



# 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  
fax 307.332.5013  
trashmatters.org

## MEETING AGENDA

FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING  
August 15, 2022 - 9:30 a.m.

1. **PUBLIC HEARING – FCSWDD FY 2022-23 Operating Budget**
2. **PRELIMINARY ITEMS:**
  - a. Pledge of Allegiance
  - b. Roll Call: Michael Adams, Mandy Rose, Rick Klaproth, Mark Moxley, Rob Dolcater, Rod Haper, Jennifer Lamb, and Robert Townsend
  - c. Declaration of Quorum
  - d. Approval of Agenda (*Discussion and Formal Action*)
  - e. Public Comment / Communication from the Floor
3. **CONSENT ITEMS:**
  - a. Approval of the Meeting Minutes
    - i. July 2022
  - b. Approval of the Accounts Payable
    - i. July 2022
  - 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
4. **BUSINESS ITEMS:**
  - a. FY 2022-2023 Final Operating Budget – Approval (*Discussions and Formal Action*)
  - b. Fiscal Year 2022-23 Task Order Request (*Discussion and Formal Action*)
    - i. Burns and McDonnell
      1. Authorization No. 43: Lander Transfer Station Design and Bidding – not-to-exceed \$298,000  
This task order will include a significant amount of interface with the Board during the preliminary design to obtain buy-in on certain design goals and site layout. The primary deliverables include (1.) A conceptual design workshop, (2.) Schematic design, (3.) Construction documents, (4.) Cost estimate, (5.) Permitting with the state fire Marshall and general correspondence with the WDEQ, (6.) Monthly meetings with the District, and (7.) Bid administration.
  - c. Scale Buildings – Bid Review (*Discussion*)
  - d. Mill Levy Allocation (*Discussion*)
  - e. Board Committee’s – Vacancies (*Discussion*)
3. **NEW BUSINESS**
4. **CLOSING ITEMS:**
  - a. Upcoming Meeting(s):
    - i. The next Regularly Scheduled Meeting(s): September 19, 2022, at 9:30 a.m.
  - b. Call for Adjournment



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FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

## Minutes of Regular Board Meeting

July 18, 2022

### 1. PUBLIC HEARING – FCSWDD FY 2022-23 OPERATING BUDGET

CHAIRMAN MOXLEY opened the floor to public comment regarding the District's fiscal year 2022-2023 operating budget. Hearing no comment, the public hearing was closed.

### 2. 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 CHAIRMAN MOXLEY at 9:30am. CHAIRMAN MOXLEY then led the Pledge of Allegiance and declared that there was a quorum of the Board with the following people in attendance:

<u>Board Members:</u>	Robert Townsend, Normandy Rose, Jen Lamb, Mark Moxley, Rob Dolcater, and Rod Haper
<u>Excused Member(s):</u>	Michael Adams
<u>Unexcused Member(s):</u>	<i>no unexcused members</i>
<u>Commissioner Liaison:</u>	Mike Jones
<u>Community Liaisons:</u>	John Larson (City of Lander)
<u>Attorney:</u>	Rick Sollars
<u>Staff:</u>	Superintendent Andy Frey
<u>Consultant(s):</u>	Susan Brodie (SLB Inc)
<u>Guest(s):</u>	<i>no guests</i>

#### d. **Approval of Agenda**

RICK KLAPROTH made a motion to approve the consent agenda as presented. ROD HAPER seconded the motion.

**Discussion:** Recent recycling revenues have increased through a change in corrugated cardboard sales. A new buyer was identified, removing the freight expense from the District.

CHAIRMAN MOXLEY called the question on the motion. **MOTION CARRIED**

#### e. **Public Comment/Communication from the Floor**

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

### 3. CONSENT ITEMS:

#### a. **Approval of Prior Meeting Minutes**

- i. June 2022 Regular Meeting

#### b. **Approval of Accounts Payable**

- i. June 2022 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

**4. BUSINESS ITEMS:**

**a. FY 2022-2023 Final Operating Budget – Approval (*Discussions and Formal Action*)**

Superintendent Frey discussed with the Board that the District was provided the final mill levy allocation and it represented an increase \$3,835 which was applied to the fuel line item.

