

RESOLUTION NO.: 28-2025
INTRODUCED BY: Mayor Thomas

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CT CONSULTANTS, INC. TO PROVIDE A PHASE I ENVIRONMENTAL SITE ASSESSMENT AND AN ASBESTOS/UNIVERSAL WASTE SURVEY FOR THE CITY POOL PROPERTY ON HIGHLAND ROAD.

WHEREAS, CT Consultants, Inc. has proposed to the City of Richmond Heights, by letters dated November 13, 2024, to provide professional engineering services consisting of a Phase I Environmental Site Assessment and an Asbestos/Universal Waste Survey in accordance with federal and state environmental regulations, in connection with the planned demolition and remediation of the property consisting of a public pool, pool house, parking, and greenspace on Highland Road in Richmond Heights known as Cuyahoga County Permanent Parcel No. 662-24-004 (the "Pool Property") as set forth in the Scope of Work in those two letter proposals attached hereto and incorporated herein as Exhibit A, and under the general terms and conditions of the Master Services Agreement between the City and CT for Professional Services dated November 8, 2023, for a total lump sum fee not to exceed Six Thousand Seven Hundred Dollars (\$6,700.00);

WHEREAS, this Council desires to enter into an agreement with CT Consultants, Inc. for said professional engineering services for the Pool Property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The Mayor is authorized to enter into an agreement with CT Consultants, Inc. for professional engineering services for the Pool Property as set forth in the letter proposals attached hereto as Exhibit A, for a total lump sum not to exceed Six Thousand Seven Hundred Dollars (\$6,700.00).

Section 2: The Director of Finance is authorized to utilize the Fund # 401715054300 for the cost of the Agreement authorized in Section 1 above.


Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

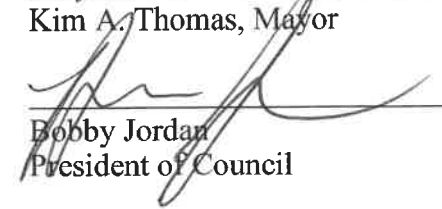
Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: January 28, 2025

APPROVED: January 28 2015

ATTEST: Tracey Blair
Tracey Blair
Clerk of Council



Kim A. Thomas, Mayor


Bobby Jordan
President of Council

EXHIBIT A



A Verdantas Company

City of Richmond Heights
Ms. Chelsey Kovar
Director of Economic Development
26789 Highland Road
Richmond Heights, OH 44143
216-486-3927
Chelsey Kovar
economic.development@richmondheightsohio.org

8150 Sterling Court
Mentor, Ohio 44060
440-951-9000

November 13, 2024

Re: Revised Proposal for an American Society for Testing and Materials (ASTM) Standard E1527-21 Phase I Environmental Site Assessment (ESA) City Pool Property, Highland Road, Richmond Heights, OH 44143

Dear Ms. Kovar:

CT Consultants, a Verdantas Company (CT) submits for your consideration our proposal to conduct a Phase I ESA to evaluate potential environmental issues associated with the property located along Highland Road, Richmond Heights, OH 44143 (Subject Property). The Phase I ESA will be performed in accordance with the ASTM Standard E1527-21 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, which incorporates the Brownfields Revitalization Act All Appropriate Inquiry (AAI). The purpose of complying with the ASTM Standard E1527-21 is to permit the Client to satisfy one of the requirements to qualify for the Innocent Landowner, Contiguous Property Owner, or Bona Fide Prospective Purchaser limitations of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability. This Scope of Work (SOW) will be completed in accordance with the attached standard terms and conditions included as Attachment A.

Subject Property Description

According to information supplied by you, the Subject Property is approximately 3.0 acres and is occupied by a public pool, pool house, parking, and greenspace. According to information obtained from the Cuyahoga County Auditor, the Subject Property is comprised of County Permanent Parcel 662-24-004 and is owned by the City of Richmond Heights.

