

# MEMO

## ASTI Environmental

**Date:** March 31, 2021

**To:** Sara Roediger; City of Rochester Hills

**From:** Tom Wackerman; ASTI Environmental

**Subject:** *Updated Review of Third Reimbursement Request, Legacy Rochester Hills, LRH Development LLC, Northeast Corner of Hamlin and Adams Roads, Rochester Hills (ASTI Project No. 9675-21)*

As requested by the City of Rochester Hills (the City), ASTI has reviewed all provided documentation regarding the third reimbursement request from LRH Development, LLC (the Developer) for the project located at the northeast corner of Hamlin and Adams Roads. The project includes two parcels, 15-29-101-022 (Parcel A) and 15-29-101-023 (Parcel B), which are considered the Eligible Property. The following documents provided the basis for this review:

1. The Brownfield Plan dated April 9, 2018
2. The Reimbursement Agreement, dated April 23, 2018
3. The Reimbursement Request prepared by AKT Peerless, cover letter dated February 16, 2021 and titled *Legacy Rochester Hills, Reimbursement Request #3 for Eligible Activities*, and supplemental information provided March 30, 2021 (the Request)

The purpose of this review is to determine if the Request for the Eligible Property is in compliance with the approved Brownfield Plan, the Reimbursement Agreement, 1996 PA 381 (Act 381) at the time of the Brownfield Plan approval, the City's cost reimbursement procedures, and generally accepted practices. The following are specific requirements for a request for reimbursement:

- The Reimbursement Agreement requires that the applicant submit copies of invoices and an itemized statement of costs, including a narrative of work completed.
- The Brownfield Incentives Policy for the City indicates that a reimbursement request include invoices and proof of payment organized by category.

This review includes the attached Table 1, which summarizes the Request by category and Table 2, which summarized amounts recommended for reimbursement to date, and provides the status of each category. Please note that costs were not allocated between Parcel A and Parcel B in the Request, so a comparison to tasks listed in the Brownfield Plan was not possible.



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P.O. Box 2160  
Brighton, Michigan 48116  
Phone: 810.225.2800 Fax: 810.225.3800

## Background

The Eligible Property is the subject of a Brownfield Plan approved on April 23, 2018 (the Plan), a Reimbursement Agreement approved April 23, 2018, and a 381 Work Plan dated June 14, 2018. The Plan estimates that eligible costs with contingency to be \$9,619,587, and that interest is estimated at an additional \$3,800,000, for a total estimated not-to-exceed reimbursement of \$13,419,587. The Plan estimates that tax increment capture will continue for 21 years, but will not exceed 24 years.

## Reimbursement Request

This is the third reimbursement request for this project. This Request was for \$2,202,661.68 for eligible activities as described in the supporting documents and does not include a request for interest payment. The Request was supplemented by an email dated March 30, 2021 from Sam Seimer of AKT Peerless.

This review is based on a total requested amount of \$2,202,672.28, due to the following minor differences as indicated below and in Table 1.

- Reference Line 159: HM Invoice No. 26002 was listed in the Request for \$111,842.94 but was actually for \$111,842.98, for a difference of \$0.01.
- Reference Line 166: HM Invoice No. 26766 was listed in the Request for \$76,888.65 but was actually for \$79,897.26, for a difference of \$8.61.
- Reference Line 168: HM Invoice No. 27130 was listed in the Request for \$95,667.97 but was actually for \$95,669.97, for a difference of \$2.00.

The Request included a summary table, copies of invoices being requested for reimbursement, waivers of lien, cancelled checks, and an Accounts Receivable Ledger from AKT Peerless. A detailed narrative was not provided. Based on the Request, additional explanations were provided by AKT Peerless for the following items:

1. Reference Line 161: HM Invoice 26063 lists work as being conducted on "Neighbor's Property". The supplemental information confirmed that the work was limited to the Subject Property, in the area where encroachment had occurred from adjacent property owners.
2. Reference Lines 161 to 163 for Installation of Hydraulic Barrier: HM Invoices 26063, 26128, and 26157 refer to "Managing Hill on City of Rochester Hills Property" in the amount of \$35,000. The supplemental information indicated that these services were for moving soils within the easement for the City park property to provide access for the initial attempt at installation of the slurry wall. This access area will now be used for the installation of the modified slurry wall using a different technique (refer to the Amended 381 Work Plan). This activity is indicated to be 100% complete on Invoice 26157.
3. Reference Lines 164 to 165 for Installation of Hydraulic Barrier: HM Invoices 26425, 26573, and 26766 indicate that services were completed for "Cut-Off Wall Installation" in the amount of \$56,117.94. The supplemental information indicated that these services were for the initial attempt at installation of the slurry wall using one-pass method. The slurry wall was not installed, and an alternative method of installation is proposed (refer to the Amended 381 Work Plan).