**Discussion:** (1.) Commissioner Jones asked if the District was requesting the full 3 mills to balance the budget. Superintendent Frey confirmed that the full 3 mills were necessary to balance the budget. (2.) Susan Brodie reiterated that this is the first time since 2012 that no funds were allocated to the Districts reserve account.

BOB TOWNSEND made a motion to approve the Fiscal Year 2022-2021 Operating Budget as presented. RICK KLAPROTH seconded the motion. **MOTION CARRIED**

**b. Fiscal Year 2022-23 Task Order Request (*Discussion and Formal Action*)**

i. Trihydro Corporation

1. Task Order No. 10-032: Environmental Monitoring Services – not-to-exceed \$98,785

Prior year cost was \$134,524. The prior year included the Tier II field work for our Title V air quality permit that caused the larger cost. This task order will include the groundwater and methane monitoring at the Lander, Sand Draw, Dubois, and Shoshoni Landfills, lab coordination, data validation, and reporting.

SECRETARY/TREASURER LAMB made a motion to approve the Trihydro task order 10-032 as presented. BOB TOWNSEND seconded the motion. **MOTION CARRIED**

**5. NEW BUSINESS**

- a. PFAS/PFOS Discussions: The Board suggested that with the EPA working to develop an understanding of potential rule making following a few years of reporting requirements it would be a good idea to understand the District's own potential concentrations at the sites to allow preparation and feedback.
- b. Wind River Inter-Tribal Solid Waste Contract: The timeline associated with the next negotiations is scheduled for the beginning of year 2023 to allow a 6-month period to finalize the negotiations.

**6. CALL FOR ADJOURNMENT**

RICK KLAPROTH made a motion to adjourn the meeting at 10:10am. BOB TOWNSEND seconded the motion. **MOTION CARRIED**

**7. UPCOMING MEETING(S):**

- a. **The next Regularly Scheduled Meeting: August 15, 2022, at 9:30 a.m.**

Respectfully submitted by,

---

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

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Mark Moxley  
Board of Director's Chairman  
Fremont County Solid Waste Disposal District

Fremont County Solid Waste Disposal District  
**Balance Sheet**  
As of July 31, 2022

	<u>Jul 31, 22</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
122105 · Petty Cash	300.00
122106 · Transfer Station Cash	400.00
122107 · Scale House Cash	1,600.00
123110 · CB&T Checking	113,811.80
123115 · Edward Jones Investments	
123115a · Edward Jones-Federal Bonds	8,089,083.99
123115 · Edward Jones Investments - O...	1,713.81
<b>Total 123115 · Edward Jones Investments</b>	<u>8,090,797.80</u>
123120 · Bank of Jackson Hole	200,410.19
123130 · Wyo Star	1,184,024.20
123132 · Wyo Star II	10,999,890.97
123134 · Wyoming Community Bank	981,788.33
<b>Total Checking/Savings</b>	<u>21,573,023.29</u>
<b>Accounts Receivable</b>	210,536.78
<b>Other Current Assets</b>	15,999.91
<b>Total Current Assets</b>	<u>21,799,559.98</u>
<b>TOTAL ASSETS</b>	<u><u>21,799,559.98</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	95,234.62
<b>Total Liabilities</b>	<u>95,234.62</u>
<b>Equity</b>	<u>21,704,325.36</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>21,799,559.98</u></u>



## memorandum

**To:** Andy Frey, P.E., Superintendent, Fremont County SWDD  
**From:** Scott Lee, P.E.  
**cc:** Fremont County SWDD Board  
**Date:** August 8, 2022  
**Re:** Project Updates for August 15, 2022 Board Meeting

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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 (WDEQ), 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 – 2022-2023 Environmental Activities and Monitoring (Task Order 10-032 / Trihydro Project 09Y-008-008)**

Activities associated with this work order during the previous month included:

- Spring monitoring event reports were submitted to WDEQ for Shoshoni, Sand Draw, Lander, and Dubois.
- The Sand Draw Title V Air Report was prepared and submitted to the Superintendent for review and signature.

### **Technical Assistance (Task Order 10-033 / Trihydro Project 09Y-005-009)**

Technical assistance activities during the previous month are as follows:

- A monthly Board memo was prepared for the July 2022 District Board meeting.
- A project status report was prepared to accompany the July 2022 invoice.
- Began drafting minor permit modification for Lander, Shoshoni, and Sand Draw Environmental Monitoring Plans

Trihydro received comments from WDEQ regarding the Shoshoni Construction Quality Assurance Report in July. Comments are minor and will be addressed in the upcoming month.



