



FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

Member of Wyoming Solid Waste and Recycling Association (WSWRA)

P.O. Box 1400

Lander, WY 82520

telephone 307.332.7040

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trashmatters.org

MEETING AGENDA

FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

BOARD OF DIRECTORS – REGULAR MEETING

November 15, 2021 - 9:30 a.m.

1. PRELIMINARY ITEMS:

- a. Pledge of Allegiance
- b. Roll Call: Michael Adams, Steve Baumann, Gary Weisz, Rick Klapproth, Mark Moxley, Rob Dolcater, Rod Haper, Jennifer Lamb, and Robert Townsend
- c. Declaration of Quorum
- d. Approval of Agenda (*Discussions and Formal Action*)
- e. Public Comment / Communication from the Floor

2. CONSENT ITEMS:

- a. Approval of the Meeting Minutes
 - i. October 2021
- b. Approval of the Accounts Payable
 - i. October 2021
- c. Acceptance of Consultants and Agreement Reports
 - i. Trihydro Corporation
 - ii. Burns and McDonnell
 - iii. Wind River Inter-Tribal Solid Waste – *no report submitted*
- d. Acceptance of Staff Reports
 - i. Superintendent Report

3. BUSINESS ITEMS:

- a. Operational Evaluation and Strategic Planning Project Presentation – Burns and McDonnell (*Discussion*)
- b. Scale Facility Project – Change Order Request (*Discussion and Formal Action*)
- c. Shoshoni Landfill Closure Construction – Pay Application No. 2 (*Discussion and Formal Action*)
- d. Executive Session – Potential Litigation

4. NEW BUSINESS

5. CLOSING ITEMS:

- a. Upcoming Meeting(s):
 - i. The next Regularly Scheduled Meeting(s): December 20, 2021, at 9:30 a.m.
- b. Call for Adjournment



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FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

Minutes of Regular Board Meeting

October 25, 2021

1. PRELIMINARY ITEMS:

a. – c. The regular meeting of the Fremont County Solid Waste Disposal District Board of Directors was held on the above date and called to order by VICE-CHAIRMAN MOXLEY at 9:30am. VICE-CHAIRMAN MOXLEY then led the Pledge of Allegiance and declared that there was a quorum of the Board with the following people in attendance:

Board Members: Robert Townsend, Gary Weisz, Steve Baumann, Rod Haper, Mark Moxley, Rick Klaproth and Rob Dolcater
Excused Member(s): Michael Adams
Unexcused Member(s): Jennifer Lamb
Commissioner Liaison: Mike Jones
Community Liaisons: John Larson (City of Lander) and Kyle Larson (City of Riverton)
Attorney: *no attorney present*
Staff: Superintendent Andy Frey
Consultant(s): Matt Evans and Cassidy Tieman (Burns and McDonnell)
Guest(s): Brain Eggeston (City of Riverton), Kyle Butterfield (City of Riverton), and Bruce Levin (Wyoming Waste)

d. Approval of Agenda

ROB DOLCATER made a motion to approve the consent agenda as presented. ROD HAPER seconded the motion.
MOTION CARRIED

e. Public Comment/Communication from the Floor

VICE-CHAIRMAN MOXLEY opened the floor to public comment. Hearing no public comment, the public comment was closed.

2. CONSENT ITEMS:

a. Approval of Prior Meeting Minutes

i. September 2021

b. Approval of Accounts Payable

i. September 2021 Invoices

c. Acceptance of Consultants Reports:

i. Trihydro Corporation – Progress Report

ii. Burns and McDonnell – Progress Report

iii. Wind River Indian Reservation Inter-Tribal Solid Waste Program – No Report Submitted

d. Acceptance of Staff Reports:

i. Superintendent Report

3. OTHER ITEMS OF BUSINESS:

a. Operational Evaluation and Strategic Planning Project Presentation – Burns and McDonnell (*Discussion*)