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4. Reference Line 165: HM Invoice 26573 indicates that services were completed for “Install 2-6” Diameter Landfill Gas Vent with Faux Rocks” at the amount of \$2,500. In addition, a note on the invoice indicates that this is for “Installation of Liner and Cap over former landfill”. The supplemental information indicated that this was limited to costs of materials which are being stored at the property and did not include installation. This cost was removed by the Developer and will be resubmitted when installation is completed.
5. Reference Line 166: HM Invoice 26766 indicates that services were completed for “Cap Installation using Bentonite mats” at the amount of \$32,520.15. In addition, a note on the invoice indicates that this is for “Install Cap”. The supplemental information indicated that this was limited to costs of materials which are being stored at the property and did not include installation. This cost was removed by the Developer and will be resubmitted when installation is completed.

### Conclusion

As with the previous requests for reimbursement, this Request is for LRH Development, LLC (identified in the Reimbursement Agreement), however, the documents provided indicate that some of the expenses were paid by the Goldberg Companies, or Goldberg (identified in the Plan). Any issues related to the eligible taxpayer should be referred to the City’s legal counsel.

Based on the documents provided, the items that have been recommended for approval for reimbursement in the Request are in compliance with the approved Brownfield Plan, the Reimbursement Agreement, 1996 PA 381 (Act 381) at the time of the Brownfield Plan approval, the City’s cost reimbursement procedures, and generally accepted practices. In addition, the total amount requested to date is within the approved not-to-exceed amount.

ASTI recommends approval of \$2,163,850.88 as indicated in Table 1. A summary of the recommendation is provided below.

Potentially Eligible	\$0.00
Ineligible	\$0.00
Withdrawn from Request	\$38,821.40
Recommended for Approval	<u>\$2,163,850.88</u>
Total Request for Reimbursement	\$2,202,672.28

Table 2 summarizes the requests for reimbursement to date in comparison to the expenses recommended for approval. Please note that some line items are over budget, which was not a consideration in recommending approval for reimbursement, because the contingency has not yet been required. The Developer has prepared an Amended Act 381 Work Plan that explains changes to line item budgets. The RHBRA has the authority to approve expenses in amounts that vary from the task amounts listed in the Brownfield Plan, up to the maximum approved.



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To date, including this memo, recommendations for reimbursement have totaled \$6,486,667.73 or 77% of the budget for eligible activities, and 67% of the budget including contingency. The remaining available amount, not including interest is \$3,132,919.27.

If you have any further questions regarding the information provided in this memo please do not hesitate to contact me at 810.599.5463 or [twacker@asti-env.com](mailto:twacker@asti-env.com).



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Table 1. Reimbursement Request Review

City of Rochester Hills  
Property Located At: Northeast corner of Hamlin and Adams Roads  
Project: Legacy Rochester Hills  
Reimbursement Request For: LRH Development LLC  
Reimbursement Requested By: AKT Peerless  
Third Request

Date of Brownfield Plan Approval: April 23, 2018  
Date of 381 Work Plan Approval: June 14, 2018  
Date of Reimbursement Agreement: April 23, 2018  
**Date of Reimbursement Request: February 16, 2021**  
Supplemental Information Provided: March 30, 2021

