



Office of the City Manager

CONSENT CALENDAR
April 25, 2023

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Liam Garland, Director, Department of Public Works
 Subject: Contract No. 112725-1 Amendment: Du-All Safety, LLC for Safety and Training Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 112725-1 with Du-All Safety, LLC for continued safety training and consulting services, increasing the amount by \$250,000 for a total contract amount not to exceed \$650,000.

FISCAL IMPACTS OF RECOMMENDATION

The annual expenditures are based on training and safety program needs and are estimated to be approximately \$100,000. Funding in the amount of \$50,000 is currently available in Zero Waste Fund 601 and Sewer Fund 611. Additional funding up to the not to exceed amount is subject to appropriation as part of the FY 2024 budget process from the following funds: General Fund 011, Sanitary Sewer Fund 611, Zero Waste Fund 601, Facilities Maintenance Fund 673, Street Light 142, Equipment Maintenance Fund 672, Used Oil Payment Fund 329, Park Tax Fund 138. Funds will be allocated as training needs arise.

CURRENT SITUATION AND ITS EFFECTS

Public Works employs over 300 staff in the following divisions: Zero Waste, Engineering, Transportation, Administration and Finance, Equipment Maintenance, Facilities, Streets, and Utilities. Many of these divisions require job-specific safety training to comply with certain Cal/OSHA regulations including protection measures against Bloodborne Pathogens, Confined Space Awareness, and Fall Protection. Du-All supports the City's in-house safety program and provides ongoing site inspections, policy recommendations, and identifies areas for improvement.

Du-All Safety continues to provide online access to Safety Data Sheets (SDS) which Public Works uses to support safety compliance efforts. Additionally, Du-All Safety offers online safety training which will assist in our compliance efforts.

Authorizing this contract amendment supports the City's Strategic Goal of creating a resilient, safe, connected, and prepared City.

BACKGROUND

The City issued a June 2016 Request for Proposals for safety training and support services, received two proposals, and selected Du-All Safety as the most responsive and qualified vendor to meet the needs of the Public Works safety program. On October 24, 2016, the City Manager entered into a contract with Du-All Safety to provide these services in an amount not to exceed \$50,000.

On May 30, 2017, City Council adopted Resolution No. 68,005-N.S. which authorized an amendment to the contract for an amount not to exceed \$200,000 and extend the contract term through December 31, 2020.

On December 10, 2019, City Council adopted Resolution No. 69,229-N.S. which authorized the amendment of the contract for an amount not to exceed \$300,000 and extend the contract term through December 31, 2022;

On March 22, 2022, City Council adopted Resolution No. 70,273-N.S. which authorized the amendment of the contract for an amount not to exceed \$400,000 and extend the contract term through December 31, 2025;

Du-All Safety is a Bay Area business that works with many municipalities to support and improve their safety programs by ensuring that employees are trained in hazardous materials handling, spill response, and required safety training. The current contract with Du-All Safety is approaching its not to exceed limit due to an increase in safety training needs. Therefore, City staff is requesting to amend the existing contract amount so that Du-All Safety can continue to provide ongoing support in implementation of written programs and in person and virtual training.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Du-All Safety provides training to City staff in hazardous materials handling, spill response, and asbestos management. When staff are properly prepared for these occurrences, City employees and citizens are protected, and the environment is safeguarded from the further release of toxic substances.

RATIONALE FOR RECOMMENDATION

Du-All Safety provides training to City staff in hazardous materials handling, spill response, and asbestos management. When staff are properly prepared for these occurrences, City employees and citizens are protected, and the environment is safeguarded from the further release of toxic substances.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Andrew Brozyna, Deputy Director of Public Works, (510) 981-6396
Joy Brown, Operations Manager, (510) 981-6629
David Peery, Occupational Health & Safety Officer, (510) 981-6485

Contract No. 112725-1 Amendment: Du-All Safety, LLC
for Safety and Training Services

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Attachment:
1: Resolution

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

CONTRACT NO. 112725-1 AMENDMENT: DU-ALL SAFETY, LLC FOR SAFETY CONSULTING AND TRAINING SERVICES

WHEREAS, Du-All Safety, LLC has provided excellent safety training and written safety program improvements during the contract term and requires additional funding to provide required trainings; and

WHEREAS, in 2016 the Department of Public Works requested proposals for safety training and consulting services and Du-All Safety, LLC was selected as the most qualified firm to provide these services; and

WHEREAS, on October 24, 2016, the City Manager authorized Contract No. 10396 with Du-All Safety, LLC for safety training and consulting services, in an amount not to exceed \$50,000 for the period of August 5, 2016 through June 30, 2019; and

WHEREAS, on May 30, 2017, City Council adopted Resolution No. 68,005-N.S. which authorized the amendment of the contract for an amount not to exceed \$200,000 and extend the contract term through December 31, 2020; and

WHEREAS, on December 10, 2019, City Council adopted Resolution No. 69,229-N.S. which authorized the amendment of the contract for an amount not to exceed \$300,000 and extend the contract term through December 31, 2022; and

Whereas, on March 22, 2022, City Council adopted Resolution No. 70,273-N.S. which authorized the amendment of the contract for an amount not to exceed \$400,000 and extend the contract term through December 31, 2025; and

WHEREAS, City staff need additional support and training from the services provided by Du-All Safety, LLC; and

WHEREAS, funding in the amount of \$50,000 is currently available in Zero Waste Fund 601 and Sewer Fund 611. Additional funding up to the not to exceed amount is subject to appropriation as part of the FY 2024 budget process from the following funds: General Fund 011, Sanitary Sewer Fund 611, Zero Waste Fund 601, Facilities Maintenance Fund 673, Street Light 142, Equipment Maintenance Fund 672, Used Oil Payment Fund 329, Park Tax Fund 138.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to the contract with Du-All Safety, LLC for ongoing safety training and consulting services, increasing the contract amount by \$250,000 for a total amount not to exceed \$650,000. A record signature copy of the contract and any amendments to be on file in the City Clerk Department.