

ORDINANCE NO. 02-85 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO
AN AMENDED CONTRACT WITH METCALF & EDDY OF OHIO, INC.,
FOR PROFESSIONAL ENGINEERING SERVICES AND DECLARING AN
EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain,
State of Ohio, five-sevenths of all members elected thereto concurring:

SECTION 1. That the City Manager is hereby authorized and directed to enter into an amended agreement with Metcalf & Eddy of Ohio, Inc., professional engineers, for engineering and consulting services for the City of Oberlin in accordance with their correspondence of July 12, 2002, a copy being attached hereto, in the total amount of \$23,700.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

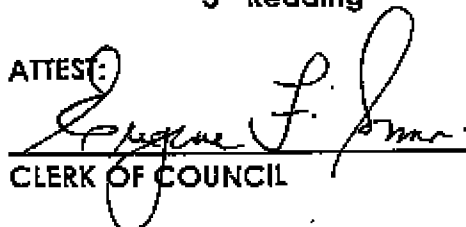
SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to wit:

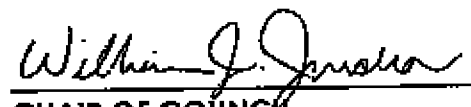
"to authorize necessary additional engineering services to assist the City with its efforts to protect its residents from potential environmental concerns",

and shall take effect immediately upon passage.

PASSED: 1st Reading - August 19, 2002 (A) (E)
2nd Reading -
3rd Reading -

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: 8/20/02

EFFECTIVE DATE: 8/20/02

o:/ORD02-85Metcalf.Eddy



September 18, 2002

2800 Corporate Exchange Drive
Suite 250
Columbus, OH 43231-1666

Tel: 614-890-5501
Fax: 614-890-7421
www.m-e.com

Mr. Robert DiSpirito
City Manager
City of Oberlin
85 South Main Street
Oberlin, Ohio 44074

RE: Evaluation of Land Application of Wastewater Plan
At the Gott Farm Property, Oberlin, Ohio – Increase in Contract Funding

Dear Mr. DiSpirito:

As an amendment to our agreement of May 2, 2002, covering our services on the above-referenced project, Metcalf & Eddy requests verification that our contract funding has been increased from an initial budgeted range of \$5,000 to \$10,000 to an amount of \$23,700.

The initial five tasks described in our agreement have been completed. The additional funding request is needed to cover work already performed and expected to be performed in the near future beyond those original stated work tasks. A summary of our activities to date along with the work anticipated in the near future is enclosed for your information.

The General Conditions and billing rates appearing in our May 2, 2002, agreement still apply to this work. We have reduced our billing rates somewhat to reflect the rates of actual personnel performing work on this project.

SUMMARY OF WORK ACTIVITIES AS OF SEPTEMBER 13, 2002

Task 1 – Wastewater Volume and Quality Assessment

This task has been completed. We reviewed wastewater volume and wastewater quality information from standard Ohio EPA publications and compared that information with existing calculations. We obtained and reviewed PTI's from Ohio EPA for other land application facilities and compared the information contained therein with the developer's plan.

Task 2 – Preliminary Review of Site Conditions

This task has been completed. We prepared an environmental site assessment based on a review of the soil conditions, groundwater and surface features. Our Wetlands Specialist conducted a site reconnaissance and produced a wetlands report. We obtained and reviewed soil maps, groundwater resource maps, groundwater pollution potential maps (DRASTIC) and Bulletin 860 as part of these investigations. We prepared a Draft Environmental Impact Report to document our findings and recommendations.

Task 3 – Evaluation of the Proposed Wastewater Treatment System

This task has been completed. We reviewed the City Engineer's calculations on wastewater treatment plant and land application area sizing and offered comments. We reviewed and evaluated the literature with respect to airborne pathogens from land application systems and the need for additional setbacks from residential properties. Our calculated land application area was slightly larger than previously calculated.

Task 4 – Attend Meetings

M&E attended the first NOACA hearing on June 19, 2002, and three additional meetings with the City in advance to prepare for the hearing. These meetings were held on May 13, 2002, June 17, 2002, and June 19, 2002. We originally anticipated only one advance meeting.

Task 5 – Reporting

The reporting task has been completed on an as-needed basis. Reports have been prepared for the wetlands review, environmental site assessment and Liffin Loader Crane Company site visit.

