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P. Hrngs. \_\_\_\_\_  
Pgs.  6   
Filed:  12-06-2016

Sponsored by:  McClure

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL NO.  2016- 290

SPECIAL ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to amend contract number 2016-1467  
2 with Environmental Works, Inc., to install and maintain five additional  
3 monitoring wells on public right-of-way to monitor groundwater conditions  
4 at no cost to the City; and declaring an emergency.  
5  
6

7 WHEREAS, the City previously granted permission for Environmental Works, Inc. to  
8 install eight monitoring wells as part of an ongoing environmental investigation that is taking  
9 place at the former Tronox Incorporated site; and  
10

11 WHEREAS, the additional monitoring wells will assist Environmental Works, Inc. in  
12 this ongoing investigation.  
13

14 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
15 SPRINGFIELD, MISSOURI, as follows, that:  
16

17 Section 1 – The City Manager, or his designee, is hereby authorized to enter into an  
18 addendum to contract number 2016-1467 with Environmental Works, Inc., said agreement  
19 to be in substantially the form as that document attached hereto and incorporated herein by  
20 reference as "Exhibit A."  
21

22 Section 2 – The City Council hereby finds and declares that an emergency exists in  
23 that this ordinance relates to the immediate preservation of public health and safety  
24 pursuant to Section 2.12 (1) of the City Charter in that the monitoring wells assist in an  
25 environmental investigation. Therefore, this ordinance shall be in full force and effect from  
26 and after passage.  
27

28 Passed at meeting: \_\_\_\_\_  
29  
30

31 \_\_\_\_\_  
32 Mayor  
33

34 Attest: \_\_\_\_\_, City Clerk  
35

36 Filed as Ordinance: \_\_\_\_\_

37

38

39 Approved as to form: Amanda R. Callaway, Assistant City Attorney

40

41

42 Approved for Council action: Greg Burt, City Manager

**EXPLANATION TO COUNCIL BILL NO: 2016- 290**

FILED: 12-06-2016

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to amend contract number 2016-1467 with Environmental Works, Inc., to install and maintain five (5) additional monitoring wells on public right-of-way to monitor groundwater conditions at no cost to the City; and declaring an emergency.

BACKGROUND INFORMATION: The monitoring wells are part of an ongoing environmental investigation that is taking place at the former wood treating facility Tronox Incorporated at 2800 West High Street. This investigation is conducted with the oversight and approval of the Missouri Department of Natural Resources. The proposed monitoring wells will be completed to an approximate depth of 25 feet, depending on field conditions. The wells are to be installed flush with the ground and approximately 40 feet from the centerline on select streets north of the investigated site within the public right of way as shown on Exhibit B.

The amended license agreement, attached as Exhibit A, permits the consultant to install and maintain thirteen monitoring wells in the public right-of-way, in a location and manner approved by a designated representative of the Director of Public Works. The City previously granted permission to install eight wells as part of this particular investigation (S.O. 26795). Proof of insurance has been submitted.

This matter constitutes an emergency in that it relates to the immediate preservation of public health and safety pursuant to Section 2.12(1) of the City Charter in that the monitoring wells assist in an environmental investigation.

Supports the following Field Guide 2013 goals: Chapter 8, Natural Environment, Major Goal 16: Watershed Protection – Maintain or restore the pre-development hydrology of our watersheds and protect our waterways from pollution. Objective 16c: Support State Water Pollution Control Regulations - Support legislation to adequately fund the Missouri Department of Natural Resources to ensure they have the resources necessary to enforce the state’s land disturbance program and other water pollution control regulations in areas that are not under the jurisdiction of an effective local program.

FINANCIAL: The cost of installation and maintenance falls to Environmental Works, Inc..

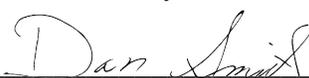
RECOMMENDATION: Public Works recommends passage of this Council bill.

