

**AGREEMENT FOR CONSTRUCTION OVERSIGHT FOR PHASE 7 CELL
18/21/22/23 LINER and LEACHATE COLLECTION SYSTEM AT THE
CONSERVATION SERVICES INCORPORATED DISPOSAL FACILITY, ADAMS
COUNTY, COLORADO**

THIS AGREEMENT is made and entered into as of the ____ Day of August 2017, by and between the County of Adams, a political subdivision of the State of Colorado (hereafter "the County"), and Tri-County Health the Department, a political subdivision of the Counties of Adams, Arapahoe, and Douglas and the State of Colorado, with its principal offices located at 6162 S. Willow Drive, #100, Greenwood Village, Colorado (hereafter "TCHD").

RECITALS

- A. Waste Management of Colorado, Inc. (WMI) is about to commence the construction of liner for Phase 7 of Cell 18/21/22/23 at the Conservation Services, Inc. (CSI) Disposal Facility located near the town of Bennett in Adams County, Colorado; and
- B. TCHD has submitted a proposal to the County to perform independent construction oversight of the liner for Phase 7 of Cell 18/21/22/23; and
- C. The essential elements of the proposal by TCHD, as referenced above, are set forth in that certain document entitled "Tri-County Health Department, Phase 7 Cell 18/21/22/23 Liner Construction Conservation Services, Inc.", a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and
- D. Said proposal by TCHD would assist in protecting the health and safety of the citizens of the County; and
- E. Funds will be provided from CSI; and
- F. The County, by and through its Board of County Commissioners, has accepted the proposal from TCHD, as described above; and
- G. The County and TCHD mutually desire to embody their understanding and agreement in a written document as herein set forth.

IN CONSIDERATION OF the mutual obligation of the County and TCHD, as hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the County and TCHD hereby agree as follows:

1. Performance by TCHD; TCHD shall perform independent construction oversight pursuant to the terms and conditions set forth in Exhibit A.

2. Limited Obligation: The obligations of the County and TCHD shall be limited to the independent construction oversight as set forth in Exhibit A, and subsequent services, if any, shall be subject to subsequent review and negotiation.
3. Oversight Fees: The County shall pay TCHD from funds provided by CSI a fee not to exceed \$10,000 for the services to be provided by TCHD to the County. TCHD shall invoice the County following completion of the Final Report.
4. TCHD Insurance: TCHD has adopted a plan of self-insurance, to the extent required under the protection afforded TCHD by the Colorado Governmental Immunity Act.
5. Period Reports: TCHD shall promptly report any findings to the County as soon as is practicable. TCHD shall submit a Final Summary Report upon the completion of the liner construction for Phase 7 Cell 18/21/22/23.
6. Termination: Either the County or TCHD may terminate this Agreement by providing thirty (30) days advance written notice setting forth the effective date of termination. In the event of termination, TCHD shall cease work as of the effective date of the termination, but shall be compensated for all the work accomplished prior to the effective date of the termination.
7. Liaisons:

For TCHD:

Lisa Oliveto, REHS
Tri-County Health Department
4201 East 72nd Avenue, Suite D
Commerce City, Colorado 80022
Phone: (303) 288-6816

For the County:

Jennifer Rutter
Senior Environmental Analyst
Community & Economic Development Department
4430 South Adams County Parkway, 1st Floor, Suite W2000A
Brighton, Co 80601
Phone: 720-523-6841

8. Effective Date and Termination Date. This agreement shall become effective the day and year first written above. This agreement terminates on the day that Tri-County Health

Department completes their final report of construction oversight activities completed during the liner construction for Phase 7 Cell 18/21/22/23.

IN WITNESS WHEREOF the County, by and through its authorized officer and agent, and the Tri-County Health Department, by and through its authorized agent have executed this Agreement on the respective dates set forth below.