Ref No	Payee	Description of Work	Date of Invoice	Invoice Reference Number	Amount Listed on Submittal	Cancelled Check?	Check No.	Check Date	Signed Affidavit or Waiver of Lien?	Waiver Date	Reimbursement Requested	Potentially Eligible Additional Information Needed	Ineligible Amount	Withdrawn	Total Amount Recommended For Approval	Notes
Act 381 Work Plan					\$3,401.25						\$3,401.25	\$0.00	\$0.00	\$3,401.25	\$0.00	
207	AKT Peerless	Act 381 Work Plan Amendment	10/31/2020	60209	\$3,401.25				Partial Waiver	1/28/21	\$3,401.25			\$3,401.25	\$0.00	Total amount previously recommended for approval for the Plans exceeds \$30,000 and therefore this cost may be ineligible. Withdrawn from request.
Cost Tracking and Compliance					\$10,951.25						\$10,951.25	\$0.00	\$0.00	\$0.00	\$10,951.25	
190	AKT Peerless	Cost Tracking and Compliance	6/19/2019	55491	\$2,170.00				Partial Waiver	1/28/21	\$2,170.00				\$2,170.00	Brownfield TIF Compliance
191	AKT Peerless	Cost Tracking and Compliance	7/31/2019	55749	\$360.00				Partial Waiver	1/28/21	\$360.00				\$360.00	Brownfield TIF Compliance
192	AKT Peerless	Cost Tracking and Compliance	8/31/2019	56056	\$820.00				Partial Waiver	1/28/21	\$820.00				\$820.00	Brownfield TIF Compliance
193	AKT Peerless	Cost Tracking and Compliance	10/11/2019	56557	\$1,583.75				Partial Waiver	1/28/21	\$1,583.75				\$1,583.75	Brownfield TIF Compliance
194	AKT Peerless	Cost Tracking and Compliance	10/31/2019	56667	\$290.00				Partial Waiver	1/28/21	\$290.00				\$290.00	Brownfield TIF Compliance
196	AKT Peerless	Cost Tracking and Compliance	12/31/2019	57288	\$560.00				Partial Waiver	1/28/21	\$560.00				\$560.00	Brownfield TIF Compliance
197	AKT Peerless	Cost Tracking and Compliance	1/31/2020	57771	\$960.00				Partial Waiver	1/28/21	\$960.00				\$960.00	Brownfield TIF Compliance
198	AKT Peerless	Cost Tracking and Compliance	2/29/2020	58013	\$2,020.00				Partial Waiver	1/28/21	\$2,020.00				\$2,020.00	Brownfield TIF Compliance
199	AKT Peerless	Cost Tracking and Compliance	3/31/2020	58323	\$800.00				Partial Waiver	1/28/21	\$800.00				\$800.00	Brownfield TIF Compliance
203	AKT Peerless	Cost Tracking and Compliance	6/30/2020	59176	\$157.50				Partial Waiver	1/28/21	\$157.50				\$157.50	Brownfield TIF Compliance
205	AKT Peerless	Cost Tracking and Compliance	8/31/2020	59635	\$350.00				Partial Waiver	1/28/21	\$350.00				\$350.00	Brownfield TIF Compliance
195	AKT Peerless	Cost Tracking and Compliance	11/30/2019	57011	\$880.00				Partial Waiver	1/28/21	\$880.00				\$880.00	Brownfield TIF Compliance
Due Care Compliance Activities (Assessment and Remediation)					\$1,879,900.76						\$1,875,132.95	\$0.00	\$0.00	\$400.00	\$1,874,732.95	
155	HM Environmental	Excavation, Transportation & Disposal, Backfill	12/4/2018	25508	\$169,561.83				Partial Waiver	12/21/18	\$168,801.83				\$168,801.83	Costs (\$760) reallocated to dewatering based on description on invoice. No indication that these activities were completed on parcel A or B
156	HM Environmental	Backfill	12/11/2018	25546	\$179,739.52				Partial Waiver	12/21/18	\$179,739.52				\$179,739.52	

