



## Legislation Text

---

**File #:** 2024-0541, **Version:** 1

---

**To:** Board of Supervisors

**Department or Agency Name(s):** Sonoma County Public Infrastructure

**Staff Name and Phone Number:** Johannes J. Hoevertsz, 707-565-2550

**Vote Requirement:** Majority

**Supervisorial District(s):** First, Second and Fifth

**Title:**

Award of Construction Contract for the Closed Landfill Leachate Tank Replacement Project

**Recommended Action:**

- A) Adopt and approve the Project Manual and Drawings (“plans and specifications”) entitled “2024 Leachate Storage Tank Replacement”.
- B) Authorize the Director of Public Infrastructure to execute the construction contract for the 2024 Leachate Storage Tank Replacement project to the lowest responsible and responsive bidder, Anvil Builders Inc., in the amount of \$8,665,002.
- C) Authorize the Director of Sonoma County Public Infrastructure to sign Document 006400 (Affidavit of Release of Liens Form), with County Counsel review, if any unresolved claims are listed by the contractor.
- D) Delegate to Director of Sonoma County Public Infrastructure the authority to approve design changes to the Project as may be necessary or appropriate in connection with change orders within the Director’s authority

(First, Second and Fifth Districts)

**Executive Summary:**

Sonoma County Public Infrastructure (SPI) is requesting award of a construction contract to Anvil Builders Inc., in the amount of \$8,665,002. The contract includes, furnishing all labor, equipment, materials, and supplies for the installation of six (6) landfill leachate storage tanks. The construction project involves the removal and replacement of existing steel landfill leachate tanks with stainless steel leachate tanks at each of three (3) County closed landfill sites: Guerneville, Roblar, and Sonoma. Each site will have two (2) 200,000-gallon tanks installed.

**Discussion:**

The County of Sonoma is responsible for seven legacy closed landfill sites throughout the County, including the Guerneville, Roblar and Sonoma Closed Landfills. Each of these sites has a leachate collection and recovery system consisting of collection sumps, transfer pumps, and mobile 22,000-gallon storage tanks. Leachate is pumped to the tanks and removed intermittently by tanker trucks. The leachate is typically hauled to the Laguna Sub-regional Wastewater Treatment Plant for treatment and disposal.

### Guerneville Closed Landfill

At the Guerneville site, leachate is collected at two locations on the south side of the property. A sump that collects leachate with one pump is located at the lowest elevation, at the base of the closed facility. This pump conveys leachate to storage tanks on the mid-level elevation, which also has numerous collection points. The mid-level tanks have two pumps that convey the combined leachate to four (4) 22,000-gallon mobile storage tanks for removal.

### Roblar Closed Landfill

The Roblar site has two leachate collection sumps on the northwest side of the site. These two sumps use a series of three pumps that transfer the collected leachate to two (2) 22,000-gallon mobile storage tanks for removal.

### Sonoma Closed Landfill

The Sonoma site has two separate collection locations on the northeast side of the site. Both collection locations have one pump each that individually convey leachate to four (4) 22,000-gallon mobile storage tanks.

During times of maximum leachate generation, typically during significant winter storms, the current leachate storage volumes are insufficient at the sites, resulting in the need for continuous trucking of leachate during peak periods. If, for any reason, trucks are unable to access the sites during peak periods an overflow or spill of leachate is possible. Increasing the volume of leachate storage will reduce this risk, and additional storage will make the system more resilient in the event transportation services are disrupted, or regular leachate removal activities are impaired. Examples of potential impairment include lack of trucking access from flooded roads and slides, or a lack of capacity at the treatment facility due to volume overload across the system.

### CEQA Compliance

This project is categorically exempt under Section 15301(c) of the State CEQA Guidelines (Class 1, Existing Facilities). Class 1 includes the repair, maintenance, and minor alteration of publicly owned facilities involving negligible or no expansion of existing or former use. The project is also consistent with the Categorical Exemption described in Section 15302 (Class 2, Replacement or Reconstruction). Class 2 consists of the replacement of reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Also applicable to this project is the Categorical Exemption described in Section 15303, Class 3 (New Construction or Conversion of Small Structures). Class 3 consists of the construction and location of limited numbers of new, small facilities or structures such as leachate tanks and appurtenances. Accordingly, and pursuant to Section 23A-11 of the Sonoma County Code, it has been determined that this project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA). A Categorical Exemption will be filed.

