



AGENDA ACTION ITEM

DATE: September 9, 2019

TO: Board of County Commissioners

FROM: Public Works Director Darryl Johnson

ITEM TITLE: ACTION ITEM: GRAVEL EXCHANGE WITH CM OWEN

SUMMARY STATEMENT:

CM Owen is currently crushing gravel for Teton County at the Driggs Gravel Pit. The 2019 contract includes 50,000 tons ¾" crushed gravel. This is a very specific gradation that also requires a plasticity index of 4-12%. The contract includes a pay factor for a more desirable product. The County has been taking samples approximately every 2500 ton and the pay adjustment factor will be determined by the average of all samples. The contract states the work will be completed within 120 calendar days of the notice to proceed data. Contract was signed on May 28, 2019 which gives CM Owen until September 24 to complete the crushing efforts or incur \$500/day in liquidated damages.

CM Owen has depleted their ¾" crushed resources and is in immediate need of gravel. They have asked if the County would be willing to allow them use of the material that has been crushed under the County Contract and will replace with a similar material from their pit later this fall once they have had a chance to crush after their contract with the County is completed.

The concern regarding this exchange is quality control of material. The County is testing frequently and has established the pay adjustment factor as an incentive for producing desired results. Unless CM Owen is willing to test at the same frequency and agree to the same pay adjustment factor, the County may or may not receive the quality of product desired.

Projects remaining for this year will be using material from the Felt Pit. There is no conflict with needing this material. The material will be used on 2020 improvement projects.

FISCAL NOTES:

There is no monetary exchange being proposed for the material exchange

STAFF RECOMMENDATION:

To be discussed with the Board of County Commissioners

SUGGESTED MOTION:

Deny the proposed gravel exchange between Teton County and CM Owen.

OR

Approve the gravel exchange between Teton County and CM Owen. CM Owen to be allowed use of recently crushed ¾" wearing surface material in exchange for having the material replaced in the Driggs Gravel Pit no later than December 31, 2019 with similar liquidated damage penalty incurred as outlined in the 2019 Gravel Crushing Contract for every calendar day that work remains uncompleted beyond 12/31/2019.