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157	HM Environmental	Excavation, Transportation & Disposal, Backfill	12/17/2018	25574	\$177,758.27				Partial Waiver	12/21/18	\$177,758.27				\$177,758.27	
158	HM Environmental	Backfill, Demobilization	12/20/2018	25612	\$155,214.21				Partial Waiver	12/21/18	\$155,214.21				\$155,214.21	
159	HM Environmental	Mobilization, Excavation, Transportation & Disposal, Backfill, Perimeter Road	3/20/2019	26002	\$109,430.43				Partial Waiver	3/21/19	\$105,967.98				\$105,967.98	
160	HM Environmental	Excavation, Transportation & Disposal, Backfill	3/28/2019	26039	\$63,756.50				Partial Waiver	4/29/19	\$60,978.45				\$60,978.45	
161	HM Environmental	Excavation, Transportation & Disposal, Backfill, Perimeter Road	4/8/2019	26063	\$114,186.89				Partial Waiver	4/29/19	\$114,186.89				\$114,186.89	Refer to summary memo for additional details
162	HM Environmental	Excavation, Transportation & Disposal, Backfill, Perimeter Road	4/16/2019	26128	\$115,579.19				Partial Waiver	4/29/19	\$115,579.19				\$115,579.19	
163	HM Environmental	Excavation, Transportation & Disposal, Backfill, Perimeter Road	4/23/2019	26157	\$31,791.84				Partial Waiver	4/29/19	\$29,013.85				\$29,013.85	
164	HM Environmental	Tire Disposal	6/24/2019	26425	\$5,000.00				Partial Waiver	6/22/19	\$5,000.00				\$5,000.00	
165	HM Environmental	Backfill	7/19/2019	26573	\$6,056.02				Partial Waiver	7/19/19	\$6,056.02				\$6,056.02	
165	HM Environmental	Trench wall, remove debris and trash	7/19/2019	26573	\$21,000.00				Partial Waiver	7/19/19	\$21,000.00				\$21,000.00	
166	HM Environmental	Backfill, Demobilization	8/21/2019	26766	\$12,651.46				Partial Waiver	8/22/19	\$17,749.17				\$17,749.17	
166	HM Environmental	Verification Sampling	8/21/2019	26766	\$2,715.10				Partial Waiver	8/22/19	\$2,500.00				\$2,500.00	

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Ref No	Payee															
167	HM Environmental	Excavation, Transportation & Disposal, Backfill	9/23/2019	26942	\$37,082.25				Partial Waiver	9/23/19	\$37,082.25				\$37,082.25	
168	HM Environmental	Excavation, Transportation & Disposal, Backfill	10/23/2019	27130	\$95,367.97				Partial Waiver	10/24/19	\$95,369.97				\$95,369.97	
169	HM Environmental	Excavation, Transportation & Disposal, Backfill, Demobilization	11/21/2019	27257	\$86,731.75				Partial Waiver	11/21/19	\$86,731.75				\$86,731.75	
170	HM Environmental	Transportation & Disposal	1/6/2020	27423	\$19,462.50				Partial Waiver	1/6/20	\$19,462.50				\$19,462.50	
171	HM Environmental	Transportation & Disposal	2/19/2020	27593	\$7,201.25				Partial Waiver	2/19/20	\$7,201.25				\$7,201.25	
173	HM Environmental	Mobilization, Excavation, Transportation & Disposal, Backfill, Demobilization	8/20/2020	28230	\$19,082.93				Partial Waiver	8/25/20	\$19,209.00				\$19,209.00	
174	HM Environmental	Excavation, Transportation & Disposal, Backfill, Demobilization	11/18/2020	28600	\$33,411.77				Partial Waiver	11/20/20	\$33,411.77				\$33,411.77	
190	AKT Peerless	Environmental Management/Oversight	6/19/2019	55491	\$15,261.30				Partial Waiver	1/28/21	\$15,261.30				\$15,261.30	
192	AKT Peerless	Environmental Management/Oversight	8/31/2019	56056	\$3,252.20				Partial Waiver	1/28/21	\$3,252.20				\$3,252.20	
193	AKT Peerless	Environmental Management/Oversight	10/11/2019	56557	\$28,990.85				Partial Waiver	1/28/21	\$28,990.85				\$28,990.85	
193	AKT Peerless	Verification Sampling	10/11/2019	56557	\$16,236.80				Partial Waiver	1/28/21	\$16,236.80				\$16,236.80	
194	AKT Peerless	Environmental Management/Oversight	10/31/2019	56667	\$25,736.08				Partial Waiver	1/28/21	\$25,736.08				\$25,736.08	
194	AKT Peerless	Verification Sampling	10/31/2019	56667	\$6,986.00				Partial Waiver	1/28/21	\$6,986.00				\$6,986.00	

