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DEPARTMENT OF PUBLIC WORKS

**Engineering Division
100 North Appleton Street
Appleton, WI 54911
TEL (920) 832-6474**

To: Municipal Services Committee
From: Danielle Block, Director of Public Works
Peter Neuberger, City Engineer/Deputy Director of Public Works
Luke Vandenberg, Project Engineer
Date: December 5, 2023
Re: **Approval of a single source award for the 2024 Cap Maintenance at the Closed City of Appleton Landfill to New Paradigm Companies, LLC in an amount not to exceed \$44,000.**

The Department of Public Works requests approval of a single source award for the 2024 Cap Maintenance at the Closed City of Appleton Landfill to New Paradigm Companies, LLC in an amount not to exceed \$44,000.

In April 2022 the Finance Department approved DPW's request to single source the cap maintenance at the Mackville Landfill. The memo also stated that DPW Engineering may request to sole source with this same contractor in 2023 and 2024. The memo and 2022 RFP submitted for that request is attached.

Work on this contract includes:

- Cutting the grass over the entire 53- acre site at least twice,
- Applying herbicide and removal of invasive species in the north ditch line,
- Repair of settled areas as directed,
- Repair of gravel road as directed,
- Reseeding and watering areas of sparse vegetation,
- Coordination with SCS Engineers and Valley Aero Modelers

New Paradigm Companies performed well in 2023, meeting the routine mowing needs, completing herbicide treatment in the north ditch, repairing areas of settlement, regrading the area of the demolished blower building, and coordination with City staff, SCS Engineers and the Valley Aero Modelers. Therefore, the Department of Public Works requests approval of a single source award for the 2024 Cap Maintenance at the Closed City of Appleton Landfill to New Paradigm Companies, LLC in an amount not to exceed \$44,000.

Department of Public Works – Engineering Division

MEMO

TO: Jeff Fait, Purchasing Manager

FROM: Paula Vandehey, Director of Public Works
Sue Olson, Staff Engineer

DATE: April 5, 2022

RE: Request to Sole Source contract for Mackville Landfill Cap Maintenance services with New Paradigm Contracting

The Department of Public Works is requesting approval to sole source a contract with New Paradigm Contracting to perform maintenance of the Mackville Landfill cap, in an amount not to exceed \$21,600.

The Mackville Landfill site is approximately 53 acres. Since the Mackville Landfill remediation and cap was completed in early 1996, the Operations Division of Public Works has performed maintenance of landfill cap, such as removing invasive species and sediment from the perimeter ditch, removing woody vegetation, fence maintenance and internal access road maintenance. Cutting the cap vegetation has been completed by various contractors over the years and for the past several years was included with the mowing contract bid by the Inspections Division.

In September 2021, the mowing contractor significantly damaged the landfill cap by attempting to cut the vegetation with the improper equipment under wet conditions, without notifying the City of the wet conditions or the damage. This situation, along with on-going staffing issues in the Operations Division, has forced us to reconsider how this work should best be accomplished. After careful consideration, we are recommending that moving forward the cap maintenance should be contracted separately by the Engineering Division and include all cap maintenance previously performed by the Operations Division and the Inspections Division mowing contractor.

DPW Engineering staff researched local contractors, looking for the equipment and skill set to work on a landfill site with on-going environmental monitoring, able to do the full range of work from cutting grass to ditch cleaning to gravel road maintenance. The only contractor we could find that met our requirements was new Paradigm Contracting. The owner and operator of New Paradigm Contracting is a hydrogeologist with landfill experience while working for AECOM and additional environmental work while employed with Westwood (formerly OMNNI), including work on City projects.

This contract includes both routine and non-routine work, as described in the attached RFP. Proposed pricing for cutting the cap vegetation is between the cost of the Inspections Division contract and the cost paid to Outagamie County in past years. Due to several years of limited or no maintenance in various areas of the site, DPW Engineering believes that the additional cost for quality work is needed to catch up with site maintenance. It is estimated that it may take three years to repair the health of the cap vegetation and complete the outstanding maintenance work, especially removal and control of the invasive species in the north ditch. DPW Engineering may request to sole source with this same contractor in 2023 and 2024.