Additional Work Performed Beyond The Original Stated Work Tasks

In addition to the work performed above, we also completed the following:

- Site visit to the Tiffin Loader Crane Company land application site and preparation of a follow-up report.
- Preparation of a PowerPoint® presentation (consisting of 37 slides) that was delivered at the NOACA hearing on June 19, 2002.
- Attendance at three meetings with the City in Oberlin in advance of the NOACA hearing on June 19, 2002.
- Communication with the City of Columbus and Ohio EPA (Chris Jones) regarding their policy on land application.
- Attendance at a presentation by Karen Manel in Cleveland on August 29, 2002.
- Preparation of questions that were submitted to Karen Manel by e-mail.
- Review of numerous reports, documents, letters and newspaper articles relating to the project.

Work Anticipated in the Near Future

Based on our current understanding of the project, the following work is anticipated in the near future:

- Prepare for and attend another NOACA hearing, ~~scheduled for~~ *RGD*
- ~~October 11.~~
- Assist the City with a PowerPoint® presentation in advance of the NOACA hearing.

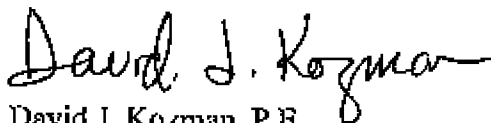
Mr. Robert DiSpinto
September 18, 2002
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We would appreciate your written authorization for this expenditure. You may do this by signing in the space below and returning a copy of this letter for our files.

Thank you for your attention to this matter. If you have any questions or desire additional information, please do not hesitate to call

Sincerely,

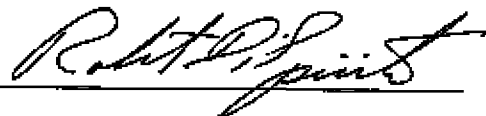
METCALF & EDDY OF OHIO, INC.



David J. Kozman, P.E.
Senior Project Manager

DJK:llp

We authorize an expenditure of \$23,700 for Metcalf & Eddy to perform work on this project.

ACCEPTED:  DATE: 10/14/02
Robert DiSpinto CITY MANAGER
Print Name and Title



July 12, 2002

2800 Corporate Exchange Dr., Suite 250
Columbus, OH 43231-1666

Tel 614-890-5301
Fax 614-890-7421
www.m-e.com

Mr. Robert DiSpirito
City Manager
City of Oberlin
85 South Main Street
Oberlin, Ohio 44074

RE: Evaluation of Land Application of Wastewater Plan
to the Gott Farm Property, Oberlin, Ohio

Dear Mr. DiSpirito:

We would like to update you on the status of our costs expended to date and present an estimate of the effort anticipated in the near future. Our agreement with you indicates payment on a time and materials basis. We originally suggested a budget of \$5,000 to \$10,000 based on our knowledge of the project at the time of the agreement. It was very difficult, if not impossible, to anticipate the effort that would be required at that time. We have, in fact, expended a great deal more effort than originally anticipated and we have been available to respond to the needs of the project.

Work Completed to Date

In reviewing the work completed to date, we would like to reference the tasks from our original agreement and then describe the work performed beyond those original stated work tasks.

Task 1 – Wastewater Volume and Quality Assessment

This task has been completed. We reviewed wastewater volume and wastewater quality information from standard Ohio EPA publications and compared that information with existing calculations. We obtained and reviewed PTF's from Ohio EPA for other land application facilities and compared the information contained therein with the developer's plan.

Mr. Robert DiSpirito

July 2, 2002

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Task 2 – Preliminary Review of Site Conditions

This task has been completed. We prepared an environmental site assessment based on a review of the soil conditions, groundwater and surface features. Our Wetlands Specialist conducted a site reconnaissance and produced a wetlands report. We obtained and reviewed soil maps, groundwater resource maps, groundwater pollution potential maps (DRASTIC) and Bulletin 860 as part of these investigations. We prepared a Draft Environmental Impact Report to document our findings and recommendations.

Task 3 – Evaluation of the Proposed Wastewater Treatment System

This task has been completed. We reviewed the City Engineer's calculations on wastewater treatment plant and land application area sizing and offered comments. We reviewed and evaluated the literature with respect to airborne pathogens from land application systems and the need for additional setbacks from residential properties. Our calculated land application area was slightly larger than previously calculated.

Task 4 – Attend Meetings

M&E attended the first NOACA hearing on June 19, 2002, and three additional meetings with the City in advance to prepare for the hearing. These meetings were held on May 13, 2002, June 17, 2002, and June 19, 2002. We originally anticipated only one advance meeting.

Task 5 – Reporting

The reporting task has been completed on an as-needed basis. Reports have been prepared for the wetlands review, environmental site assessment and Tiffin Loader Crane Company site visit.

