

Indian River County, Florida
Solid Waste Disposal District
Board Memorandum

Date: December 2, 2021

To: Jason E. Brown, County Administrator

From: Matt Jordan, Interim Director of Utility Services

Prepared By: Himanshu H. Mehta, PE, Managing Director, Solid Waste Disposal District

Subject: Amendment No. 1 to Wastewater Treatment Agreement with Indian River Sustainability Center

Descriptions and Conditions:

On July 13, 2021, the Indian River County (IRC) Solid Waste Disposal District (SWDD) Board approved the Wastewater Treatment Agreement between SWDD and Indian River Sustainability Center, LLC (IRSC), which consists of Heartland Water Technology, Inc., Proximo Energy, and Indian River Eco District, LLC. This agreement is for the design, construction, and operation of a 30,000 gallon per day evaporation plant to treat the landfill leachate on-site rather than sending it to the IRC West Regional Wastewater Treatment Plant.

The project design by IRSC is underway; however, there are some changes that both parties desire to formalize as Amendment No. 1 to the Wastewater Treatment Agreement.

The purpose of this agenda item is to obtain SWDD Board approval of the amendment.

Analysis:

Both SWDD staff and IRSC are in agreement to formalize the following changes in the attached Amendment No. 1 to the Wastewater Treatment Agreement:

1. Under the Wastewater Treatment Agreement, the leachate infeed pump directing Landfill Fluids from the Infeed Tank to the Heartland Concentrator™ System was to be supplied by the SWDD. Now the responsibility for the design, procurement, and installation of this pump, including controls will shift to IRSC from SWDD.
2. Under the Wastewater Treatment Agreement, IRSC was to be responsible for purchasing and installing the LFG pipe header from the LFG collection system to the Heartland Concentrator™ System (LFG Piping). The Parties have now determined that it would be advisable for SWDD to furnish and install the LFG Piping and take overall responsibility for dewatering the landfill gas coming to the LFG Piping (e.g., knock out pots) instead of IRSC.
3. It is necessary to modify/update the division of responsibilities (DOR) chart in the Wastewater Treatment Agreement to reflect the above changes.

- 4. There is a minor section numbering error in Section 4 of the Wastewater Treatment Agreement that the Parties would like to fix in this Amendment.

As a result of the changes described in Items 1 and 2 above, there is a credit of not to exceed \$240,000 from IRSC to SWDD that will be applied after the evaporation plant is commissioned.

Staff recommends approval of Amendment No. 1 to the Wastewater Treatment Agreement.

Funding:

Funding for the SWDD Leachate Treatment is budgeted and available in the SWDD/Landfill/Other Contractual Services account, number 41121734-033490, which is funded from SWDD assessments and user fees. The account has a total budget of \$1,100,000 for leachate pretreatment for the 2021/2022 fiscal year.

Description	Account Number	Amount
SWDD/Landfill/Other Contractual Services	41121734-033490	\$1,100,000

Recommendation:

Solid Waste Disposal District (SWDD) staff recommends that the Board:

- a) Approve the Amendment No. 1 to Wastewater Treatment Services Agreement between SWDD and Indian River Sustainability Center, LLC; and
- b) Authorize the Chairman to sign upon approval of legal sufficiency by the County Attorney.

Attachment (s):

Amendment No. 1 to Wastewater Treatment Services Agreement