Matt Evans (Burns and McDonnell) provided a PowerPoint presentation summarizing the project from the first phase that included a District site-by-site review of services offered and cost per service provided, to the second phase that included a strategic planning process that concluded with a recommendation for an operational plan. The recommended operational plan included a financial review covering 30 years with a detailed plan identifying site-specific operational changes, capital needs, and rate adjustments covering 10 years. The summary of recommendations included:

<u>Site(s)</u>	<u>Action Item</u>	<u>Timeline</u>
Rural Transfer Stations	encourage volunteer operations	2022
Lander Site	develop new scale and scale house	2022
Sand Draw Landfill	develop new scale and scale house	2022
Dubois Site	develop new scale and scale house	2022
District-wide (sites with scales)	implement new NORM/TENORM policy	2022-23
District-wide (sites with scales)	develop/implement tire rate	2022-23
Lander Landfill	cost/benefit on leachate ponds	2024
Sand Draw Landfill	construct improvements	2024-25
Lander Transfer Station	construct a new transfer building	2025
Riverton Transfer Station	close to waste acceptance	2027
District-wide (sites with scales)	increase minimum fee to \$8	2027
Sand Draw Landfill	rate adjustment (\$70/ton)	2027
Lander Transfer Station	rate adjustment (\$90/ton)	2027
Dubois Transfer Station/Landfill	rate adjustment (\$100/ton)	2027
Lander Transfer Station	limit customer base	2027

Discussion: (1.) Model detail questions. (2) Weekly schedule considerations. (3.) Timeline of implementation. (4.) Possibility for City of Riverton to operate the Riverton Transfer Station. (5.) Suggested exploration of privatization. (6.) Stakeholder and community meetings.

b. Scale Facility Project Update – Burns and McDonnell (*Discussion*)

Matt Evans (Burns and McDonnell) explained that there are concerns with the initial proposed location for the new scale system due to road steepness. Alternative locations are now being reviewed. A second new scale is anticipated under the project at the Sand Draw Landfill, allowing the existing scale to remain at the Riverton Transfer Station for use in the recycling and waste diversion program. Additionally, the camera systems had not been a part of the project; however, proper electrical and conduits will need to be considered for future installation by a local provider.

c. Tire Shredder Rental (*Discussion and Formal Action*)

Superintendent Frey shared with the Board that the District continues to explore management options for waste tires in pursuit of the most economic option. Historically, the District had the Shoshoni Landfill as an inexpensive disposal option, but with the closure the management will be changing. As a next step in the evaluation, tire shredding is desired on a trial basis.

Within this year’s operating budget, \$56,000 was allocated for a potential shredder rental. Based on the stockpiled tires and the rental equipment available, the District would be looking at a two-week rental with an estimated cost around \$30,000-\$37,000.

The goal with a rental would be to complete a survey on the material prior to and after shredding to better understand the volume reduction based on the shredding process. Surveying would also be completed on an area of the landfill prior to placement of the shredded tires and after placement and covering to understand the airspace consumption following the shredding process to determine if there is additional volume reduction through burial.

The results would be then used to compare against the other management options in the evaluation, which have included tire baling, and direct burial.

Superintendent Frey requested authorization to rent a tire shredder for up to two weeks with a cost of approximately \$37,000.

SECRETARY/TREASURER KLAPROTH made a motion to authorize the superintendent to rent a tire shredder. GARY WEISZ seconded the motion. **MOTION CARRIED**

d. Shoshoni Landfill Closure Construction – Pay Application No. 1 (*Discussion and Formal Action*)

Superintendent Frey presented the Board with Pay Application No. 1 for the Shoshoni Landfill closure. The pay application was reviewed by Trihydro as well as the District for accuracy and after an adjustment was approved for Board review. The pay application is in the amount of \$535,069.99.

ROB DOLCATER made a motion to approve the Shoshoni Landfill Closure Project Pay Application No. 1 in the amount of \$535,069.99. SECRETARY/TREASURER KLAPROTH seconded the motion. **MOTION CARRIED**

4. NEW BUSINESS

VICE-CHAIRMAN MOXLEY opened the floor to New Business. Hearing no new business, the New Business discussions were closed.

