

**INDIAN RIVER COUNTY
OFFICE OF MANAGEMENT AND BUDGET
PURCHASING DIVISION**

DATE: June 21, 2024

TO: BOARD OF COUNTY COMMISSIONERS

THROUGH: John A. Titkanich, Jr., County Administrator
Kristin Daniels, Director, Office of Management and Budget

FROM: Jennifer Hyde, Purchasing Manager

SUBJECT: Waiver of Bid Requirement and Approval of Agreement for Landfill Gas Flare Station and Piping

BACKGROUND:

On October 12, 2021, the Solid Waste Disposal District (SWDD) Board approved Work Order Number 44 to Kimley-Horn and Associates, Inc. for design of a new Landfill Gas (LFG) system. The new system is needed to facilitate the sale of the gas to NoPetro EcoDistrict (NED) for its Renewable Natural Gas (RNG) project.

Designs were completed, and the project was bid in November of 2023 (Bid 2024023). No bids were received. SWDD staff has undertaken portions of the project under the Continuing Utilities Labor Agreement (2020039), but the actual flare station and piping assembly and construction portion of the work is fairly complex, and few firms are capable of properly executing the work.

DISCUSSION:

Staff has obtained a proposal from SCS Field Services (SCS-FS), who most recently completed construction of the Landfill Segment 3 Cell 1 Landfill Gas System Expansion under bid 2021006, for the work. The Board is being asked to waive the code requirement for bids, to facilitate completion of construction prior to December 31, 2024, per our agreement with NED. As Bid 2024043 was issued, but no responsive bids were received, the requirement to competitively award construction work estimated to cost more than \$300,000 in F.S. 255.20 does not apply (per paragraph (1)(c)2).

The SCS-FS proposal is comprised of two tasks: Flare Station Equipment and Above-Ground Process Piping Installation, for an estimated cost of \$1,299,155, and Below-Ground HDPE Piping Installation, at a cost of \$208,950, for a total project cost of \$1,508,105. A contingency is recommended for the equipment assembly and installation portion of the first task. A future amendment will be necessary for the required electrical work, as this is still under review.

FUNDING:

The LFG Flare Station and Piping are considered a “closure activity,” and, as such, are funded from an escrow account long established per Florida Department of Environmental Protection (FDEP) requirements. Funding, in the amount of \$1,508,105, will be recorded in the SWDD/Accrued Closure – I, II & Infill, account number 411-239006.

Account Description	Account Number	Amount
SWDD/Accrued Closure – I, II & Infill	411-239006	\$1,508,105

RECOMMENDATION:

Staff recommends the Board waive the requirement for bids, approve the agreement, and authorize the Chairman to execute it after review and approval by the County Attorney as to form and legal sufficiency. Staff also recommends the Board authorize the County Administrator to sign any amendments to the agreement necessary, including increases in price, up to a total increase of \$400,000, to prevent delays in work.

Attachment:

Agreement