**Bid Advertisement, Opening and Award**

This Project was advertised for construction bids on March 1, 2024, and the following bids were received on April 4, 2024:

Anvil Builders Inc.: \$8,665,002  
Innovative Construction Solutions: \$8,742,185

In accordance with Public Contract Code Section 20128, the contract must be awarded to the lowest responsible and responsive bidder. Anvil Builders Inc. is experienced in large infrastructure projects, working as a general contractor, subcontractor, and supplier of equipment and materials to general contractors for construction projects. SPI recommends awarding the construction contract for the Leachate Tank Replacement Project to Anvil Builders Inc. with a deadline for final completion of 180 days following notice to proceed.

A contractor must execute an Affidavit of Release of Liens Form before final payment but may except any unresolved claims from the release. The requested action authorizes the Director to approve the release unless the contractor lists unresolved claims. In that case, County Counsel must review prior to the Director's approval.

**Bid Protest:**

Innovative Construction Solutions (ICS) filed a bid protest on April 22, 2024, alleging that the bid submitted by Anvil Builders Inc. (Anvil) on April 4, 2024, was non-responsive. Specifically, ICS argued that omissions in Anvil's responses to the County's requests for qualifications constituted material defects in the bid that could not be waived by the County. The bid protest was reviewed by the Department and County Counsel, and it was determined the bid protest is without merit. The bid submitted by Anvil on April 4, 2024, was responsive to the material elements of the County's request for bids. None of the identified deviations affect the contract schedule, price or quality, nor do they allow Anvil to adjust its pricing or avoid its bid without forfeiting its bid bond. As such, the cited bidding irregularities are properly waived. Accordingly, the bid protest was denied on May 3, 2024, by the Director of Sonoma Public Infrastructure.

**Strategic Plan:**

This item directly supports the County's Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

**Pillar:** Resilient Infrastructure

**Goal:** Goal 2: Invest in capital systems to ensure continuity of operations and disaster response.

**Objective:** Objective 1: Align the Board of Supervisor's strategic priorities, policy, and operational goals with funding and resources.

**Racial Equity:**

**Was this item identified as an opportunity to apply the Racial Equity Toolkit?**

No

**Prior Board Actions:**

05/24/22 - Board Approved 1<sup>st</sup> Amendment for Agreement with GHD

07/20/21 - Board Approved Agreement with GHD, Inc. for Engineering Services for Design of Leachate and

Potable Storage Tanks

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY23-24 Adopted</b>	<b>FY24-25 Projected</b>	<b>FY25-26 Projected</b>
Budgeted Expenses		\$8,665,002	
Additional Appropriation Requested			
<b>Total Expenditures</b>		<b>\$8,665,002</b>	
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal			
Fees/Other (Concession Fees)		\$6,015,001	
Use of Fund Balance (Franchise Fees)		\$2,650,001	
General Fund Contingencies			
<b>Total Sources</b>		<b>\$8,665,002</b>	

**Narrative Explanation of Fiscal Impacts:**

Appropriations for this project are included in the Fiscal Year 2024-25 Integrated Waste Former Rural Landfill (41122-34050200) and Former Urban Landfill (41123-340050300) Recommended Budget. The source of funds for these projects includes \$6,015,001 in Concession Fees which are generated on each ton of Municipal Solid Waste and Organic Solid Waste collected at County-owned Solid Waste Facilities and \$2,650,001 in Franchise Fees.

**Narrative Explanation of Staffing Impacts (If Required):**

None

**Attachments:**

Bid Book, Special Provisions, Technical Specifications, Addendums, and Contract

**Related Items "On File" with the Clerk of the Board:**

1<sup>st</sup> Amendment Agreement with GHD for Tank Replacement Design work  
Agreement with GHD for Tank Replacement Design Work  
Leachate Storage Tank Replacement Drawings and Plans  
Draft Notice of Exemption