5. CALL FOR ADJOURNMENT

BOB TOWNSEND made a motion to adjourn at 11:47AM. ROB DOLCATER seconded the motion. **MOTION CARRIED**

6. UPCOMING MEETING(S):

- a. **The Next Regularly Scheduled Meeting: November 15, 2021, at 9:30 a.m.**

Respectfully submitted by,

Andrew Frey, P.E.
Superintendent of Operations
Fremont County Solid Waste Disposal District

Michael Adams
Board of Director's Chairman
Fremont County Solid Waste Disposal District

Fremont County Solid Waste Disposal District
Balance Sheet
As of October 31, 2021

	<u>Oct 31, 21</u>
ASSETS	
Current Assets	
Checking/Savings	
122105 · Petty Cash	300.00
122106 · Transfer Station Cash	400.00
122107 · Scale House Cash	1,600.00
123110 · CB&T Checking	14,634.76
123115 · Edward Jones Investments	3,376,846.59
123120 · Bank of Jackson Hole	178,903.96
123130 · Wyo Star	1,180,496.27
123132 · Wyo Star II	15,868,579.85
123134 · Wyoming Community Bank	187,759.27
Total Checking/Savings	<u>20,809,520.70</u>
Accounts Receivable	
133141 · Accounts Rec - User Fees	337,069.05
Total Accounts Receivable	<u>337,069.05</u>
Other Current Assets	
	<u>8,146.54</u>
Total Current Assets	<u>21,154,736.29</u>
TOTAL ASSETS	<u>21,154,736.29</u>
LIABILITIES & EQUITY	
Liabilities	
	68,080.11
Equity	
32000 · Unrestricted Net Assets	2,617,228.59
380860 · Cash Reserve	750,000.00
380970 · Closure/Post-Closure Reserve	18,155,822.00
Net Income	-436,394.41
Total Equity	<u>21,086,656.18</u>
TOTAL LIABILITIES & EQUITY	<u>21,154,736.29</u>



memorandum

To: Andy Frey, P.E., Superintendent, Fremont County SWDD
From: Scott Lee, P.E.
cc: Fremont County SWDD Board
Date: November 8, 2021
Re: Project Updates for November 15, 2021 Board Meeting

The following information is provided to update the Board of the Fremont County Solid Waste Disposal District (District) regarding the status of various projects that are being managed by Trihydro Corporation (Trihydro), and associated activities associated with the Wyoming Department of Environmental Quality (DEQ), Solid and Hazardous Waste Division (SHWD), Water Quality Division (WQD), and Air Quality Division (AQD). The information provided is generally limited to activity during the previous month.

Sand Draw, Shoshoni, Lander, and Dubois Landfills – 2021-2022 Environmental Activities and Monitoring (Task Order 10-030 / Trihydro Project 09Y-008-007)

Semiannual groundwater monitoring events were conducted at the four landfills between October 10 and 18, 2021. As of November 5, 2021, all lab reports have been received. Once data validation is complete, we will initiate statistical analysis and reporting. Quarterly methane monitoring was also conducted between October 10 and 14, 2021. The next field event will be first quarter methane monitoring. Groundwater monitoring will not be conducted again until April 2022.

Technical Assistance (Task Order 10-029 / Trihydro Project 09Y-005-008)

Technical assistance activities during the previous month follow:

- A project status report was prepared for the monthly Board meeting.
- Mr. Andy Frey, Caroline Brewer (Trihydro), and Marge Bedessem (Trihydro) met with WDEQ/SHWD to discuss comments submitted on the draft guidance memo for groundwater protection standards. Our comments were received well by WDEQ/SHWD and they called the meeting to go through the comments and the related changes.
- Trihydro reviewed and offered an opinion on a request for barium-related waste disposal.