Scope of Work

The Scope of Work (SOW) for the Phase I ESA is provided as Attachment B. The SOW is consistent with ASTM Standard E1527-21 and involves a review of various records and investigations to identify recognized environmental conditions (RECs).¹ Please note that the first page of the attached SOW includes a list of items to be provided by you, if available.

¹ ASTM defines a "recognized environmental condition" as "the presence or likely presence of any hazardous substance or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions". The term includes hazardous substances or petroleum products even under conditions in compliance with laws.

Compensation

CT proposes to conduct the SOW described herein for a lump sum fee of **\$3,500**. The project will be invoiced upon submittal of a draft report with payment due to CT within 30 days after receipt of an invoice. This cost estimate is valid for 30 days from the date of this proposal.

Schedule

CT is available to begin work on this project immediately upon authorization to proceed. We estimate it will take approximately two (2) weeks to complete the Phase I ESA after execution of a contract agreement, provided unrestricted access to the entire Subject Property is available within the first week of authorization.

Although the Subject Property reconnaissance and request for records can be conducted during the first two weeks of the project, it is our experience that responses from federal, state, and local agencies often take four weeks and sometimes longer to receive. If this should be the case, the Client will be notified and will be given the option to receive the report excluding any information not received, or to extend the deadline until responses are received from federal, state, and local agencies. Should the Client elect to receive the report prior to receipt of information from these agencies, CT will not be held liable for potential RECs not otherwise identifiable. However, if a response is received within 20 days of the written request indicating potential environmental issues relative to the objectives of this Phase I ESA, an addendum will be provided to the Client. If additional investigation of the Subject Property is necessary, steps can be taken in advance of the final Phase I report in an effort to keep the due diligence process moving forward.

Additional Work

Additional work beyond the SOW defined herein shall not be performed until such time as an amendment to this proposal, including the scope of the additional work and associated costs, has been prepared in writing to address the additional work and said amendment has been approved by the Client. Specific items not within the SOW on this project include, but are not limited to the following:

1. more than one visit to the Subject Property;
2. detailed file search or review at the Subject Property or any agency office beyond that obtained by written or verbal request or from a commercial database search firm;
3. evaluation of regulatory compliance, industrial hygiene, ecological resources, cultural issues (e.g., historic buildings) and endangered species;
4. obtaining a title search from a title company or from U.S. court district records;
5. review of judicial records for environmental liens or activity and use limitations for the Subject Property;
6. a Property Condition Assessment;
7. a Vapor Intrusion Assessment other than the identification of vapor migration as a possible REC as a result of a release on the property or an adjoining property;

8. non-scope considerations as identified in Section 13.1.5 of the 1527-21 standard with the exception of the emerging contaminants or other services as requested and listed as follows:
 - a. biological agents;
 - b. cultural and historic resources;
 - c. ecological resources;
 - d. endangered species;
 - e. health and safety;
 - f. indoor air quality unrelated to releases of hazardous substances or petroleum products into the environment;
 - g. industrial hygiene;
 - h. lead-based paint unrelated to releases into the environment;
 - i. lead in drinking water;
 - j. mold or microbial growth conditions;
 - k. PCB-containing building materials;
 - l. naturally-occurring radon; and
 - m. regulatory compliance.
9. communication with regulatory agencies regarding items not associated with the record review;
10. preparation of recommendations in the report; and
11. a reliance letter.

Standard of Care and Limitations

CT shall perform its services in a manner consistent with that level of care and skill ordinarily exercised by other members of the engineering and science professions currently performing similar services under similar conditions and subject to the time limits and financial and physical constraints applicable to this engagement. No other warranty, expressed or implied, is made or intended by our proposal or by our oral or written reports. The work will not attempt to evaluate past or present compliance with federal, state, or local environmental or land use laws or regulations. Conclusions presented by CT regarding the Subject Property to be investigated shall be consistent with the SOW, level of effort specified, and investigative techniques employed. Reports, opinions, letters, and other documents will not evaluate the presence or absence of any compound or parameter not specifically analyzed and reported. The presence of asbestos, radiation, radon, lead, electromagnetic fields, and indoor air quality will not be investigated, unless specifically stated in the SOW. CT makes no guarantees regarding the completeness or accuracy of any information obtained from public or private files or information provided by subcontractors.

