

CITY OF LA VISTA
LA VISTA COMMUNITY DEVELOPMENT AGENCY REPORT
AUGUST 2, 2016 AGENDA

Subject:	Type:	Submitted By:
PROFESSIONAL SERVICES AGREEMENT FOR PRE-DEMOLITION INSPECTIONS 84 TH STREET REDEVELOPMENT AREA	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared pursuant to the Agreement between the City and Agency authorizing the execution of a Professional Services Agreement with Terracon Consultants, Inc. (Consultant) to provide pre-demolition inspection services of buildings pursuant to Demolition and Site Preparation or related work in the 84th Street Redevelopment Area. This is a portion of CIP Project No. CD-14-002 and is part of the effort to eliminate the substandard and blighted 84th Street Redevelopment Area. The agreement establishes a lump sum fee of \$8,150.00 for these professional consulting services.

FISCAL IMPACT

The FY 2016 Capital Improvement Program provides funding for Project CD-14-002. This contract would be only one element contained within that funding.

RECOMMENDATION

Approval

BACKGROUND

The City and Agency entered an Agreement for the Agency to be the lead agent and City to pay for Demolition and Site Preparation pursuant to the Redevelopment Plan for the 84th Street Redevelopment Area, as amended from time to time. The City Engineer, as the project manager, sent a Request for Proposals to four environmental consulting firms that provide the necessary services. Three firms responded and all provided evidence of adequate skills and certifications to perform the requested inspections. Therefore, the selection was made based on costs. The lowest cost was proposed by Terracon Consultants, Inc. Companies submitting proposals and fees are summarized as follows:

Terracon Consultants, Inc.	\$8,150.00
AMI Group, Inc.	\$8,620.00
B2 Environmental, Inc.	\$9,250.00

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH TERRACON CONSULTANTS, INC. TO PROVIDE PRE-DEMOLITION INSPECTION SERVICES OF BUILDINGS PURSUANT TO DEMOLITION AND SITE PREPARATION OR RELATED WORK IN THE 84TH STREET REDEVELOPMENT AREA IN AN AMOUNT NOT TO EXCEED \$8,150.00.

WHEREAS, the Community Development Agency ("Agency") consisting of and governed by the Mayor and City Council of the City of La Vista has been created; and

WHEREAS, The City Council, upon recommendation of the Agency and Planning Commission, on July 16, 2013 approved a Redevelopment Plan for the 84th Street Redevelopment Area, which included an Initial Redevelopment Project and demolition, clearance, preparation, improvement, or disposal of the Initial Redevelopment Project Area or improvements thereon to eliminate or prevent recurrence of the substandard and blighted area or otherwise carry out the Redevelopment Plan ("Demolition and Site Preparation"); and

WHEREAS, the City Council acting as the La Vista Community Development Agency desires to approve and enter into a professional services agreement with Terracon Consultants, Inc. to provide pre-demolition inspection services of buildings pursuant to demolition and site preparation or related work in the 84th street redevelopment area.

NOW THEREFORE, BE IT RESOLVED that the City Council acting as the La Vista Community Development Agency hereby approves the Agreement presented with this Resolution.

BE IT FURTHER RESOLVED that the City Administrator on behalf of the Agency, is authorized to execute the Agreement; and the City Administrator or her designee, to include the City Engineer, is authorized to take such further actions as she or he determines necessary or appropriate to carry out the actions approved herein.

PASSED AND APPROVED THIS 2ND DAY OF AUGUST, 2016.

**LA VISTA COMMUNITY DEVELOPMENT
AGENCY**

Douglas Kindig, Mayor
City of La Vista

ATTEST:

Pamela A. Buethe, CMC
City Clerk



July 18, 2016

Mr. John Kottmann
City Engineer
City of LaVista
9900 Porrtal Road
LaVista, NE 68128

RE: LETTER OF INTENT

Proposal for Pre-Demolition Environmental Inspection
& Testing Services
Brentwood Crossing Shopping Center
Multiple Buildings
LaVista, Nebraska
Terracon Proposal No. P05167877

Dear Mr. Kottmann:

Terracon Consultants, Inc. (Terracon) appreciates the opportunity to submit this proposal to provide Pre-Demolition Asbestos and Lead-based paint (LBP) survey and hazardous building materials assessment services for the buildings comprising the Brentwood Crossing Shopping Center site, as indicated in the Request for Proposal (RFP) documents.

