

#4

TO: Executive Board of Commissioners
FROM: Sarah Reeves, Executive Director
DATE: July 13, 2023
RE: MRF Engineering Consultant Contract – Waiver of Competitive Bidding

The new Materials Recycling Facility project is the largest infrastructure project CSWD has undertaken since the inception of the District. The project is complex and requires professional services on several fronts.

CSWD issued RFP No. 20230519 – MRF Design, Bid, Build on May 19, 2023. The RFP seeks firms to provide services to finalize the conceptual design for the new Materials Recycling Facility and to develop construction bid documents. The responses to the RFP are due July 17, 2023. CSWD has also extended an employment offer to an individual as a Project Management Engineer. The details of this new hire are being finalized (the position is budgeted in the FY24 Wages/Benefits budget). This person will work on the MRF project as well as on other infrastructure projects for the District, such as new Drop-Off Center development. The PME will work with the selected firm on the MRF project, however, will need some time to learn Vermont's permitting structure as they are currently living out of state and relocating to Vermont. In part due to this reason, and due to the project's complexity, I am recommending hiring a local engineering consultant with MRF construction experience and expertise to focus solely on the MRF. They will coordinate with the selected architectural firm and with CSWD's MRF team consisting of me, Jen Holliday, Josh Estey, and the new PME (Nola Ricci will also participate at strategic touch points in the project timeline). I will serve as the team lead and the consultant will report to me.

The consultant is Tony Barbagallo, doing business as Renewed Resource Management, LLC. Mr. Barbagallo is a former CSWD staff engineer who oversaw (among other projects) the construction and commissioning of the current Materials Recycling Facility. There is no one in Vermont who has Mr. Barbagallo's specific knowledge base and experience in this area. For this reason, I am recommending awarding a consulting contract under circumstance number three (3) as described in CSWD's Financial Procedures and Controls, Section X – Bid and Purchasing Procedures, which states:

For purchases exceeding \$7,500, competitive bids shall be solicited. The GM may waive this competitive bidding requirement in the following circumstances: 1) if an emergency situation exists, 2) if it is apparent that no competitive pricing exists; or 3) if, due to the proprietary nature of the equipment or services, bidding would be inappropriate and non-productive. In instances where the bidding requirement is waived, the reason for the waiver shall be documented in writing, and reported to the Executive Board or the Board Chair.

The MRF project is highly technical and requires close coordination between CSWD, the architectural firm, the construction firm, and the equipment supply vendor. Mr. Barbagallo will function as CSWD's owner's representative to the project and perform duties such as:

- Assist with the review the Proposals to be received for the currently advertised CSWD Materials Recycling Facility Design/Bid/Build Request for Proposals and provide a recommendation.
- Serve as primary point of contact to firm hired under item above.
- Provide assistance and support in MRF facility permitting.
- Provide bidding management assistance for MRF facility construction and hiring of general contractor to build what was designed by the selected firm.
- Serve as primary point of contact and provide oversight of the general contractor to be hired to build new MRF.
- Serve as primary point of contact for the installation of MRF processing equipment through facility commissioning.

The scope would include:

- Day to Day management of and coordination with contracted engineer/architect, general contractor, and processing equipment provider.
- Tracking of contracted costs to date and estimation of remaining costs.
- Ongoing updating of project schedules.
- Conduct and attend weekly progress meeting with engineers and contractors.
- Review of related invoices and payment requests.
- Review of contractor and engineers' QA/QC activities and related third party testing as needed.

Renewed Resource Management would be engaged on retainer basis for \$8,333.00 per month. For FY2024, the total contract amount would not exceed \$96,000. I am requesting a one-year contract with two one-year options to renew. The contract term would be July 18, 2023 – June 30, 2024. The cost may be reimbursable through bond proceeds (verification will be sought from Atty. Melloni). If not reimbursable, the cost will be considered part of CSWD's capital commitment to the project and paid out of the capital reserve.

BE IT RESOLVED that the Board of Commissioners authorizes the Executive Director to enter into a contractual agreement with Renewed Resource Management, LLC, located in Bolton, Vermont, for engineering consulting services specific to the Materials Recycling Facility new build project, for a first year contract amount not to exceed \$96,000 and with two one-year options to renew at the same terms and conditions.

