



BOARD OF COUNTY COMMISSIONERS

DATE: July 9, 2013

AGENDA ITEM NO. **23**

Consent Agenda ☐

Regular Agenda ☒

Public Hearing ☐

County Administrator's Signature

Subject:

Third Amendment – Landfill Operation – Bridgeway Acres
Contract No. 078-0117-P(LN)

Department:

Department of Environment and Infrastructure
Purchasing

Staff Member Responsible:

Robert Hauser, Director, Solid Waste
Joe Lauro, Director

Recommended Action:

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE THIRD AMENDMENT TO THE LANDFILL OPERATION – BRIDGEWAY ACRES (BWA) AGREEMENT WITH ADVANCED DISPOSAL SERVICES SOLID WASTE SOUTHEAST, INC. (SOUTHEAST), PONTE VERDA, FLORIDA.

IT IS FURTHER RECOMMENDED THAT THE CHAIRMAN SIGN THE AMENDMENT AND THE CLERK ATTEST.

Summary Explanation/Background:

This contract for BWA Landfill includes the operation, construction, maintenance and services required to dispose of Pinellas County solid waste in an efficient, environmentally safe and aesthetic manner. The operation of the BWA landfill is a support activity to the adjacent Waste to Energy (WTE) facility.

This request for a third amendment to the BWA Landfill agreement seeks to add services to excavate, load and transport recovered waste from the BWA landfill to the WTE facility at a cost of \$12.00 per ton inclusive of all costs of weighing the material, recovering the exposed landfill excavated area daily and other related permit compliance activities. These services will benefit BWA landfill by protecting the capacity of the landfill and conserve landfill airspace to extend landfill life. The current site life report estimates the BWA Landfill will reach capacity in 2104. While this amendment will increase site life, the actual number of years is not known at this time. Staff will perform this activity for one (1) year and initiate a new site life report. At that time the baseline will exist to determine the estimated increase to site life from this process. In addition, the WTE facility will benefit from this amendment through an increase in revenue (i.e. electrical sales) and reduction in penalties associated with contractual delivery shortfalls of guaranteed tonnages via the additional material provided to the WTE facility.

Previous actions regarding this contract in reverse chronological order are:

- | | | |
|---------------------|-------------------|-------------------------------|
| • February 12, 2013 | Name Change | County Administrator Approved |
| • April 12, 2011 | Second Amendment | Board Approved |
| • June 15, 2010 | First Amendment | Board Approved |
| • August 26, 2008 | Award of Contract | Board Approved |

Fiscal Impact/Cost/Revenue Summary:

Funding is provided through the Department of Environment and Infrastructure Solid Waste Operating Budget.

ORIGINAL APPROVED AMOUNT FOR SEVEN YEAR CONTRACT TERM:	\$ 80,000,000.00
TOTAL ESTIMATED ANNUAL INCREASE NOT TO EXCEED:	\$ 600,000.00
REVISED TOTAL NOT TO EXCEED:	\$ 80,600,000.00

Exhibits/Attachments:

Contract Review
Agreement



**PURCHASING DEPARTMENT
CONTRACT REVIEW TRANSMITTAL**

CATS
NO.: 42340

PROJECT: Amendment No. 3 - LANDFILL OPERATION- BRIDGEWAY ACRES

BID NUMBER: 078-0117-P (LN)

REQ. NUMBER:

TYPE: ☐ Purchase Contract ☐ Other: ☐ Construction-Less than \$100,000 ☐ One Time

In accordance with the policy guide for Contract Administration, the attached documents are submitted for review and comment.

Upon completion of review, complete Contract Review Transmittal and forward to next Review Authority listed. Please indicate suggested changes by revising, in RED, the appropriate section of the document reflecting the exact wording of the change.

RISK MANAGEMENT: Please enter required liability coverage on pages: N/A **PRODUCT ONLY** ☐

This is an annual requirement contract. Estimated Expenditure: \$80,000,000.00 SEVEN YEAR APPROVED CONTRACT

REVIEW SEQUENCE	REVIEW AUTHORITY	REVIEW DATE	REVIEW SIGNATURE	COMMENTS (Attach Separate page if necessary)	COMMENTS INCORPORATED
1.	<u>Purchasing Dept.</u> J. Lauro, Director C. Mancuso, Ast. Director	5/16/13			
2.	<u>DEI - Solid Waste</u> R. Hauser/Director J. Going/Manager	5/21			

Using Dept please provide below information:

☐ Yes, funding for this project is using grant Funding. ☒ No, funding for this project is not using grant Funding.

If grant funding is being used you must provide Purchasing with the exact clauses that need to be on attached document.

3.	<u>Risk Management Director</u> Attn: V. Holscher (Check applicable box at right)	6/23/13		Insurance requirements in original agreement. ✓	HIGH RISK NOT HIGH RISK
4.	<u>BCC Finance</u> Attn: Cassandra Williams	5/28/13			
5.	<u>Executive Director</u> Attn: David Scott	5/29/13			
6.	<u>Legal</u> Attn: M. Belknap	6/4/13			
7.	<u>Asst. County Administrator</u> Attn: M. Woodard	6/4/13		I recall the current landfill life goes to ≈ 2050. How much will this activity extend the life?	✓ answered

RETURN ALL DOCUMENTS TO PURCHASING

Make all inquiries to: Lucy Nowacki

at Extension 43766

In order to meet the following schedule, please return your requirements to Purchasing by:

Revised 08/2010

TENTATIVE DATES

RFP Mail Out: n/a
RFP Opening: n/a
BCC Approval: tbd

THIRD AMENDMENT TO THE AGREEMENT FOR LANDFILL OPERATION – BRIDGEWAY ACRES

This Amendment made and entered into this 5th day of June, 2013, by and between PINELLAS COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "County," and Advanced Disposal Services Solid Waste Southeast, Inc., Ponte Verde, FL hereinafter referred to as "Contractor,"

WITNESSETH:

WHEREAS, the County and the Contractor entered into an agreement on August 26, 2008, pursuant to Pinellas County Contract No. 078-0117-P (LN) (hereinafter "Agreement") pursuant to which the Contractor agreed to provide for the Operation of the Bridgeway Acres Landfill for County; and

WHEREAS, Section Three, subsection A (3. A.) of the Agreement permits amendment upon proper approval by the Director and the Board of County Commissioners; and

WHEREAS, the County and the Contractor now wish to amend the Agreement in order to provide for additional services to excavate, load, and transport recovered waste to the County's Waste to Energy Plant;

NOW THEREFORE, in consideration of the above and mutual covenants contained herein the parties agree that the Agreement is amended as follows:

1. Contractor shall provide additional services to excavate, load, and transport recovered waste to the County's Waste to Energy Plant at a cost of \$12.00 per ton. This operation will include excavating, hauling, weighing, and delivering the material to the incinerator. It will also include deploying daily cover at the end of each working day along with any additional paper picking needed.
2. Except as changed or modified herein, all provisions and conditions of the original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties herein have executed this Third Amendment to the Agreement for the Operation of the Bridgeway Acres Landfill pursuant to Contract No. 078-0117-P (LN) as of the day and year first written above.

PINELLAS COUNTY, FLORIDA
by and through its
Board of County Commissioners

Chairman

ATTEST:
KEN BURKE

By: _____
Deputy Clerk

APPROVED AS TO FORM:

Office of the County Attorney

Contractor:

Charlie Gray
(Signature)

CHARLIE GRAY
(Printed Name)

[Corporate Seal]

ATTEST:

By: Caren Chaffin
(Attesting Witness' name)