This Letter of Intent indicates our intention to provide the requested inspection and testing services in accordance with the requirements provided in the RFP documents.

A. CONTACT INFORMATION

The point of contacts for this project are listed below

Primary:	Secondary:
Steve Hudson	Jon Fannon
Sr. Project Industrial Hygienist	Environmental Services Manager
D: (402)670-3842	D: (402)670-3840
Steve.Hudson@terracon.com	Jon.Fannon@terracon.com

**Proposal for Pre-Demolition Environmental Hazards
Inspection Services**
Brentwood Crossing Shopping Center ■ LaVista, Nebraska
July 18, 2016 ■ Terracon Proposal No. P05167877



We appreciate the opportunity to submit this proposal to conduct environmental hazards inspection and testing services. Please call us at 402.330.2202 if you have questions regarding this proposal.

Sincerely,

Terracon Consultants, Inc.

A handwritten signature in black ink, appearing to read "Steve Hudson". The signature is fluid and cursive, with a prominent "H" and "s".

Steve Hudson, MS, CIEC
Sr. Project Industrial Hygienist

PROPOSAL

A. PROJECT UNDERSTANDING

Terracon understands the client requests these services prior to demolition of the existing structures at the Brentwood Crossing Shopping Center.

The purpose of our services is to assess the building for Asbestos, LBP, and Mercury and other potential hazardous materials that would need to be remediated prior to building demolition. Inspection services will include the interior and exterior of multiple structures at the project site, as identified in the RFP documents.

Services will be conducted in accordance with ASTM standards and State of Nebraska and US EPA requirements for Pre-Demolition Inspection Services. Inspection services will be performed by State of Nebraska certified Asbestos Building Inspectors and Lead-Based Paint Inspectors / Risk Assessors.

B. APPROACH

Due to the large size of the project, Terracon will use a team approach in completing the scope of services or tasks identified below. Our State of NE certified environmental professionals will conduct tasks concurrently to speed up the turn-around time on sample collection and analysis.

Our specific scope of services are outlined below:

Task 1 – Asbestos Inspection & Testing Services

1. Conduct an inspection and bulk sampling of suspect asbestos containing interior and existing building materials.
2. Provide laboratory analysis of the collected bulk samples for asbestos.
3. Provide a technical report of the findings including sample results and approximate quantities and locations of asbestos-containing materials (ACM), as applicable.

Task 2 – Lead-Based Paint (LBP) Survey

1. Conduct a lead-based paint inspection using a portable x-ray fluorescence (XRF) analyzer to identify the presence of lead-based paint in interior and exterior surface coatings.
2. Provide a report of the findings, to include copies of XRF measurements and descriptions / locations of LBP containing surface coatings.

Task 3 –Mercury Inspection Services

1. Terracon will visually inspect for the presence of mercury containing switches and fluorescent lighting tubes within the structures.
2. Provide a technical report identifying the locations and quantities of mercury containing materials, as applicable.

Task 4 – PCB & Other Hazardous Materials Inspection Services

1. Terracon will visually inspect for the presence of PCB containing light ballasts and other potential hazardous materials present in the structures.
2. Provide a technical report identifying the locations and quantities of PCB and other identified hazardous containing materials, as applicable.

Key Understandings

- The services will be conducted by State of Nebraska-licensed Asbestos / Lead Building Inspectors.
- Inspection services will include interior and exterior surfaces and materials throughout the designated structures. Terracon will provide ladders / manlifts, as needed to safely access materials and areas for inspection.
- Inspection services will be conducted during normal business hours. Terracon understands that completed inspection reports are due to the City of LaVista prior to September 1, 2016.
- Only those samples with an asbestos content greater than one percent (>1%) are considered asbestos containing.