Andy Frey, FCSWDD  
August 8, 2022  
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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](mailto:slee@trihydro.com)), or stop by our office at 388 Main Street, Suite C, in Lander.

**END OF MEMORANDUM**

# Memorandum



Date: August 10, 2022  
To: Andy Frey, PE, Fremont County Solid Waste Disposal District  
From: Matt Evans, PE  
Subject: Progress Report –August 2022

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

### *Operational Efficiency Study and Strategic Plan*

Burns & McDonnell received comments on the Strategic Plan Report from the District Superintendent and has finalized the written report. Paper copies will be sent to the District this month.

### *Capacity Audits*

Surveys for the 2022 capacity audits were completed in July 2022. Capacity audit reports for the 2022-2023 FY are in progress. The reports are on schedule to be completed and presented to the Board at the September Board meeting.

### *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.

### *Capital Improvement Plan Modeling*

The CIP model was used as the foundation for the financial analysis completed as part of the Operational Efficiency and Strategic Planning Study. It is currently being updated with the fiscal yearend results for 2021-2022. Updated model output information will be presented as part of the Operational Efficiency study presentation to be completed at the September board meeting.

### *Scale House Construction Project*

The Scale Houses Construction Project was first advertised for bid on April 15, 2022. By the bid due date of May 5, 2022, no bids were received, as bidders indicated that they required additional time to obtain subcontractor pricing. Based on this feedback, the project was readvertised for bid on May 25, 2022, with a new due date of June 9, 2022. During this time, the District only received one bid. Upon review of the one received bid for the new scale houses project, Burns & McDonnell made a recommendation that the District not award the contract to the sole bidder due to incompleteness. The bidder only proposed completing the Dubois scale house portion of the project, declining to bid on the Lander and Sand Draw scale houses.

As an alternative, Burns & McDonnell recommended that the District purchase the scale house buildings directly from a pre-fabricated building manufacturer and bid each landfill site out separately for the remainder of the scale house project site work. The bid for the pre-fabricated

## Memorandum *(continued)*



August 10, 2022

Page 2

scale houses was advertised on July 29, 2022 with a bid due date of August 11, 2022. The remainder of the scale house project site work is anticipated to be advertised for bid on August 19, 2022 with a bid due date of September 15, 2022.

### *On-call Surveying*

There is no new on-call surveying information at this time. Fremont Engineering and Surveying completed topographical surveys of Lander, Sand Draw and Dubois facilities for the 2022 capacity audits in July as part of the capacity audit task.

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](mailto:maevans@burnsmcd.com) at your earliest convenience.



Fremont County Solid Waste Disposal District  
**Superintendent Report**  
August 11, 2022

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 = \$141 per ton & 35,700 total tons
    - *Note: 2021 included approximately \$1.1 million in expenses for the Shoshoni Landfill Closure project and \$457,900 in new equipment (i.e. three backhoes and a semi-tractor). Removing these two large expenditures, the annual review would be presented as \$97.91 per ton & 35,700 total tons.*
  - j. 2022 = \$135 per ton & 16,348 total tons for the first half
    - *Note: within this period our expenses have included the final three pay applications for the Shoshoni Landfill Closure project and inflationary price impacts.*

Staff:

1. August 2022: 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 **7 years and 1 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 **6 years and 7 months!!**

Board:

1. 2022 – Below is the list of **Board Committees and Members**:
  - a. Recycling Committee: Jennifer Lamb, Mandy Rose, Bob Townsend, and Mark Moxley.
  - b. Health Benefit and Wage Committee: Rob Dolcater, Mike Adams, Mark Moxley, and Rick Klapproth.
  - c. Planning Committee: Bob Townsend, Steve Baumann, Jen Lamb, and Rob Dolcater.
  - d. Budget Committee: Rick Klapproth, Jen Lamb, Rob Dolcater, and Mark Moxley.
  - e. WRIR Solid Waste Negotiations Committee: Rod Haper, Steve Baumann, Mandy Rose, and Mark Moxley.

