



# City of Chula Vista

## Staff Report

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**File#:** 17-0230, **Item#:** 6.

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RESOLUTION NO. 2017-151 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN THE CITY AND CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR TURN-KEY HOUSEHOLD HAZARDOUS WASTE AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR WASTE MANAGEMENT SERVICES

### **RECOMMENDED ACTION**

Council adopt the resolution.

### **SUMMARY**

In April 2017, the City released a Request for Proposal (RFP) to provide Household Hazardous Waste (HHW) and Conditionally Exempt Small Quantity Generator (CESQG) Waste Management Services. Clean Harbors Environmental Services, Inc. was the winning bidder. Council is being asked to approve a two-year contract with five (5), one-year (1) extensions.

### **ENVIRONMENTAL REVIEW**

#### **Environmental Notice**

The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15308 Class 8 (Actions by Regulatory Agencies for Protection of the Environment) and/or Section 15330 Class 30 (Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances).

#### **Environmental Determination**

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15308 Class 8 (Actions by Regulatory Agencies for Protection of the Environment) and/or Section 15330 Class 30 (Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances) because the proposed action will result in the implementation of options available to the public for conveniently and safely managing household wastes and thus reducing potential adverse impacts to the environment and human health. Thus, no further environmental review is required.

### **BOARD/COMMISSION RECOMMENDATION**

Not Applicable

### **DISCUSSION**

The City of Chula Vista is the lead agency for the South Bay Regional Household Hazardous Waste

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Program. It is a partnership between the cities of Chula Vista, Imperial Beach, National City and the County of San Diego.

The HHW program is one element of the City of Chula Vista's Waste Diversion and Recycling Plan designed to reduce the amount of waste being disposed of at the landfills. The current contract with Clean Harbors Environmental Services, Inc. is ending June 30, 2017 and was re-bid under the requirements of the City Charter and Chula Vista Municipal Code Section 2.56 .

The bidding process was conducted through the Finance Department which utilizes the online bidding system PlanetBid.com. All hazardous waste management companies currently registered on PlanetBid received the Request for Proposal information. Additionally, email notifications were sent out to four hazardous waste management companies that were not registered with the website advising them of the pending RFP and instructing them to register on PlanetBid's website to obtain access to documents and communications. Public Notice was also placed in the local newspaper. Three companies submitted proposals. One was an incomplete submittal. The remaining two proposals were evaluated by the selection committee. The committee was comprised of representatives from each of the partner jurisdictions (Chula Vista, National City, and the County of San Diego). All companies were professional, responsive bidders and the comparisons were very close.

Clean Harbors was the winning bid based upon pricing and their ability to meet the City's requirements within the waste management hierarchy to reduce, reuse and recycle, with landfill and incineration as the least desirable options. Clean Harbors will be holding their pricing for two years of the initial contract, with negotiated adjustments for the optional years not to exceed 2% in optional extension years 3, 5 and 7. In addition, Clean Harbors is actively engaged in and supports producer responsibility management models. The proposal documents are available for review with the Finance Department.

In Chula Vista, the HHW Program cost is paid for through fees collected on the solid waste rates (AB939) and is not part of the General Fund. The projected cost of this contract is estimated to be \$250,000 annually and will be based upon the actual number of residents participating in the various program options. Each of the jurisdictions participating in the program will be billed separately for their residents' usage and will receive the pricing from this agreement based on this procurement process.

Pricing for the household hazardous waste collection service:

Household Hazardous Waste Collection Facility Turnkey of hazardous waste, universal waste and sharps: Administration, staffing, 3 technicians, 1 trained chemist; vehicle unloading, hazcatting, packaging and shipment preparation, transportation and disposal.

1. Per participant/vehicle load: 1 load on vehicle, (15 gallons or 125 pounds): \$61.00
2. Per participant/vehicle load: 2 loads on vehicle, (30 gallons or 250 pounds): \$30.23
3. Conditionally Exempt Small Quantity Generator qualified businesses in Chula Vista only: \$164.42 per business accepted

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4. Sharps, syringes, lancets, infectious substances affecting humans: \$185.64 Per 55-gal drum
5. Other SB 20/50 non-covered electronic waste, minus kitchen appliances (EEE): \$.08 per pound
6. SB 20/50 covered electronics, televisions, monitors, cathode ray tubes, LCD panels, laptops, flat screen televisions: \$0.00
7. Paintcare covered products: \$0.00
8. Door-to-door program, Collection of household hazardous waste, universal waste and sharps, Administration, staffing, transportation, hazcatting, packaging, manifestation/administration and or recycling or disposal Per residence load: 1 load, (15 gallons or 125 pounds): \$74.26
9. Per residence load: 2 loads (30 gallons or 250 pounds) For every 12 gallons or 100 pounds beyond per collection : \$30.23
10. Temporary Collection Event/s of hazardous waste, universal waste mobilization, staffing costs Event servicing 0-200 vehicles: \$4,803.30
11. Event servicing 200-400 vehicles: \$6,140.97
12. Event servicing 400-600 vehicles: \$8,298.64
13. Event servicing 600-800 vehicles: \$11,303.88
14. Event servicing 1,000 or more vehicles: \$14,654.95

The Household Hazardous Waste Facility:

The City of Chula Vista owns a regional, permanent household hazardous waste collection facility (PHHWPF) open every Wednesday and Saturday, except for Saturdays prior to or immediately following Thanksgiving, Christmas and New Year's Day.

