BEFORE THE CONTRACT REVIEW BOARD OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING)	RESOLUTION NO. 91-1411
AN EXEMPTION TO THE COMPETITIVE)	
PROCUREMENT PROCEDURES OF METRO)	Introduced by Rena Cusma,
CODE 2.04.053, AND AUTHORIZING)	Executive Officer
A CHANGE ORDER TO THE DESIGN)	
SERVICES AGREEMENT WITH)	
PARAMETRIX. INC.)	

WHEREAS, It is in the public interest that the St. Johns
Landfill closure process move forward in an expeditious manner; and
WHEREAS, The closure process can be expedited through the
use of the existing engineering contractor to perform tasks
described in Change Order No. 2; and

WHEREAS, The project has required additional design services that could not have been anticipated at the time of Contract award; and

WHEREAS, It is impractical to solicit proposals for the work described in Change Order No. 2; and

WHEREAS, Change Order No. 2 cannot be approved unless an exemption to the Competitive Procurement Process pursuant to Metro Code 2.04.054 is granted by the Metro Contract Review Board; and

WHEREAS, The resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now, therefore,

BE IT RESOLVED,

That the Metropolitan Service District Contract Review Board exempts Change Order No. 2 to the Design Services Agreement with Parametrix, Inc. from the Competitive Procurement Procedures of Metro Code 2.04.053 and authorizes execution of Change Order No. 2.

ADOPTED by the Contract Review Board of the Metropolitan Service District this 14th day of March, 1991.

Tanya Collier, Presiding Officer

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 91-1411 FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE PROCUREMENT PROCEDURES OF METRO CODE 2.04.053 AND AUTHORIZING A CHANGE ORDER TO THE DESIGN SERVICES AGREEMENT WITH PARAMETRIX, INC.

Date: February 20, 1991 Presented by: Jim Watkins
Dennis O'Neil

PROPOSED ACTION

Adopt Resolution No. 91-1411, which grants exemption from the competitive procurement process and authorizes execution of Change Order No. 2 to the Design Services Agreement with Parametrix, Inc. for engineering services related to the St. Johns Landfill closure.

FACTUAL BACKGROUND AND ANALYSIS

In May 1990, Metro executed a 2.3 million dollar Design Services Agreement with Parametrix, Inc. Parametrix, Inc. is to provide engineering services for the St. Johns Landfill closure. The firm's proposal was selected over one other proposal costing 3.7 million dollars. Since then, Parametrix has worked with Metro's engineering staff and DEQ to develop plans, designs and specifications for closure improvements. Ninety percent of the development of these plans, designs and specifications is complete, but significant tasks related to bidding and construction management remain.

The original Design Services Agreement was based on a construction strategy under which one set of plans, designs, and specifications would be provided and would be used in one competitive bidding process to select one contractor to construct all closure improvements.

During the design development process, it became apparent that two modifications of the strategy were desirable. First, Metro would purchase most of the cover soil and stockpile it on-site in 1991 and 1992. The stockpiles will be located on areas of the landfill where considerable settlement is anticipated, and the weight of the stockpiles will be used to accelerate the settlement before final cover is applied. The purpose of this is to reduce the risk that rapid settlement after cover application would cause increased post-closure maintenance costs because of cover failure. Metro would also gain cost advantages from buying soil in bulk, and reducing the risk to construction contractors of delayed soil deliveries during the construction season.

Secondly, Metro would pursue an open competitive bid process each year for an area of the landfill, rather than let one contract for the entire landfill. Metro would be able to learn from the actual construction experience of each year, and use this knowledge to revise contracts for subsequent years. Smaller contracts would tend to allow more potential bidders to compete. Since contractors would only be responsible for one year's construction, they would be less likely to add contingencies for future cost changes.

These modifications in construction strategy require that the Design Services Contract with Parametrix, Inc. be modified. Change Order No. 2 authorizes Parametrix, Inc. to perform the additional tasks of developing technical documents for soil procurement and preloading to be included in a Metro bid package to be developed as soon as possible. Change Order No. 2 also authorizes Parametrix, Inc. to develop a settlement monitoring plan to help Metro monitor the effects of preloading and determine the order of closure of the various sub-areas. Parametrix, Inc. would also develop a detailed closure construction sequence and cash flow estimate based on Metro's construction strategy outline. The cost of these tasks is \$87,935.00.

Finally, Change Order No. 2 authorizes Parametrix, Inc. to provide technical assistance to Metro in its procurement process for energy recovery from landfill gas. This task would cost not more than \$30,000.00. Mr. Drennen, the Project Manager for Parametrix, Inc. was responsible for Metro's procurement process for energy recovery from landfill gas. Parametrix, Inc., therefore, has experience specific to energy recovery from St. Johns Landfill gas.