Andy Frey, FCSWDD
November 8, 2021
Page 2

Shoshoni Landfill – Shoshoni Landfill Closure (Task Order 10-031/ Trihydro Project 09Y-004-004)

On Monday, October 11, 2021, a liner pre-deployment meeting was held with Trihydro, DRM and Clean Air and Water Systems (CAAWS). CAAWS mobilized to the site on Monday, October 18, 2021 and performed a subgrade inspection and began liner deployment prep, such as filling sandbags. Geocomposite gas vent layer and geomembrane installation began on Thursday, October 21, 2021. Liner installation is scheduled to be completed on Tuesday, November 9, 2021. All destructive tests have passed. Protective cover soil (PCS) placement began on Thursday, October 28, 2021 with the construction of the first 36-inch thick haul road. Material from the remaining existing stockpile and temporary stockpile are being used for PCS. Material from both stockpiles have been examined for rocks, and the decision has been made to proceed without screening the PCS material. Trihydro staff and DRM ground workers and operators are observing the material as it is placed to provide rock and wrinkle control. Payment Application #2 from DRM has been received by Trihydro. A project status meeting with Trihydro, DRM, and the FCSWDD is scheduled for Wednesday, November 10, 2021 to discuss the payment application, quantities, and project schedule. It is anticipated that the payment application will be provided to Andy Frey by Thursday, November 11, 2021 for approval by the Board at the meeting on November 15, 2021.

Please let us know if you have any questions or need additional information. You can call me on my direct office line (307-335-3169), send me an email (slee@trihydro.com), or stop by our office at 388 Main Street, Suite C, in Lander.

END OF MEMORANDUM

Memorandum



Date: November 5, 2021
To: Andy Frey, PE, Fremont County Solid Waste Disposal District
From: Matt Evans, PE
Subject: Progress Report – November 2021

The following provides an update on work completed by Burns & McDonnell since the last Progress Report.

Operational Efficiency Study and Strategic Plan

Burns & McDonnell completed the final presentation of the Strategic Plan and presented it to the Board at the October board meeting. Based on feedback from the meeting and communications with the Superintendent, Burns & McDonnell is finalizing the Operational Efficiency and Strategic Plan report.

Capacity Audits

Capacity audit reports were completed and submitted to District Superintendent. The Superintendent and Burns & McDonnell reviewed the capacity audits and are in the process of finalizing the reports. A financial summary cover letter will be provided with the submittal of the capacity audits, similar to the financial report that was submitted with last year's capacity audit reports.

Technical Engineering Assistance

Burns & McDonnell completed our monthly progress report, invoice and overall project management related to the administration of the project as part of this task. Additionally, Burns & McDonnell has been supporting the Superintendent on tire disposal alternatives analysis, excavation grading at Dubois, and Lander site road and soil borrow analysis.

During the October trip to Fremont County, Burns & McDonnell visited and toured the Lander, Dubois, Riverton, Sand Draw and Shoshoni with the Superintendent. The site visits and related planning and discussion work regarding operations were completed as part of the Technical Engineering Assistance task.

Memorandum *(continued)*



November 5, 2021
Page 2

Capital Improvement Plan Modeling

The CIP model is being used as the foundation for the financial analysis being completed as part of the Operational Efficiency and Strategic Planning Study. It has been updated with the fiscal year end results for 2020-2021. A spring of 2022 update of the financial model is anticipated.

Scale House Project

Discussions with the Superintendent to make a few updates to the plans have been completed. The adjustments include moving the scale house design at Lander to the current scale location, security camera wiring, and a several other minor changes to the scale house design. Advertising and bidding of the plans is anticipated to happen during the fourth quarter of 2021 to select a construction contractor. Construction is anticipated to start as soon as weather allows in the spring of 2022.

On-call Surveying

No additional surveying services have been performed since the last board report.

Burns & McDonnell appreciates the opportunity to work with the District. If there are any questions regarding this progress report or work that is being completed, please do not hesitate to contact me at 612-240-2094 or maevans@burnsmcd.com at your earliest convenience.

