



**Purchasing Contract  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 29  
AGENDA DATE: Thu 05/19/2005  
PAGE: 1 of 3**

**SUBJECT:** Authorize execution of a landfill contract with IESI, Fort Worth, TX, for the operation of the City of Austin FM 812 Landfill facility for a term not to exceed the later of the maximum life of the landfill or sixty-five years.

**AMOUNT & SOURCE OF FUNDING:** N/A

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING** Purchasing **DIRECTOR'S**  
**DEPARTMENT:**for Solid Waste Services; **AUTHORIZATION:** Vickie Schubert

**FOR MORE INFORMATION CONTACT:** William E. Rhodes, P.E., Director, 974-1943, Don Birkner, Asst. Director, 974-1952, or Holly Noelke, Attorney Senior, 974-2179.

**PRIOR COUNCIL ACTION:** Authorized negotiation with IESI, 11/18/2004.

**BOARD AND COMMISSION ACTION:** Reviewed by Solid Waste Advisory Board.

**PURCHASING:** N/A

**MBE / WBE:** This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

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The FM 812 Landfill is a municipal solid waste disposal facility owned by the City of Austin and located in southeast Travis County, Texas. The City landfill stopped accepting residential garbage on February 27, 1999, due to the opening of the Austin-Bergstrom International Airport (ABIA). The City Landfill is currently operating under its existing Type 1 Permit as a Type IV Municipal Landfill and accepts only construction and demolition material. The facility covers approximately 382 acres at the northeast intersection of FM 812 and FM 973.

On November 18, 2004, Council authorized the City Manager to negotiate a contract with IESI including environmental and wildlife plans for the landfill area.

The City Manager has completed negotiations with IESI and recommends that Council approve a contract for a term up to the maximum life of the landfill to include the provisions described below.

The environmental plan is designed to protect the human health and environment during the operation of the landfill through closure and post closure of the landfill. It also addresses the protection of ground water, surface water, management of leachate and gas system and daily maintenance.

The wildlife control plan incorporates provisions for the control of birds and other animals that may become a nuisance to the landfill and the city's ABIA.



**FM 812 LANDFILL CONTRACT TERM SHEET**

<b>Ownership</b>	City retains ownership of the FM812 Landfill property.
<b>Disposal Rights</b>	<p>City shall have the right to dispose of 20,000 Cu. Yds. of City-generated brush and 20,000 Cu. Yds. of City-generated Type IV solid waste per year.</p> <p>Disposal of City-generated Type IV solid waste and City-generated brush in excess of the aforementioned volume limits shall be disposed of at \$4.50/Cu. Yd.</p> <p>In the event of a natural or man-made disaster, City shall have the right to dispose of City-generated Type IV waste at a cost of \$4.00/Cu. Yd. and City-generated brush at a cost of \$3.50/Cu. Yd., for a period of sixty days.</p>
<b>Recycling</b>	<p>City and IESI will implement recycling initiatives at the City Facility, IESI Facility, and Integrated Facilities.</p> <p>Asphalt and limestone rock generated by the City will be accepted and recycled by IESI at no cost to the City.</p> <p>White goods generated by the City will be accepted and recycled by IESI at no cost to the City.</p> <p>Rubber tires generated by SWS will be accepted and recycled by IESI at no cost to the City.</p>

**PHASE I (From contract execution to permitting of Integrated Facility)**

<b>Tasks</b>	<p>Loads will be diverted to the IESI gate except for a portion of City generated Type IV material which will be disposed of in the City Facility. City Facility remains active during Phase I.</p> <p>IESI to provide soil, erosion control, seeding, mowing, vegetation control, litter control, fence maintenance, site security and monitoring, and surface maintenance including compliance with the Wildlife Plan.</p> <p>City to be responsible for current projects for groundwater monitoring, leachate collection, landfill gas and bank stabilization.</p> <p>City and IESI shall jointly prepare and file with the TCEQ and other applicable governmental agencies complete permit amendment application(s) and other regulatory filings to:</p>
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- \* expand the Type IV solid waste disposal capacity on the City Property and IESI Property, to yield at a minimum an additional 12,000,000 in-place cubic yards of capacity with a maximum height of 580 feet (This is the existing maximum height at the City facility.);
- \* physically and operationally integrate the expanded City Facility and IESI Facility (collectively, the "Integrated Facilities"); and
- \* authorize IESI to exclusively operate the Integrated Facilities for the remaining term of this Agreement.

**PHASE II (From date of permitting of Integrated Facility to end of Post closure)**

**Tasks** IESI, solely responsible for all facility operations, and all closure and post-closure care duties at the City Facility, IESI Facility and Integrated Facilities.

**Revenue** IESI pays City \$1.5 million on or before 9-1-05.

IESI pays City \$0.50/Cu. Yd. of total additional permitted airspace in the Integrated Facilities within 30 days of initial receipt of Type IV waste.

IESI pays City \$0.20/Cu. Yd. of Type IV waste actually received in the Integrated Facilities.

Gas to Energy Program and revenues retained by City.