. ("Consultant") for Services to be provided by Consultant for Client on the Former Phillips 66 Stage 1 Site Investigation - Warrenville, IL project ("Project"), as described in the Project Information section of the Consultant's Task Order Proposal dated March 15, 2022 ("Task Order Proposal") unless the Project is otherwise described below or in Exhibit A to this Task Order (which section or Exhibit are incorporated into this Task Order). This Task Order is incorporated into and part of the Master Services Agreement.

1. Project Information

Former Phillips 66 Station
28W244 Warrenville Road
Warrenville, IL 60555

2. Scope of Services The scope of Services to be provided under this Task Order are described in the Scope of Services section of the Consultant's Task Order Proposal, unless Services are otherwise described below or in Exhibit B to this Task Order.

Please see attached Exhibit A, dated March 15, 2022

3. Compensation Client shall pay compensation for the Services performed at the fees stated in the Task Order Proposal unless fees are otherwise stated below or in Exhibit C to this Task Order.

Please see attached Exhibit A, dated March 15, 2022

All terms and conditions of the Master Services Agreement shall continue in full force and effect. This Task Order is accepted and Consultant is authorized to proceed.

Consultant: Terracon Consultants, Inc.

Client: City of Warrenville IL

By: _____ Date: 3/15/2022

By: _____ Date: _____

Name/Title: Chen Yang / Regional Manager

Name/Title: Ronald Mentzer / Director of Community and Economic Development

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