

MINUTES OF THE COUNCIL SOLID WASTE COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

May 14, 1990

Council Chamber

Committee Members Present: Gary Hansen (Chair), Larry Bauer (Vice Chair), Roger Buchanan and Tom DeJardin

Committee Members Absent: Judy Wyers

Chair Hansen called the meeting to order at 5:34 p.m. He explained the regular meeting scheduled for Tuesday, May 15, was rescheduled because of Election Day May 15.

1. Consideration of May 1, 1990 Minutes

Motion: Councilor DeJardin moved for approval of the minutes.

Vote: Councilors Buchanan, DeJardin and Hansen voted aye. Councilors Bauer and Wyers were absent. The vote was unanimous and the minutes were approved.

2. Consideration of Resolution No. 90-1259, For the Purpose of Authorizing an Exemption to the Requirement of Competitive Bidding, Authorizing the Use of a Request for Proposals to Design, Build and Install a Waste Reduction Exhibit at the Metro Washington Park Zoo

Vickie Rocker, Director of Public Affairs, explained the Public Affairs Department wanted to issue a Request for Proposals (RFP) because the exhibit was a combined effort between the Solid Waste Department, the Zoo Education Division, and the Public Affairs Department; because the design component was a qualitative issue essential to the success of the overall project; because the quality of the final design and the interpretive goals of the design would play a major factor in the success of the exhibit; and because the RFP process would allow Public Affairs and the Zoo to evaluate and select a contractor based on design capabilities, creativity and quality of proposed design. She said General Counsel advised staff to request an exemption from the bidding process because the project emphasized creativity and design aspects. She noted the Zoo Education Division had a new director who had contributed ideas for the exhibit and space was available at the Zoo. Ms. Rocker said staff wanted to issue the RFP quickly to take advantage of summer weather.

Councilor DeJardin said he suggested three years previously an exhibit should be placed at the Zoo to educate visitors on waste reduction. Councilor Buchanan asked about the artistic element of the exhibit. Ms. Rocker explained the exhibit would interact with curbside containers and portions of an Earth replica would light up related to what objects were dropped in recycling containers.

Motion: Councilor DeJardin moved to recommend the full Council adopt Resolution No. 90-1259.

Vote: Councilors Buchanan, DeJardin and Hansen voted aye. Councilors Bauer and Wyers were absent. The vote was unanimous and the motion passed.

3. Consideration of Resolution No. 90-1260, For the Purpose of Authorizing Issuance for Request for Proposal Document and the Contract to Design, Build and Install a Waste Reduction Exhibit at the Metro Washington Park Zoo

Ms. Rocker briefly explained Resolution 90-1260.

Motion: Councilor Buchanan moved to recommend the full Council adopt Resolution No. 90-1260.

Vote: Councilors Buchanan, DeJardin and Hansen voted aye. Councilors Bauer and Wyers were absent. The vote was unanimous and the motion passed.

4. Consideration of Resolution No. 90-1266, For the Purpose of Approving a Contract with Parametrix, Inc. for Engineering Services Related to the Closure of the St. Johns Landfill

Dennis O'Neil, Senior Solid Waste Planner, said after Council approval, the RFP was issued February 23, 1990, to 63 interested parties. He said Parametrix, Inc. submitted a proposal for \$2,260,343 and Sweet-Edwards/EMCON, Inc. (SE/E) submitted a proposal for \$3,739,000 and both proposals were received March 20. He explained how each vendor planned to meet DBE/WBE goals. He said a technical committee evaluated and scored the two proposers according to RFP criteria. He said the proposals differed by \$1.48 million in cost because of different levels or philosophies for construction management services to be provided during construction of the closure improvements. He said the technical committee concentrated on the differences in construction management philosophies as outlined in the proposals. He said SE/E proposed the traditional construction management philosophy in which the designer performs construction quality control. He said Parametrix proposed a Quality Assurance/Quality Control (QA/QC) program in which the designer provides construction quality assurance and the construction contractor provides quality control. Mr. O'Neil said Parametrix would provide spot checks on a statistical sampling basis to verify the construction contractor's quality control.

Mr. O'Neil discussed the evaluation committee's meetings to score the proposals and the scores given. The evaluation committee noted the SE/E proposal presented costs based on almost twice as many hours for construction inspectors and testing technicians as the Parametrix

proposal because of differences in construction management philosophy. He said both methods offered by the proposers were considered acceptable, and after discussion, the evaluation committee decided to score proposers' costs based on the actual contract amounts and evaluation of potential risk to Metro. He said Parametrix received 83 points and SE/E received 80.7 points. He said staff began negotiations with Parametrix and Council adoption of the contract would allow Parametrix to begin as soon as May 25, 1990, to drill wells, estimate settlement and prepare the grading plan required by Metro's operations contractor, Browning-Ferris Industries (BFI) which must begin to refill part of the landfill in early July. He said \$350,000 was budgeted for the contract FY 1989-90 and \$1,060,000 for FY 1990-91. He said staff did not expect the FY 1989-90 allocation to be exceeded.

