City of West Allis

Resolution: R-2019-0382

File Number: R-2019-0382

Final Action: JUN 0 4 2019

Sponsor(s): Public Works Committee

Resolution Amending the Agreement with Ayres & Associates to provide DNR Site Investigation reporting, site closure reporting, and monitoring for well abandonment services for the South 84th Street and West National Avenue site as Ordered by the Wisconsin Department of Natural Resources in an Amount Not to Exceed $17,050.

WHEREAS, the City of West Allis received a letter from the Wisconsin Department of Natural Resources (DNR) notifying the City that soil and potential groundwater contamination had been reported in the middle of the intersection at S. 84thStreet and W. National Avenue; and,

WHEREAS, based on that information, the DNR, in that letter dated May 29, 2015, ordered the City to investigate the reported contamination as described under Section 292.11, Wisconsin Statutes, known as the Hazardous Substances Spills Law; and,

WHEREAS, the DNR ordered the City to hire an environmental consultant by June 28, 2015 which the City compiled with when the City Engineer hired Ayres and Associates to conduct the preliminary work; and,

WHEREAS, the 1st Agreement was amended to include a soil contamination investigation which detected soil contamination above the DNR residual contaminant levels (RCL) at the groundwater table; therefore, the DNR ordered further investigation by the City; and,

WHEREAS, that further sampling has shown that the ground water test results were clean enough to move forward with the DNR closure report.

NOW, THEREFORE, BE IT RESOLVED That the Common Council of the City West Allis confirms and authorizes the expenditure of funds and approves an amendment to the current Agreement with Ayres and Associates in an amount not to exceed $17,050 with funds coming from approved 2018 funds and charged to Account Number 100-8811-517.30-02, General Fund, Professional Services/Consultants.

BE IT FURTHER RESOLVED By the Common Council of the City of West Allis that the City Engineer is directed and authorized to conduct and supervise all work and to take all appropriate actions in this matter in compliance with DNR rules and regulations.

BE IT FURTHER RESOLVED that the City Engineer be and is hereby authorized to make such substantive changes, modifications, additions and deletions to and from the various provisions of the Professional Service Contract, as may be necessary and proper to correct inconsistencies, eliminate ambiguity and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof and to protect the interests of the City, including but not limited to, any and all changes necessary to preserve the intent of the Common Council of the City of West Allis.

ADOPTED JUN 0 4 2019

APPROVED 6/7/19

Steven A. Braatz, Jr., City Clerk

Dan Devine, Mayor