



## Legislation Text

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**File #:** 21-1083, **Version:** 1

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Environmental Management Department recommending the Board consider the following:

- 1) Approve Amendment 2 to Agreement 3088 with Clean Harbors Environmental Services, Inc. for the provision of household hazardous waste collection, processing, transportation, and disposal services in order to increase the not-to-exceed amount from \$300,000 to \$390,000 and extend the term of the Agreement by one year to September 14, 2022;
- 2) Authorize the Purchasing Agent to sign Amendment 2, as well as any future amendments that do not include changes to the not-to-exceed amount or term of the Agreement that exceed purchasing agent's authority; and
- 3) Approve and authorize the Chair to sign a budget transfer adjusting the budget for Fiscal Year 2021-22 to accommodate the new contract (4/5 vote required).

**FUNDING:** Non-General Fund / County Service Area 10 - Household Hazardous Waste funds.

### **DISCUSSION / BACKGROUND**

In March of 2018, at the request of the Environmental Management Department (Environmental Management), the Chief Administrative Office, Procurement and Contracts Division, issued a Request for Proposal (RFP) for the provision of household hazardous waste (HHW) collection, transportation, processing, disposal, and other associated services. These services include the provision of all equipment, materials, personnel, and services necessary to collect, transport, process, and dispose of HHW from various permanent and temporary collection facilities throughout the County, and training covering the appropriate lab packing procedures, personal protective equipment, and transportation regulations for County staff assigned to the HHW program. All services provided are required to comply with current California Department of Toxic Substance Control, California State Division of Industrial Safety Orders and other requirements stipulated by Occupational Safety and Health Administration (OSHA), California Department of Transportation, and any other applicable regulatory agencies.

On June 12, 2018 (Item No. 21, File No. 18-0814), the Board awarded RFP No. 18-961-044 for the aforementioned services to the successful proposer, Clean Harbors Environmental Services, Inc. (Clean Harbors), authorized Environmental Management to negotiate an agreement for these services with a term of three (3) years and a not-to-exceed amount of \$300,000, and authorized the Purchasing Agent to execute said agreement. Following negotiations with Clean Harbors, Agreement for Services 3088 (Agreement) was executed on September 14, 2018 and Clean Harbors has been providing these services for the permanent HHW collection events at the Bass Lake Fire Station 86 in El Dorado Hills and at temporary HHW collection events. As these services have been provided, it was determined that changes would need to be made to the scope of work and Exhibit A, Disposal Costs, of the Agreement to better meet the current collection needs and requirements of Clean Harbors. Such changes made in Amendment I included:

- Identifying specific collection details such as same day transportation, arrival times for Clean Harbors staff, and other minor changes to HHW event procedures;
- Clarifying specific Clean Harbors staff that are required for each HHW collection event;

- Adding additional waste profiles to better account for current HHW collected; and
- Authorizing future additional waste profiles be added to the Agreement without the need for an amendment, on an as-needed basis and subject to written approval by the Contract Administrator, or designee.

Amendment 2 increases the amount by \$90,000 to \$390,000 and extends the term by one year to September 14, 2022. When the Contract with Clean Harbors was written in 2018, it was estimated that we would hold monthly collection events and spend approximately \$100,000 per year. This amount was reduced to \$85,000 due to the temporary loss of the use of Firestation 86 and COVID19. Our recent renewal of our Firestation 86 contract enabled Environmental Management to resume our monthly collection events, as well as continue to offer temporary events- thereby increasing our utilization of our contract with Clean Harbors (Item # 21-1077). In addition, the Caldor Fire will generate hazardous waste which will require additional utilization of this contract.

In order to accommodate the new contract, the FY 2021-22 Budget will need to be adjusted to increase Professional Services appropriations in the Hazardous Waste budget by \$65,000. This is offset by a decrease in Contingency in the amount of \$65,000.

#### **ALTERNATIVES**

The Board may choose to deny the approval of this proposed Amendment 2 This would inhibit Environmental Management's ability to secure these services from Clean Harbors or another contractor for residents of the County. Additionally, Environmental Management does not have the required staffing, licenses, permits, or transportation methods necessary to provide the services under this Agreement.

#### **PRIOR BOARD ACTION**

See Discussion/Background above.

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have approved the proposed Amendment 2.

#### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

#### **FINANCIAL IMPACT**

A budget transfer is attached to this Board item, increasing the Professional Services budget for FY 2021-22 from \$85,000 to \$150,000 The adopted Fiscal Year 2021-2022 budget includes funding specifically budgeted under County Service Area No. 10 - Household Hazardous Waste funds for these services. Future budgets will also include funding for the remaining term of the Agreement.

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

#### **STRATEGIC PLAN COMPONENT**

Healthy Communities

#### **CONTACT**

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