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Ref No	Payee															
195	AKT Peerless	Remediation and waste mgmt oversight	11/30/2019	57011	\$8,015.95				Partial Waiver	1/28/21	\$8,015.95				\$8,015.95	
196	AKT Peerless	Remediation Field Oversight	12/31/2019	57288	\$8,355.53				Partial Waiver	1/28/21	\$8,355.53				\$8,355.53	
197	AKT Peerless	Remediation and waste mgmt oversight	1/31/2020	57771	\$8,067.69				Partial Waiver	1/28/21	\$8,067.69				\$8,067.69	
198	AKT Peerless	Environmental Management/Oversight	2/29/2020	58013	\$1,211.25				Partial Waiver	1/28/21	\$1,211.25				\$1,211.25	
199	AKT Peerless	Environmental Management/Oversight	3/31/2020	58323	\$2,578.15				Partial Waiver	1/28/21	\$2,578.15				\$2,578.15	
200	AKT Peerless	Project Management	4/30/2020	58589	\$5,000.00				Partial Waiver	1/28/21	\$5,000.00				\$5,000.00	
204	AKT Peerless	Environmental Management/Oversight	7/31/2020	59375	\$1,563.75				Partial Waiver	1/28/21	\$1,563.75				\$1,563.75	
204	AKT Peerless	Verification Sampling	7/31/2020	59375	\$1,745.13				Partial Waiver	1/28/21	\$1,745.13				\$1,745.13	
205	AKT Peerless	Laboratory VSR Costs	8/31/2020	59635	\$8,446.18				Partial Waiver	1/28/21	\$8,446.18				\$8,446.18	
206	AKT Peerless	Remediation Field Oversight and PM	9/30/2020	59951	\$11,856.45				Partial Waiver	1/28/21	\$11,856.45				\$11,856.45	
207	AKT Peerless	Project Management	10/31/2020	60209	\$2,431.25				Partial Waiver	1/28/21	\$2,431.25				\$2,431.25	
208	AKT Peerless	Project Management	12/7/2020	60624	\$2,990.00				Partial Waiver	1/28/21	\$2,990.00				\$2,990.00	
185	Republic	Disposal	10/31/2018	4238-000018009	\$86,330.50	Yes	333052	12/13/18			\$86,330.50				\$86,330.50	

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Ref No	Payee															
186	Republic	Disposal	11/30/2018	4238-000018114	\$1,385.10	Yes	332584	12/5/18			\$1,385.10				\$1,385.10	
187	Republic	Disposal	12/15/2018	4238-000018164	\$12,382.74	Yes	333834	1/21/19			\$12,382.74				\$12,382.74	
188a	Citizens Landfill (listed as Republic)	Disposal	3/15/2019	333477	\$79,974.99	Yes	336616	4/2/19			\$79,974.99				\$79,974.99	
188b	Citizens Landfill (listed as Republic)	Disposal	4/15/2019	415	\$34,315.99	Yes	338075	5/7/19			\$34,315.99				\$34,315.99	
188c	Citizens Landfill (listed as Republic)	Disposal	9/30/2019	19221	\$12,959.12	Yes	344704	10/9/19			\$12,959.12				\$12,959.12	
188d	Citizens Landfill (listed as Republic)	Disposal	10/15/2019	19275	\$23,432.28	Yes	345330	10/21/19			\$23,432.28				\$23,432.28	
188e	Citizens Landfill (listed as Republic)	Disposal	10/31/2019	19346	\$396.36	Yes	346107	11/6/19			\$396.36				\$396.36	
188f	Citizens Landfill (listed as Republic)	Disposal	9/4/2019	20421	\$5,456.76	Yes	2423028691/360206	9/29/20			\$5,456.76				\$5,456.76	
188g	Citizens Landfill (listed as Republic)	Disposal	9/20/2019	20490	\$1,360.68	Yes	2423028691/360206	9/29/20			\$1,360.68				\$1,360.68	
189	EGLE	Excavation, Transportation & Disposal	2/13/2020	10504858	\$400.00	Yes	***4987	7/30/20			\$400.00			\$400.00	\$0.00	Expense not eligible. Withdrawn from request for reimbursement.
Due Care Activities Removal and Disposal of PCB Soil					\$61,949.38						\$61,949.38	\$0.00	\$0.00	\$0.00	\$61,949.38	
175	Ross	Disposal	12/20/2019	213087	\$5,615.26	Yes	348871	1/19/20			\$5,615.26				\$5,615.26	
176	Ross	Disposal	12/31/2019	213618	\$5,619.48	Yes	349932	2/6/20			\$5,619.48				\$5,619.48	
177	Ross	Disposal	12/31/2019	213617	\$6,681.76	Yes	349932	2/6/20			\$6,681.76				\$6,681.76	
178	Ross	Disposal	12/31/2019	213619	\$6,408.48	Yes	349932	2/6/20			\$6,408.48				\$6,408.48	
179	Ross	Disposal	12/31/2019	213620	\$6,180.00	Yes	349932	2/6/20			\$6,180.00				\$6,180.00	
180	Ross	Disposal	12/31/2019	213621	\$6,475.68	Yes	349932	2/6/20			\$6,475.68				\$6,475.68	
181	Ross	Disposal	12/31/2019	213632	\$5,617.40	Yes	349932	2/6/20			\$5,617.40				\$5,617.40	
182	Ross	Disposal	1/8/2020	213801	\$6,287.52	Yes	349932	2/6/20			\$6,287.52				\$6,287.52	
183	Ross	Disposal	1/24/2020	214647	\$5,772.32	Yes	2423022364/355639	6/18/20			\$5,772.32				\$5,772.32	
184	Ross	Disposal	1/31/2020	215147	\$7,291.48	Yes	2423022221/355500	6/15/20			\$7,291.48				\$7,291.48	
Dewatering					\$5,100.00						\$6,210.00	\$0.00	\$0.00	\$0.00	\$6,210.00	