Fremont County Solid Waste Disposal District
Superintendent Report
November 7, 2021, 2021

Office/Staff/Board/Inter-Government

Office:

1. The calculated tonnages and cost per ton are as follows (calculated using monthly expenses and monthly tonnages):
 - a. 2013 = \$140 per ton & 31,472 total tons
 - b. 2014 = \$176 per ton & 27,562 total tons
 - c. 2015 = \$99 per ton & 31,890 total tons
 - d. 2016 = \$103 per ton & 29,659 total tons
 - e. 2017 = \$102 per ton & 33,483 total tons
 - f. 2018 = \$106 per ton & 36,352 total tons
 - g. 2019 = \$88 per ton & 41,900 total tons
 - h. 2020 = \$89 per ton & 36,200 total tons
 - i. 2021 = 1st Three Quarters \$117 per ton & 27,000 tons

Staff:

1. July 2021: Following the approval of the **Safety Incentive Program** in April 2015, and the implementation July 1, 2015, the Riverton Area staff (i.e. Riverton Transfer Station, the Sand Draw Landfill, the Shoshoni Landfill, and the rural transfer stations) have not had a single lost-time accident/incident in **6 years and 4 month**, and the Lander Area staff (i.e. Lander Landfill and the Dubois Landfill) had one lost-time accident early on but has now made it **5 years and 10 months!!**
2. November 2021: A new scale attendant for the **Dubois Landfill** has been hired and started November 2, 2021.

Board:

1. 2021 – Below is the current list of **Board Committees and Members**.
 - a. Recycling Committee: Jennifer Lamb, Gary Weisz, Bob Townsend, and Mark Moxley.
 - b. Health Benefit and Wage Committee: Rob Dolcater, Mike Adams, Gary Weisz, and Rick Klaproth.
 - c. Planning Committee: Bob Townsend, Steve Baumann, Jen Lamb, and Gary Weisz.
 - d. Budget Committee: Rick Klaproth, Gary Weisz, Rob Dolcater, and Mark Moxley.
 - e. WRIR Solid Waste Negotiations Committee: Rod Haper, Steve Baumann, Gary Weisz, and Mark Moxley.

Inter-Government:

1. State – **No Updates**
2. County:
 - a. November 2021: The Fremont County Commissioners received and reviewed the recommended **SOC and Equity pay adjustment** requests from all of their departments. Adjustments were approved, but the District has not had an opportunity to review what the final adjustments were. We have been in communication with Commissioner Mike Jones and anticipate receiving a summary of the adjustments this month.
3. Municipalities:
 - a. October/November 2021: Following the October Board meeting a number of documents were submitted to the **City of Riverton** (Kyle Butterfield) regarding the recommendations associated with the Strategic Planning project. No additional comments or questions have been received.

Regulatory/Engineering/Legal/General Contractors

Regulatory:

1. September 2021: The WDEQ-SHWD released an **updated Groundwater Protection Standards memorandum** for interested parties to review and comment on before being released to the public for comment. After review and discussions with Caroline Brewer (Trihydro), both the District and Trihydro offered comment on the document.
 - a. November 2021: The District was participated in a Zoom meeting associated with responding to the submitted comments. The meeting reviewed the changed implemented to the memo.

Engineering:

1. Trihydro: (1.) Environmental Monitoring (2.) Technical Assistance (3.) Shoshoni Landfill Closure Construction Oversight and Quality Assurance.
2. Burns and McDonnell: (1.) Capacity Audits (2.) Surveying (3.) Operational Efficiency Evaluation and Strategic Planning (4.) CIP Model Updates, and (5.) Scale Facility Design.

Legal:

1. November 2021: An initial review of the **Shoshoni Landfill Closure project** contract documents and deadlines were reviewed with the District Attorney as it appears that the contractual deadlines will not be met.

