

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT FOR ENVIRONMENTAL CONSULTING SERVICES AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake City Charter, entitled Competitive Bidding, authorizes the expenditure of funds without public bidding for “personal services” as defined in the Charter; and

WHEREAS, the Administration and Council desire to continue to retain the personal services of a professional environmental consulting firm to monitor the closed landfill at the Public Works Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Mayor is hereby authorized and directed to enter into an agreement with HZW Environmental Consultants, LLC, of Mentor, Ohio, for the purpose of retaining personal services to monitor the closed landfill.

Section No. 2: That said agreement shall state in its terms that the cost of said personal services shall not exceed \$68,200. Upon receipt of itemized billing, in conformance with the guidelines and scope of work as set forth in said agreement, to the satisfaction of the Public Works Director, the Director of Finance is hereby directed to deliver to HZW Environmental Consultants, LLC, the warrant of this City in the amount due and payable and to cause said warrant to be paid.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of providing environmental consulting services for groundwater monitoring in accordance with EPA requirements, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1<sup>st</sup> reading: 12/16/2024  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

PASSED: 1/13/2025

*/s/ David L. Kos*  
President Pro Tempore

POSTED: 1/17/2025

APPROVED: 1/14/2025

ATTEST: */s/ Valerie E. Rosmarin*  
Clerk of Council

*/s/ Mark A. Spaetzel*  
Mayor



**HZW**  
Environmental  
Consultants

December 17, 2024

**Confidential – Proprietary Information**

Mayor Mark Spaetzel  
Mayor of Avon Lake  
City of Avon Lake  
150 Avon-Belden Road  
Avon Lake, OH 44012

**Subject: Proposal for as needed Environmental Consulting Services, 2025**

Dear Mayor Spaetzel:

HZW Environmental Consultants, LLC (HZW) is pleased to submit this proposal for environmental consulting services to the City of Avon Lake for professional services associated with the Avon Lake Municipal Landfill (“ALML”). HZW was founded in 1987 in response to the growing need for cost-effective environmental services. Over the years, we have enjoyed steady growth through providing quality services and traditional value. Since 2005, HZW has been recognized by the state of Ohio as a Disadvantaged Business Enterprise/EDGE –Certified company. HZW’s professional staff includes geologists, engineers, biologists, chemists, industrial hygienists, environmental specialists and support staff with the technical expertise and experience to address a wide range of environmental situations. Environmental consulting services to be furnished but are not limited to the following:

- site assessments,
- closure plans,
- remediation plans,
- site remediation,
- hydrogeologic assessments,
- groundwater monitoring plans,
- soil and groundwater sampling,
- grant preparation,
- expert witness services, and
- risk assessments.

HZW’s proposal is based on our discussions with City of Avon Lake personnel and our staff’s experience in conducting projects for the City of Avon Lake. HZW has been providing technical services to the City of Avon Lake since 1999. The current contract period was through 2024.

During this contract invoicing period, HZW has performed the following activities:

- Performed the fourth quarter post-closure inspection in December 2023. Note that data evaluation and reporting was completed in December 2023.
- Assisted the City of Avon Lake with the annual notifications during December 2023.
- Performed annual groundwater monitoring event. The nine (9) corrective measures monitoring wells and two (2) corrective measures surface water monitoring location in the eastern detention basin were sampled in December 2023. Note that data evaluation and reporting was completed in January 2024.
- Prepared second semi-annual corrective measures activities report in January 2024.
- Performed fourth quarter explosive gas monitoring event in December 2023. Note that data evaluation and reporting was completed in December 2023.
- Performed the first quarter post-closure inspection in March 2024. Note that data evaluation and reporting was completed in March 2024.
- Performed first quarter explosive gas monitoring event in March 2024. Note that data evaluation and reporting was completed in March 2024.
- Prepare annual post-closure care report for 2023. The report was unloaded in March 2024.
- Performed the second quarter post-closure inspection in June 2024. Note that data evaluation and reporting was completed in June 2024.
- Performed second quarter explosive gas monitoring event in April 2024. Note that data evaluation and reporting was completed in May 2024.
- Performed semi-annual supplemental explosive gas monitoring event as a part of post-closure completion activities in April 2024. Note that data evaluation and reporting was completed in May 2024.
- Performed semi-annual groundwater monitoring event in June 2024. These activities include the collection of samples from the nine (9) corrective measures monitoring wells and two (2) corrective measures surface water monitoring location in the eastern detention basin.
- Prepared the semi-annual corrective measures groundwater monitoring report. The report was issued in August 2024.
- Prepared first semi-annual corrective measures activities report in August 2024.