## Inter-Government:

1. State:
  - a. May 2022: The **Honor Farm** has reached out to the District to review a prior MOU that allowed their program to graze some of the District land in exchange for them providing assistance back to the District (i.e. litter picking assistance, fence maintenance, access to their welding shop, etc.). We developed a new lease agreement with a neighbor to the north that allows stock water for the Honor Farm cattle. The Honor Farm is working with their attorneys to develop an updated MOU for Board review.
    - i. August 2022: **no updates**
  - b. June 2022: Representative Lloyd Larson and I toured the **Wyoming Life Resource Center** project to view some soil stockpiles remaining from the construction project to see if the District could use the soils within our operations.
2. County:
  - a. August 2022: The county commissioners met earlier this month to set the **mill levy allocations for the current fiscal year**. There was action proposed by Commissioner Allen to reduce the mill levy allocation from 3 mills to 2 mills, because it was his opinion that the District's reserve balance was adequate. The action failed due in large part to Commissioner Jones explaining the reserve criteria. This is unfortunate since the District was very clear in our budget presentation to the commission that there are no funds being allocated into reserves this fiscal year. This would have resulted in significant budgetary changes, including a potential rate increase for District customers.
3. Municipalities:
  - a. July 2022: The District has been having discussions with the City of Lander on the upcoming **PFAS/PFOS reporting** required by waste water treatment facilities starting in 2023.
4. Tribal:
  - a. August 2022: The District continues to participate in the conference calls / Zoom meetings with **EPA and the Tribes**.

## Regulatory/Engineering/Legal/General Contractors

### Regulatory:

1. August 2022: The District has reached out to the WDEQ-SHWD to better understand what **permitting criteria is necessary to advance with the Lander Transfer Station building** construction when that time comes. There has not been any response yet.
2. August 2022: The District is developing the final grant reimbursement request for the **Shoshoni Landfill Closure project** to SLIB following review and comment by the WDEQ.

### Engineering:

1. Trihydro: (1.) Environmental Monitoring (2.) Technical Assistance
2. Burns and McDonnell: (1.) Capacity Audits (2.) Surveying (3.) Operational Efficiency Evaluation and Strategic Planning (4.) CIP Model Updates, and (5.) Scale Facility Bidding Administration.

### Legal:

1. June 2022: The District received a draft Compliance Assistance Plan and Agreement (CAPA) agreement for review from Representative Lloyd Larson associated with the **Tribal Lands Cleanup project**. It was submitted to our attorney for review.

- a. July 2022: Following discussion with the Board, it has been communicated to Representative Larsen and EPA that that District does not intend to expend resources associated with reviewing and commenting until the adequate funds for the project have been made available by all groups involved.

General Contractors:

1. September 2022: Pacific Steel, the District's current **scrap metal processing contractor** has been scheduled to mobilize to the District's sites to process the available scrap metal again.

Sites/Operations/Equipment:

Sites – No Updates

Operations – No Updates

Equipment:

1. August 2022: The District received confirmation that the second front-end loader ordered in the prior fiscal year has been built and should be delivered to the Wyoming Machinery Casper location in the coming weeks prior to delivery to the District.

Miscellaneous/Upcoming Work & Events/Work in Progress:

Miscellaneous – No Updates

Upcoming Work & Events:

1. July 30, 2022: The 2022 **Household Hazardous Waste and Chemical Waste Cleanup Event** was held at the Riverton Transfer Station from 9:00am until 2:00pm on July 30, 2022, with 42 county residents utilizing the opportunity. Two volunteers from the Bureau of Land Management assisted the District with the event.
2. August 22-25, 2022: The Wyoming Solid Waste and Recycling Association (**WSWRA**) annual conference will be held in Powell. The District is sending four staff members to the event.

Work in Progress:

1. August 2022: The District received the survey data from the **tire shredding pilot project** on August 10, 2022, and is working to process the data.

Thank you,

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

FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT  
Lander, Wyoming  
AUTHORIZATION NO. 43  
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 a transfer station building at the Lander Landfill. The transfer station is anticipated to be for:

- Residential customers only (as recommended in the Strategic Plan), or,
- Residential and commercial customers

The scope of this project is applicable to either type of facility. As long as the facility size is defined at the completion of the Conceptual Design Workshop, the level of effort to design the two scenarios is the same, assuming the same amenities are included in both options (e.g., one restroom, one office, no-heating, etc.) as described in this scope of services.