CLOSED CITY OF APPLETON LANDFILL
CAP MAINTENANCE
2022 REQUEST FOR PROPOSAL

This document provides the anticipated scope of services for the 2022 Cap Maintenance work at the Closed City of Appleton Landfill (Mackville Landfill) located at W5007 Quarry Road in the Town of Center and is considered an integral part of the contract. Should the City request other tasks not specifically listed in this document, those will be negotiated on a case-by-case basis.

The landfill cap is two (2) feet of compacted clay covered with two (2) feet of rooting zone layer and 6 inches of topsoil. Original seed mix included cool season grasses.

1. Project Management

- Invoicing shall be no more frequent than once per month
- Contractor shall take direction from both the City and SCS Engineers (SCS)
- Contractor shall communicate with the City, SCS and the Valley Aero Modelers (VAM) as needed
- The City will provide Contractor a key to access the site
- Contractor shall notify the City immediately of any concerns of the condition of the site
- Contractor shall be responsible for the health and safety of its employee's and preparation of a site-specific health and safety plan
- Contractor shall follow applicable safety and environmental regulations

2. Site Inspections/Meetings

- Contractor shall attend up to 3 on site meetings per year, approximately 2 hours per meeting, including:
 - One on site kickoff meeting to walk the site with City and SCS staff to mark cap penetrations/structures/fencing/etc. to ensure they are protected during mowing operations
 - Annual Site Walk in the fall with City and SCS staff
- Site inspections/meetings may include City staff, SCS staff, DNR staff, VAM or any combination of these. If possible, the City will provide a minimum of five (5) working days' notice.

3. Scope of Services

3.1 Routine Services

- Contractor shall cut the site vegetation, including side slopes, but not areas mowed by VAM, twice a year. The mowing area is approximately 53 acres, and is generally bounded by the drainage ditch to the north, and existing fence lines on the west, south, and east sides. Refer to Figure 1 – Site Plan.
 - Contractor shall mow once between the dates of May 1 – June 15, and once between the dates of August 1 – September 15, when conditions allow (not during wet/soft conditions when rutting may occur).
 - Contractor to provide notice at least three (3) working days in advance of mowing.
 - Contractor shall provide a status update with photos of completed work to the City after each mowing event.
 - Contractor shall use a flail-type drum mower.

- Contractor shall notify the City and SCS during the same working day of ruts greater than four inches in depth.
- Contractor shall cut to a height of approximately four (4) inches.
- Contractor to trim vegetation around stick-ups/pipe penetrations.
- Contractor shall cut vegetation in a 30 ft area around blower building up to 6 times per year. Trim vegetation along edge of building.
- Contractor shall remove woody vegetation (trees, shrubs and brush) from the landfill cap as directed by either the City or SCS.
- Contractor is responsible for decontamination of Contractor's equipment.

3.2 Non-routine Services

- Contractor shall provide a plan and budget to control phragmites in the north ditch line. If funding is available, work may begin in 2022.
 - Contractor shall obtain all necessary permits for any herbicide treatment on the site. Contractor to provide records of what herbicides were used, quantity of each, and a written statement that they were applied in accordance with manufacturer directions.
- Contractor shall repair low areas on the site as budget allows and under the direction of SCS, including:
 - Providing rooting zone material
 - Providing topsoil
 - Grading areas for positive surface drainage (minimum 1% slope)
 - Seeding (WisDOT Seed Mix #20), mulching and watering until vegetation is well established
- Contractor shall repair the gravel road, including:
 - Providing material
 - Grading for positive drainage
 - Repairing washouts
 - Removing sediment buildup under driveway culvert

4. Contractor shall provide a Schedule of Prices, including

- Hourly rates for staff assigned to this project
- List of available equipment and hourly rates
- Cost per each site mowing (including cost per acre)
- Cost per each mowing around blower building that is not part of full site mowing
- Expenses (mileage, fuel surcharge)

5. Contract Attachments

- Figure 1 – Site Plan
- Insurance Requirements and Certificate
- Contractor Proposal, including
 - Statement of Qualifications
 - Any Special Conditions
 - Schedule of prices, as listed above
 - Costs for Routine Services per Section 3.1 above