



## Board of County Commissioners - Staff Report

**Meeting Date:** July 17, 2018

**Presenter:** Heather Overholser

**Submitting Dept:** ISWR/Engineering  
Contractors

**Subject:** Consideration of Change Order #4 to Contract with Montana Civil Contractors

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**Statement / Purpose:** To consider Change Order #4 (CO #4) to the County's contract with Montana Civil Contractors (MCC) for the waste excavation project at the Horsethief Canyon Landfill.

**Background / Description (Pros & Cons):** The scope of work changes in CO #4 are a result of:

- The revised grading/storm water plan, which was created to accommodate site and operational configuration improvements at the Horsethief Canyon solid waste facility;
- Additional waste excavation to ensure the removal of *all* landfilled waste from the County property;
- The necessity to remove unsuitable soils near the transfer facility; and,
- The use of asphalt millings for surfacing two operations pads.

With the addition of CO #4 scope of work items, Montana Civil anticipates completion of the project by October 2018. The next phase, landfill capping, is planned to commence in Spring 2019, and all waste excavation, grading, surfacing and storm water work must be completed prior to the onset of winter. The Wyoming Department of Environmental Quality's (WDEQ) deadline for the final capping of the landfill is December 31, 2019.

Montana Civil provided ISWR with a cost proposal for this additional work that staff considers reasonable as compared to the original bids for the waste excavation project. Staff recommends approval of CO #4 for the following reasons:

- Revised Grading/Storm Water Plan - The revised grading plan is a result of changes to the site that will improve overall site operations, safety and functionality. It includes the interim transfer station and the relocation of the road to the upper pad. It maximizes usable operational space on the property and allows for expanded and improved drainage and sediment control for the County and Forest Service properties.
- Additional Waste Removal
  - The removal of *all* landfilled waste from the County property is preferable from a WDEQ permitting standpoint, as recommended to the County by the WDEQ regulator during his most recent site visit.
  - While the added waste removal will result in additional costs now, Teton County will realize significant cost savings due to avoided future landfill capping and on-going maintenance. By excavating additional waste, less acreage will require a landfill cap (approximately 23 acres vs. 27 acres). Landfill capping is the next phase of the Horsethief Canyon project. The cost of excavating the waste is less than the cost of capping the area. RSCI's proposed cost for waste excavation of the four-acre area on County property is \$72,000 per acre (\$288,000 total) and the cost for capping the four acres is an estimated \$175,000 per acre (\$700,000 total), resulting in a \$412,000 estimated cost savings. (Please note that the aforementioned cost for landfill capping is an estimate only, and actual costs will be identified once the project is bid in January 2019.)
  - Without the removal of all waste on the County property, the access road to the ridge will be on top of the landfill cap. This increases maintenance costs and decreases stability of the road for heavier vehicles. As a result, constructing the road on top of waste will limit use to 4-wheeler-type equipment. With the future planned use of the ridge for compost operations, larger equipment, including semi-trucks, will need to traverse the road to the ridge. Removing the waste and constructing a more robust road increases the area available for ISWR operations by 3-4 acres.
- Asphalt Millings - ISWR acquired asphalt millings (free-of-charge) from WYDOT, which will be used to surface two operational pads at the transfer station site. By doing so, the County will be able to eliminate asphalt paving from the overall project budget, a net cost savings of approximately \$570,000.

**Stakeholder Analysis & Involvement:** ISWR continues to involve all stakeholders in this project, including County Engineering, ISWR Advisory Board, Bridger-Teton National Forest, Wyoming Department of Environmental Quality, State Lands and Investment Board, Golder Associates, Solid Waste Professionals of Wyoming, Yellow Iron, Terra Firma Organics, County Planning and Building, JH Gun Club, and WYDOT.

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**Fiscal Impact:** With the adjustments to the scope of work in CO #4, the proposed estimated contract total cost is \$4,859,853.28. The original contract price was \$2,511,286.00; CO #1 decreased the contract amount by \$630.00, CO #2 increased the contract by \$1,085,601.30, and CO #3 increased the contract amount by \$555,500.00. CO #4 results in a net increase to the contract amount of \$708,096.28.

The additional cost of the project will be covered 50/50 through approved State Land Investment Board funding for landfill closure (\$5,120,188) and the 2012 Special Purpose Excise Tax for landfill closure (\$14.5 million). Sufficient funds exist to cover the additional cost as proposed in CO #4.

**Staff Impact:** ISWR staff will continue to manage the waste excavation project, which will be completed by the end of the 2018 construction season.

**Legal Review:** Gingery

**Staff Input / Recommendation:** Approval of Change Order #4 to the contract with Montana Civil Contractors for additional waste excavation, grading, storm water controls, and placement of asphalt millings, with a lump sum and unit cost not-to-exceed total of \$4,859,853.58, which is an increase of \$708,096.28 from the total contract amount approved in Change Order #3.

