



City Council

Approval of a Resolution Authorizing Amendment No. 3 to a Professional Services Agreement with Landau Associates for West Olympia Commercial Property

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Title

Approval of a Resolution Authorizing Amendment No. 3 to a Professional Services Agreement with Landau Associates for West Olympia Commercial Property

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve a resolution authorizing the City Manager to sign Amendment No. 3 to the Professional Services Agreement with Landau Associates, Inc. for West Olympia Commercial Property Additional Remedial Actions, and any other documents deemed necessary for remediation of the property.

Report

Issue:

Whether to approve Amendment No. 3 of the Professional Services Agreement with Landau Associates for cleanup of the West Olympia Commercial Property (former West Olympia Landfill Site).

Staff Contact:

Donna Buxton, Groundwater Protection Program Manager, 360.753.8793

Presenter(s):

None - Consent Calendar Item.

Background and Analysis:

Remedial Investigation/Feasibility Study

On October 2, 2017, the City of Olympia and the State of Washington Department of Ecology (DOE) entered into Agreed Order DE 13797 for remediation of the former West Olympia Landfill Site (Site).

The Agreed Order requires the City to conduct a Remedial Investigation (RI) and Feasibility Study (FS) of the Site.

On November 6, 2018, the City and Landau Associates, Inc. established a Professional Services Agreement (PSA) to complete groundwater sampling, a final remedial investigation (RI) report, an interim action work plan, and a feasibility study (FS) of the Site. The term of the PSA continues through December 31, 2020. The PSA total compensation was not to exceed \$139,888 for the remedial actions required by DOE at that time.

On April 3, 2019, the City and Landau established Amendment No. 1 to the PSA to complete additional RI actions required by DOE (refined onsite groundwater sampling and an access agreement with groundwater sampling plan for an adjacent property). Amendment No. 1 increased the compensation by \$33,405 for a PSA total compensation not to exceed \$173,293.

On December 16, 2019, the City and Landau established Amendment No. 2 to the PSA for further actions requested by DOE (to expand onsite groundwater sampling and for completion of an amendment to the RI report) and an additional action requested by the City (property development cost estimate). Amendment No. 2 increased the compensation by \$70,943 for a PSA total compensation not to exceed \$244,236.

The remedial investigation of the Site has been completed. On December 20, 2019, the City received Ecology's approval of the final Remedial Investigation Report for the Site. The Feasibility Study will be completed in April 2020.

Draft Cleanup Action Plan

The next step in DOE's Toxics Cleanup Program Model Toxics Control Act (MTCA) cleanup process is a draft Cleanup Action Plan (dCAP). DOE's Amendment 1 to the Agreed Order requires the City to prepare a draft Cleanup Action Plan for the Site.

The proposed Amendment No. 3 to the PSA between the City and Landau is to complete the dCAP required by DOE and to provide the City with support for selling the property for commercial development in accordance with DOE MTCA requirements. Amendment No. 3 increases the compensation by \$72,573 for a PSA total compensation not to exceed \$316,809.

Neighborhood/Community Interests (if known):

Cleanup and commercial development of the West Olympia Commercial Property will remediate existing onsite environmental contamination and provide an economic development opportunity in West Olympia.

Options:

1. Approve a Resolution authorizing the City Manager to sign Amendment No. 3 to the Professional Services Agreement with Landau Associates, Inc. for West Olympia Commercial Property Additional Remedial Actions, and any other documents deemed necessary for remediation of the property. This action would enable the City to continue to meet DOE's requirements under the Agreed Order for remediating the property.
2. Approve a Resolution authorizing the City Manager to sign Amendment No. 3 to the Professional Services Agreement with modifications requested by Council. This action would

enable the City to continue to meet DOE's requirements under the Agreed Order for remediating the property, with the inclusion of any Council-requested modifications that are acceptable to DOE or amenable to the sale of the property.

3. Do not approve a Resolution authorizing the City Manager to sign Amendment No. 3 to the Professional Services Agreement and provide staff with guidance moving forward. This action would likely jeopardize the City's current compliance with DOE's Agreed Order and delay commercial development of the property.

Financial Impact:

Funding for costs incurred by the Professional Services Agreement and Amendments No. 1, 2, and 3 activities have been provided by the Economic Development Fund with reimbursement to the City from insurance policy carrier(s).

Attachments:

Resolution
Agreement