



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: 7/17/07
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, Interim Public Works Director; 568-3010
Director(s)
Contact Info: Mark D. Schleich, Public Works Deputy Director
Resource Recovery & Waste Management Division; 882-3603

**SUBJECT: Foxen Canyon Landfill Final Closure
Project No. 170011
Third Supervisorial District**

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Recommended Actions:

Approve and authorize an increase in the Contingency Fund amount, for the Foxen Canyon Landfill Final Closure contract, Project No. 170011, with Whitaker Contractors, Inc, in the amount of \$236,000 for, a total contract amount of \$2,944,044.78.

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Summary Text:

The Board approved the contract for the Foxen Canyon Landfill (FCL) Final Closure to Whitaker Contractors, Inc on January 16, 2007 in the amount of \$2,708,044.78. During construction unforeseen soil and refuse conditions were found requiring extra work in order to complete the project as specified. To complete the project it is necessary to appropriate an additional \$236,000.00 to the project, bringing the total cost of construction to \$2,944,044.78.

Background:

Land filling operations ceased in July 2003 and as required by the California Integrated Waste Management Board an engineered landfill cover was required to be constructed. The construction contract was awarded by the Board on January 16, 2007 and construction commenced on March 19, 2007. During construction the following unexpected problems were encountered:

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a) Landfill cover material: During placement of the four foot thick soil cover on the landfill, quality assurance problems were encountered with the soil from the soil borrow source adjacent to the landfill. Various methods were explored to overcome the problem, resulting in standby time of equipment, additional soil exploration, additional work in mixing soil from different locations in the borrow area and finally obtaining approval from the Water Board for a revised specification.

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b) Refuse encountered in excavation for sedimentation basin. The refuse was encountered in an area outside the permitted waste footprint and below the location of a proposed sedimentation basin. In terms of Environmental Health Services requirements such refuse is not permitted under a sedimentation basin and has to be removed and buried on the landfill.

Fiscal and Facilities Impacts:

Budgeted: Yes The FCL is regulated by the California Integrated Waste Management Board (CIWMB) and as such is required to maintain financial assurances for closure and post closure activities as stipulated under Title 27 of the California Code of regulations. The financial assurance mechanism for the FCL is a combined Enterprise Fund and Pledge of revenue agreement that was jointly approved by the Board of Supervisors and the CIWMB on June 23, 1998.

Under this agreement the Public Works Department has maintained 100% of the Closure Cost Estimate (approved 2005 Final) and 1/3 of the 30 year Post Closure Cost Estimate in a restricted cash account reserved for these activities. The funds required by law have been collected by tip fees over time. Currently the balance being held in restricted cash for closure of the FCL is \$2,309,415. The \$398,620 additional costs of the closure contract amount and the additional \$236,000 for the increase in the approved contingency are to be funded by use of unrestricted cash reserves. Currently the balance in Resource Recovery & Waste Management Enterprise Fund Unrestricted Cash Reserve is \$17,370,684. The current reserve policy requires that \$5,000,000 of this Cash Reserve be held available for 90 days of operating cost.

<u>Closure Components</u>	<u>Costs</u>	<u>Restricted Cash</u>	<u>Fund Reserves</u>
Closure Construction	\$ 2,944,045	\$ 2,309,415	\$ 634,630
Bid Documents	24,732	0	24,732
Construction Management	98,380	0	98,380
Construction Quality Assurance	137,004	0	137,004
	<u>\$ 3,204,161</u>	<u>\$ 2,309,415</u>	<u>\$ 894,746</u>

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
Enterprise Fund	\$ 1,743,937.00	\$ 1,460,224.00	\$ 3,204,161.00
State			
Federal			
Fees			
Other:			
Total	\$ 1,743,937.00	\$ 1,460,224.00	\$ 3,204,161.00

Narrative:

The budgeting of the total Closure costs of \$3,204,161 will occur over two fiscal years. Construction and support costs of \$1,743,937 through June 30, 2007 have been included in the FY2006/7 Budget in LI Account 7460 of the RR&WM Enterprise Fund. The remaining \$1,460,224 in costs to be incurred in July and August of 2007 will be included in the FY2007/2008 Budget

Staffing Impacts:

Legal Positions: FTEs:
0 0

Special Instructions: Please provide certified stamped copies of the Minute Order approving these actions to Resource Recovery and Waste Management Division of Public Works, attention: Mark Schleich, Colleen Hankins and John Pet.

Attachments:

Change Order No. 2

Authored by:

John Pet, Civil Engineer

cc:

Colleen Hankins – Resource recovery & Waste Management
John Pet - Resource recovery & Waste Management