



Office of the City Manager

CONSENT CALENDAR
March 25, 2014

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Andrew Clough, Director, Public Works
Subject: Contract No. 7966A Amendment: Clean Harbors Environmental Services, Inc. for Hazardous Waste Removal

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 7966A with Clean Harbors Environmental Services, Inc., increasing the amount by \$200,000 for a total not to exceed \$600,000, and extending the term to June 30, 2017.

FISCAL IMPACTS OF RECOMMENDATION

Depending on the frequency and type of service, the annual expenditure is about \$50,000 primarily from the Funds listed below. Additional funding will be provided by the responsible departments requesting these services during FY 2015 – FY 2017.

Annual allocations of the funds for the contract amendment will be subject to the adoption of the Annual Appropriations Ordinance for that fiscal year.

Estimated Annual Expenditures

Marina Operations Fund (Fund 825)	\$8,000
Measure B Local Street & Road Fund (Fund 391) .	\$1,000
Zero Waste Fund (Fund 820)	\$25,000
Building Maintenance Fund (Fund 866)	\$3,000
General Fund Discretionary (Fund 010)	\$13,000
<u>Annual amount of amendment</u>	<u>\$50,000</u>

Original contract amount	\$200,000
Previous contract amendment.....	\$200,000
<u>This contract amendment</u>	<u>\$200,000</u>
Revised NTE amount	\$600,000

While the anticipated annual expenditure is \$50,000, this contract amendment includes an additional \$50,000 for unanticipated expenditures, such as an emergency spill response to assist the Berkeley Fire Department’s HazMat Team with disposal of hazardous waste and materials.

The Contract Management System number for this amendment is CMS No. YC8N1.

CURRENT SITUATION AND ITS EFFECTS

Clean Harbors removes hazardous waste generated, or illegally disposed of, at the City's Transfer Station, Corporation Yard and Marina. In addition, Clean Harbors is able to respond to hazardous material emergencies that exceed the capabilities of the City's Fire Department and Hazardous Materials Response Team to remove and dispose of hazardous waste and materials from City property. Services under this contract include: classification, packaging, recycling, treatment and disposal of hazardous and universal waste abandoned in and generated by the City; and emergency response, clean up and disposal services for accidental hazardous substances releases.

The City generates hazardous waste through routine processes such as vehicle, street and building maintenance. Additionally, hazardous waste is occasionally abandoned or spilled on the City's streets, posing a risk to the public. The City must have a licensed hazardous waste contractor that complies with all federal, State and local regulations available to provide services to mitigate these risks, as well as the protection afforded by a full service hazardous waste firm for the cleanup of potentially large, highly toxic or more complex hazardous waste cleanup efforts.

BACKGROUND

The City issued an RFP in March 2008 for an as-needed all-purpose hazardous waste contractor (Specification No. 08-10317-C) and Clean Harbors Environmental Services was selected as the lowest responsible bidder. Clean Harbors provides similar services to other nearby municipalities and offers a broad range of services and resources to meet the City's needs.

The original contract was approved by Council in November 2008 (Resolution No. 64,261-N.S.) for \$200,000 for the period June 1, 2009 to December 31, 2010. In November 2010 Council approved an amendment to the contract (Resolution No. 65,078-N.S.) increasing it by \$200,000 for a new total not to exceed \$400,000 and extending the contract to June 30, 2013. Another extension was approved by the City Manager for the contract term, which currently ends June 30, 2014.

ENVIRONMENTAL SUSTAINABILITY

Clean Harbors disposes of hazardous waste in the most responsible way possible, which minimizes the potential for accidents and improper disposal, and prevents discharge into wastewater, evaporation to the atmosphere, and accidental spills. Clean Harbors employs the most advanced technologies to recycle, treat and dispose of waste materials. Each waste stream is profiled so selected disposal methods are the safest for employees and the environment, and the most economical. Latex waste, the largest hazardous waste stream generated by the City, is recycled by Clean Harbors reducing the need to landfill those materials. Clean Harbors recycles waste whenever possible.

RATIONALE FOR RECOMMENDATION

State and federal regulations require that all hazardous and universal waste be disposed of according to strict guidelines. The City has neither the staff nor equipment to provide these services. Clean Harbors has provided excellent, cost effective, and timely service to the City.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Joy Brown, Environmental Compliance Specialist, Public Works, 981-6629
Phil Harrington, Deputy Director, Public Works, 981-6661

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO 7966A AMENDMENT: CLEAN HARBORS ENVIRONMENTAL SERVICES FOR REMOVAL, RECYCLING, TREATMENT AND DISPOSAL OF HAZARDOUS WASTE

WHEREAS, the City has an existing contract with Clean Harbors, Inc. to remove, recycle, treat and dispose of hazardous waste; and

WHEREAS, State and federal regulations require that all hazardous and universal waste be transported and disposed of according to strict regulatory guidelines; and

WHEREAS, the City generates hazardous waste through routine processes such as vehicle, street and building maintenance, and occasionally hazardous waste is abandoned or spilled on the City's streets, posing a risk to the public; and

WHEREAS, Clean Harbors Environmental Services was selected in an RFP process in 2008 to manage hazardous waste in the City and has provided excellent service since the contract began in June 2009; and

WHEREAS, the City has neither staff nor equipment to provide these services; and

WHEREAS, this contract amendment has been entered into the City's contract management system and assigned CMS No. YC8N1

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 7966A with Clean Harbors Environmental Services for hazardous waste services on an as-needed basis, increasing the amount by \$200,000 to be charged to Marina Operations Fund (Fund 825), Measure B Local Street & Road Fund (Fund 391), Zero Waste Fund (Fund 820), Building Maintenance Fund (Fund 866), and General Fund Discretionary (Fund 010) for which the annual allocations of the funds for the contract amendment will be subject to the adoption of the Annual Appropriations Ordinance for that fiscal year for a total amount NTE of \$600,000 and extending the term through June 30, 2017.