- Performed third quarter explosive gas monitoring event in September 2024. Note that data evaluation and reporting was completed in September 2024.
- Performed the third quarter post-closure inspection in September 2024. Note that data evaluation and reporting was completed in October 2024.
- Performed semi-annual supplemental explosive gas monitoring event as a part of post-closure completion activities in October 2024. Note that data evaluation and reporting was completed in October 2024.
- In response to Ohio EPA concerns with respect to groundwater chemistry variability, a response was prepared to provide clarification concerning site specific spatial and temporal variability observed at and around the landfill. This response was provided in October 2024.

Additional activities as well as ongoing activities, which may need to be performed in 2024 and 2025 are as follows:

- Respond to Ohio EPA comments concerning the post-closure completion certification report.
- Assisted the City of Avon Lake with the annual notifications during December 2024.
- Perform annual groundwater monitoring event. The nine (9) corrective measures monitoring wells and two (2) corrective measures surface water monitoring location in the eastern detention basin will be sampled in December 2024. Note that data evaluation and reporting will be completed in the first quarter of 2025.
- Perform fourth quarter explosive gas monitoring event in December 2024. Note that data evaluation and reporting will be completed in December 2024.
- Performed the fourth quarter post-closure inspection in December 2024. Note that data evaluation and reporting will be completed in December 2024.
- Prepare second semi-annual corrective measures activities report in the First Quarter of 2025
- Prepare annual post-closure care report for 2024. The report will be completed in March 2025.
- Perform first quarter explosive gas monitoring event in March 2025. Note that data evaluation and reporting will be completed in March 2025.

- Perform first quarter post-closure inspection in March 2025. Note that data evaluation and reporting will be completed in March 2025.
- Perform second quarter explosive gas monitoring event in June 2025. Note that data evaluation and reporting will be completed in June 2025.
- Perform semi-annual supplemental post-closure completion explosive gas monitoring event in June 2025. Note that data evaluation and reporting will be completed in June 2025.
- Perform second quarter post-closure inspection in June 2025. Note that data evaluation and reporting will be completed in June 2025.
- Perform semi-annual groundwater monitoring event in June 2025. These activities include the collection of samples from the nine (9) corrective measures monitoring wells and two (2) corrective measures surface water monitoring location in the eastern detention basin, data evaluation, and reporting. Note that data evaluation and reporting will be completed in the Third Quarter of 2025.
- Prepare second semi-annual corrective measures activities report in the third quarter of 2025.
- Perform third quarter explosive gas monitoring event in September 2025. Note that data evaluation and reporting will be completed in September 2025.
- Perform third quarter post-closure inspection in September 2025. Note that data evaluation and reporting will be completed in September 2025.
- Address Ohio EPA comments and concerns to groundwater monitoring reports, to the CMP, and to the amended EGMP.
- Implement EGMP contingency notifications, monitoring and reporting as required.

Based upon these anticipated activities, we have developed the following summary table, which presents projected and anticipated costs for these activities through 2025.

<b>Task</b>	<b>Project Costs (\$)</b>
Semi-Annual and Annual Groundwater Monitoring Events	36,000.00
Quarterly Methane Monitoring Events	8,700.00
Quarterly Post-Closure Inspections	6,300.00
Semi-Annual Activities Reports	2,100.00
Annual Post-Closure Report	3,100.00
Ohio EPA Issues	8,000.00
EGMP Contingency Monitoring	4,000.00

Therefore, the total projected cost for the 2025 activities is **\$68,200.00**.

