



**BOARD OF SUPERVISORS AGENDA ITEM REPORT
CONTRACTS / AWARDS / GRANTS**

Award Contract Grant

Requested Board Meeting Date: 06/20/17

* = Mandatory, information must be provided

or Procurement Director Award

***Contractor/Vendor Name (DBA):**

The Ashton Company, Inc.

***Project Title/Description:**

Tangerine Landfill Final Closure Plan (2TANGC)

***Purpose:**

Amendment: Contract No. CT-DE-16-225, Amendment No. Five (5). This amendment extends the term of the contract to 08/09/17 and increases the contract amount by \$197,614.10. Administering Department: Environmental Quality.

This amendment extends the term of the contract to allow for delays in contract close-out tasks and increases the contract amount due to additional cover soil quantities being required and several increases to line items.

***Procurement Method:**

Pursuant to Invitation for Bid No. 198029, on 02/16/16, the Board of Supervisors awarded a contract for this project in the amount of \$1,229,595.00 for a contract term of 02/16/16 to 09/16/16. Amendment No. One (1) was approved by the Procurement Director to extend the contract term to 10/26/16 and add \$22,961.36 to the contract amount. Amendment No. Two (2) was approved by the Procurement Director to add \$80,000.00 to the contract amount. Amendment Nos. Three (3) and Four (4) were approved by the Procurement Director to extend the term of the contract to 12/05/16 and 12/25/16 respectively.

Attachments: Amendment No. Five (5) and Retroactive Contract Reinstatement Memorandum

***Program Goals/Predicted Outcomes:**

This project will result in final closure of the Tangerine Landfill in compliance with environmental regulations. A final soil cap will be placed on the landfill and appropriate vegetation will be established. Stormwater controls will be installed.

***Public Benefit:**

Closure will result in environmental protection of groundwater and surface water. Ongoing monitoring will ensure compliance.

***Metrics Available to Measure Performance:**

The project will use the Contractor Evaluation Form per Board of Supervisor's Policy D29.1 to evaluate contractor performance.

***Retroactive:**

Yes, please see attached Retroactive Contract Reinstatement Memorandum.

INTEGRATED PROCUREMENT
AES

*To: COB. 6-15-17 (1)
pjs - 5
Addendum*

Contract / Award Information

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____
Effective Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____
 Expense Amount: \$* _____ Revenue Amount: \$ _____

*Funding Source(s) required: _____

Funding from General Fund? Yes No If Yes \$ _____ % _____

Contract is fully or partially funded with Federal Funds? Yes No

*Is the Contract to a vendor or subrecipient? _____

Were insurance or indemnity clauses modified? Yes No

If Yes, attach Risk's approval

Vendor is using a Social Security Number? Yes No

If Yes, attach the required form per Administrative Procedure 22-73.

Amendment / Revised Award Information

Document Type: CT Department Code: DE Contract Number (i.e., 15-123): 16-225

Amendment No.: Five (5) AMS Version No.: Ten (10)

Effective Date: 12/26/2016 New Termination Date: 08/09/2017

Prior Contract No. (Synergen/CMS): _____

Expense or Revenue Increase Decrease Amount This Amendment: \$ 197,614.10

Is there revenue included? Yes No If Yes \$ _____

*Funding Source(s) required: 1997 General Obligation Bond

Funding from General Fund? Yes No If Yes \$ _____ % _____

Grant Information (for grants acceptance and awards)

Document Type: _____ Department Code: _____ Contract Number (i.e., 15-123): _____

Effective Date: _____ Termination Date: _____ Prior Contract Number (Synergen/CMS): _____

Match Amount: \$ _____ Revenue Amount: \$ _____

*Funding Source(s) required: _____

*Match funding from General Fund? Yes No If Yes \$ _____ % _____

*Match funding from other sources? Yes No If Yes \$ _____

*Funding Source: _____

*If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)? _____

Contact: Scott Loomis 06/08/2017 M. Spence 6-8-17
Department: Procurement May 9 4/9/17 Telephone: (520) 724-8272
Department Director Signature/Date: Michelle Nelson
Deputy County Administrator Signature/Date: [Signature] 6/9/17
County Administrator Signature/Date: [Signature] 6/9/17
(Required for Board Agenda/Addendum Items)