Additional Work Performed Beyond The Original Stated Work Tasks

In addition to the work performed above, we also completed the following:

- Site visit to the Tiffin Loader Crane Company land application site and preparation of a follow-up report.
- Preparation of a PowerPoint® presentation (consisting of 37 slides) that was delivered at the NOACA hearing on June 19, 2002.
- Attendance at three meetings with the City in Oberlin in advance of the NOACA hearing.
- Communication with the City of Columbus and Ohio EPA (Chris Jones) regarding their policy on land application.

- Review of numerous reports, documents, letters and newspaper articles relating to the project.

Work Anticipated in the Near Future

Based on our current understanding of the project, the following work is anticipated in the near future:

- Prepare for and attend another NOACA hearing, scheduled for July 24.
- Assist the City with a supplemental submission in advance of the NOACA hearing.

Obviously, the amount of effort required to complete these tasks is impossible to predict, as much of the effort depends on the degree to which the City wants us to participate in these tasks.

Cost Expended to Date and Anticipated Cost

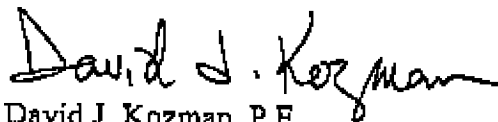
M&E's cost expended to date is approximately \$22,700. Of this amount, we have invoiced \$7,632. Total hours expended have been 166 hours.

Our best estimate for completing the additional work in the near future is approximately \$4,000. We would appreciate your written concurrence with the amount expended to date and your pre-approval of any additional expenditure required for future services. We request that you sign below, authorizing these expenditures, and return a copy of this letter for our files.

Thank you for your attention to this matter. If you have any questions or desire additional information, please do not hesitate to call.

Sincerely,

METCALF & EDDY OF OHIO, INC.



David J. Kozman, P.E.
Senior Project Manager

DJK:llp

cc: Eric R. Severs

Please Check Box:

☐

We agree to compensate Metcalf & Eddy \$22,700 for work performed to date.

☐

We authorize payment for future services in the amount of \$4,000.

ACCEPTED:

Signature

Date

Print Name and Title



METCALF & EDDY OF OHIO, INC. PROPOSAL/AGREEMENT

DATE: May 2, 2002	PROPOSAL/AGREEMENT NUMBER:	PROJECT NAME: Land Application of Wastewater to the Gott Farm Property
M&E JAMIS NUMBER:	PROJECT LOCATION: Oberlin, Ohio	

CLIENT:

Mr. Keith Johnson, City Engineer
City of Oberlin
85 South Main Street
Oberlin, Ohio 44074

CLIENT CONTACT: Keith Johnson
PHONE: (440) 775-1531 FAX: (440) 775-7208

THE TERMS SET FORTH HEREIN SHALL BE THE BASIS OF THE CONTRACT AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND FOR THE OBTAINING OF THE PROPERTY AND ANY OTHER NECESSARY DOCUMENTS.

AGREEMENT TERMS

SCOPE OF SERVICES (ATTACH ADDITIONAL SHEETS IF NECESSARY):

See letter proposal dated May 2, 2002 (attached).

TIME OF PERFORMANCE:

THE TIME REQUIRED TO PERFORM THE SERVICES SPECIFIED HEREIN WILL BE APPROXIMATELY 8 MONTHS FROM THE DATE OF ACCEPTANCE HEREOF.

COMPENSATION/TERMS OF PAYMENT (ATTACH ADDITIONAL SHEETS IF NECESSARY):

See letter proposal dated May 2, 2002 (attached).

M&E ADDRESS FOR CORRESPONDENCE/NOTICES:

Metcalf & Eddy, Inc.
2800 Corporate Exchange Drive
Suite 250
Columbus, OH 43231

PHONE: (614) 890-5801 FAX: (614) 890-7421

ATTACHMENTS (AS CHECKED) X SCOPE OF SERVICES X COMPENSATION
X OTHER (SPECIFY: Terms and Conditions)

• 8 TOTAL NO. OF ADDL. SHEETS ATTACHED (Including General Conditions)

GENERAL CONDITIONS ATTACHED (AS CHECKED):

- ☐ PROFESSIONAL SERVICES
☐ ENVIRONMENTAL AUDITS AND SITE ASSESSMENTS
☐ ENVIRONMENTAL REMEDIATION SERVICES
☐ PETROLEUM FACILITY AND STORAGE TANK SERVICES
☒ CONSULTING SERVICES
☐ OTHER _____

ACCEPTED ON BEHALF OF CLIENT:

SIGNATURE: *Robert D. Spirito* DATE: 5/7/02
PRINT NAME & TITLE: Robert D. Spirito CITY MANAGER

SUBMITTED BY METCALF & EDDY OF OHIO, INC.