**1. Conceptual Design Workshop**

A conceptual design workshop will be led by the CONTRACTOR to review the desired civil, structural, architectural, mechanical, plumbing, electrical, and fire protection details for the project with the CLIENT. The outcomes of the meeting will be documented in the Project Program.

The Project Program will be the basis of design for the remainder of the project.

**2. Schematic Design Phase Documents**

CONTRACTOR will prepare the following schematic design documents:

- Building floor plan
- Building wall sections
- Site plan with conceptual spot elevations
- Traffic flow with vehicle turning presented
- Ventilation narrative
- Lighting narrative
- Plumbing narrative
- Fire suppression narrative
- Site survey
- Specification table of contents
- Opinion of probable construction cost
- Construction schedule

- Contractor bidding and procurement recommendations

The schematic design documents will be consolidated into a report and submitted to the CLIENT for review. The documents will be reviewed with the CLIENT in a schematic design report review meeting. Comments from the meeting will be incorporated into an updated version of the schematic design report and submitted to the CLIENT.

At the conclusion of the schematic design phase of the project, key attributes of the building will be set, including:

- Size (square footage and interior clear span height)
- Number of underpass truck bays
- Number of garage doors
- Push wall design
- Building wall design
- Ventilation, lighting and plumbing design concept
- Types of customers to be serviced by the facility

### 3. Construction Documents Phase Services

After completion of the Schematic Design Phase, the CONTRACTOR will design and prepare construction documents for the CLIENT's approval. A CLIENT review period between Schematic Design and Construction Document preparation is not included in the scope of this project. Construction documents will include:

- Construction Drawings: Construction drawings will illustrate and describe the design of the project for construction. The drawings will be prepared with detail and quality necessary for bidding the construction work.
- Specifications: Construction specifications that provide additional detail regarding the types of materials to be used and installation practices will be prepared.
- Bidding Documents: Bidding documents will be prepared. It is anticipated that the bidding documents will include the following:
  - Invitation to Bidders
  - Bidders Qualifications
  - Instructions to Bidders
  - Bid Form
  - Bid Bond
  - Agreement
  - Notice of Award
  - Notice to Proceed
  - Performance Bond
  - Payment Bond
  - General Conditions

Example bidding documents will be provided as part of the design development phase for the CLIENT to review.

- Opinion of Probable Construction Cost

Following completion of the construction documents preparation, CONTRACTOR will conduct a workshop with the CLIENT to discuss the plans, specifications, bid documents and estimated cost of the work. Once the CLIENT has approved the construction documents,

CONTRACTOR will prepare and submit to the CLIENT final signed and sealed drawings, specifications, and bidding documents that are ready for construction contractor bidding.

4. Opinion of Probable Construction Cost

As presented in the work plan sections described above, CONTRACTOR will prepare an opinion of probable construction cost for the construction of the transfer station. The cost opinion will include general conditions costs, overhead and profit; however, the estimate will not include compensation for the engineer, land costs, rights-of-way, financing, or other contingencies for changes in the project; or other costs that are the responsibility of the CLIENT.

It should be noted that neither CONTRACTOR or the CLIENT have control over the cost of labor, materials, or equipment; the contractor's methods of determining bid prices; or competitive bidding, market, or negotiating conditions. Accordingly, CONTRACTOR cannot and does not warrant or represent that bids or negotiated prices will not vary from the CLIENT's budget for the Cost of the Work, or from any cost opinion of the Cost of the Work, or evaluation, prepared or agreed to by CONTRACTOR.

5. Permitting

- a. CONTRACTOR will submit the completed plans and specifications to the State Fire Marshall office for Plan Review per Wyoming State Statute; 35-9-108. One round of comments is assumed to be part of the application process.
- b. CONTRACTOR will submit plans and specifications, and a two-page narrative of the facility, to the Wyoming Department of Environmental Quality (WDEQ), for WDEQ review and approval. One round of comments is assumed to be part of the application process.
- c. For purposes of this scope of services, it is assumed a total of 40 hours of professional time will be required for the CONTRACTOR to complete permitting tasks.

6. Monthly Meetings: CONTRACTOR shall prepare for and attend monthly progress meetings for duration of design. Meetings will be virtually hosted by CONTRACTOR, or virtually attended at a Board meeting. These meetings will be attended by one CONTRACTOR representative to consult with the CLIENT on the design. For purposes of this Authorization, four (4) 1-hour-long meetings for a 4-month design duration are assumed.