MEMORANDUM

Pima County Department of Environmental Quality

DATE: June 8, 2017

TO: Ursula Nelson, Director
Environmental Quality *UN*

FROM: *[Signature]*
David Baker
Deputy Director

RE: **Tangerine Landfill Final Closure, CT-DE-16-225 Retroactive Contract Reinstatement**

Although the construction of the final soil cover cap was completed prior to the expiration of the contract on December 25, 2016, a topographic survey of the work was necessary to calculate the actual quantities of a number of the line items included in the work associated with this contract. There were considerable delays in the delivery of the final invoice and backup documentation necessary for the County to verify the work that was completed. Because these calculations included justification for additional costs, it is necessary to amend the contract retroactively so that the additional dollars can be added to the contract.

PIMA COUNTY DEPARTMENT OF ENVIRONMENTAL QUALITY	
PROJECT:	TANGERINE LANDFILL FINAL CLOSURE PLAN (2TANGC)
CONTRACTOR:	The Ashton Company, Inc. 2727 S. Country Club Road Tucson, AZ 85713
CONTRACT NO.:	CT-DE-16-225
AMENDMENT NO.:	Five (5)
FUNDING:	1997 GO Bonds

CONTRACT
NO. <u>CT-DE-16-225</u>
AMENDMENT NO. <u>05</u>
This number must appear on all invoices, correspondence and documents pertaining to this contract.

CONTRACT TERM: 02/16/2016 to 09/16/2016	ORIGINAL CONTRACT AMOUNT:	\$ 1,229,595.00
TERMINATION PRIOR AMENDMENT: 12/25/2016	PRIOR AMENDMENTS:	\$ 102,961.36
TERMINATION THIS AMENDMENT: 08/09/2017	AMOUNT THIS AMENDMENT:	\$ 197,614.10
	REVISED CONTRACT AMOUNT:	\$ 1,530,170.46

CONTRACT AMENDMENT

WHEREAS, COUNTY and CONTRACTOR have entered into the Contract referenced above; and

WHEREAS, additional Contract time is needed due to delays in contract close-out tasks; and

WHEREAS, due to these unanticipated delays, the Contract was inadvertently allowed to expire, and the Parties continued to perform as though Contract was in full force and effect; and

WHEREAS, due to additional cover soil quantities required and several increases to line items, the value of the contract is increased; and

WHEREAS, COUNTY and CONTRACTOR have agreed to extend the contract term and increase the Contract amount to allow for these increases.

NOW, THEREFORE, it is agreed as follows:

1. CHANGE: ARTICLE 1 – TERM AND EXTENSION/RENEWAL/CHANGES, as follows:

From: "This Contract... shall terminate on December 25, 2016..."

To: "This Contract... shall terminate on August 9, 2017..."

2. CHANGE: ARTICLE 3 – COMPENSATION AND PAYMENT, as follows:

From: "Total payment for this Contract shall not exceed One Million Three Hundred Thirty-Two Thousand Five Hundred Fifty-Six Dollars and Thirty-Six Cents (\$1,332,556.36)."

To: "Total payment for this Contract shall not exceed One Million Five Hundred Thirty Thousand One Hundred Seventy Dollars and Forty-Six Cents (\$1,530,170.46)."

3. ATTACH: Attachment 1: Memorandum dated June 8, 2017 (3 pages)

This Amendment shall be effective on December 26, 2016.

All other provisions of the Contract, not specifically changed by this Amendment, shall remain in effect and be binding upon the parties.

IN WITNESS THEREOF, the parties have affixed their signatures to this Change Order on the dates written below.

APPROVED:

CONTRACTOR:

Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

Andrew V Detweiler

Authorized Officer Signature
Andrew V Detweiler, Vice President

Printed Name and Title
06/12/17

Date

APPROVED AS TO FORM:

Charles Wesselhoft

Deputy County Attorney

CHARLES WESSELHOFT

Name (Please Print)

JUN 09 2017

Date



MEMORANDUM

Pima County Department of Environmental Quality

DATE: June 8, 2017

TO: Scott Loomis, CCO
Procurement Department

FROM: David Eaker, Deputy Director
Environmental Quality

RE: Tangerine Landfill – Final Closure, CT-DE-16-225 (2TANGC) - Change Order #5

Tangerine Landfill Final Closure, CT-DE-16-225
Contract Recap

Original Contract: \$1,229,595
Original Expiration Date: September 16, 2016
Change Order 1: Not necessary
Amendment 1: \$22,961.36; add 30 construction days
Amendment 2: \$80,000.00; add 0 Construction days
Amendment 3: \$0.00; add 40 construction days
Amendment 4: \$0.00; add 20 days
Amendment 5: \$197,614.10; add 226 days