SIGNATURE: *Gerald E. Myers* DATE: 5/2/02
PRINT NAME & TITLE: Gerald E. Myers, Vice President

Cont-K (3/03)



2800 Corporate Exchange Drive
Suite 250
Columbus, OH 43231

Tel: 614-890-5501
Fax: 614-890-6468
www.m-e.com

May 2, 2002

Mr. Keith Johnson
City Engineer
City of Oberlin
85 South Main Street
Oberlin, Ohio 44074

Subject: Evaluation of Land Application of Wastewater Plan
to the Gott Farm Property, Oberlin, Ohio

Dear Mr. Johnson:

It was a pleasure meeting with you on May 1, 2002, to discuss the referenced project. It is our understanding that the City wishes to engage the services of a qualified firm to evaluate the proposed plan for the land application of wastewater. Further, it is our understanding that the City desires the selected consultant to assist the City by preparing briefing documents, identifying significant issues and attending hearings regarding the proposed plan at NOACA on May 15 and at subsequent hearings, if necessary.

During our meeting, it became obvious that the City has put a great deal of effort into the preliminary review and evaluation of the proposed plan. It is our intent to assist the City and build upon the efforts already underway. We anticipate working very closely with the City Engineer, Public Works Director, City Manager and City Solicitor in this effort. It is our understanding that this work is being conducted at the request of the City Solicitor. M&E understands that time is of the essence in preparing for the May 15, 2002, NOACA hearing.

Attached to this letter, please find Metcalf & Eddy's (M&E's) General Qualifications and key staff resumes. M&E recommends that the following tasks be conducted immediately in order to prepare for the NOACA hearings.

Task 1 - Wastewater Volume and Quality Assessment

M&E will review readily available information regarding wastewater volume and typical wastewater quality for similar facilities. It is our understanding that the applicant is proposing development of a large mixed grocery-department store (Walmart or similar); motels; restaurants and other commercial buildings. M&E will obtain and evaluate PTIs from Ohio EPA and, if possible, other municipalities in Ohio with similar facilities. The purpose of this task is to confirm the estimates provided in the developer's proposed plan for reasonableness.

Task 2 - Preliminary Review of Site Conditions

M&E will review and evaluate site-specific soils, groundwater and surface features to determine if there are critical limitations that may preclude the successful operation of the proposed system. Pursuant to this task, M&E recommends that a qualified Wetland Specialist conduct site reconnaissance to determine if the proposed property is suitable for the land application of wastewater.

Mr. Keith Johnson

May 2, 2002

Page 2

In addition, M&E will review soil maps, groundwater resource maps and groundwater pollution potential maps (DRASTIC) to determine if the minimal recommended criteria specified in OSU-Agricultural Extension Service Bulletin 860 are met. Failure to meet the minimum criteria should preclude further consideration of the proposed plan.

Task 3 - Evaluation of the Proposed Wastewater Treatment System

M&E's engineers will review data obtained under Task 1 with the information provided by the applicant to determine consistency and develop an expected wastewater profile (volume and quality). M&E will then evaluate a likely treatment process scenario. Based on the expected process, M&E will evaluate the area needed for the treatment systems, water storage capacity and land application area and buffer space against the available space on the property (taking into consideration the commercial development). This information will be presented in tabular format.

Task 4 - Attend Meetings

M&E will attend the first NOACA hearing on May 15, 2002, and one additional meeting with the City in advance to prepare for the hearing.

Task 5 - Reporting

M&E will prepare a summary report of our findings for the City's exclusive use.

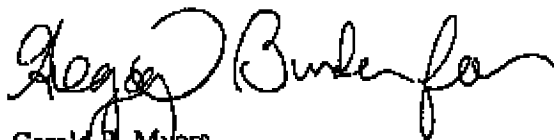
Compensation

M&E has attached a rate schedule, proposal agreement (executed by M&E) and standard contract terms and conditions to this proposal. We suggest you budget \$5,000 to \$10,000 for the effort described above. Please sign and return one copy of the proposal agreement document to indicate your approval to proceed. Retain one copy of the proposal agreement for your records.

If you have any questions, please contact either Dave Kozman or me at (614) 890-5501. I can also be reached on my cell phone at (614) 296-0224. We look forward to working with the City of Oberlin.

Very truly yours,

METCALF & EDDY OF OHIO, INC.



Gerald R. Myers
Vice President

GRM:ilp
Attachments

cc: G. Binder
D. Kozman
M. Kittinger