



Office of the City Manager

CONSENT CALENDAR
April 14, 2020

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 Amendment Contract 10747: Clean Harbors, Inc. for Hazardous Waste Management Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract amendment with Clean Harbors, Inc. for hazardous waste management, removal, and disposal services for the City of Berkeley, increasing the contract amount by \$300,000 for an amount not-to-exceed \$450,000 and extend the contract term through June 30, 2022.

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 2021 – FY 2023. Annual allocations of funds will be subject to approval of the Budget and Annual Appropriation Ordinances. Additional funding sources may be added in response to the novel coronavirus emergency situation.

Funding is currently available as listed below:

General Fund 011	\$22,000
Zero Waste Fund 601	\$25,000
State Transportation Tax Fund 127	\$1,000
Library Fund 101	\$2,000
Estimated Annual Contract Amendment Expenditures	\$50,000

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.

Additional emergency services may be added in response to the novel coronavirus.

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. The current contract not to exceed amount is \$150,000.

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. Clean Harbors has continuously provided reliable service.

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.

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, Senior Management Analyst, Public Works (510) 981-6629

Attachment:
1: Resolution

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

CONTRACT NO. 10747 AMENDMENT: 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, on 2017 by Resolution No. 68,089-N.S. City Council authorized the City Manager to enter into a contract with Clean Harbors, Inc. in the amount not to exceed \$150,000; 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, the City may have the need for emergency response services; and

WHEREAS, funds have been identified from each participating department and division subject to appropriation.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract amendment 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 \$450,000 through June 30, 2022. A record signature of this contract and any amendments to be on file in the City Clerk Department.