Metro Code 2.04.054 states that a contract amendment exceeding \$10,000.00 shall not be approved unless the Contract Review Board (Metro Council) exempts the amendment from the competitive procurement process of Section 2.04.053.

An exemption is clearly justified in this instance. As detailed above, the work contemplated is most logically viewed as part of the ongoing work of Parametrix, Inc. Parametrix, Inc. has an upto-date and intimate knowledge of St. Johns Landfill and its closure, and will continue to perform engineering services related to landfill closure until 1996. Metro's planning for landfill closure was never intended to be piecemeal and fragmented between consultants. It would be inefficient to now hire an additional engineering consultant to carry out this relatively small component of landfill closure engineering.

BUDGET IMPACT

The current fiscal year budget for St. Johns Landfill closure engineering services is 1.2 million dollars. Change Order No. 2,

for no more than \$117,935.00 is not expected to cause this budget to be exceeded.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 91-1411.

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SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 91-1411, FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE PROCUREMENT PROCEDURES OF METRO CODE 2.04.053, AND AUTHORIZING A CHANGE ORDER TO THE DESIGN SERVICES AGREEMENT WITH PARAMETRIX, INC.

Date: March 6, 1991 Presented by: Councilor Gardner

COMMITTEE RECOMMENDATION: At the March 5, 1991 meeting, the Committee voted 4-0 to recommend Contract Review Board approval of Resolution No. 91-1411. Voting in favor were Councilors Gardner, McFarland, McLain, and Wyers. Councilor DeJardin was excused.

COMMITTEE DISCUSSION/ISSUES: Dennis O'Neil, Senior Solid Waste Planner, said that this change order stems from a change in the landfill closure construction strategy. He said that the Solid Waste Department now anticipates purchasing most of the cover soil in 1991 and 1991, and stockpiling it. Also, the Department anticipates awarding separate annual contracts for closure work on each area of the landfill, rather than contracting with one contractor for the entire landfill. The change order, which totals \$117,985, would authorize the current design services contractor to develop technical documents for soil procurement, to develop a soil settlement monitoring plan, to develop a detailed closure construction sequence, and to provide technical assistance to Metro in procuring energy recovery from landfill gas.

In response to a question from Councilor Wyers, Jim Watkins, Engineering and Analysis Manager, explained that this project would incorporate the gas study discussed during the FY 90-91 budget process.

Councilor McFarland said that although she voted in favor, she is concerned that once a contractor obtains a Metro contract, the work awarded to the contractor is extended through the change order process. She questions whether the public is well-served by continued exemption from the bid process established in the Metro Code.

Councilor Gardner highlighted several reasons why this change order differs from the change order which will authorize the current contractor at Metro South Station to construct the household hazardous waste facility. The scope of work under the change order with Parametrix is a refinement of the design process for the closure project, whereas the household hazardous waste facility at Metro South is a new project. The dollar value of the Parametrix change order also is substantially less. He believes these factors warrant approval of a change order with Parametrix.

Councilor Wyers agreed. She said that a majority of Solid Waste Committee members have expressed similar views, and that although this change order warrants approval of the exemption, change orders will continue to receive close scrutiny from the Committee.

CHANGE ORDER NO. 2

TO THE CONTRACT BETWEEN PARAMETRIX, INC. AND THE METROPOLITAN SERVICE DISTRICT ENTITLED "DESIGN SERVICES AGREEMENT" (Contract No. 901-270)

St. Johns Landfill Closure Engineering Services Related To Procurement of Soil, Evaluation of Metro's Construction Sequence Plan, and Procurement of Landfill Gas Energy Recovery

The Scope of Work/Schedule of the "Design Services Agreement" is hereby modified to incorporate the changes described below:

SCOPE OF WORK

Task I Develop Technical Documents for Material Procurement/Preload Contract

CONTRACTOR will provide the technical documents to be used by Metro in obtaining competitive bids in 1991 for material procurement, subgrade preparation, placement of subgrade embankment and the placement of preload. These technical documents will be included with Metro-prepared bidding, general conditions and other documents necessary to obtain a bid-ready set of contract documents. This objective will be met by performing the following tasks:

- 1. Review Closure Design in Sub-area (SA) -5 and prepare Design Change Memo
 - A Design Change Memo will be prepared by Parametrix to clearly identify and list Closure Design elements requiring future design revisions to accommodate the recently revised SA-5 grading plan. The review will include the Final grades, Final Cover System, Stormwater Management System and the Gas Management System. The identified design changes will be incorporated into future contract document revisions that will be performed prior to the bidding of final closure improvements in the affected areas.
- 2. Prepare Subgrade Embankment Documents for SA-5 and the Power Line Corridor (PLC)
 - Provide construction specifications, drawings, and details concerning procurement, grade preparation, placement, and protection of subgrade embankment

material in SA-5 and the PLC. Necessary construction documents for the stockpiling and protection of existing clay materials removed from SA-5 during grade preparation shall also be included. The PLC area will not be stripped of any existing clay material prior to placement of subgrade embankment material.

