

ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to proposed supplemental agreements with Clean Harbors Environmental Services, United Pumping Service, Inc., and Philip Services Corporation to support Citywide Routine and 24-hour Emergency Response Hazardous Materials and Waste Management Services Program.

Recommendation for Council action:

AUTHORIZE the Board of Public Works, on behalf of the Bureau of Sanitation (BOS), to execute the following Supplemental Agreements to support the Citywide Routine and 24-hour Emergency Response Hazardous Materials and Waste Management Services Program:

Contract No. Contractor

C-113379	Clean Harbors Environmental Services
C-113382	Clean Harbors Environmental Services
C-113380	Philip Services Corporation
C-113381	United Pumping Service

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that there is no General Fund impact. The contracts make no guarantee of work and all task orders will be issued on an as-needed basis and is subject to the availability of eligible funds. Both contracts include a financial liability clause which limits the City's liability to the extent of current year appropriations. Departments other than the Bureau of Sanitation requesting to encumber funds under these Supplemental Agreements will be responsible for providing the source of available funds for any services being requested. The recommendation contained in the April 30, 2014 CAO report, attached to the Council file, is consistent with the City's Financial Policies in that ongoing revenues will support ongoing expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - JULY 5, 2014

(LAST DAY FOR COUNCIL ACTION - JULY 2, 2014)

Summary:

On June 4, 2014, your Committee considered an April 30, 2014 CAO report relative to proposed supplemental agreements with Clean Harbors Environmental Services (C-113379, C-113382), United Pumping Service, Inc. (C-113381), and Philip Services Corporation (C-113380) to support Citywide Routine and 24-hour Emergency Response Hazardous Materials and Waste Management Services Program. According to the CAO, the City generates over three million pounds of hazardous waste annually. The contractors are required to contain, identify, clean up, package, and transport hazardous waste found or spilled within the City or at facilities operated by the City to City-approved Transportation, Storage, and Disposal Facilities. Hazardous waste includes but is not limited to: blood and bio-hazardous waste, used motor oil, oil filters, oily rags, antifreeze, paint and solvents, brake and parts cleaner, fluorescent lights, lead, radioactive waste, explosives, pesticides, mercury, used batteries, asbestos and asbestos-containing materials, and contaminated soil. Contract Nos. C-113379 and C-113380 cover routine management for all hazardous waste that is generated within

the City's jurisdiction during regular business hours, while Contract Nos. C-113381 and C-113382 provide 24-hour emergency response for hazardous waste management. The contractors are required to comply with all State Department of Toxic Substances Control and Federal Environmental Protection Agency laws and dispose of hazardous waste in accordance with the City's preferred waste management hierarchy.

The proposed Supplemental Agreements will extend the term of each contract for an additional three years, from three years to six years effective retroactively from May 15, 2011 through May 14, 2014, in order to provide authority to pay existing invoices. Following the expiration of this term, the BOS will continue authority for hazardous waste pickup through residential special materials contract No. C-121334 with Clean Harbors Environmental Services (Clean Harbors), pursuant to Section 4.5.3 of the contract. The contract authority for C-121334 expires November 1, 2017, and will act as a stopgap in order to allow sufficient time for the Bureau to execute new contracts for hazardous waste pickup.

These Supplemental Agreements increase the maximum allowable compensation for both routine response contracts by \$3,764,700. The Supplemental Agreements for both 24-hour emergency response contracts increase the maximum allowable compensation by \$5,705,600. The contracts make no guarantee of work and compensation for services will be provided based on task orders issued by the City. Funding sources will be determined as task orders are issued.

After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the four proposed Supplemental Agreements as contained in the April 30, 2014 CAO report and detailed in the above recommendation. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

ENERGY AND ENVIRONMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
FUENTES:	YES
BLUMENFIELD:	ABSENT
LABONGE:	ABSENT
HUIZAR:	YES
KORETZ:	YES

ARL
6/4/14

-NOT OFFICIAL UNTIL COUNCIL ACTS-