

**AGENDA**



**Recommendation for Council Action (CMD)**

Austin City Council	Item ID:	48023	Agenda Number	8.
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Meeting Date:	August 20, 2015
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Department:	Contract Management
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**Subject**

Authorize execution of change order No. 11 to the construction contract with RANGER EXCAVATING, LP, for the FM 812 Landfill Final Closure and Erosion Control Improvements Project in the amount of \$493,362.45, for a total contract amount not to exceed \$6,631,356.62.

**Amount and Source of Funding**

Funding is available in the Fiscal Year 2014-2015 Operating Budget of the Austin Resource Recovery Department.

**Fiscal Note**

A fiscal note is not required.

Purchasing Language:	
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Prior Council Action:	
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For More Information:	Jules Parrish, 512-974-9385; Tony Davee, 512-974-1923; Lucy Bonee, 512-974-7967; Elizabeth Godfrey, 512-974-7141.
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Boards and Commission Action:	
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Related Items:	
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MBE / WBE:	This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 5.89% MBE and 7.53% WBE participation.
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**Additional Backup Information**

The FM 812 Municipal Solid Waste Landfill Final Closure and Erosion Control Improvements Project (the "Project") will achieve final closure of the City of Austin's FM 812 Municipal Solid Waste Landfill. The Project includes the placement of final cap and cover on four landfill waste cells and associated drainage improvements. The Project also includes repair and improvements to a pre-existing gabion erosion control system on Onion Creek along the northern boundary of FM 812 Landfill. A gabion is a cage that is filled with rocks, concrete or sand and soil for use in engineering, road building and landscaping. The gabions were initially installed in 1995 and are beginning to fail.

In 2009, the City issued an invitation for bid for the FM 812 Landfill Final Closure Project and a construction contract was awarded to Ranger Excavating, L.P. on August 27, 2009.

The FM 812 Landfill Project was substantially completed in 2010 and projected to be finally completed in 2014. Final completion required establishing grass on the landfill cap to protect it from erosion. Shortly after substantial completion, the City ordered a moratorium on watering all Capital Improvement Program Projects during the summer of 2011. This resulted in the inability to establish grass during the period from substantial completion until the succeeding growing season in 2012. During that period and thereafter, the contractor incurred costs of over \$2 million to correct erosion damage from infrequent, but significant storm water events. Finally, in 2014, the City took over the landscaping subcontract and finished the project itself to minimize additional costs and ensure final completion.

Under the contract, the City is responsible for \$400,000 of the costs incurred by the contractor to repair the landfill cap as a result of the period of time when the contractor was unable to water the site and establish grass. In addition to the cost of the change order, the City pulled \$ 93,362.45 from statutory retainage to complete the project through the assignment and assumption of the landscape subcontract under a separate change order approved by City Council. The retainage must be replenished and paid as part of the final payment at the Project close out.

This item was approved by the City's Change Control Committee. The Change Control Committee was established to comply with Council Resolution No. 20120126-048, which required the establishment of consistent criteria and a process to evaluate contractual changes for all contracts administered by the Contract Management Department. The Change Control Committee is comprised of management-level subject matter experts and Department Executives.

This project is located within zip code 78719 and is managed by the Public Works Department.

Ranger Excavating is located in Austin, Texas.