- These documents will also specifically provide for the subgrade preparation of the Motor Blower Flare (MBF) Facility in SA-5. Construction of the MBF facility will occur at a future date and will not be a part of these technical documents.
- 3. Prepare Preload Documents for SA-5 and the PLC
 - Provide construction specifications, drawings, and details concerning procurement, placement, and protection of the soils that will be used to Preload SA-5 and the southerly portion of PLC. The preload will include subgrade embankment and Type 1 sand materials. Revise existing drawings and details where appropriate and supplement with new drawings as needed.
 - The construction documents shall include details concerning installation of the lateral gas trenches in the PLC prior to placement of preload and the extension of existing groundwater monitoring wells in SA-5 and the PLC.
 - Specific locations, details and construction specifications for placement, extension during construction, protection and initial monitoring of settlement monitoring plates during construction will be prepared by CONTRACTOR and its subconsultants.
 - METRO has estimated that approximately 572,000 cubic yards (CY) of subgrade embankment material (estimated volume required for closure of Subareas 1, 2, 3 and PLC) and 431,000 CY of Type 1 sand (estimated volume required for closure of subareas 1, 2, 3, 4, and PLC) will be procured under this set of contract documents. A portion of the procured subgrade materials will be used to achieve final subgrades in SA-5 and in the southerly portion of the PLC. The remaining material procured will be placed in SA-5 and the PLC as preload. Placement of the preload shall be

designed in a cost effective manner to allow for the future use of the materials in other parts of the landfill during construction of the final cover.

- 4. Prepare Surface Water Control Documents for SA-5 and the PLC
 - A Provide construction specifications, drawings, and details for stormwater management measures to be undertaken during and after stripping and preloading of SA-5 and PLC.
- 5. Prepare Quantity Take-off and Engineers Estimate of Anticipated Cost
- 6. Provide Project Administration and Coordination
 - Administer the work as described in Task 1, including coordination of CONTRACTOR staff and its subconsultants, coordination of work development with METRO staff and participation in client reviews of CONTRACTOR documents. Attend three (3) meetings with METRO; one early in the project to address METRO's intent, one to discuss METRO's review comments concerning the draft Technical Document submittal, and one to discuss the final submittal and finalization of design work.
 - A CONTRACTOR will also perform a QA/QC review of the draft technical documents prepared under this contract.
- 7. Deliver five (5) sets of Draft Technical Documents to Metro
- 8. Revise Draft Technical Documents and Deliver Final Technical Documents to Metro
 - The Final Technical Documents shall be a final package that requires minimal technical modifications or additions by METRO. CONTRACTOR shall deliver to METRO one set of reproducible mylar drawings in final form for bid set production by METRO. In addition, a digital copy of the final specifications text (in an MS DOS compatible format, WordPerfect 5.1, on a 5 1/4" high density disk) and a hard copy of the final technical specifications shall be delivered to Metro.

- 9. Perform a Biddability Review of the METRO-prepared "Request for Bids" package.
 - CONTRACTOR will review the bidding package as prepared by METRO staff and provide written comments to METRO for METRO's consideration.
 - METRO will be responsible for bid advertisement, reproduction of bid documents and bid administration. When requested by METRO, CONTRACTOR will assist METRO during the bidding period in accordance with the Engineering Services Agreement executed in June, 1990.

Task II Develop a Settlement monitoring Plan for the St. Johns Landfill

CONTRACTOR, in association with subcontractor Cornforth Consultants, will develop a settlement monitoring plan for the landfill that will allow for an indication of when SA-4, SA-5, and the southern portion of the PLC can be closed. Guidelines for revising final contours will be developed for these three areas. A general plan for less detailed settlement monitoring of the remaining areas of the landfill will also be developed. The subtasks required to attain this task include items 1 through 5, presented below:

- 1. Develop a general plan to monitor the settlement over the entire landfill. Within the development of the general plan, SA-3 is identified as a critical area and will be given additional consideration. SA-5, a portion of the PLC, and SA-4 is addressed in more detail below.
- 2. Develop a detailed plan to monitor the settlement in SA-4, SA-5, and the southerly portion of the PLC. This plan will include the development of "predicted" settlement curves for SA-4, SA-5 and the portion of the PLC adjacent to SA-3. The following would be carried out in developing these curves:
 - a. Collect the preliminary settlement information and upgrade parameters based on the results of the monitoring well installations.
 - b. Evaluate actual loading in SA-4 and SA-5 over the last six months.

