



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: June 26, 2007
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Dept Director Scott D. McGolpin, Interim Director of Public Works Department,
568-3010
Contact Info: Mark Schleich, Deputy Director of Public Works Department,
882-3604
**SUBJECT: Amendment to Agreement for Services Provided by MSE Environmental
All Supervisorial Districts**

County Counsel Concurrence

As to form: Concurrence

Other Concurrence: Risk Manager

As to form: Concurrence

Recommended Actions:

A. Approve and execute the attached Amendment to the Agreement with MSE Environmental for the transportation, management, recycling, and disposal of hazardous waste collected through County solid waste collection programs. This action will provide the County's consent to assign the Agreement from MSE Environmental to Clean Harbors Environmental Services, Inc..

Summary Text:

The County entered into an Agreement with MSE Environmental for the transportation, management, recycling, and disposal of hazardous waste collected through the County's different solid waste collection programs. The Agreement became effective July 5, 2005 and expires June 30, 2008. The County was informed that MSE Environmental was purchased by Clean Harbors Environmental Services Inc. on August 18, 2006. The Assignment provision of the Agreement provides that Contractor may not assign any of its obligations without the consent of the County. The attached Amendment to the Agreement provides the County consent to the assignment of this agreement to Clean Harbors Environmental Services, Inc., a wholly owned subsidiary of Clean Harbors, Inc. Clean Harbors will satisfy all of the original contractual obligations including the required insurance coverages (see Exhibit 1 for original contract).

Background:

The County provides a variety of opportunities for the community to appropriately dispose of hazardous waste including a permanent collection center located at UCSB, a more limited collection facility

Auditor-Controller Concurrence

As to form: Concurrence

located at the Santa Ynez Recycling & Transfer Station, two hazardous waste collection events in the Santa Ynez Valley and one collection event in New Cuyama. The collection of hazardous waste in the Lompoc and Santa Maria areas is provided by the cities of Lompoc and Santa Maria and is funded through their landfill tipping fees. In addition, a limited amount of hazardous waste is illegally tipped at the County's South Coast Recycling & Transfer Station and the Tajiguas Landfill. This material is properly stored at these facilities for future collection by a waste management company.

An RFP was conducted in 2005 for the transportation, management, recycling, and disposal of the hazardous waste collected by the County. MSE Environmental Services was awarded the contract effective July 5, 2005. The contract will expire June 30, 2008.

In August 2006, Clean Harbors, Inc. purchased MSE Environmental Services and its parent company. A provision in the County's Agreement with MSE indicates that the contractor shall not assign any of its obligations under the contract without the consent of the County. MSE and Clean Harbors have requested the County's consent and the approval of the attached Amendment will provide our consent.

Performance Measure:

Fiscal and Facilities Impacts:

Budgeted: There are no new costs associated with this action. The cost of the contract is included in the Resource Recovery & Waste Management Division budget, Collections and Materials Management subdivision as shown on page D-322 of the 2007/2008 proposed budget.

Staffing Impacts:

Legal Positions:

0

FTEs:

0

Special Instructions:

Please provide the minute order and a signed and dated original of the Amendment to the Agreement, if approved, to Leslie Wells in the Public Works Department, Resource Recovery and Waste Management Division.

Attachments:

- 1) Amendment to Agreement for Services of Independent Contractor
- 2) Exhibit 1: original contract with MSE Environmental

Authored by: Leslie Wells, Resource Recovery & Waste Management Division, 882-3611