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Date of Reimbursement Request: February 16, 2021  
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		Description of Work	Date of Invoice	Invoice Reference Number	Amount Listed on Submittal	Cancelled Check?	Check No.	Check Date	Signed Affidavit or Waiver of Lien?	Waiver Date	Reimbursement Requested	Potentially Eligible Additional Information Needed	Ineligible Amount	Withdrawn	Total Amount Recommended For Approval	Notes
Ref No	Payee															
155	HM Environmental	Dewatering	12/4/2018	25508	\$3,000.00				Partial Waiver	12/21/18	\$3,760.00				\$3,760.00	Costs (\$760) reallocated based on description on invoice.
163	HM Environmental	Transport and Disposal of One Drum of Groundwater	4/23/2019	26157	\$0.00				Partial Waiver	4/29/19	\$350.00				\$350.00	
174	HM Environmental	Dewatering	11/18/2020	28600	\$2,100.00				Partial Waiver	11/20/20	\$2,100.00				\$2,100.00	
Temporary Site Control and Erosion Control					\$54,150.76						\$63,710.00	\$0.00	\$0.00	\$0.00	\$63,710.00	
160	HM Environmental	Temporary Site Control & Erosion Control, Site Management	3/28/2019	26039	\$25,174.95				Partial Waiver	4/29/19	\$27,953.00				\$27,953.00	
159	HM Environmental	Erosion Control, Site Management	3/20/2019	26002	\$2,412.54				Partial Waiver	3/21/19	\$5,875.00				\$5,875.00	
163	HM Environmental	Site Management	4/23/2019	26157	\$0.00				Partial Waiver	4/29/19	\$3,875.00				\$3,875.00	
165	HM Environmental	Installation of silt fence	7/19/2019	26573	\$2,200.00				Partial Waiver	7/31/19	\$2,200.00				\$2,200.00	
166	HM Environmental	Temporary Site Control & Erosion Control	8/21/2019	26766	\$5,430.20				Partial Waiver	8/22/19	\$5,000.00				\$5,000.00	
167	HM Environmental	Remove Chain Link Fence	9/23/2019	26942	\$3,732.00				Partial Waiver	9/23/19	\$3,732.00				\$3,732.00	
168	HM Environmental	Repair Silt Fence	10/23/2019	27130	\$300.00				Partial Waiver	10/24/19	\$300.00				\$300.00	
169	HM Environmental	Erosion Control and Fence Removal	11/21/2019	27257	\$8,250.00				Partial Waiver	11/21/19	\$8,250.00				\$8,250.00	
170	HM Environmental	Erosion Control	1/6/2020	27423	\$1,400.00				Partial Waiver	1/6/20	\$1,400.00				\$1,400.00	
172	HM Environmental	Remove silt fence from Park	5/4/2020	27864	\$3,500.00				Partial Waiver	5/4/20	\$3,500.00				\$3,500.00	
173	HM Environmental	Repair Berm and Silt Fence	8/20/2020	28230	\$1,751.07				Partial Waiver	8/25/20	\$1,625.00				\$1,625.00	
Closeout Reporting					\$11,226.55						\$11,226.55	\$0.00	\$0.00	\$0.00	\$11,226.55	
201	AKT Peerless	Closeout Reporting & DDCC	5/31/2020	58819	\$4,240.00				Partial Waiver	1/28/21	\$4,240.00				\$4,240.00	Final Due Care Plan
202	AKT Peerless	Closeout Reporting & DDCC	6/30/2020	58990	\$1,971.55				Partial Waiver	1/28/21	\$1,971.55				\$1,971.55	Final Due Care Plan
204	AKT Peerless	Closeout Reporting & DDCC	7/31/2020	59375	\$5,015.00				Partial Waiver	1/28/21	\$5,015.00				\$5,015.00	Final Due Care Plan
Installation of Liner and Cap					\$81,770.99						\$78,972.96	\$0.00	\$0.00	\$35,020.15	\$43,952.81	
165	HM Environmental	Installation of Liner and Cap over former landfill	7/19/2019	26573	\$2,500.00				Partial Waiver	7/31/19	\$2,500.00			\$2,500.00	\$0.00	Cost removed. Refer to summary memo for additional information.
166	HM Environmental	Cap Installation	8/21/2019	26766	\$35,318.18				Partial Waiver	8/22/19	\$32,520.15			\$32,520.15	\$0.00	Cost removed. Refer to summary memo for additional information.
191	AKT Peerless	Installation of Liner and Cap over former landfill	7/31/2019	55749	\$25,716.21				Partial Waiver	1/28/21	\$25,716.21				\$25,716.21	
192	AKT Peerless	Installation of Liner and Cap over former landfill	8/31/2019	56056	\$9,761.60				Partial Waiver	1/28/21	\$9,761.60				\$9,761.60	
193	AKT Peerless	Installation of Liner and Cap over former landfill	10/11/2019	56557	\$8,475.00				Partial Waiver	1/28/21	\$8,475.00				\$8,475.00	
Installation of Hydraulic Barrier					\$94,210.72						\$91,117.94	\$0.00	\$0.00	\$0.00	\$91,117.94	
161	HM Environmental	Managing Hill on City Property	4/8/2019	26063	\$8,750.00				Partial Waiver	4/29/19	\$8,750.00				\$8,750.00	Refer to summary memo for additional details
162	HM Environmental	Managing Hill on City Property	4/16/2019	26128	\$8,750.00				Partial Waiver	4/29/19	\$8,750.00				\$8,750.00	Refer to summary memo for additional details