HZW also understands that the City of Avon Lake's objectives are to secure rates for professional services and equipment from qualified service providers. Attached Table 1 has been prepared which provides a breakdown and summary of HZW's professional service description categories and service fees.

Prior to the implementation of projects under this contract, HZW proposes to prepare a work scope and cost estimate document for each project and/or task outside the work associated with ALML. These documents will outline the project work scopes and provide a breakdown of estimated costs per task. Routine scoping and cost estimates will be prepared at no charge to the City of Avon Lake and will be provided approximately three days after project details are provided to HZW. Extended scoping and estimated requirements may be billed with your authorization. The proposed procedure is anticipated to allow future projects with the City of Avon Lake to proceed quickly and efficiently.

With respect to project availability (outside the work associated with ALML), HZW can typically initiate work on a project within one week of authorization. To authorize HZW to proceed with a specific project, the City of Avon Lake only needs to issue a letter of authorization which references the specific project cost estimate and the City of Avon Lake's contract.

This proposal is submitted to the City of Avon Lake by HZW on the condition that the City of Avon Lake will not disclose the terms of this proposal to anyone (except as required by law) including, without limitation, any actual or potential competitive bidder without HZW's prior written consent. This quote shall remain valid for 45 days unless otherwise extended by HZW via written correspondence with the City of Avon Lake.

I look forward to continuing to work with you and the City of Avon Lake. If you have any question or require additional information, please do not hesitate to call me at (330) 208-2717 (office) or contact me via e-mail at [dwilliams@hzwenv.com](mailto:dwilliams@hzwenv.com).

Sincerely,  
**HZW Environmental Consultants, LLC**



Dwight D. Williams, PG  
Project Manager

DDW:bms

enclosure

**TABLE**



**Table 1**  
**Summary of Professional Fees**  
**Service Description Categories**  
**(October 11, 2024)**

<b>HZW Environmental Consultants, LLC</b> <b>Professional Service</b> <b>Description</b>	<b>Standard</b> <b>Hourly</b> <b>Rate (\$)</b>	<b>City of Avon Lake</b> <b>Hourly</b> <b>Rate (\$)</b>
Principal	220	197
Project Manager	213	178
Industrial Hygienist	214	179
Scientist III	158	130
Scientist II	126	102
Scientist I	115	95
Technician	103	82
Senior Technician	120	85
Administrative Assistant	93	75

Notes:

1) Expert witness testimony or participation at hearings or depositions, including necessary preparation time, will be charged at 150% of the rate quoted above. These rates are fully loaded with overhead and fee. Costs related to telephone usage, facsimile transmission, and U.S. Mail transmittal are considered to be part of our company overhead, and are therefore included in our hourly rates.

2) Progress invoices will be issued monthly and are to be paid within 45 days of the invoice date unless prior written agreement has been obtained. Subcontractor billings are payable upon presentation. Prices do not include sales or use taxes. A finance charge of 1.5% per month will be charged on past due accounts. A 1% cash discount will be allowed on billings for services paid within 15 days of invoice date.

3) Subcontractor costs, material costs, and the costs associated with the rental of specialty equipment will be charged at cost plus 10%.

4) In-house costs for long-distance telephone, facsimile, personal computer usage, plus normal U.S. Mail postage and photocopying will not be itemized and billed. Costs associated with express mail services, outside document production, project-related cellular phone usage, and conference calls using an outside carrier will be billed at cost plus 10%. Internal photocopying associated with document production will be invoiced at \$0.09 per page.

5) Charges for rental vehicles, meals, travel, and lodging will be billed at actual cost. Personal vehicles will be billed at the IRS Standard Mileage Rate.

6) Time spent traveling in the interest of the client will be minimized and will be billed at standard hourly rates.