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF ADAMS
STATE OF COLORADO**

By: _____
Chairman

Date: _____

ATTEST:

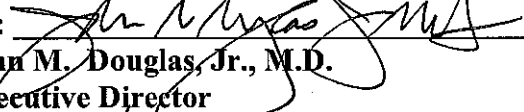
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Deputy

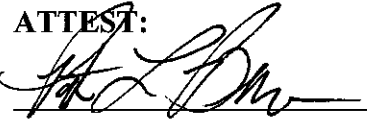
APPROVED AS TO FORM

County Attorney

TRI-COUNTY HEALTH DEPARTMENT

By: 
John M. Douglas, Jr., M.D.
Executive Director

Date: 8/10/17

ATTEST:


Patty Buckle
Acting Director, Administration and Finance

Exhibit A
Tri-County Health Department
Phase 7 Cell 18/21/22/23 Liner Construction Oversight Program
Conservation Services, Inc.

INTRODUCTION

At the request of Adams County, Tri-County Health Department (TCHD) has prepared this proposal to conduct construction oversight for Phase 7 of Cell 18/21/22/23 Liner at the Conservation Services, Inc. Disposal Facility located near Bennett in Adams County. Liner construction is scheduled to commence in August 2017 and should be completed by the end of December 2017. The Phase 7 Cell 18/21/22/23 liner components that are covered by this proposed program include:

- Excavation
- Base Preparation
- Cohesive Soil Liner Construction
- Synthetic Liner Installation
- Leachate Collection System Construction
- Protective Layer Placement

PROGRAM DESCRIPTION

The goal of this program is to provide a limited amount of construction observation that is completely independent from and in addition to the Construction Quality Assurance Program (CQAP) that is conducted for the facility owner. The information collected from the construction observation will be utilized to evaluate the effectiveness of the owners CQAP.

This program is similar to past programs conducted at CSI by TCHD in that primary emphasis will be placed on construction observation with no independent testing being conducted. Should TCHD identify areas during liner construction where it feels additional testing needs to be conducted, TCHD will simply ask the Construction Quality Assurance Engineer (CQAE) to take additional samples for testing.

The major components of the program are:

- Limited observation of excavation activities
- Limited observation of foundation subgrade preparation to independently spot check that the requirements of Section II, Parts 3.0-3.4 of the Construction Quality Assurance and Specifications Plan (CQASP) are being met.
- Limited construction observation of the cohesive soil liner to independently spot check that the requirements of Section II, Parts 4.0-4.6 of the CQASP are being met.

- Limited construction observation of leachate collection system drainage material installation to independently spot check that the requirements of Section II, Parts 5.0-5.6 of the CQASP are being met.
- Limited construction observation of sump drainage material placement to independently spot check that the requirements of Section II, Parts 6.0-6.5 of the CQASP are being met.
- Limited observation of geomembrane installation to independently spot check that the requirements of Section III of the CQASP are being met.
- Limited observation of geotextile installation to independently spot check that the requirements of Section IV of the CQASP are being met.
- Limited observation of high density polyethylene (HDPE) pipe and fittings installation to independently spot check that the requirements of Section V of the CQASP are being met.
- Review and preparation of comments on the draft Construction Quality Assurance and Certification Report following completion of construction.
- Preparation of a Final Report to Adams County

CONSTRUCTION OBSERVATION

TCHD believes that independent construction oversight to spot check the performance of the contractor and CQA Engineer adds significant reassurance to the quality of the landfill construction. TCHD's supplemental construction oversight is intended to provide early identification and subsequent resolution of any concerns of the landfill construction and thus avoid problems during the certification phase of the project.

The number of days that will be spent constructing each component of Phase 7 Cell 18/21/22/23 composite liner and leachate collection system is unknown at this time. With the undefined schedule, the exact time frame that TCHD personnel will allocate to a given activity is also not defined. However, it is anticipated that the level of effort applied to any one component or oversight activity will be dependent upon the quality of the work being performed by the contractor, and the performance of QA and CQ personnel.

Field observation will not be continuous. With limited resources, emphasis will be placed on observation of:

- Startup or initial operations
- Critical steps in the construction that cannot be verified except by field observation, e.g. placement of the synthetic liner over the barrier layer

- Phases of construction where multiple activities are occurring simultaneously, e.g. placement of geomembrane and installation of the leachate collection system.

PROGRAM COSTS

TCHD proposes to conduct the above described construction observation program for an amount not to exceed \$10,000. TCHD will not perform work outside of the above described scope without coordinating the additional effort with Adams County.