- c. Refine previously developed log time versus settlement curves for the three points in SA-4, three points in SA-5 and two points in the portion of PLC adjacent to SA-3.
- d. Based on the amount of procured materials available, roughly "predict" log time versus settlement curves under the preload for SA-5 and the PLC.
- e. Estimate relative amounts of garbage versus silt settlement for the three areas in order to better predict the continuation of settlement as, and after, preload is removed.
- 3. The settlement monitoring plan shall address monitoring point locations and/or the possible use of aerial topography for monitoring, monitoring methods and procedures, and monitoring intervals. The detailed plans for SA-4 shall be separate from the plan for SA-5 and the PLC such that METRO may use the SA-4 information independently.
- 4. Coordinate with the task to Develop Technical Documents for a Material Procurement/Preload Construction Contact. The specific settlement monitoring plan for SA-5 and PLC will be developed in conjunction with the Construction Technical Documents task for those Sub-Areas. The remaining subtasks to develop this Settlement Monitoring Plan task will be completed at a later date.
- 5. Two technical memorandums shall be submitted. One shall summarize the details of the settlement monitoring plans. The other shall summarize the preload analysis including the curves needed for analyzing the settlement monitoring data for SA-5 and the southerly portion of the PLC.

Task III Detailed Evaluation of METRO's Construction Sequencing Plan for Years 1992-1995

CONTRACTOR shall evaluate the overall Construction Sequencing Plan for Years 1992-1995 as presented by METRO. This detailed work will focus on construction risks to METRO, sequence of work by season and size of final closure and other specialty work contracts, an analysis of stripping off cover and stockpiling to minimize handling and cost effective management of onsite and preload soil material. The outcome of this evaluation will be suggested revisions to METRO's Draft

Sequencing Plan. Once finalized, this Sequencing Plan will provide the basis for future year's construction work. CONTRACTOR shall identify for each construction year the specific construction activities. CONTRACTOR shall use this Sequencing Plan to develop a cash flow chart for construction costs per Design Services Agreement, Task 2.2.2.

Task IV Evaluation of Landfill Gas Utilization

CONTRACTOR will assist METRO throughout the procurement process for energy recovery from landfill gas on an as-needed, time and material basis. There are three subtasks for this element of the project.

1. Review of the Draft Request for Proposal

METRO will prepare a Request for Proposals for private vendors to consider developing a methane recovery and utilization project at the St. Johns Landfill. Utilization will include production of medium or high BTU gas, electrical generation or production of alternative fuel products. Once a draft is prepared, CONTRACTOR will review the draft RFP document for technical issues and accuracy in terms of gas generation, quality and quantity, performance and financial requirements and the general conditions of the RFP. CONTRACTOR will also provide input into the review process and evaluation criteria.

Comments on the Draft RFP will be forwarded to METRO in writing within ten (10) days of receipt of the Draft RFP.

2. Participation in Review of Responses to RFP

When requested by METRO, CONTRACTOR will conduct an evaluation of the proposals based upon pre-determined evaluation criteria. When requested by METRO, CONTRACTOR will complete a preliminary report based on the written responses to the RFP. The report will include a rating of each proposal based on the evaluation criteria.

When requested by METRO, the Project Manager and/or Gas Specialist will meet once with METRO staff, and will also participate in an interview with proposers.

3. Additional Investigations and Evaluation Activities

In conducting a formal RFP process to determine the utilization of methane gas, METRO anticipates that special tasks may be required of CONTRACTOR. For example, METRO may request independent investigation regarding certain technologies as to performance or other technical or financial issues. METRO may also ask CONTRACTOR for technical assistance when developing a draft agreement for energy recovery from landfill gas. CONTRACTOR shall perform work when requested by METRO within a work scope and cost limit authorized by METRO.

SCHEDULE

CONTRACTOR shall complete Task I within five (5) weeks of authorization to proceed; Task II within seven (7) weeks of authorization to proceed; and Task III within nine (9) weeks of authorization to proceed. CONTRACTOR and METRO shall mutually agree upon a cost and Schedule before authorization to proceed is issued for each subtask of Task IV.

COST

CONTRACTOR shall receive \$53,500 (lump sum) for Task I, \$17,235 for Task II, and \$17,200 for Task III. For Task IV, CONTRACTOR shall receive not more than \$30,000.

All other terms and conditions of the original agreement and previous amendments remain in full force and effect.

PARAMETRIX, INC.	METROPOLITAN SERVICE DISTRICT
BY:	BY:
(Print name and title)	(Print name and title)
DATE:	DATE:

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GRANT/CONTRACT SUMMARY METROPOLITAN SERVICE DISTRICT

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LEGAL COUNSEL REVIEW AS NEEDED:			
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