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440-951-9000

Furthermore, the report will be prepared for and made available for the sole use of Richmond Heights. The contents thereof may not be used or relied upon by any other person or entity without the express written consent and authorization of Richmond Heights and CT.

Please sign below acknowledging and agreeing to the Scope of Work (Attachment A) herein. CT is prepared to initiate the project immediately upon receipt of a signed copy of this proposal in accordance with the Master Services Agreement dated November 8, 2023. Attachment B contains a User Questionnaire, which should be completed by you and returned to the undersigned. If you have any questions regarding the SOW, fee, or contract terms, please call John Zampino at 440-591-4942.

Sincerely,

CT Consultants, Inc., a Verdantas Company Company: _____



John A. Zampino, PG, CP#280
Senior Environmental Program Manager

Name: _____
Title: _____

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Attachments

Attachment A: Scope of Work

Attachment B : User Questionnaire

Attachment A
Scope of Work

Scope of Work

This Scope of Work (SOW) and associated costs assume the Client will provide CT with the following information for the Subject Property(s), if available:

1. A legal description and plot survey
2. A chain-of-title (ownership) report
3. A review of land title records for environmental liens or activity and use limitations (e.g., deed restrictions) unless specified by the Client
4. A review of judicial records for environmental liens or activity and use limitations
5. Access to persons familiar with the Subject Property and its history including current owners, operators and occupants, and those who historically owned, operated and occupied the Subject Property, if possible
6. Knowledge or experience that is related to any recognized environmental conditions (RECs) at the Subject Property (e.g., previous assessments of the Subject Property)
7. An explanation of knowledge that the purchase price of the Subject Property is significantly less than the purchase price of comparable properties (if the project involves a potential Subject Property transfer)
8. The reason why the Phase I Environmental Site Assessment (ESA) is being performed.
9. Our proposal assumes that special lifting equipment will not be necessary to reach overhead locations.

CT proposes to perform the following SOW under the direction of an Environmental Professional (EP) to address the objectives of this project as described below:

Task 1 Records Review

Records will be reviewed that are reasonably ascertainable (records that are publicly available, obtainable from its source within reasonable time and cost constraints and are practically reviewable).

Historical Information

Information will be obtained regarding past uses and ownership of the Subject Property dating back to 1940 or prior to the Subject Property being developed, whichever is earlier. A search of historical records shall include deeds, aerial photographs, local street directories and fire insurance maps, and may include zoning records, property tax records, United States Geological Society 7.5-Minute topographic maps and/or building permits. Additionally, an attempt will be made to establish past and present land uses of contiguous properties by observations made from the Subject Property during the Subject Property Reconnaissance and through a review of records identified within this task.

Environmental Information

The following environmental records will be reviewed for facilities within the specified search distance. The search distance is measured from the Subject Property's approximate boundary. The following information, excluding water well logs, the local fire department, health department, Local Emergency Planning Committee (LEPC) and State Emergency Response Commission (SERC) information and utilities information, will be obtained from a commercial environmental database search firm.

Search distance of 1.0 mile:

1. Federal National Priorities List (NPL) facilities list.
2. Federal Resource Conservation and Recovery Act (RCRA) CORRACTS (RCRA Corrective Action) facilities list.
3. State and tribal-equivalent NPL.
4. Local contaminated sites list.

Search distance of 0.5 mile:

1. Federal delisted NPL sites list.
2. Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) list.
3. CERCLIS No Further Remedial Action Planned (NFRAP) site list
4. RCRA treatment, storage, and disposal (TSD) facilities list.
5. Federal RCRA non-CORRACTS facilities list.
6. State and tribal solid waste disposal site lists
7. State and tribal-equivalent CERCLIS list.
8. State and tribal leaking underground storage tank (LUST) lists.
9. State water well logs.
10. Local solid waste disposal site lists.

