



Legislation Details (With Text)

File #: 1268-2009 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/22/2009 **In control:** Utilities Committee
On agenda: 10/26/2009 **Final action:** 10/26/2009

Title: To authorize the Director of Public Utilities to modify an agreement on behalf of the City of Columbus between Kurtz Brothers Central Ohio, LLC and the Solid Waste Authority of Central Ohio, for the design, construction and operation of the Organic Waste Recovery and Reuse System Project, and to authorize the expenditure of \$150,000.00 from the Sewer System Operating Fund. (\$150,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------------------|------------------------------------|--------|
| 10/29/2009 | 1 | CITY CLERK | Attest | |
| 10/28/2009 | 1 | MAYOR | Signed | |
| 10/26/2009 | 1 | Columbus City Council | Approved | Pass |
| 10/26/2009 | 1 | ACTING PRESIDENT PRO-TEM | Signed | |
| 10/19/2009 | 1 | Columbus City Council | Read for the First Time | |
| 10/2/2009 | 1 | Auditor Reviewer | Reviewed and Approved | |
| 10/2/2009 | 1 | CITY AUDITOR | Reviewed and Approved | |
| 10/2/2009 | 1 | Utilities Drafter | Sent for Approval | |
| 10/2/2009 | 1 | CITY ATTORNEY | Reviewed and Approved | |
| 10/2/2009 | 1 | Utilities Drafter | Sent to Clerk's Office for Council | |
| 10/1/2009 | 1 | Finance Reviewer | Reviewed and Approved | |
| 10/1/2009 | 1 | FINANCE DIRECTOR | Reviewed and Approved | |
| 10/1/2009 | 1 | Utilities Drafter | Sent for Approval | |
| 9/30/2009 | 1 | Utilities Drafter | Sent for Approval | |
| 9/30/2009 | 1 | Finance Reviewer | Reviewed and Approved | |
| 9/29/2009 | 1 | ODI DIRECTOR | Reviewed and Approved | |
| 9/28/2009 | 1 | Utilities Reviewer | Sent for Approval | |
| 9/28/2009 | 1 | UTILITIES DIRECTOR | Reviewed and Approved | |
| 9/28/2009 | 1 | Utilities Drafter | Sent for Approval | |
| 9/28/2009 | 1 | EBOCO Reviewer | Sent for Approval | |
| 9/25/2009 | 1 | Utilities Reviewer | Reviewed and Approved | |
| 9/22/2009 | 1 | Utilities Drafter | Sent for Approval | |

BACKGROUND:

This legislation authorizes the Director of Public Utilities to execute Contract Modification No. 3 to the Organic Waste Processing Agreement between Kurtz Brothers Central Ohio, LLC (Kurtz) and the Solid Waste Authority of Central Ohio (SWACO).

This Modification No. 3 will fund the following provisions and services to this contract. Modification No. 3 will be in effect to and including September 30, 2010.

A. Trucked Waste Disposal Facility:

Grant Kurtz the authority to design their facility to include the process of accepting trucked waste in addition to the fats, oils and grease (FOG) that they will be accepting under the terms of the original agreement. In so much as Kurtz was constructing a similar facility to the one operated by DOSD in the vicinity of Berliner Park, both parties agreed that it would be in their best interests to share a facility to accommodate both efforts thereby reducing costs and a duplication of services. This facility will be operated and maintained by Kurtz under the terms of this agreement for a period of ten years.

B. Incinerator Ash Beneficial Reuse Program:

Grant Kurtz the authority to create a beneficial reuse program for wastewater treatment incinerator ash that is generated by the City's two wastewater treatment plants. Ash has been historically stored at the treatment plants in lagoons and land filled at considerable expense to DOSD. This program will allow for up to 5,000 tons a year to be removed and adapted for beneficial reuse under this provision, at a rate of \$30.00 per ton, which is less than the current land filling tipping rate.

C. Fixed Rate Sewer Sludge Processing Term:

Enact a fixed rate fee of \$33.50 per ton of sewerage sludge processing for the duration of this contract (10 years + 5 year extension). This contract authorizes the disposal of up to 25,000 wet tons per year at this rate. This contract will provide DOSD with a beneficial alternative disposal option for sewerage sludge, and should avoid the costs associated with land filling sludge during planned and unplanned shutdowns of the city's wastewater incinerator facilities.

FISCAL IMPACT: \$150,000.00 is needed and budgeted for this modification.

VENDOR: Kurtz Brothers Central Ohio, LLC (20-352137) Expires 12-12-10

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

To authorize the Director of Public Utilities to modify an agreement on behalf of the City of Columbus between Kurtz Brothers Central Ohio, LLC and the Solid Waste Authority of Central Ohio, for the design, construction and operation of the Organic Waste Recovery and Reuse System Project, and to authorize the expenditure of \$150,000.00 from the Sewer System Operating Fund. (\$150,000.00)

WHEREAS, the City of Columbus is committed to providing environmentally friendly programs for the disposal of yard waste, sewage bio-solids, fats, oils and greases and other waste streams from the community, and is continuously searching for alternatives to landfill disposal and to incineration; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, and the Solid Waste Authority of Central Ohio are desirous of establishing an Organic Waste Recovery and Reuse System program to process municipal sewage bio-solids, fats, oils, greases, food waste, animal waste, yard waste and other organic material; and

WHEREAS, the Solid Waste Authority of Central Ohio and the City of Columbus, utilized the Request for Statement of Qualification competitive procurement provisions of Section 329.13 of the Columbus City Codes for purposes of procuring a ten-year agreement for the design, construction and operation of the area's first Organic Waste Recovery and Reuse System; and had determined Kurtz Brothers, Inc., to be the highest ranking offeror; and

WHEREAS, Ordinance No. 1270-2005, as passed by Columbus City Council on July 25, 2005, authorized the Director of Public

Utilities to enter into an agreement on behalf of the City between Kurtz Brothers, Inc., and the Solid Waste Authority of Central Ohio for the design, construction and operation of an Organic Waste Recovery and Reuse System (OWRRS) project to process municipal sewage sludge, food waste, animal waste, yard waste and other organic material; and

WHEREAS, Ordinance No. 1442-2006, as passed by Columbus City Council on September 18, 2006, authorized the Director of Public Utilities to execute a contract modification on behalf of the City and the Solid Waste Authority of Central Ohio and Kurtz Brothers, Inc., to allow for the selection of an alternative site for the OWRRS facility, and to extend the deadline for the construction of said facility; and

WHEREAS, the parties to this agreement have determined it advantageous to enter into a contract modification for purposes of incorporating additional public-private partnerships including the development of a beneficial reuse of wastewater sludge incinerator ash and provisions for moving the City's Trucked Waste Facility location to the OWRRS site for purposes of allowing a mutual benefit between the contracted parties and its customers; and it is therefore necessary for this City Council to authorize the Director of Public Utilities to execute a contract modification, now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities is hereby authorized and directed to modify a contract with the Solid Waste Authority of Central Ohio (SWACO) and Kurtz Brothers Central Ohio, LLC, for the design, construction and operation of an Organic Waste Recovery and Reuse System.

Section 2. That the expenditure of \$150,000.00 is hereby authorized to pay Kurtz Brothers Central Ohio, LLC, in connection with the removal of 5,000 wet tons at \$30.00 per ton of wastewater incinerator ash for the development of a beneficial use program, and that the cost thereof is to be funded as follows:

**Division of Sewerage and Drainage
Southerly Wastewater Treatment Plant**

Fund: 650
OCA 605055
Object Level 1: 03
Object Level 03: 3419
Amount: \$150,000.00

Section 3 That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.