Table 1. Reimbursement Request Review

City of Rochester Hills  
Property Located At: Northeast corner of Hamlin and Adams Roads  
Project: Legacy Rochester Hills  
Reimbursement Request For: LRH Development LLC  
Reimbursement Requested By: AKT Peerless  
Third Request

Date of Brownfield Plan Approval: April 23, 2018  
Date of 381 Work Plan Approval: June 14, 2018  
Date of Reimbursement Agreement: April 23, 2018  
Date of Reimbursement Request: February 16, 2021  
Supplemental Information Provided: March 30, 2021

		Description of Work	Date of Invoice	Invoice Reference Number	Amount Listed on Submittal	Cancelled Check?	Check No.	Check Date	Signed Affidavit or Waiver of Lien?	Waiver Date	Reimbursement Requested	Potentially Eligible Additional Information Needed	Ineligible Amount	Withdrawn	Total Amount Recommended For Approval	Notes
Ref No	Payee															
163	HM Environmental	Managing Hill on City Property	4/23/2019	26157	\$18,947.01				Partial Waiver	4/29/19	\$17,500.00				\$17,500.00	Refer to summary memo for additional details
164	HM Environmental	Cut-Off Wall Installation	6/24/2019	26425	\$20,550.00				Partial Waiver	6/22/19	\$20,550.00				\$20,550.00	Refer to summary memo for additional details
165	HM Environmental	Cut-Off Wall Installation	7/19/2019	26573	\$16,440.00				Partial Waiver	7/31/19	\$16,440.00				\$16,440.00	Refer to summary memo for additional details
166	HM Environmental	Cut-Off Wall Installation	8/21/2019	26766	\$20,773.71				Partial Waiver	8/22/19	\$19,127.94				\$19,127.94	Refer to summary memo for additional details
Interest (5% max)																
Contingency (at 15%)																
Total Above					\$2,202,661.66						\$2,202,672.28	\$0.00	\$0.00	\$38,821.40	\$2,163,850.88	