Subject Property and adjoining properties:

1. Federal RCRA generators list.
2. Federal No Further Remedial Action Planned (NFRAP) facilities list.
3. State and tribal registration storage tank lists.
4. Local UST registration list.
5. State and tribal voluntary cleanup sites.
6. State and tribal brownfields sites

Subject Property only:

1. Federal Emergency Response Notification System (ERNS) list.
2. State and tribal institutional control/engineering control registries.
3. Local fire department and health department records.
4. SERC and LEPC.
5. Records from utility companies operating gas lines, oil pipelines, electrical lines and transformers, water lines and sewers.

Regional geology records that may include groundwater resource maps, bedrock geology maps, surficial geology maps and soil maps will be reviewed to identify the general nature and occurrence of groundwater, regional geology, the presence of oil/gas wells, etc.

The above description of the records review is general and is not intended to be a detailed list of the files researched or the persons who will be contacted. CT does not guarantee the accuracy of public and private files. Furthermore, the above data will be obtained through a request for an agency file search, telephone or personal interviews, or a combination of both, whichever is most appropriate.

Task 2 Subject Property Reconnaissance

The Subject Property reconnaissance will include the following:

1. Interviews will be conducted with current and previous Subject Property owners and/or occupants familiar with both current and past operations and usage of the Subject Property. If the Subject Property is abandoned, attempts will be made to interview neighboring property owners and/or occupants about the Subject Property's history;
2. A walkover of the Subject Property will be performed to note the current condition/operations of the Subject Property and adjacent properties. Adjacent properties will be observed from the Subject Property's boundaries, public rights-of-way, or other vantage points, including an inspection of areas where hazardous substances or petroleum products may be or may have been stored, treated, handled, or disposed. Photographs will be taken to document observations made during this reconnaissance;
3. The presence of RECs including hazardous materials, waste storage areas, underground and aboveground storage tanks, industrial facilities, land disposal units, septic systems and dry wells will be documented; and
4. Evidence and/or presence of stressed vegetation, stained areas, newly landscaped or paved areas and apparent fill areas will be documented.

The Client will be responsible for obtaining access to the Subject Property (including all buildings and within each portion of the buildings) to perform the reconnaissance in a single mobilization.

Task 3 Report Preparation

A Phase I ESA report will be prepared for the Subject Property, and will consist of the following:

1. A narrative describing the procedures performed by CT and other parties involved in the project;
2. A summary of information obtained from the file review of existing historical, regulatory and hydrogeologic data and through personal interviews;
3. A Subject Property map including pertinent current and historic structural features and RECs;
4. An identification of significant data gaps that affect the ability of CT to identify RECs;
5. Findings and opinions that identify the RECs and conclusions that state whether additional appropriate investigation may be required to determine and/or identify the environmental affect a REC may have on the Subject Property; and
6. Signature(s) of environmental professional(s).

An evaluation of the thoroughness and reliability of the information gathered will be included in the report. References will be provided that identify the sources relied upon to evaluate the Subject Property. Supporting documentation will be provided in appendices to the report or appropriately referenced.

The Client will be notified of environmental concerns encountered during the Subject Property reconnaissance or file review that may warrant further evaluation, thus altering the original SOW. This notification must be completed prior to initiating any additional work (e.g., additional file reviews, sampling, drilling, etc.). Each report is intended to describe observations obtained through the work as defined in the SOW.

Appendix B
User Questionnaire

**ASTM-21 Phase I Environmental Subject Property Assessment
User Questionnaire**

Subject Property Location Highland Road, Richmond Heights, OH 44143

1. Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law? In certain jurisdictions, federal, tribal, state, or local statutes, or regulations specify that environmental liens and activity and use limitations (AULs) be filed in judicial records rather than in land title records. In such cases judicial records must be searched for environmental liens and AULs.

2. Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the property and/or have been filed or recorded against the property under federal, tribal, state, or local law?

3. Do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?

4. Does the purchase price being paid for the property reasonably reflect the fair market value of the property? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?

5. Are you aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example:

a. Do you know the past uses of the property?

b. Do you know of specific chemicals that are present or once were present at the property?

c. Do you know of spills or other chemical releases that have taken place at the property?

d. Do you know of any environmental cleanups that have taken place at the property?

6. Based on your knowledge and experience related to the property, are there any obvious indicators that point to the presence or likely presence of releases at the property?

Client Signature: _____



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A Verdantas Company

City of Richmond Heights
Ms. Chelsey Kovar
Director of Economic Development
26789 Highland Road
Richmond Heights, OH 44143
216-486-3927
Chelsey Kovar
economic.development@richmondheightsohio.org

November 13, 2024

**Re: Revised Proposal for an Asbestos / Universal Waste Survey
City Pool Property, Highland Road, Richmond Heights, OH 44143**

Dear Ms. Kovar:

CT Consultants, a Verdantas Company (CT) submits for your consideration our proposal to conduct an Asbestos / Universal Waste Survey. The Asbestos Survey will be completed in accordance with Ohio Environmental Protection Agency (EPA) regulations under Ohio Administrative Code (OAC) 3745, which references the United States (US) Environmental Protection Agency (EPA) sampling protocol in 40 Code of Federal Regulations (CFR) Part 763.86. The Universal Waste Survey will be completed in accordance with Title 40 CFR Part 273. This Scope of Work (SOW) will be completed in accordance with the attached standard terms and conditions included as Attachment A.

Subject Property Description

According to information supplied by you, the Subject Property is approximately 3.0 acres and is occupied by a public pool, pool house, parking, and greenspace. According to information obtained from the Cuyahoga County Auditor, the Subject Property is comprised of County Permanent Parcel 662-24-004 and is owned by the City of Richmond Heights.

Scope of Work

Attachment B contains the Asbestos / Universal Waste SOW. The Asbestos Survey involves the identification and sampling of suspect asbestos containing materials (ACMs). The Universal Waste Survey involves the identification of batteries, pesticides, mercury-containing equipment, lamps, and aerosol cans.

Compensation

CT proposes to conduct the SOW described herein for a lump sum fee of \$3,200. The project will be invoiced upon submittal of a draft report with payment due to CT within 30 days after receipt of an invoice. This cost estimate is valid for 30 days from the date of this proposal.

Schedule

CT is available to begin work on this project immediately upon authorization to proceed. We estimate it will take approximately two (2) weeks to complete the Asbestos Survey after execution

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of a contract agreement, provided unrestricted access to the entire Subject Property is available within the first week of authorization.

Additional Work

Additional work beyond the SOW defined herein shall not be performed until such time as an amendment to this proposal, including the scope of the additional work and associated costs, has been prepared in writing to address the additional work and said amendment has been approved by the Client.

Standard of Care and Limitations

CT shall perform its services in a manner consistent with that level of care and skill ordinarily exercised by other members of the engineering and science professions currently performing similar services under similar conditions and subject to the time limits and financial and physical constraints applicable to this engagement. No other warranty, expressed or implied, is made or intended by our proposal or by our oral or written reports. The work will not attempt to evaluate past or present compliance with federal, state, or local environmental or land use laws or regulations. Conclusions presented by CT regarding the Subject Property to be investigated shall be consistent with the SOW, level of effort specified, and investigative techniques employed. Reports, opinions, letters, and other documents will not evaluate the presence or absence of any compound or parameter not specifically analyzed and reported. The presence of asbestos, radiation, radon, lead, electromagnetic fields, and indoor air quality will not be investigated, unless specifically stated in the SOW. CT makes no guarantees regarding the completeness or accuracy of any information obtained from public or private files or information provided by subcontractors.

