



To: Zero Waste Advisory Commission

From: Bob Gedert, Department Director, Austin Resource Recovery

Date: June 11, 2014

Subject: Landfill Landscaping (Vegetative Cover) RCA

Purpose and Background

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 (MSW) Landfill. The Project includes the placement of final cap and cover on four landfill waste cells and associated drainage improvements.

In 2009, the City issued an invitation for bids for the FM 812 Landfill Final Closure Project and a construction contract was awarded to Ranger Excavating, L.P. on August 27, 2009 for the Project. Although the Project has been substantially complete for 42 months, Ranger Excavating, L.P. has repeatedly failed to establish the required re-vegetative cover necessary to protect the site from erosion, meet environmental regulations, and permit requirements.

There is an immediate and seasonal need for the establishment of the re-vegetation necessary to protect the site from erosion to be completed by a replacement general contractor without further bidding in order to preserve or protect the public health or safety of the City's residents as allowed by Section 252.002(a)(2) of the Texas Local Government Code. Until this work is completed the site is at risk of severe erosion during rain events, and the City is in danger of failing to comply with applicable environmental regulations and permit requirements.

Matoka, Inc., a local landscape contractor, has performed some work at the project site and is familiar with the remaining work and has expressed its willingness to contract with the City to complete the re-vegetation work. The substantial amount of time required to revise plans and specifications, repackage bid documents, advertise for replacement contractors, award contracts, and execute new contracts, would result in a failure to adequately preserve or protect the public health or safety. The purchase of the remaining services can be made as expeditiously as possible under the provisions of the Texas Local Government Code and Texas case law, in order to protect or preserve the public health or safety of the municipality.

The contract allows 120 calendar days for substantial completion of this project. This project is located within zip code 78719 and is managed by the Public Works Department. Matoka, Inc. is located in Austin, TX.

Contract Timeline

June 11th – ZWAC Recommendation
June 26th – City Council Date

Staff Recommendation

Staff recommends City Council ratification of Construction Contract with MATOKA, INC. for landscape services portion of the FM 812 Municipal Solid Waste Final Closure and Erosion Control Improvements project in an amount not to exceed \$283,596.95.