**Table 2. Summary of Reimbursement Requests****City of Rochester Hills****Property Located At: Northeast corner of Hamlin and Adams Roads****Project: Legacy Rochester Hills****Reimbursement Request For: LRH Development LLC**

Date of Brownfield Plan Approval: April 23, 2018

Date of 381 Work Plan Approval: June 14, 2018

Date of Reimbursement Agreement: April 23, 2018

	Brownfield Plan Approved	Amount Recommended for Reimbursement				Balance Remaining	Percent Expended
		2.16.21 Request #3	7.22.19 Request #2	2.11.19 Request #1	Total for Reimbursement		
Phase I, BEA, Supplemental Subsurface Investigation	\$ 140,600		\$ 757	\$ 16,496	\$ 17,253	\$ 123,347	12%
Project Management, Construction Management Plan, HSP	\$ 47,000		\$ 500	\$ 17,481	\$ 17,981	\$ 29,019	38%
Excavation, Transportation, Disposal and Backfill (Parcel A and B)	\$ 4,385,815	\$ 1,874,733	\$ 3,339,912	\$ 636,308	\$ 5,850,954	\$ (1,465,139)	133%
Import Clean Fill for Land Balancing	\$ 680,000				\$ -	\$ 680,000	0%
Temporary Site Control & Erosion Control	\$ 50,000	\$ 63,710	\$ 41,409	\$ 16,639	\$ 121,758	\$ (71,758)	244%
Dewatering	\$ 75,000	\$ 6,210	\$ 143,949		\$ 150,159	\$ (75,159)	200%
Waterproofing Seals and Gaskets for Stormwater Piping	\$ 40,000				\$ -	\$ 40,000	0%
Parcel B - Removal and Disposal of PCB Impacted Soils	\$ 232,000	\$ 61,949			\$ 61,949	\$ 170,051	27%
Parcel B - Operations and Maintenance	\$ 900,000				\$ -	\$ 900,000	0%
Parcel B - Slurry Wall, Liner, and Cap	\$ 270,000	\$ 135,071	\$ 26,684		\$ 161,755	\$ 108,245	60%
Parcel B - Methane Venting System	\$ 190,000				\$ -	\$ 190,000	0%
Methane Venting System - New Construction	\$ 648,000				\$ -	\$ 648,000	0%
Methane Venting System - Hamlin Road	\$ 260,000				\$ -	\$ 260,000	0%
Operation and Maintenance - New Construction Venting System	\$ 255,000				\$ -	\$ 255,000	0%
Operation and Maintenance - Hamlin Road Venting System	\$ 150,000				\$ -	\$ 150,000	0%
Closeout Reporting (East Parcel) & Documentation of Due Care Compliance	\$ 15,000	\$ 11,227	\$ 1,588		\$ 12,815	\$ 2,185	85%
Parcel A - NFA and Due Care Plan	\$ 30,000		\$ 5,705	\$ 27,333	\$ 33,038	\$ (3,038)	110%
Brownfield Plan and 381 Work Plan	\$ 25,000	\$ -	\$ -	\$ 34,730	\$ 34,730	\$ (9,730)	139%
Cost Tracking and Compliance	\$ 20,000	\$ 10,951	\$ 13,326		\$ 24,277	\$ (4,277)	121%
<i>Subtotal</i>	<i>\$ 8,413,415</i>	<i>\$ 2,163,850.88</i>	<i>\$ 3,573,829.54</i>	<i>\$ 748,987.31</i>	<i>\$ 6,486,667.73</i>	<i>\$ 1,926,747.27</i>	<i>77%</i>
Contingency	\$ 1,206,172				\$ -	\$ 1,206,172	0%
<i>Subtotal with Contingency</i>	<i>\$ 9,619,587</i>	<i>\$ 2,163,850.88</i>	<i>\$ 3,573,829.54</i>	<i>\$ 748,987.31</i>	<i>\$ 6,486,667.73</i>	<i>\$ 3,132,919.27</i>	<i>67%</i>
Interest	\$ 3,800,000				\$ -	\$ 3,800,000	0%
<b>Total Above</b>	<b>\$ 13,419,587</b>	<b>\$ 2,163,850.88</b>	<b>\$ 3,573,829.54</b>	<b>\$ 748,987.31</b>	<b>\$ 6,486,667.73</b>	<b>\$ 6,932,919.27</b>	<b>48%</b>