Chair Hansen asked why there was a \$1.48 million cost differential between the two proposers. He asked if savings accrued now because Parametrix was the winning bidder would lead to additional costs later. Mr. O'Neil said Parametrix proposed the construction contractor provide quality control testing and the consultant monitor the testing. He said SE/E proposed to provide the quality control testing as part of the contract with Metro. Mr. O'Neil said these differences resulted in the \$1.48 million cost differential between proposals.

Bob Martin, Director of Solid Waste, said staff believed the project did not require extensive construction supervision and said required work included factors such as earth removal.

Councilor Buchanan asked what the contracts would cost if each proposer had the same amount of inspectors. Mr. O'Neil said the two proposals would be approximately even in cost.

Motion: Councilor Bauer moved to recommend the full Council adopt Resolution No. 90-1266.

Chair Hansen opened the public hearing.

Neil Alongi, SE/E, distributed a letter to the Committee from himself to the Committee dated May 14, 1990. Mr. Alongi said SE/E protested awarding the contract to Parametrix because the scope of work as laid out in the RFP did not create a "level playing field." He said the RFP did not make clear in the construction quality assurance and control program exactly what approach Metro wanted to see. He said SE/E was evaluated twice and first received 87 points and Parametrix received 80 points. He said the second time Parametrix was ahead on points. Sweet-Edwards/EMCON, Inc. recommended the RFP be re-issued with a more defined scope of work. He said the first proposal process was difficult because proposers did not have enough time to assemble a comprehensive proposal. He said the technical addendum, which did not considerably change the construction quality assurance program, was issued only a few days

before proposals were due and the timeframe was too short to respond properly. He said Metro did not have a pre-bid conference for potential vendors to discuss the contract's special characteristics. He said this project was high-profile in nature and environmentally sensitive. He said the Department of Environmental Quality (DEQ) would hold public hearings later this summer and said if detailed closure plans were prepared prior to public input given at DEQ hearings, unnecessary expenditures could result.

Councilor Bauer said the RFP and the scope of work applied equally to the proposers. Councilor Buchanan asked Mr. Alongi why SE/E's bid was more expensive with regard to inspection costs. Mr. Alongi said costs were based on level of detail and quality assurance and were details he said SE/E thought Metro was seeking. He said those costs were based on their prior experience with landfill closure in Cedar Hills and King County, Washington. Councilor Buchanan asked how much time was required to reissue the RFP if necessary to do so. Mr. O'Neil said at least three months would be required to reissue the RFP. Councilor DeJardin asked why Metro did not receive more than two proposals. Mr. O'Neil said possible bidders contacted stated they were already busy on other projects. Councilor DeJardin noted staff said scheduling to implement the contract was already tight. Mr. O'Neil said staff hoped to start construction when the clay was drier and to get contours up to 5 percent.

Chair Hansen asked staff for further detail about the DEQ hearings and how they related to this contract and other closure plans. Mr. O'Neil read from a letter received by staff from DEQ on the issues dated April 10, 1990: "The financial assurance plan portion of Metro's closure plan is hereby approved as meeting the requirements of the OAR under the conditions that Metro must obtain DEQ approval for any modification of Metro Ordinance No. 9-89-300. Although we generally concur with, and approve of Metro's closure concepts, DEQ cannot give final approval until Metro provides detailed plans and specifications as required by OAR..." Mr. O'Neil said DEQ would not give Metro final approval until they saw final plans and specifications. Mr. O'Neil read from the letter further: "This summer DEQ plans to hold a hearing to provide the public with an opportunity to review and comment on Metro's Closure Plan and Metro's remedial action options developed to comply with Oregon's groundwater quality protection rules..."

George Ward, consulting civil engineer, 4941 S.W. 26th Drive, Portland, asked the Committee and the Council not to eliminate other landfill closure methods and to consider alternatives to the proposed use of a polyethylene cover. He reminded the Committee Councilor McFarland, at a Solid Waste Committee meeting October 17, 1989, stated for the record a cheaper cover would be utilized if one could be found. He discussed alternative landfill closures which utilized quicklime and did not require membrane liners.

Mr. O'Neil said DEQ required Metro to install a liner with a plastic membrane. The Committee and staff discussed the issues further. Chair Hansen said he would vote for a contract which had considerable cost savings.

Vote: Councilors Bauer, Buchanan, DeJardin and Hansen voted aye. Councilor Wyers was absent. The vote was unanimous and the motion passed.

Chair Hansen called a recess at 6:27 p.m.