Furthermore, the report will be prepared for and made available for the sole use of Richmond Heights. The contents thereof may not be used or relied upon by any other person or entity without the express written consent and authorization of Richmond Heights and CT.

Please sign below acknowledging and agreeing to the Scope of Work (Attachment A) herein. CT is prepared to initiate the project immediately upon receipt of a signed copy of this proposal in accordance with the Master Services Agreement dated November 8, 2023. If you have any questions regarding the SOW, fee, or contract terms, please call John Zampino at 440-591-4942.

Sincerely,

CT Consultants, Inc., a Verdantas Company Company: _____



John A. Zampino, PG, CP#280
Senior Environmental Program Manager

Name: _____
Title: _____

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Attachments

Attachment A: Scope of Work

Scope of Work

This Scope of Work (SOW) and associated costs assume the Client will provide CT with the following information for the Subject Property(s), if available:

1. Our fee assumes the Asbestos / Universal Waste Survey will be authorized and completed concurrently.
2. Our proposal assumes that special lifting equipment will not be necessary to reach overhead locations.
3. Roofing materials will not be sampled.
4. Asbestos laboratory rates assume results will be provided within 96 hours.
5. Point count analysis of friable materials, when required, will be included at no additional cost.
6. Reporting provided as part of this work is not to be used as an Asbestos Abatement Specifications.

CT proposes to perform the following SOW under the direction of an Environmental Professional (EP) to address the objectives of this project as described below:

Task 1 Asbestos / Universal Waste Survey

To identify and quantify potential asbestos containing materials (ACM), CT will provide an Asbestos Hazard Evaluation Specialist (AHES), who is certified by the State of Ohio to conduct an asbestos survey in accordance with the Ohio Environmental Protection Agency (EPA) regulations under Ohio Administrative Code (OAC) 3745, which references the United States (US) Environmental Protection Agency (EPA) sampling protocol in 40 Code of Federal Regulations (CFR) Part 763.86. Our inspection will include the following:

1. Review available drawings, surveys, Operation and Maintenance (O&M) Plans, and/or demolition plans provided by the Client prior to conducting the inspection.
2. Conduct a survey in all readily accessible areas of the structures to identify suspect ACMs. Damage may result from our survey.
3. Establish homogeneous sampling areas for each type of suspect material.
4. Collect bulk samples of suspect friable ACM and Category 2 Non-friable ACM and submit the samples to an experienced and qualified independent laboratory for confirmation of asbestos content. The samples will be analyzed by polarized light microscopy (PLM) using Environmental Protection Agency (EPA) Method 600/R-93/116. In accordance with the United States EPA National Emission Standards for Hazardous Air Pollutants (NESHAP), all friable ACM identified by PLM visual estimates as containing less than 10 percent asbestos will be declared positive for asbestos or subsequently analyzed by point count methodology to determine percent asbestos.

5. Positive stop analysis protocol will be employed to potentially reduce the quantity of samples analyzed by the laboratory.

CT will compile the results of the ACM inspection into a report for the Property. The report will include the general location, type, condition, and estimated quantity of ACM, based on the analytical results and sampling conducted as part of this inspection by CT. CT will submit one (1) electronic copy of the report to the Client. The reports will be provided within seven (7) to 10 business days of receiving the final laboratory results. Formal CAD drawings are not proposed as part of the report.

CT will visually identify and quantify existing hazardous materials to be removed prior to renovation/demolition activities. Such materials may include, but are not limited to; petroleum products, mercury operated devices such as thermostats, fluorescent lighting fixtures and bulbs, potentially polychlorinated biphenyl-containing lighting ballasts and high-intensity discharge (HID) lighting fixtures.

We will compile the results of the hazardous materials inventory into a table. The table will include the general location, type, condition, and estimated quantity of the hazardous materials/universal wastes. The table will be included as an attachment to the Asbestos Survey Report.