



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 28, 2022
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, P.E., Public Works Director, (805) 568-3010
Director(s)
Contact Info: Leslie Wells, Deputy Public Works Director, (805) 882-3611

SUBJECT: Three-Year Hazardous Waste Contract with Clean Harbors Environmental Services, Inc. – All Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute a three-year Agreement with Clean Harbors Environmental Services, Inc. for the transportation, management, recycling, and disposal of hazardous waste collected through County solid waste collection programs in a not-to-exceed amount of \$1,787,878 (\$556,122 for FY 22-23, \$595,051 for FY 23-24, and \$636,705 for FY 24-25);
- b) Authorize the Public Works Director or his/her designee to approve changes or additions to the work and goods for a 10% contingency amount of up to \$178,788 for a total not-to-exceed contract amount of \$1,966,666; and
- c) Determine that the proposed contract does not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(5) (administrative activity of government).

Summary Text:

Staff recommends the approval of a three-year contract with Clean Harbors Environmental Services, Inc. (“Clean Harbors”) starting July 1, 2022 and ending June 30, 2025, with the option to extend up to an additional two years, to service the County’s Community Hazardous Waste Collection Center and temporary household hazardous waste collection events. Clean Harbors responded to the County’s recent Request for Proposals for hazardous waste collection, transportation, recycling, and disposal services and was unanimously selected as the winning contractor. The proposed three-year contract has a total not-to-exceed amount of \$1,787,878 (\$556,122 for FY 22-23; \$595,051 for FY 23-24; and \$636,705 for FY 24-25). Staff recommends that a 10% contingency of up to \$178,788 be approved, for a total not-to-exceed contract amount of \$1,966,666.

Background:

The County provides a variety of opportunities for the community to safely dispose of hazardous waste, including a permanent collection center located at the University of California, Santa Barbara (“UCSB”); a more limited collection facility located at the Santa Ynez Valley Recycling and Transfer Station for the recycling of antifreeze, batteries, oil, and latex paint (“ABOP”); and hazardous waste collection events held in Santa Ynez and New Cuyama. The UCSB facility is open to residents every Saturday and Sunday, and to small businesses every Friday by appointment. The ABOP facility is open on Saturdays from 9:00 a.m. until noon. The temporary collection events are held at the County’s Santa Ynez Valley Recycling and Transfer Station and New Cuyama Transfer Station in the spring and fall. The County currently contracts with Clean Harbors to service all of these programs.

In February 2022, staff issued a Request for Proposals to ensure that the County is receiving the most comprehensive and competitive service and pricing. Two proposals were received. A subgroup of County staff and staff from the cities of Goleta and Santa Barbara evaluated the proposals and unanimously chose Clean Harbors for the new contract.

The total award is for a not-to-exceed amount of \$1,787,878, representing an estimated cost of \$556,122 for Year 1, \$595,051 for Year 2, and \$636,705 for Year 3. The projected dollar amounts are based on Clean Harbors’ new pricing and current and historical costs incurred through the above-mentioned programs. Due to the unpredictable nature of waste received through the hazardous waste program and the contractual ability of Clean Harbors to raise supplies costs each quarter as a result of global supply chain issues, staff recommends that a 10% contingency of up to \$178,788 be approved, for a total not-to-exceed contract amount of \$1,966,666. The household hazardous waste collection program is funded through a program fee assessed on solid waste collection bills in the unincorporated area and service agreements with the cities of Santa Barbara and Goleta.

The contract with Clean Harbors to provide transportation, management, recycling, and disposal of hazardous waste is not a project pursuant to CEQA Guidelines Section 15378(b)(5) as it is an administrative action of the County of Santa Barbara. However, the operation of the Community Hazardous Waste Collection Center was analyzed in the Final Environmental Impact Report for the Santa Barbara County Household and Small Business Hazardous Waste Collection Program (SCH No. 1992041092) prepared in March 1993 by the University of California, Santa Barbara Office of Budget and Planning (available for review at <https://content.civicplus.com/api/assets/4b9b706f-8039-4516->

[ba40-89e10327929b?cache=1800](#)). The EIR analysis included transportation/management of the collected waste by a licensed hazardous waste hauler such as Clean Harbors.

Performance Measure:

The current performance measure for operating the Community Hazardous Waste Collection Center is \$1.67 per pound of waste collected. Three financial aspects of the program include: 1) County administration of the program; 2) a contract with UCSB for use of the facility, as well as employees who staff the collection center; and 3) a contract with a hazardous waste management company that collects the material received and packaged at the facility and transports it to an approved treatment or disposal facility. The proposed contract with Clean Harbors pertains to the third component of the program, and the associated costs are included in the performance measure of \$1.67 per pound collected.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

General Fund			
State			
Federal			
Fees			
Enterprise Fund	\$ -	\$ 1,787,878.00	\$ 1,787,878.00
Total	\$ -	\$ 1,787,878.00	\$ 1,787,878.00

The proposed three-year contract has a total not-to-exceed amount of \$1,787,878 (\$556,122 for FY 22-23; \$595,051 for FY 23-24; and \$636,705 for FY 24-25). With the recommended 10% contingency of up to \$178,788, the total not-to-exceed contract amount is \$1,966,666. The costs are included in the Resource Recovery and Waste Management Division’s budget forecast. The program is funded through a program fee assessed on solid waste collection bills in the unincorporated area and service agreements with the cities of Santa Barbara and Goleta.

Key Contract Risks:

Clean Harbors was incorporated in March 1980 and has been providing services to the Resource Recovery and Waste Management Division since 2006. Due to the longstanding, successful working relationship between the County and Clean Harbors, staff has a high level of confidence that the contract poses minimal risk.

Clean Harbors provides audited financial statements and net worth information online. These documents demonstrate financial stability and a lack of any fiscal obstacles that would pose a risk to the County. Additionally, Clean Harbors has extensive insurance coverage which provides liability protection for the County. Consequences of contract failure can be found in the Agreement for Services, Section 19. Payment arrangements can be found in Exhibit B of the Agreement. There are no notable exceptions to the standard terms and conditions of the Agreement.

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To ensure contract compliance and protection of the public's interest, County staff will oversee the program and review the contract on a regular basis to ensure that all County, State and Federal regulations are followed, and that work is performed on time and within budget. In addition, invoices will be closely monitored, and payments will be contingent upon satisfactory performance and adherence to approved rates.

Special Instructions:

Please provide a certified minute order. Retain one (1) original agreement for the Clerk of the Board and return the other two (2) original agreements to Tori Kampmann in the Resource Recovery and Waste Management Division of Public Works, 130 E. Victoria Street, Suite 100, Santa Barbara, CA 93101.

Attachments:

Attachment A: Agreement for Services of Independent Contractor

Authored by:

Tori Kampmann, Program Specialist, Public Works Department, Resource Recovery & Waste Management Division, (805) 882-3602