



Office of the City Manager

CONSENT CALENDAR
July 11, 2017

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Phillip L. Harrington, Director, Department of Public Works
 Subject: Contract: Clean Harbors, Inc. for Hazardous Waste Management Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract with Clean Harbors, Inc. for hazardous waste management, removal, and disposal services for the City of Berkeley in an amount not-to-exceed \$150,000 for the period August 1, 2017 through June 30, 2020.

FISCAL IMPACTS OF RECOMMENDATION

Depending on the type and frequency of service, the annual expenditure is estimated to be \$50,000 primarily from the Funds listed below. Additional funding will be provided by the specific departments requesting services during FY 2018 – FY 2020. Annual allocations of funds will be subject to approval of the Budget and Annual Appropriation Ordinances. Funding is currently available as listed below:

Parks, Recreation and Waterfront Fund 825-5403-450.30-39	\$8,000
General Fund/Environmental Health Fund 010-5403-410-.30-39	\$3,000
Zero Waste Fund 820-5403-432.30-39	\$26,000
Measure B Street & Road Local Fund 391-5403-410.50-20	\$4,000
California Integrated Waste Management Fund 181-5403-432.30-39	\$5,000
Building Maintenance Fund 866-5403-410.30-39	\$4,000
Estimated Annual Contract Amendment Expenditures	\$50,000

The contract has been entered into the City's contract management system and assigned CMS No. CS6PA.

CURRENT SITUATION AND ITS EFFECTS

Clean Harbors, Inc. and its subsidiary Safety-Kleen (that focuses on used oil collection and recycling) remove hazardous waste generated or illegally disposed of at the City's Solid Waste Management Center and Transfer Station (Transfer Station), Corporation Yard and Marina. In addition, Clean Harbors responds to hazardous material emergencies that exceed the Berkeley Fire Department and Hazardous Materials Response Team's capabilities to remove and dispose of such materials located on City property. Services to be provided 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 substance releases.

BACKGROUND

The City issued a Request for Proposals in March 2017 (Spec No. 17-11112-C). Department of Public Works staff evaluated three submitted proposals and selected Clean Harbors, Inc. as the most responsive, cost competitive and qualified vendor to meet the needs of the City. Clean Harbors, Inc. and its subsidiary Safety-Kleen are currently under contract to provide treatment and disposal of hazardous and universal waste services enumerated above, and this existing contract will terminate upon execution of the new contract.

The City generates hazardous waste through its routine business processes including vehicle, street and building maintenance. Additionally, hazardous waste is occasionally abandoned or spilled onto city streets thus posing a risk to the public. The City must have access to the services of a licensed hazardous waste contractor compliant with all federal, State and local regulations, whom is 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.

ENVIRONMENTAL SUSTAINABILITY

The contract details a hierarchy for hazardous waste management outlining the ultimate disposition of such waste with direct reuse as the first option and landfill as the last option. Clean Harbors, Inc. has been proven to dispose of hazardous waste responsibly, thereby minimizing the potential for accidental release of such materials into wastewater or evaporation into the atmosphere. Additionally, the Clean Harbors, Inc. will work with City staff to determine how it may support or participate in the PaintCares program to facilitate paint recycling.

RATIONALE FOR RECOMMENDATION

This contract execution will allow proper disposal and management of hazardous waste and spill response. State and federal regulations require all hazardous and universal waste be disposed of according to strict guidelines. The City has neither the staff nor equipment in-house to provide these services. Clean Harbors, Inc. was selected through a competitive process and is considered most qualified to provide service to the City.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered.

CONTACT PERSON

Phillip L. Harrington, Director, Department of Public Works (510) 981-6303
Joy Brown, Environmental Compliance Specialist (510) 981-6629

Attachments:

1: Resolution

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

CONTRACT WITH CLEAN HARBORS, INC. FOR HAZARDOUS WASTE
MANAGEMENT SERVICES

WHEREAS, on March 17, 2017 the City requested proposals (Spec. No. 17-11112-C) for hazardous waste management and Clean Harbors, Inc. was selected as the most qualified, responsive and competitive firm to provide these services; and

WHEREAS, the City generates hazardous waste through its routine business processes including vehicle, street and building maintenance, and hazardous waste is occasionally abandoned or spilled into the City right of way posing a risk to the public, and hazardous waste must be properly managed, recycled and disposed of, and Clean Harbors has an excellent reputation of providing these services; and

WHEREAS, funds have been identified from each participating department and division subject to appropriation in FY 2018, and the contract has been entered into the Citywide contract database as CMS No.CS6PA.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract with Clean Harbors, Inc. including its subsidiary Safety-Kleen for as-needed hazardous waste management, removal, recycling, treatment and disposal services in an amount not to exceed \$150,000 for the term August 1, 2017 through June 30, 2020. A record signature of this contract and any amendments to be on file in the City Clerk Department.