- Isolated damage to building materials will occur in the course of collecting the bulk samples for asbestos and will not be patched or repaired by Terracon. This will include damage to roofing materials as necessary to access and sample these materials.
- The analysis, comments, and recommendations presented in the technical report will be based on the information collected as discussed in this proposal. When requested by the client, Terracon may provide oral information prior to completing the technical report. Terracon does not, however, recommend sole reliance on oral information regarding the presence or absence of recognized environmental conditions. Due to time constraints, oral information may be based upon limited incomplete information and data evaluation. Consequently, the content of the written report takes precedence over any variation from prior reported oral information.

The client will provide the following items:

- The right of entry to conduct the services.
- Any restrictions or special requirements regarding the site must be made known to Terracon prior to commencing the services.
- If available, drawings or plans of each building's layout (floor plan) prior to the start of our services.
- Notification to occupants if the building is occupied and in use at the time the services are conducted.

C. SIMILAR PROJECT EXPERIENCE

Following are references to completed projects of similar size and scope.

1 *Environmental Pre-Demolition Hazardous Materials Survey – Multiple Structures, Downtown Omaha, NE*

Description: Terracon completed pre-demolition environmental inspections of multiple residential structures and a large commercial shopping strip mall at 33rd & Cummings Streets prior to construction of a new medical facility. Inspection work was completed in an abbreviated timeframe in order to meet construction deadlines.

Completed: January, 2015

Cost: \$2,100.00

Client: Mr. Ryan Sawall, PE McCarthy Construction

rsawall@mccarthy.com

D: (402)889-8678

2 *Asbestos Building Inspections – Multiple Buildings, Omaha, NE*

Description: Through an annual on-call environmental services agreement with Omaha Public Schools Terracon provides asbestos and lead-based paint testing services in various school buildings prior to renovation or demolition activities.

Completed: 2015

Cost: \$30,000 - annual

Client: Ms. Shelley Bengtson, Environmental Specialist

Omaha Public Schools

sbengtson@ops.org

D: (402)557-2800

3 *Asbestos & Lead-Based Paint Testing Services – Fire Damaged Structure, Downtown Omaha, NE*

Description: Terracon completed asbestos and lead-based paint inspection and testing services for a 5-story residential structure damaged as part of the M's Pub fire in downtown, Omaha, NE. Inspections were completed on an expedited turn-around in order to commence restoration activities.

Completed: March, 2016

Cost: \$3,500.00

Client: Ms. Marsha Congdon Building Homeowners Association

mbcongdon@msn.com

D: (218)234-6800

**4 Asbestos & Lead-Based Paint Testing Services – Multiple Structures, Vermillion,
SD**

Description: Terracon has completed asbestos and lead-based paint inspections and testing of multiple buildings throughout the campus prior to renovation and demolition activities. Services are provided on an on-call basis.

Completed: 2015

Cost: \$5,000.00

Client: Ms. Cathy Wagner,PE

University of South Dakota

cawagner@USD.edu

D: (605)677-6319

D. KEY PERSONNEL

Following is a list of Key Personnel anticipated to provide inspection services as part of this project.

Steve Hudson – Sr. Project Manager

Steve is a State of Nebraska / USEPA licensed asbestos building inspector and lead inspector / risk assessor. Steve has over 23 years experience conducting asbestos and lead-based paint building inspections.

Jon Fannon – Project Manager

Jon is a State of Nebraska / USEPA licensed asbestos building inspector and lead inspector / risk assessor. Jon has over 26 years experience conducting asbestos and lead-based paint building inspections.

Phil Thomas – Environmental Technician

Phil is a State of Nebraska / USEPA licensed asbestos building inspector and lead inspector / risk assessor. Phil has over 14 years experience conducting asbestos and lead-based paint building inspections.

