BILL NO.: 4989 **ORDINANCE NO.: 4822**

Introduced by: City Manager Nathan Mai-Lombardo

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ENVIRONMENTAL OPERATIONS INC ACCORDING TO BID #938 – ENVIRONMENTAL ABATEMENT OF 6140 N. HANLEY RD (OLD CITY HALL) (THE CITY DOES HEREBY FIND *AND DECLARE THAT AN EMERGENCY EXISTS WHICH REQUIRES THE IMMEDIATE PASSAGE OF THIS ORDINANCE FOR THE PRESERVATION OF THE WELFARE OF THE CITIZENS OF THE CITY OF BERKELEY.)*

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:

Section 1. The City Manager is hereby authorized to execute an Agreement for asbestos remediation service according to RFQ #938, Demolition of 6140 N. Hanley Road (Old City Hall), to Environmental Operations, Inc.

Section 2. The agreement is attached and hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

Section 3. This Ordinance shall be in full force and effect from and after its date of passage.

Section 4. The City does hereby find and declare that an emergency exists which requires the immediate passage of this ordinance for the preservation of the welfare of the citizens of the City of Berkeley.

1st Reading this 06th day of November 2023

2nd Reading this 06th day of November 2023

3rd Reading, PASSED and APPROVED, this **06th day of November 2023**

Babatunde Deinbo, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as to Form:
Donnell Smith, City Attorney

Final Roll Call:

Councilwoman Verges	Aye _X_	Nay ___	Absent __	Abstain __
Councilwoman Williams	Aye _X_	Nay ___	Absent __	Abstain __
Councilman Hoskins	Aye _X_	Nay ___	Absent __	Abstain __
Councilwoman Anthony	Aye _X_	Nay ___	Absent __	Abstain __
Councilman Hindeleh	Aye _X_	Nay ___	Absent __	Abstain __
Councilwoman-at-Large Crawford-Graham	Aye _X_	Nay ___	Absent __	Abstain __
Mayor Deinbo	Aye _X_	Nay ___	Absent __	Abstain __

MEMORANDUM TO CITY COUNCIL

TO: The Honorable Mayor and Members of the City Council

FROM: Elliot Liebson, Director of Planning and Development

THRU: Nathan Mai-Lombardo, City Manager

DATE: November 6, 2023

SUBJECT: **Selection of Environmental Operations, Inc. to abate old city hall (6140 N. Hanley).**

BACKGROUND

The RFQ for this project was published in September, with a response deadline of October 11th. We received seven bids, of which the lowest and best bid was from Environmental Operations, Inc. I recommend them for the following reasons:

- They have the second lowest quoted fee ($111,900).
- Their reputation based on comments received and my own personal experience is uniformly positive.
- Their bid package was the most complete.
- Concerns were raised by prior clients of the lowest bidder (Spray Services) about certain aspects of their work.

IMPACT ON BUDGET

$111.900

SUPPORTING DOCUMENTS

Please find attached the bid results from the October 11, 2023 bid opening and Environmental Operations, Inc, bid packet.

2023 BUDGET AMOUNT

$500,000 ('site prep')

RECOMMENDED CITY COUNCIL ACTION

Approve Environmental Operations, Inc., for the project.

Respectfully Submitted,

This will verify that at 11:30 am on October 11, 2023

BID NO. 938 "Asbestos remediation of 6140 North Hanley Road" was open and read aloud.

Signed: Deanna Jones Title: City Clerk

Scoring Criteria		Adv. Env. Svcs	Midwest Svc. Group	Global Environmental	Cardinal Env. Operations	Spray Services	Environmental ops	Alliance Certified Restoration
environmental remediation bid.		$ 125,700.00	$ 116,988.00	$ 129,970.00	$ 117,189.00	$ 87,029.75	$ 111,900.00	141,500-153,500
Air Monitoring Fee		$ -	$ -	$ -	13,600-16,300	$ -	$ -	15,000-18,000
TOTAL		$ 125,700	$ 116,988	$ 129,970	130,789-133,489	$ 87,030	$ 111,900	156,500-171,500
(air monitoring included in bid?)		yes	yes	yes	no (daily rate)	yes	yes	no (daily rate)
Comments/rec's:								
Spray Services Inc	87,030	concern about safety, paperwork was issue in one project; vendor employees turned off heat in one building without informing city staff.						
Advanced Environmental	125,700							
Midwest Service Group	116,988							
Global Environmental	129,970							
Cardinal Environmental ops	130.7-133.4							
Environmental ops	111,900	*bid price is inclusive of all details listed in scope of work						

bid packet:	Adv. Env. Svcs	Midwest Svc. Group	Global Environmental	Cardinal Env. Operations	Spray Services	Environmental ops	Alliance Certified Restoration
cover page	no	no	no	x	no	x	x
project agreement	x	x	no	no	no	x	no
performance /payment bond form	no ('upon award')	x	no	no	no	x	no
itemezed bid prices	no	no	no	x	no	no*	no
asbestos/lead bid sheet	x	x	x	x	x	x	x
total bid price form	x	x	x	x	x	x	x
company information	x	x	x	x	x	x	x
Aff. Action statement	x	x	x	x	x	x	x
Aff. Action questionnaire	x	x	no	x	x	x	x
specs for remediation/add'l info form	x	x	x	x	x	x	x
bid bond	x	x	x	no	x	x	x
insurance certificate	no	x	no	no	x	x	no