The meeting reconvened at 6:31 p.m.

5. Consideration of Resolution No. 90-1225A, For the Purpose of Authorizing an Exemption to the Requirement of Competitive Bidding, Authorizing Issuance of a Request for Proposals and Execution of a Contract for the Second Compaction System at Metro South Station

Chuck Geyer, Senior Management Analyst, explained criteria used to determine the RFP process. Staff recommended an RFP process be used to procure the second compaction system. He said the evaluation process used to acquire the first compactor now in place at Metro South Station had been changed to increase the emphasis on cost and staff had added criteria to evaluate the compatibility of a compaction system with the proposed modifications and method of transport.

Chair Hansen opened the public hearing.

Doug DeVries, Jack Gray Transport, Inc. (JGT) Northwest general manager, expressed JGT's concern over the multiple bale system proposed for use by Metro staff. He said JGT sent staff letters stating their concerns. He asked the Committee to reconsider choosing the multi-bale system for Metro South and said there was no available data to prove JGT's concerns wrong. He said the proposed multi-bale system could create excessive wear and cause possible damage to JGT trailers.

The Committee asked if the multi-bale, or two-slug system, was cheaper. Jim Watkins, Engineering & Analysis Manager, said it was and there were potential savings in maintenance costs.

Mr. Martin noted Trans Industries (TI) was installing a two-bale compactor at Metro East Station.

Dan Saltzman, Shredding Systems, Inc. said Shredding Systems, Inc. (SSI) manufactured a multi-bale system and JGT concerns about damage to their trailers were unfounded. He said when SSI bid on the first compaction system they were rated 14 points behind the winning bid and their proposed costs were much lower. He said SSI would raise their concerns

with staff on the proposal process in case they bid on Metro South's second compaction system and said he would like to see explicitly how proposals were evaluated. He said criteria should be assigned and did not see the logic in awarding partial credits. He wished to state SSI's concerns before they went to the expense of submitting a proposal.

Chair Hansen requested staff hold a pre-bid conference on costs and questions raised by potential bidders. He asked for clarification on bid methodology. The Committee, staff and Mr. DeVries discussed Metro South staging. Mr. DeVries preferred a staging area as proposed in the original modification contract. He noted Metro's original contract with JGT did not require two separate fleets.

Carl Winans, AMFAB, said compaction systems were the key to long distance hauling of solid waste. He said multi-bale compaction systems caused no damage and meant maximum amounts of weight could be hauled. He discussed trailer specifications.

Jim Shoemake, Metro East Station general manager, said Metro staff had done an excellent job on the RFP process and AMFAB manufactured an excellent product. He said technology was such that the new types of equipment developed had to be tested before utilization. He said TI chose the multi-bale compactor because they believed it would do the job.

Councilor Buchanan said Metro's contract with JGT was a delicate one and JGT needs should be facilitated.

Main Motion: Councilor DeJardin moved to recommend the full Council adopt Resolution No. 90-1225A.

The Committee and staff discussed the issues further.

Motion to Amend Main Motion: Councilor DeJardin moved to delete Resolution No. 90-1225A Section No. 3: [3. That the Council of the Metropolitan Service District, pursuant to Section 2.04.033 (b) of the Metro Code, waives the requirement of Council approval of the contract resulting from the bid process, and authorizes the Executive Officer to execute a contract for acquisition of a second compaction system at the Metro South Station with the highest ranked proposer as determined by the evaluation criteria as set out in the RFP which is attached as Exhibit A.] Under the same motion, Councilor DeJardin requested the Solid Waste Committee review the RFP after the evaluation process had been completed.

Vote on Motion to Amend Main Motion: Councilors Bauer, Buchanan, DeJardin and Hansen voted aye. The vote was unanimous and the motion passed.

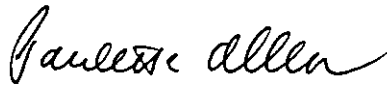
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Vote on Main Motion as Amended: Councilors Bauer, Buchanan, DeJardin, and Hansen voted aye. The vote was unanimous and the motion passed.

Chair Hansen noted Les Ruark, Star Route, Arlington, Oregon submitted a memorandum for the record for this meeting and for the full Council meeting May 24 on the intergovernmental agreement between Gilliam County, Metro and Oregon Waste Systems, Inc. (OWS). He read the memorandum for the record which requested the Committee schedule the intergovernmental agreement, pertaining to the \$7 per truck fee provision of the JGT/Metro contract, for public review and comment. Mr. Ruark said the Council should schedule the same public review and comment on the Council agenda under Citizen Comments on Non-Agenda Items.

Chair Hansen adjourned the meeting at 7:58 p.m.

Respectfully submitted,



Paulette Allen
Committee Clerk
SWC90.134