**Attachments:** Montana Civil Contractors Change Order #4 and Attachment A (Proposal from MCC)

**Suggested Motion:** I move to approve Change Order #4 to the contract with Montana Civil Contractors for additional waste excavation, grading, storm water controls, and placement of asphalt millings, with a lump sum and unit cost not-to-exceed total of \$4,859,853.58, which is an increase of \$708,096.28 from the total contract amount approved in Change Order #3.

**Change Order No. FOUR (4)**

Date of Issuance: July 5, 2018  
 Owner: Teton Co ISWR  
 Engineer: Golder Associates, Inc.  
 Contractor: Montana Civil Contractors, Inc.  
 Project: TCLF Waste Re-location Project

Effective Date: July 18, 2018  
 Owner's Representative: Peak GeoSolutions  
 Prepared by: William Hensley

The Contract is modified as follows upon execution of this Change Order:


Description: (1) add re-grading per attached revised grading plan; (2) Increase contract quantities of Bid Item 6 (reclassified as Bid Item 6C); (3) increase quantity of Bid Item 10 (reclassified as Item 10C); and, (4) add RAP surfacing of pad #2.

<b>CHANGE IN CONTRACT PRICE</b>	<b>CHANGE IN CONTRACT TIMES</b> <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ <u>2,511,286.00</u>	Original Contract Times: Substantial Completion: <u>October 1, 2018</u> Ready for Final Payment: <u>October 31, 2018</u> days or dates
Increase from previously approved Change Orders No. 1 to No.3:  \$ <u>1,640,471.30</u>	[Increase] from previously approved Change Orders No. 1 to No. 2: Substantial Completion: <u>120 days</u> Ready for Final Payment: <u>135 days</u> days or dates
Contract Price prior to this Change Order:  \$ <u>4,151,757.30</u>	Contract Times prior to this Change Order: Substantial Completion: <u>June 1, 2018</u> Ready for Final Payment: <u>June 15, 2018</u> days or dates
Increase of this Change Order:  \$ <u>708,096.28</u>	Increase of this Change Order: Substantial Completion: <u>October 1, 2018</u> Ready for Final Payment: <u>October 31, 2018</u> days or dates
Contract Price incorporating this Change Order:  \$ <u>4,859,853.58</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>October 1, 2018</u> Ready for Final Payment: <u>October 31, 2018</u> days or dates

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By:  By: \_\_\_\_\_ By: \_\_\_\_\_  
 William Hensley Mark Newcomb Contractor (Bob Koch)

Title: CM/CQA PM Title: Teton County BCC Chair Title: Owner

Date: July 5, 2018 Date: \_\_\_\_\_ Date: \_\_\_\_\_

Attested By: \_\_\_\_\_ Date: \_\_\_\_\_

Sherry L. Daigle Title: Teton County Clerk



**Attachment A: TCLF Waste Re-Location Project Change Order #4**

Project: Teton County Landfill Waste Relocation

Date: July 3, 2018

Dear Ms. Overholser,

MCC is in receipt of the revised grading plan for operations pads one and two at the Teton County Transfer Station. This change order request is a cost adjustment to the contract as a result of the changes in the revised grading plan. The request also includes pricing to place and compact the asphalt millings (RAP) on Pad #2 and a request for additional excavation quantities to remove unsuitable soils from the Transfer Station foundation and to remove the balance of the MSW from the County property.

6C. ADD Waste Excavation, Haul, Place and Cover		120,000 CY @ \$4.80/CY
10C. ADD Clean Soil Borrow Excavation, Haul, Backfill, Compact & Grade		100,000 CY @ \$2.90/CY
11. Delete Grading W road base on Pad #2		(3230 T @ \$24.00/T)
11A Add RAP on Pad #2	LS	\$78,730.00
SUM Items 6C, 10C, 11, 11A		\$867,210.00
<i>Revised Grading Plan</i>		
<i>ADD bid items 21-24</i>		
21. Construct Pad #2 sediment pond and V-ditch lined with millings	LS	\$26,200.00
22. Construct Rip-rap lined sediment trap, downchute and stilling basin	LS	\$ 55,500.00
23. modify and reset Pad #1 inlet	LS	\$3,500.00
24. regrade 1.8:1 slope on pad #1	LS	\$15,000.00
<i>DELETE the following bid items:</i>		
14. Concrete surface water channel		(\$94,500.00)
18. delete riprap		(\$92,125.00)
15, 16 delete installation of culverts		(\$45,688.72)
20. delete seeding of 4:1 slopes		(\$27,000.00)
<i>Net Revised Grading Plan</i>		<i>(\$159,113.72)</i>
 <b>Net amount for this Change Order #4</b>		 <b>\$708,096.28</b>