Submitted by:

  
\_\_\_\_\_

Martin Gugel, Interim Assistant Director of Public Works

Recommended by:

  
\_\_\_\_\_

Dan Smith, Director of Public Works

Approved by:

  
\_\_\_\_\_

Greg Burris, City Manager

ROUTING ORDER	(1) CITY	(2) CONTRACTOR	(3) FINANCE DEPARTMENT
	(4) LAW DEPARTMENT	(5) CITY MANAGER'S OFFICE	(6) CITY CLERK'S OFFICE
EFFECTIVE DATE _____, 2016	TERMINATION DATE	<b>ADDENDUM #1 TO CONTRACT # 2016-1467</b>	
<b>CITY</b>		<b>ENVIRONMENTAL WORKS, INC.</b>	
<b>CITY OF SPRINGFIELD</b> <b>840 BOONVILLE, P.O. Box 8368</b> <b>SPRINGFIELD, MO 65802</b> <b>PHONE: 417-864-1801 FAX: 417-864-1983</b> <b>ATTN: MANDY BUETTGEN-QUINN</b> <b>Dept: Public Works, Traffic Operations</b>		<b>ENVIRONMENTAL WORKS, INC.</b> <b>1455 E. CHESTNUT EXPRESSWAY</b> <b>SPRINGFIELD, Mo 65802</b> <b>PHONE: 417-890-9500 FAX: 417-823-9659</b> <b>ATTN: KATIE GRAPPONE</b>	

**ADDENDUM**

Entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, for good and valuable consideration, the undersigned hereby agree that this Addendum shall become part of that certain Contract executed on the 27<sup>th</sup> day of May, 2015, by the parties identified above.

The parties agree as follows:

1. That paragraph 1 on page 1 shall be replaced by a new paragraph 1, which reads as follows:
  1. License to Install and Maintain Groundwater Monitor Wells: City hereby grants Licensee, its subcontractors, employees and agents, a license to enter upon City property for the purpose of installing, testing, repair and maintenance of three groundwater monitor wells in connection with its environmental site characterization study. Pursuant to the original contract executed on September 26th, 2016, eight monitoring wells already exist and have been installed as near as feasible to the location shown on Exhibit A. Five additional monitoring wells shall be installed as near as feasible to the location shown on Exhibit B. Both exhibits are attached hereto and incorporated by reference. The license for the original eight monitoring wells commenced on September 26th, 2016. The license for the five additional monitoring wells shall commence on the date of the execution of this addendum. All licenses granted under this contract and any addendum shall continue until terminated by either party. Upon termination, all well equipment shall be removed, the wells properly capped and covered by Licensee and the right-of-way premises restored to the satisfaction of City upon termination of this license.
2. That Exhibit B which is attached to this Addendum shall be incorporated by reference to the original contract.
3. That all other provisions of the aforementioned Contract shall remain in full force and effect.
4. That this Addendum together with the Contract contain the entire agreement of the parties. No modification, amendment or waiver of any of the provisions of this Contract shall be effective unless in writing specifically referring hereto, and signed by both parties.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals on the day and year herein stated.

**[remainder of page intentionally left blank]**

**CITY OF SPRINGFIELD, MISSOURI**

**Environmental Works, Inc.**

By:

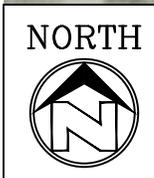
\_\_\_\_\_  
City Manager, Deputy or Assistant City Manager

By: \_\_\_\_\_

Name & Title \_\_\_\_\_

**APPROVED AS TO FORM**

\_\_\_\_\_  
City Attorney or Assistant City Attorney



FACILITY PROPERTY

 Possible new groundwater monitoring well locations

CHECKED BY:  
B. LANNING

E.W.I. # 150683  
DRAWN BY: MRB  
Jul. 20, 2016

SCALE IN FEET  
0 90 180  
APPROXIMATE



POSSIBLE NEW MONITORING WELL LOCATIONS

SPRINGFIELD SITE  
GREENFIELD MULTISTATE TRUST  
2800 W. HIGH STREET  
SPRINGFIELD, GREENE COUNTY, MISSOURI

FIGURE  
**8.0**