E. COMPENSATION

Task One – Asbestos Inspection	\$5,700.00
Task Two – Lead-Based Paint Inspection	\$1,750.00
Task Three – Mercury Inspection.....	\$350.00
Task Four – Other Hazardous Materials Inspection	\$350.00
TOTAL	\$8,150.00

Should conditions be encountered that require additional services beyond the SCOPE OF SERVICES identified in this proposal, we will contact you prior to initiating such services, explain the situation, and negotiate additional costs beyond those proposed herein.

**Proposal for Pre-Demolition Environmental Hazards
Inspection Services**
Brentwood Crossing Shopping Center ■ LaVista, Nebraska
July 18, 2016 ■ Terracon Proposal No. P05167877



F. INSURANCE

A copy of our certificate of insurance coverages is attached.

We appreciate the opportunity to submit this proposal to conduct environmental hazards inspection and testing services. Please call us at 402.330.2202 if you have questions regarding this proposal.

Sincerely,

Terracon Consultants, Inc.

A handwritten signature in black ink, appearing to read "Steve Hudson".

Steve Hudson, MS, CIEC
Sr. Project Industrial Hygienist

Attachment: Certificate of Insurance



CERTIFICATE OF LIABILITY INSURANCE

1/1/2017

DATE (MM/DD/YYYY)
12/10/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	Lockton Companies 444 W. 47th Street, Suite 900 Kansas City MO 64112-1906 (816) 960-9000	CONTACT NAME: PHONE (A/C, No. Ext): E-MAIL ADDRESS:		FAX (A/C, No):
		INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED 1312891	TERRACON CONSULTANTS, INC. 18001 W. 106TH STREET, SUITE 300 OLATHE KS 66061	INSURER A : Travelers Property Casualty Co of America		25674
		INSURER B : The Travelers Indemnity Company		25658
		INSURER C : Lexington Insurance Company		19437
		INSURER D :		
		INSURER E :		
		INSURER F :		

COVERAGES MAIN CERTIFICATE NUMBER: 11281774 REVISION NUMBER: XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L INS'D	SUB'R WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS			
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CONTR'L LIABILITY	N	N	TC2J-GLSA-1118L293	1/1/2016	1/1/2017	EACH OCCURRENCE	\$ 1,000,000	DAMAGE TO RENTED PREMISES (ea occurrence)	\$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:						MED EXP (Any one person)	\$ 25,000	PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000	PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$		
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS	N	N	TC2J-CAP-131J3858 TJBAP131J3895	1/1/2016 1/1/2016	1/1/2017 1/1/2017	COMBINED SINGLE LIMIT (ea accident)	\$ 2,000,000	BODILY INJURY (Per person)	XXXXXXXXXX
	SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS						BODILY INJURY (Per accident)	\$ XXXXXXXX	PROPERTY DAMAGE (Per accident)	\$ XXXXXXXX
								\$ XXXXXXXX		
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE	N	N	ZUP-91M46583	1/1/2016	1/1/2017	EACH OCCURRENCE	\$ 5,000,000	AGGREGATE	\$ 5,000,000
	DED <input type="checkbox"/> RETENTION \$							\$ XXXXXXXX		
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N	N	TRKUB131J384615 (AZ, MA, WI) TC2KUB131J374215 (AOS) TC2KUB131J374215 (CA)	1/1/2016 1/1/2016 1/1/2016	1/1/2017 1/1/2017 1/1/2017	X PER STATUTE	OTH-ER	E.L. EACH ACCIDENT	\$ 1,000,000
B	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> N						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000	E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
A	If yes, describe under DESCRIPTION OF OPERATIONS below									
C	PROFESSIONAL LIABILITY	N	N	26030216	1/1/2016	1/1/2017	\$1,000,000 EACH CLAIM & \$1,000,000 ANNUAL AGGREGATE			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
FOR INFORMATIONAL PURPOSES ONLY, EXCESS LIABILITY SITS ON TOP OF GENERAL, AUTO AND EMPLOYER'S LIABILITY.

CERTIFICATE HOLDER

11281774 SAMPLE CERTIFICATE	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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