

BOARD OF COMMISSIONERS
SARPY COUNTY, NEBRASKA
RESOLUTION REJECTING BIDS FOR
OPEN FLARES

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6)(Reissue 1997), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 1997), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, bids for Open Flares have been solicited, made, opened and reviewed pursuant to applicable Nebraska State Statutes; and,

WHEREAS, based on those proceedings, and after a public hearing, this Board has duly deliberated and considered the bid received; and,

NOW, THEREFORE, BE IT RESOLVED pursuant to Neb. Rev. Stat. §23-108, *et seq.*, (Reissue 1991), and/or Neb. Rev. Stat. §39-810 (Reissue 1993), that the Sarpy County Board of Commissioners hereby finds and determines that the bids for the purpose set forth above be and hereby are rejected. The Clerk of the County is hereby directed to notify the bidder of this Board's action, to return the bid bonds posted herein, if necessary, and to take such other steps as may be necessary to effectuate the rejection of the offered bids.

Dated this 21st day of April, 2009.

Moved by Rich Jansen, and seconded by Pat Thomas, that the above Resolution be adopted. Carried.

YEAS:	NAYS:	ABSENT:
<u>[Signature]</u>	<u>none</u>	<u>none</u>
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	ABSTAIN:
<u>[Signature]</u>		<u>none</u>
<u>[Signature]</u>		_____



Attest:
[Signature]
Sarpy County Clerk

Approved as to form:
[Signature]
Deputy County Attorney

MEMORANDUM

TO: TO: Beth Cunard, Sarpy County Purchasing Agent
DATE: DATE: March 30, 2009
RE: Bids for Open Flares for the Sarpy County Landfill
FROM: Duwaine Brigman, Landfill manager

It is my recommendation to the Purchasing Department and the Sarpy County Board of Commissioners to reject all bids for the open Flares for the Sarpy County Landfill.

The low bid was submitted by Landfill Service Corporation (LSC) and is the firm that we have purchased all our existing flares; that we have in operation at the Sarpy County Landfill.

The rejection of the bids for open flares is based upon the information provided by the prospective bidder for the active Gas Collection System that Blue Source, LLC and their affiliates they made a convincing argument to not add any additional flares to the Sarpy County Landfill.

If additional flares are installed they may further limit the amount of environmental credits that can be realized from this site under certain verification protocols such as the California Action Registry (currently the market in the US with the highest value.) The reason for this is because under this protocol destruction from non qualified destruction equipment such as passive flares must be netted out when a qualified destruction system such as an active gas collection system is installed and is fully operational. Additionally the reduction is based on the amount of potential destruction of the passive flares not the actual destruction amount through a formula outlined by the registry.

The installation of additional flares may significantly hinder the ability of a third party developer to install and pay for an active gas collection system.

I recommend installing odor destruction equipment which will not affect the future ability to obtain environmental credits.

The landfill will use hydrogen sulfide activated carbon filters that are easy to install and have the following advantages over the flares.

1. Allow for future carbon offsets because the methane will not be destroyed
- 2. Initial cost to purchase and install is less than the flares
- 3. With maintained media (activated carbon) we will achieve odor treatment at all times even when we are experiencing low methane release (methane is used as a source fuel to assist in combusting the odorous gases such as hydrogen sulfide).

Respectfully submitted,

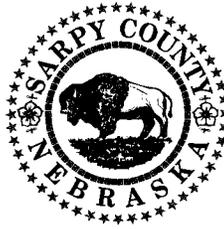
Open Flares
for the
Sarpy County Landfill

Bid Open:
3:00 p.m., Thursday
March 12, 2009

Description	Quantity	LFG Specialties, L.L.C.		Flare Industries		Landfill Service Corp.	
		Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
Open Flares	25	\$2,188.00	\$54,700.00	\$61,395.00	\$1,534,875.00	\$1,955.00	\$48,875.00
Option 1: Blower Attachment	25	--	--	--	--	\$3,212.00	\$80,300.00
Grand Total			\$54,700.00		\$1,534,875.00		\$129,175.00
Addendum Acknowledged			No		Yes		No

Sarpy County Purchasing Department

SARPY COUNTY COURTHOUSE
1210 GOLDEN GATE DRIVE
SUITE 1129
PAPILLION, NE 68046-2845
FAX (402) 593-4304



Brian E. Hanson, Purchasing Agent
(402) 593-2349
Debby Peoples, Assistant Purchasing Agent
(402) 593-4164
Beth Cunard, Purchaser/Contract Specialist
(402) 593-4476
Lois Spethman, Supply Clerk/Purchaser
(402) 593-2102

MEMO

To: Sarpy County Board of Commissioners
From: Beth Cunard
Re: Rejection of Bids for Open Flares

On March 12, 2009, the Purchasing Department received and opened three (3) bids for Open Flares for the Sarpy County Landfill. After careful review, the evaluation committee recommends all bids be rejected due to potential negative impacts in obtaining environmental credits, such as CAR (California Action Registry).

The Landfill is in the process of installing carbon filters, which have no effect on environmental credits. Furthermore, environmental credits are important for the success of the Gas Management System Agreement which was approved by the Board on April 14, 2009.

If you have any questions, please feel free to call me at 593-4476.

April 14, 2009



Beth Cunard

cc: Mark Wayne
Deb Houghtaling
Scott Bovick
Brian Hanson
Duwaine Brigman