



**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEFL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: August 31, 2010

Public Hearing Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7000

SUBJECT: Waive the Bid Process to Purchase Soil from Tea Pot Dome Water District Property

REQUEST(S):
That the Board of Supervisors:

1. Approve a waiver of the bid process to purchase approximately 137,000 cubic yards of soil from the Tea Pot Dome Water District through Bob C. Nuckols of Nuckols Farming for \$4.60 per cubic yard delivered to the Teapot Dome Landfill; and
2. Direct the Purchasing Agent to issue a purchase order for the soil.

SUMMARY:
The Tea Pot Dome Water District (TDWD) owns a 10 acre parcel about a quarter mile north of the County's Teapot Dome Landfill on which they plan to construct a ground water recharge basin to retain available surplus water from the Friant Kern Canal. Plans for the recharge basin have been prepared and approved by TDWD. The TDWD Board adopted a negative declaration under the California Environmental Quality Act (CEQA) for the project. TDWD has obtained a grading permit from the Resource Management Agency and an exemption from the State Mining and Geology Board from the requirements of the Surface Mining and Reclamation Act (SMARA) for sale of soil to a public agency. Approximately 137,000 cubic yards of soil may be available from the excavation of the ground water recharge basin.

SUBJECT: Waive Bid Process to Purchase Soil from the Tea Pot Dome Water District Property
DATE: August 31, 2010

The County owns and operates the Teapot Dome Landfill. As the County considers extending the capacity of the landfill and/or constructing a transfer station on the landfill property, as much as 200,000 cubic yards of imported soil may be required for the continued operation of the landfill and to construct the required final four foot (4') thick cover of soil over the buried waste. The soil from TDWD's basin will significantly reduce this soil deficit. Also, the soil from TDWD's basin is a cohesive material containing some clay that is ideal for use at the landfill. Sandy or gravelly material generally available from the established quarries for typical construction purposes is less suitable for use at the landfill for operations and closure.

Tulare County Ordinance Code Section 1-03-1305 requires the Purchasing Agent to solicit written bids for the purchase of material if the estimated total cost exceeds \$50,000. The total estimated cost for approximately 137,000 cubic yards of soil at \$4.60 per cubic yard is \$630,200. Tulare County Ordinance Code Section 1-03-1305 also provides that the Board of Supervisors may waive the requirement to solicit written bids.

A price of \$4.60 per cubic yard loose volume price covers the cost to excavate the material from the basin and to load and haul it to the Teapot Dome Landfill. The County's purchase of the soil is a unique opportunity for both the County and TDWD. Soil in that quantity, character and proximity to the landfill is not available from existing quarries with SMARA permits or exemptions. The hauling costs alone from the nearest quarries would exceed the price paid for this soil. Requesting bids for this material is not necessary since there are no competing sources.

At their August 3, 2010 meeting, TDWD Board of Directors designated Bob C. Nuckols of Nuckols Farming as their agent to be responsible for the sale of this soil. A copy of this resolution is attached. The Purchase Order would fix the price of \$4.60 per cubic yard to be paid by the County to Bob C. Nuckols for the loose volume of soil measured by County staff and delivered by common carrier to the landfill on the basis of a monthly invoice from Bob C. Nuckols.

FISCAL IMPACT/FINANCING:

Depending upon the volume of soil brought to the landfill, the total purchase will be approximately \$630,200. Funds for this purchase will be from the undedicated reserves of the Solid Waste Enterprise Fund. This purchase is proposed to be included in the 2010/11 budget for the Solid Waste Division.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The purchase of this soil supports the safety and security of the public; providing adequate facilities for the protection of public by providing the material to extend the capacity of the Teapot Dome Landfill and to construct its ultimate closure.

SUBJECT: Waive Bid Process to Purchase Soil from the Tea Pot Dome Water District Property

DATE: August 31, 2010

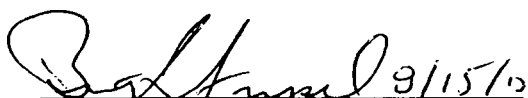
ALTERNATIVES:

Do not purchase the soil. This is not recommended as the County needs the soil for the landfill and the TDWD wants the ground water recharge basin and has invested in engineering and permits for this project and sale to the County.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

The Purchasing Agent will issue the purchase order. County Counsel has reviewed the issue of this sale of this material.

ADMINISTRATIVE SIGN-OFF:



Britt L. Fussel, P.E.
Assistant Director—Engineering
County Surveyor

BF:PS

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s): Vicinity Map
TDWD Resolution No. 10-08

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF WAIVE THE BID)
PROCESS TO PURCHASE SOIL FROM THE) RESOLUTION NO. _____
TEA POT DOME WATER DISTRICT)
PROPERTY)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD AUGUST 31, 2010,
BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

1. Approved a waiver of the bid process to purchase approximately 137,000 cubic yards of soil from the Tea Pot Dome Water District through Bob C. Nuckols of Nuckols Farming for \$4.60 per cubic yard delivered to the Teapot Dome Landfill; and
2. Directed the Purchasing Agent to issue a purchase order for the soil.