General Contractors – No Updates

Sites/Operations/Equipment:

Sites:

1. October 20, 2020: The **Shoshoni Landfill Closure Construction** is progressing nicely.

The liner installation sub-contractor has almost finished deploying and seaming the liner materials. The prime contractor (DRM) is working to place the cover soils over the liner. In order to avoid damaging any of the cover liner, the contractor is building haul roads across the lined areas to a depth of 3 feet and using a low ground pressure dozer to push the soils off of the haul roads out onto the liner. They have constructed three of the approximately 10 haul roads across the lined areas. As of 11/4/2021, the contractor only has one scraper running and one dozer running. They are running into challenges hiring additional staff to assist with the project and this is causing delays in progress. The substantial completion date for the project is 11/26/2021; however, it appears that they will not meet the deadline.

The prime contractor has now submitted the second pay application to cover the work that has been completed. Pay application number two is in the amount of \$123,235.98.

2. November 2021: We continue to work through our semiannual **storm water pollution prevention site inspections**.

Equipment:

1. November 2021: The District is close to finalizing a set of **bid documents** for two new front-end loaders. The goal will be to replace the two loaders purchased in 2014 used at the Lander Landfill and the Riverton Transfer Station, transitioning one of the replaced loaders out to the Sand Draw Landfill, and trading in one of our 924K loaders and our IT-14 loader (currently used at the Sand Draw Landfill). The two machines are nearing 10,000 hours. During the warranty period one of these loaders consumed over \$60,000 worth of warranty work!

Miscellaneous/Upcoming Work & Events/Work in Progress:

Miscellaneous: **No Updates**

Upcoming Work & Events:

1. October 2021: The District continues to explore options for this year's **Christmas Party**. Once we have an idea of the number of attendees, the event planning will be finalized.

Thank you,



Andrew Frey, P.E.
Superintendent of Operations
Fremont County Solid Waste Disposal District

Summary Memo

To: FCSWDD Board of Directors

From: Andrew Frey

Date: 11/3/2021

Re: Burns and McDonnell Strategic Planning Recommendation

<u>Site(s)</u>	<u>Action Item</u>	<u>Timeline</u>
Rural Transfer Stations	encourage volunteer operations	2022
Lander Site	develop new scale and scale house	2022
Sand Draw Landfill	develop new scale and scale house	2022
Dubois Site	develop new scale and scale house	2022
District-wide (sites with scales)	implement new NORM/TENORM policy	2022-23
District-wide (sites with scales)	develop/implement tire rate	2022-23
Lander Landfill	cost/benefit on leachate ponds	2024
Sand Draw Landfill	construct improvements	2024-25
Lander Transfer Station	construct a new transfer building	2025
Riverton Transfer Station	close to waste acceptance	2027
District-wide (sites with scales)	increase minimum fee to \$8	2027
Sand Draw Landfill	rate adjustment (\$70/ton)	2027
Lander Transfer Station	rate adjustment (\$90/ton)	2027
Dubois Transfer Station/Landfill	rate adjustment (\$100/ton)	2027
Lander Transfer Station	limit customer base to residential haulers	2027

FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT
Lander, Wyoming
AUTHORIZATION NO. 37
FOR SERVICES TO
BURNS & McDONNELL ENGINEERING COMPANY, INC.
Kansas City, Missouri

In accordance with the AGREEMENT FOR ENVIRONMENTAL SERVICES AND REMEDIATION dated May 20, 2014 between Fremont County Solid Waste Disposal District (hereinafter called CLIENT) and Burns & McDonnell Engineering Company, Inc. (hereinafter called CONTRACTOR), CLIENT hereby authorizes CONTRACTOR to proceed with the following services:

1. Basic Services

CONTRACTOR shall provide the following services related to preparing bid documents for the new scale houses at the Lander, Dubois, and Sand Draw landfills. These services are in addition to the services provided in Authorization 32.

