




CITY MANAGER'S REPORT

AGENDA ITEM REQUEST

UTILITIES DEPARTMENT

DATE: November 29, 2017

TO: Ed Lavallee, ICMA-CM, MPA, City Manager

FROM: Javier Vargas, MPA, Utilities Director 

COUNCIL DATE: December 12, 2017

SUBJECT: ProLime – Change Order No. 1
Lime Sludge Pond Closure

Background:

City Council approved the contract with ProLime on May 23, 2017. The original contract was for the removal of 30,000 cubic yards of lime sludge and the importing of 23,500 cubic yards of clean fill to restore the lime disposal site to natural grade. The 30,000 cubic yards was taken directly from a report performed by The Colinas Group, Inc. dated November 15, 2012. The 23,500 cubic yards of clean fill was calculated by the City's Consultant for this project, Wade Trim.

To calculate the volume of lime sludge, soil borings were taken in both ponds and an average depth was calculated based on the lime sludge depth at each boring location. The volume of clean fill was calculated using the assumed volume of the lime sludge being removed, applying a compaction factor to the imported fill and using the volume of the existing berms to be used as additional fill material, restoring the entire site to natural grade.

There were no abnormalities encountered during the lime sludge removal in the south pond. As the Contractor progressed into the north pond, they began to see the depths of the lime sludge exceeding the average depth identified in the report. These depths were in excess of 7' deeper than the average. The report included a map showing the boring locations in both ponds. There was a significant lack of borings taken in the center and southerly sections of the north pond, in the same location where the Contractor experienced these significantly greater depths of lime sludge.

In October, the City received a letter from ProLime indicating they were rapidly approaching the volumes of lime removed and fill to be imported that were identified in the contract. They requested direction on how to proceed given the contract quantities were close to be achieved. Several factors were considered prior to providing direction. Safety was the number one concern since the lime sludge depths were in excess of fourteen feet below existing grade and a huge cavity had been created by the partial removal of the lime sludge. In addition, the City would have to compensate ProLime for mobilization/demobilization if there were any delays in the project. There also would have been a delay in completing the project by a minimum of six months before ProLime could reschedule and continue working. These unsafe and dangerous site conditions for that length of time and the liability exposure to the City led to the decision allowing

ProLime to continue, especially since they agreed to perform this additional work at the agreed upon contract unit prices, *not to exceed* \$1,277,670.32. The Contractor is scheduled to complete the initial restoration of the project site by mid-January 2018.

The City's new Comprehensive Plan will designate this area as a nature preserve. The removal of the entire volume of lime sludge was necessary in order to eliminate the City's liability for having this material stored at this location. Change Order No. 1 will revise the quantities of material removed, accounting for the additional depths encountered in the areas where soil borings were not taken, in order to accomplish this goal.

Requested Action:

The Utilities Department requests Council's execution of ProLime, Change Order No. 1, Lime Sludge Ponds Closure, in the amount of \$1,277,670.32 bringing the new contract amount to \$3,862,615.74.

City Attorney Review:

N/A

Risk Management Review:

N/A

Funds Availability (account number):

Based on council approval, funds are available in account number 421-1203-533.63-00.