

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 18-96	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Agenda Ready
<b>File created:</b>	5/25/2018	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	6/28/2018	<b>Final action:</b>	6/19/2018
<b>Title:</b>	An ordinance authorizing execution of a Contract in accordance with the City's On-Call Contract for Repair Services for Water, Wastewater, and Stormwater Infrastructure (Contract 2013-128/4R) with Wiedenmann, Inc. for installation of a leachate cut-off trench at the City's Resource Recovery Park for a not to exceed cost of \$63,681.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 6-19-18)		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Contract, 3. Construction Proposal, 4. On-Call contract

Date	Ver.	Action By	Action	Result
6/28/2018	2	City Council - Regular Session	for second reading	Pass
6/28/2018	2	City Council - Regular Session	adopted and numbered	Pass
6/19/2018	2	Public Works Committee	approved	Pass

An ordinance authorizing execution of a Contract in accordance with the City's On-Call Contract for Repair Services for Water, Wastewater, and Stormwater Infrastructure (Contract 2013-128/4R) with Wiedenmann, Inc. for installation of a leachate cut-off trench at the City's Resource Recovery Park for a not to exceed cost of \$63,681.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 6-19-18)

Issue/Request:

An ordinance authorizing execution of a Contract in accordance with the City's On-Call Contract for Repair Services for Water, Wastewater, and Stormwater Infrastructure (Contract 2013-128/4R) with Wiedenmann, Inc. for installation of a leachate cut-off trench at the City's Resource Recovery Park for a not to exceed cost of \$63,681.00, and authorizing the City Manager to enter into an agreement for the same.

Key Issues:

- The City has entered into an On-Call contract (Contract 2013-128/4R) with Wiedenmann, Inc. to mitigate failures in buried systems that are causing environmental damage. Time and material rates have been established in the agreement.
- An underground leak has surfaced at Lee's Summit Landfill.
- The Missouri Department of Natural Resources (MDNR) requires leachate leaks to be fixed in a reasonable timeframe.
- The City worked with SCS Engineers to produce a fix design that is acceptable to MDNR.

Proposed City Council Motion:

First Motion: I move for a second reading of an ordinance authorizing execution of a Contract in accordance with the City's On-Call Contract for Repair Services for Water, Wastewater, and Stormwater Infrastructure (Contract 2013-128/4R) with Wiedenmann, Inc. for installation of a leachate cut-off trench at the City's Resource Recovery Park for a not to exceed cost of \$63,681.00, and authorizing the City Manager to enter into an agreement for the same.

Second Motion: I move for adoption of an ordinance authorizing execution of a Contract in accordance with the City's On-Call Contract for Repair Services for Water, Wastewater, and Stormwater Infrastructure (Contract 2013-128/4R) with Wiedenmann, Inc. for installation of a leachate cut-off trench at the City's Resource Recovery Park for a not to exceed cost of \$63,681.00, and authorizing the City Manager to enter into an agreement for the same.

Background:

On February 22, 2017, orange stained water was noted seeping out of the east embankment of the east perimeter road around the City's landfill facility. SCS Engineers, the City's on-call environment engineer was notified and promptly took samples for testing which determined that the seep was likely leachate. The Water Protection Program (WWP) and Solid Waste Management Program (SWMP) of MDNR were notified. After notification a berm was constructed to intercept leachate and prevent it from reaching the creek to the east. A pump was placed upstream of the berm to pump out accumulated leachate and send it to the sanitary sewer system via existing infrastructure at the landfill.

Notices of Violation were received from both WWP and SWMP requiring a permanent fix to the seep. SCS and City staff evaluated the potential causes of the seep and worked together considering several fix alternatives. A Work Plan was assembled to present to MDNR. After meeting with MDNR and continued correspondence, an acceptable Work Plan was developed and has been approved by MDNR.

There is a dispute with the contractor operating the landfill over payment for this work. However, the City is not able to wait for that dispute to be resolved to comply with MDNR regulations and the City's permit for the landfill. The City is seeking reimbursement for this cost as a part of a lawsuit that is set for trial in November.

The agreed upon fix is to construct a cut-off trench, down to bedrock, partially filled with a cement/bentonite slurry to block subsurface seepage from reaching the ground surface of the embankment to the east.

Impact/Analysis:

Construction is required in response to MDNR violations

Timeline:

Start: July 30, 2018

Finish: August 30, 2018

Other Information/Unique Characteristics:

Dena Mezger, Director of Public Works

Recommendation: Staff recommends approval of an ordinance authorizing execution of a Contract in accordance with the City's On-Call Contract for Repair Services for Water, Wastewater, and Stormwater Infrastructure (Contract 2013

-128/4R) with Wiedenmann, Inc. for installation of a leachate cut-off trench at the City's Resource Recovery Park for a not to exceed cost of \$63,681.00, and authorizing the City Manager to enter into an agreement for the same.

Committee Recommendation: The Public Works Committee voted 3-1 ( Councilmember Binney "No") to recommend to City Council approval of an ordinance authorizing execution of a Contract in accordance with the City's On-Call Contract for Repair Services for Water, Wastewater, and Stormwater Infrastructure (Contract 2013-128/4R) with Wiedenmann, Inc. for installation of a leachate cut-off trench at the City's Resource Recovery Park for a not to exceed cost of \$63,681.00, and authorizing the City Manager to enter into an agreement for the same.