Environmental Operations, Inc.
CLEARING THE WAY

October 11, 2023

EOI Proposal # P14648

Mr. Nathan Mai-Lombardo
City Manager
8425 Airport Road
Berkeley, Missouri 63134

Subject: **Proposal for Professional Asbestos Abatement Services**
Old Berkeley City Hall- Bid #938
6140 North Hanley Road
Berkeley, Missouri 63134

Dear Mr. Mai-Lombardo:

Environmental Operations, Inc. (EOI) is pleased to submit this proposal to you for Professional Asbestos Abatement Services at the above referenced subject site located in Berkeley Missouri. EOI will provide Environmental Protection Agency (EPA) accredited and Missouri licensed asbestos workers and a supervisor to conduct the scope of work. EOI will perform the abatement services in accordance with the Federal NESHAP, OSHA 29 CFR 1926.1101, and local regulations.

SCOPE OF WORK

EOI proposes to remove and properly dispose of the asbestos containing materials (ACM) identified in the asbestos survey completed by ENPAQ LLC dated September 2023. **Project #23-192**

CLARIFICATIONS/EXCLUSIONS

- EOI will remove all (ACM) materials in accordance with St. Louis County Ordinance 612.530 (7.1) procedures for full containment.
- The building owner will provide the necessary utilities (ie: water & electricity) to perform the abatement activities.
- EOI assumes once work commences, work will be completed without interruptions.
- Standard insurance requirements are included in this proposal.
- EOI understands the scope of work can be performed during the normal business hours of 7:00am-3:30pm Monday-Friday. No premium cost for off-hour work has been included in this proposal.

COSTS

Asbestos Abatement: **$ 111,900.00**

The cost includes all materials, equipment, air monitoring, union labor, and waste disposal required to complete this project. EOI is available to begin the 10-day notification to St. Louis County Air Pollution Control Program upon receipt of a written notice to proceed.

TERMS OF PAYMENT

The terms of payment are 100% due within 30 days of receipt of the invoice. A 1.5% service charge per month (18% per annum) will be charged on all past-due accounts.

If you have any questions regarding this proposal, please call my office at (314) 241-0900. EX-302

Sincerely,

John Perkins
Estimator/Project Manager

ACCEPTED BY:

NAME: Nathan Mai-Lombardo

TITLE: City Manager of City of Berkeley MO

SIGNATURE:

DATE: November 7, 2023

PROJECT AGREEMENT

THIS AGREEMENT made this 11 day October 2023, by and between the City of Berkeley (a municipal corporation organized and existing under the laws of the State of Missouri), hereinafter called the "Owner" and Environmental Operations (a partnership, corporation or an LLC) hereinafter called the "Contractor" and the City of Berkeley, Missouri.

WITNESSETH, that the Contractor and the City of Berkeley, Missouri for the considerations stated herein agree as follows:

STATEMENT OF WORK: The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, and services and perform and complete all work required for the Remediation and removal of asbestos containing materials in the structure located at 6140 N. Hanley Road, within the City of Berkeley, Missouri; and site restoration, traffic control measures and any and all required supplemental work for completion of the project in accordance with the Contract documents.

The Contractor must contact the City at least five (5) working days prior to start of project so that residents can be notified of project commencement date.

The Contractor shall receive direct pay from the City of Berkeley for the performance of the contract in current funds, for work performed at the prices stipulated on the attached bid for the work completed subject to any additions and deductions mutually agreed upon by both parties of this agreement.

CONTRACT: The executed Contract documents consist of the documents furnished to each bidder and the Contractor for this project.

IN WITNESS WHEREOF, the parties hereto have caused this **AGREEMENT** to be executed in **one (1) original and three (3) copies** on the day and year first above written.

Attest: Staci Monnig

By Staci Monnig

Title: Executive Assistant

Environmental Operations
Contractor

By: John Perkins

Title: Project Manager

Street: 7733 Forsyth Blvd: Suite 1600

City: Clayton, Missouri 63105

By Deanna Jones

Title: Deanna L. Jones
City Clerk

CITY OF BERKELEY, MISSOURI

By:

Title: City Manager

Street: 8425 Airport Rd

City: Berkeley MO 63134