1. Plans and Specifications Additions

- a. Revise Lander scale entrance design, including related entrance road sheets for plan view, profile and cross sections. New realignment will be located in the general vicinity of the current scale.
- b. Revise Sand Draw drawings to include second scale. This will require updating plan view, profile and cross sections at Sand Draw.
- c. Add scale gates and traffic controls/lights at the three facilities. This will include updating plan view drawings at each of the three sites and updating the scale specification accordingly.
- d. Prepare specification for radioactive material detection meters. This will also include updating civil and electrical drawings related to the meters at Sand Draw and Lander.
- e. Add electric gates and related opening controls at each of three sites. This will include specifying the gate openers and showing related design on the civil and electrical drawing sheets.

Assumptions:

The following assumptions were made in the development of this scope and fee.

1. Work completed as part of this authorization will be incorporated into the previously prepared scale house project plans and specifications (Authorization 32).
2. No striping plans will be required.
3. Erosion and sediment control plans for each site will not be required. The construction contractor will be responsible for applying for coverage under the WDEQ Small Construction General Permit (SCGP).
4. No new stormwater structures will be designed as part of this project. Stormwater detention for the increased imperviousness at the Lander Landfill will not be required.

5. CLIENT will contact the County to obtain the building permit. CONTRACTOR will provide any required technical information for this submittal.
6. Construction administration and observation services are not included in this scope.

It is anticipated that the CONTRACTOR will complete the plans and specifications package preparation and bid administration work in general conformance to the following schedule.

Schedule:

November - December 2021 – Issued for bid submittal

December 2021 – January 2022 – Contractor bidding

January - February 2022 – Contractor selected for construction

2. Additional Services

Additional Services are services or work which may be performed by CONTRACTOR for the Project, but which will be done at additional cost and are not included in the Project Budget. The following are Additional Services: **NONE**

3. Excluded Services

Excluded Services are services or work which will not be performed by CONTRACTOR unless CONTRACTOR specifically agrees to perform such services or work. Excluded Services include, but are not limited to: **PLEASE SEE ASSUMPTIONS.**

4. Compensation

CLIENT shall compensate CONTRACTOR for providing the services set forth herein in accordance with the terms or the existing Agreement. The cost initially authorized for the services is thirty-one thousand one hundred fifty-five dollars (\$31,155) and will be invoiced to the CLIENT on a unit rate basis in accordance with the current approved rate sheet. The CONTRACTOR shall not exceed this amount without prior written approval of CLIENT. The table below summarizes the costs for the major elements of the project:

- Lander Entrance Redesign = \$15,823
- Sand Draw Second Scale = \$5,918
- Scale control gates and lights = \$1,575
- TENORM Detector Specifications and Plan Updates = \$2,720
- Electric Entrance Gates = \$5,119
- **Total = \$31,155**

COVID-19 Notification. The uncertainty and potential disruptions to the labor force and supply chain caused by the global outbreak and spread of COVID-19 (“coronavirus”) may have an impact on this Project, the exact cost and duration of which we can neither predict nor control. Government orders and restrictions may also delay or prevent performance as anticipated. Therefore, this Proposal is conditioned upon an appropriate force majeure clause being included in the contract, which will grant the contractor a period of relief in performance and appropriate cost relief where circumstances arise that are beyond our control due to COVID-19 related events. In general, force majeure applies when an “act of God,” labor shortages, governmental order or regulation, or other extraordinary event prevents performance. The outbreak and spread of COVID-19 is just such an event, the impact of which nobody can predict at this time. To the extent applicable, the doctrines of “commercial impracticability” or “frustration of purpose” under the

Uniform Commercial Code (“UCC”) may also excuse performance if delivery pursuant to our contract’s terms has been made “impracticable” by the occurrence of a contingency, the non-occurrence of which both parties assumed when the contract was made. At this time, it is impossible to foresee or to predict the full impact of COVID-19 around the world and, therefore, have not included a contingency specifically for COVID-19.

AUTHORIZATION BY:

FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

By _____

Date _____

ACCEPTED BY:

BURNS & MCDONNELL ENGINEERING COMPANY, INC.

By: _____

Date _____