7. Bidding

The CONTRACTOR will facilitate the project bidding. Services to be completed as part of the bidding process include:

- a. Prepare project advertisement for the project. CLIENT will submit the advertisement to the local newspaper for publishing. CONTRACTOR will post the documents on the QuestCDN website.
- b. Attend and lead a pre-bid meeting with the CLIENT and potential bidders. The meeting will be attended in person by one CONTRACTOR representative or the CONTRACTOR's subcontractor, Fremont Engineering & Surveying, inc.

CONTRACTOR will also have up to three staff persons attend the pre-bid meeting virtually.

- c. Prepare required addenda identified during the bid phase as needed.
- d. Prepare an Abstract of Bids after bid opening and check all unit costs and extensions.
- e. Provide a recommendation for award after review of all bid prices and bidder qualifications.

#### Assumptions:

This scope and fee were developed based on the assumption that the CONTRACTOR will prepare the design and bid package a new solid waste transfer station at the Lander Landfill facility. Additionally, time for bid phase support is included in this authorization request. The following assumptions were made:

- 1. Construction administration services are not included in this initial scope of services. CONTRACTOR has assumed construction administration services will be amended to this Agreement prior to commencement of construction.
- 2. A \$10,000 allowance for geotechnical investigation and reporting by a subcontractor to the CONTRACTOR has been assumed. The actual budget will be determined once the initial conceptual design is established.
- 3. All electrical engineering design will be limited to within the transfer station building. No site electrical is included.
- 4. No door card readers will be part of the design.
- 5. No security system design is included in this project.
- 6. No truck scales or scale houses, or other support buildings, are included as part of this project.
- 7. Exterior grading and associated civil design will be limited to the ramps in and out of the transfer truck tunnel, perimeter firefighting equipment access driveways, and driveways in and out of the building up 25' away from the building.
- 8. One office and one restroom facility will be part of the building.
- 9. The project will be bid as one bid package.
- 10. For purposes of developing scope and estimated design fee, it is assumed the transfer station building will be 25,000 square feet in size as referenced in the RFP.
- 11. The transfer station tipping and loading area of the building will be unheated. Only ventilation will be provided in this area.
- 12. Propane and/or electric heat will be used to heat the office and the restroom.
- 13. The customers to use the transfer station facility will be residential and commercial, or residential only.
- 14. The new transfer station will require a new freshwater cistern and a new septic system.
- 15. The cost of providing Bid Phase support is broken out in the table below. This task includes the development of all front-end documentation, distribution, and the presence of the project manager at the pre-bid meeting. It also includes answering construction contractor questions during the bidding phase.
- 16. The site survey taken as part of the 2022 capacity audit will be used for existing conditions figures and design.
- 17. No well and well-pumping system design is included in this scope of services. It is assumed that the freshwater cisterns will be placed near the scale houses.
- 18. No striping plans will be required.
- 19. No landscaping plans and specifications required.

20. Erosion and sediment control plans for the site will be required. The construction contractor will be responsible for applying for coverage under the WDEQ Small Construction General Permit (SCGP).
21. No new stormwater structures will be designed as part of this project. It is assumed stormwater detention for the increased imperviousness at the Lander Landfill will not be required.
22. CLIENT will contact the State Fire Marshall Office to obtain the building permit. CONTRACTOR will provide the plans and specifications technical information for this submittal. Fremont County has delegated all commercial building permit to the State Fire Marshall Office.
23. CONTRACTOR will complete necessary field testing and complete application for the Fremont County septic system permit.
24. No fire pump, fire water storage tank, fire suppression sprinkler system, or fire hydrant system is included. It is assumed that a fire retardant spray foam on the interior of the building will meet fire building code requirements, as enforced by the State Fire Marshall Office.

#### **Schedule:**

It is anticipated that the CONTRACTOR will complete the plans and specifications package preparation and bid administration work by April 30, 2023.

#### **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 SECTION ABOVE.**

#### **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 two hundred ninety-eight thousand dollars (\$298,000) 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:

**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: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Date: \_\_\_\_\_

ACCEPTED BY:

BURNS & MCDONNELL ENGINEERING COMPANY, INC.



By: \_\_\_\_\_

Name/Title: Spencer Cronin, Regional Manager

Date: August 9, 2022