



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:** 06/20/2017  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Scott D. McGolpin, P.E. Director, ext. 3010  
Director(s)  
Contact Info: Mark Schleich, P.E. Deputy Director, ext. 3603

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

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**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 execute the Agreement with Clean Harbors Environmental Services, Inc. for the transportation, management, recycling and disposal of hazardous waste collected through County solid waste collection programs. The contract amount is for a total of three (3) years in a not-to-exceed amount of \$1,753,560.
- b) Find that the proposed Amendment to the contract does not constitute a "Project" within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5) (administrative activity of government).

**Summary Text:**

This item is on the agenda in order to approve a three-year hazardous waste contract with Clean Harbors Environmental Services, Inc. (Clean Harbors), a nationwide vendor. In March 2017, Public Works staff issued a Request for Proposals and a panel was assembled to review and rank the proposals received.

The panel has unanimously recommended the award of a three-year contract (July 1, 2017 through June 30, 2020) to

Clean Harbors, for a total cost not-to-exceed of \$1,753,560 (FY 17/18: \$567,330; FY 18/19: \$584,350; FY 19/20: \$601,880). The program is funded by a program fee added to the residential and commercial trash bills for the cities of Santa Barbara and Goleta, and the unincorporated area of Santa Barbara County.

**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 located at the Santa Ynez Valley Recycling & Transfer Station, and three one-day hazardous waste collection events held in the Santa Ynez Valley and New Cuyama. In addition, there is a limited amount of hazardous waste illegally disposed at the County's South Coast Recycling & Transfer Station and the Tajiguas Landfill. The cities of Lompoc and Santa Maria provide hazardous waste collection in the Lompoc and Santa Maria areas, which is funded through their landfill tipping fees.

The greatest quantity of hazardous material is collected at the permanent collection center located at UCSB which is open to residents every Saturday, Sunday, and to small businesses every Friday by appointment, and the three one-day collection events in the Santa Ynez Valley and New Cuyama. This Board Letter establishes a contract between a hazardous waste management company (Clean Harbors) and the County to provide household hazardous waste transportation and management services related to these programs.

In March 2017, a Request for Proposals was sent out to ensure the County was receiving the most comprehensive and competitive service and pricing; two responses were received. Once the proposals were reviewed and ranked by a panel comprised of representatives from the County, and the cities of Goleta and Santa Barbara, it was determined that the three-year contract should be awarded to Clean Harbors Environmental Services, Inc.

The total award is for a not-to-exceed amount of \$1,753,560, representing a cost of \$567,330 for Year 1, \$584,350 for Year 2, and \$601,880 for Year 3. The projected dollar amounts are based on actual costs incurred through the above-mentioned programs.

**Performance Measure:**

There is currently a performance measure for operating the Community Hazardous Waste Collection Center housed at UCSB at a rate of \$1.82 per pound. There are three financial aspects to the program: 1) County administration of the program, 2) a contract with UCSB for use of the facility, as well as employees that work at the 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 appropriate treatment or disposal facility. The contract proposed here is the third component of the program and its costs are included in the performance measure of \$1.82 per pound which is expected to be achieved.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

General Fund			
State			
Federal			
Fees			
Enterprise Fund	\$ -	\$ 1,753,560.00	\$ 1,753,560.00
Total	\$ -	\$ 1,753,560.00	\$ 1,753,560.00

There are no new costs associated with this action. The cost of the contract is included in the Resource Recovery & Waste Management Division budget for FY 17/18 and funds come from a program fee assessed on solid waste collection bills in the unincorporated area (37% of costs) and service agreements with the cities of Santa Barbara (43% of costs) and Goleta (20% of costs).

**Key Contract Risks:**

Clean Harbors has made audited financial statements and net worth information available online. These documents display financial stability and a lack of any financial obstacles that would pose a risk to the County. In addition, they have extensive insurance coverage which provides for more liability protection for the County. County Counsel and Risk Management have reviewed Clean Harbor’s insurance and are satisfied that the County is adequately protected.

Payment requirements can be found under the attached Exhibit B and consequences of contract failure can be found under the attached Agreement, Section 19. In addition, there are no notable exceptions to the standard terms and conditions of the Agreement.

In order to ensure contract compliance and protection of the public’s interest, the Resource Recovery & Waste Management Division 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 monitored, and payments will be linked to satisfactory performance and adherence to approved rates.

Clean Harbors was incorporated in March 1980 and has been providing services to the Resource Recovery & Waste Management Division of Public Works since 2006. The areas of greatest concern with regards to contract risk would fall under the categories of a larger contract size, a longer performance period, and the complexity of contract requirements. However, due to the longstanding, successful working relationship the Resource Recovery & Waste Management Division has had with Clean Harbors, there is a high level of confidence that this contract will result in minimal risk, and thus should be approved and executed by the Board of Supervisors.

**Special Instructions:**

Please provide the minute order and a signed copy of the Agreement to Jody Rundle in the Resource Recovery & Waste Management Division of Public Works.

Subject: Three-Year Hazardous Waste Contract with Clean Harbors Environmental Services, Inc.

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**Attachments:**

Attachment A: Agreement for Services of Independent Contractor

**Authored by:**

Jody Rundle, Resource Recovery & Waste Management Division, ext. 3602