Original Contract:

The original contract includes all work necessary to establish the final landfill cover at the Tangerine Landfill. This includes relocation of waste, subgrade preparation, construction of the final landfill cover, dust control, construction of stormwater management controls, extension of leachate risers, re-vegetation of the final cover and development of as-builts. All work is to be completed pursuant to plans and specification prepared by Cornerstone Environmental.

Request for Change Order #1 - 8/4/16 From the Ashton Company was not necessary, and rejected

Change Order #1 – 08/16/16 (Request for Change Order #2) \$22,961.36, 30 Days – Approved

Due to unforeseen site conditions found during construction of stormwater structures (existence of cable stayed concrete pavers along the south drainage channel), additional work was necessary to remove pavers and install additional grouted rip-rap. This is new work not included in the original plans and specifications.

Memo to S. Loomis, Procurement
Tangerine Landfill – Final Closure Change Order No. 5
June 8, 2017
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Change Order #2 – 9/26/16 \$80,000.00, 0 days – Approved

During excavation of a spill structure between stormwater retention basins, regulated asbestos was unearthed. This event was completely unexpected because the asbestos was outside of the landfill footprint. Construction stopped and the asbestos was covered with plastic until a plan to relocate the waste on-site was formulated, equipment operators were trained to safely handle the regulated material, necessary regulatory notifications were made and a funding mechanism determined. Because the volume of asbestos has not been determined, a force account has to be established to carry out this work on a time and materials basis. The work will include, operator training, equipment standby costs, excavating and repackaging regulated asbestos, transporting and disposal to a designated area on-site.

Change Order #3 10/20/16 \$0.00, 40 days – Approved

This is a time only addition to the contract due to the addition of the work described in change order #2. Forty additional days will be added to accommodate this work.

Change Order #4- 12/01/16 \$0.00, 20 days – Approved

This is a time only addition to the contract (no additional payment to the contractor for the extra time) due to the increase in imported earthen material volumes required for closure over and above the quantities originally estimated for the project. The final quantities will be established in the final closing change order.

Change Order #5 – 6/08/17, \$197,614.10, 226 days – Approved

This change order retroactively extends the contract time and adds additional money to the contract for two items, asbestos relocation and additional cover soil volumes. The addition of 226 days of contract time is necessary in order to add additional money to the contract that was only calculable after the work was completed. The total value of this change order is \$197,614.10.

- Asbestos Relocation: The approved amount for this force account work is \$141,626.10. This includes \$14,722.53 for training, \$12,378.05 for equipment standby, \$8,612.00 for extended general conditions, and \$105,913.52 for the asbestos removal/replacement. Therefore, the force account needs to be amended to reflect this amount by adding \$61,626.10 to original force account amount of \$80,000.
- Additional Cover Soil Volumes: Final cover soil volumes were above the original estimate of 261,000 cubic yards. An additional 63,280 cubic yards of cover soil was necessary to meet the required 3 feet of compacted cover depth and drainage patterns. The cost to place the additional soil is \$126,560.
- There were several other minor adjustments to line items that resulted in an addition of \$9,428 to the contract amount. Line item 4, waste relocation, the quantity increased from 13,990 cubic yards to 15,947 cubic yards and increased the amount for this item by \$7,828. Line item 9, downchutes, the linear feet (LF) installed increased by 20 LF and the amount of this line item by \$1,600.

Memo to S. Loomis, Procurement
 Tangerine Landfill – Final Closure Change Order No. 5
 June 8, 2017
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	Description	Item	Change Orders	Revised Contract
1	Base Bid Construction	\$1,229,595.00		
2	CO#1		\$22,961.36	
3	CO#2		\$80,000.00	
4	CO#3		\$00	
5	CO#4		\$00	
6	CO#5		\$197,614.10	
Total		\$1,229,595.00	\$300,575.46	\$1,530,170.46
Percentage Change				24.45%
Total Additional Days added - 316				

I am available to answer any questions you may have regarding this issue.

DE/vb