Operating hours are 9:00 am to 1:00 pm. Hours and days of operation may be changed or extended by mutual agreement of the City and Contractor when deemed beneficial to the community being served. Conditionally Exempt Small Quantity Generators (CESQGs) shall be served on an appointment only basis, as needed, at both permanent and/or potential satellite facilities.

The contractor shall also provide on a yearly basis and for the duration of the contract up to four (4) or more, one-day, anti-freeze, batteries, oil and paint (ABOP), electronic and universal waste collection events to be held on a Saturday or Sunday at dates and locations to be designated by the City. The program goals are to reflect the waste disposal hierarchy. This hierarchy calls for source reduction and reuse, recycling and reclamation whenever possible. Environmentally sound incineration and hazardous waste landfill disposal are considered the least desirable options. It is most desirable to recycle, process, treat, minimize, and consolidate as much waste as is possible prior to shipment for final disposal. Recycling and beneficial reuse (energy recovery), and treatments are preferred methods of disposal because they are less likely to result in long-term liability for the

City.

The following generally describes minimum program activities the Contractor is to provide:

- Provide the necessary labor, materials and equipment to legally operate a permanent household hazardous waste collection facility (PHHWPF), temporary household electronic and universal waste collection events (ten or more per year), door-to-door household hazardous waste collection and a possible satellite household hazardous waste collection facility. Generally these services include tracking, collecting, packaging, transportation, recycling, treatment and disposal, labor and other materials necessary.
- Select the appropriate treatment, recycling, storage and disposal sites for all hazardous materials collected at the facility or events using the best environmentally sound methods of waste processing hierarchy to include recycling, incineration, and landfilling as the least desirable option. All sites chosen for temporary storage, treatment, recycling and/or disposal shall be fully permitted under local, state and federal laws. Contractor shall also be responsible for providing a waste analysis report that includes identifying the proposed disposal method for each waste stream, all proposed transporters and treatment, storage, and disposal facilities (TSDFs) which will be utilized to dispose of waste collected under this RFP, and all subcontractors. The contractor shall provide an annual updated list of proposed transporters, proposed TSDFs, and related information. Transportation of all materials collected to the appropriate facility and from that facility to any secondary management facilities as required.
- Manifest, load and transport all conforming hazardous materials collected at the PHHWPF, temporary collection, satellite household hazardous waste collection facility and door-to-door collection events, including Conditionally Exempt Small Quantity Generators (CESQG) generated wastes. Contractor shall perform these services in full compliance with all applicable Federal, State and local laws, rules, regulations, including local enforcement agencies for traffic control and orders of all regulatory agencies.
- Provide one trained, qualified and dedicated Project Manager to the program for technical assistance and support as well as all routine operational tasks. Project Manager or an equally qualified staff member will be on-site at the SBHHWPF to assist and oversee proper hazardous waste packaging and shipments.
- Provide one dedicated, qualified Customer Service Representative to the program for all contractual and waste tracking tasks and completion and submittal of all required reports to Federal, State and Local Agencies during normal business hours.
- Provide City with the following items no later than forty-five (45) days after the event: copies of all manifests, bill of ladings as well as a monthly report on all the waste collected divided by site, type and amounts of waste collected and invoice for payment along with an itemized listing of car counts.
- Prepare and update all reporting documents required by Federal, State and local agencies such as Form 303, facility operations and contingency plan subject to City approval, and prepare an emergency response plan subject for review and approval by local fire marshals for said facilities.

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Contractor agrees to provide staff services to transfer applicable permits for the City.

Specific services for the Door-to-Door collection program

- Program administration
- Complete inventory of materials to be collected
- Professional, knowledgeable, and friendly staff
- Permit preparation and submittal
- Service completed within 10 days of initial request (phone call or email)
- Emergency pickup service available on a case by case basis, under City direction
- Tracking by jurisdiction with receipts provided to the resident or CESQGs
- Assistance for all disabled and elderly participants requiring additional help in gathering of materials - resident must be at home at the time of collection
- On-site inventory, collection, segregation and packaging completed by a trained chemist and/or technician
- Contractor to prepare an emergency response plan subject for review and approval by local fire marshals
- Compliance with Health and Safety Standards per OSHA 1910.120
- Manifest Preparation - to include Land Disposal Restriction (LDR), Bill of Lading, and Treatment Storage Disposal Facility (TSDF) and any other regulatory documentation as required.
- Same-day transportation of all materials to Permanent Site for consolidation and packaging
- Reporting to respective City to include: name of resident, date of pick-up and complete breakdown of pounds and/or gallons of material collected by class
- Additional reporting to City pertaining to collection, quantification, processing and transportation of materials paperwork and forms required by CalRecycle, the Department of Toxic Substances Control or any other local, state or federal agency.
- Waste Survey and Customer Satisfaction Program

Specific services for the permanent facility and temporary (one-day) collection events:

- Setup and breakdown
- Professional knowledgeable and friendly staff
- Supplies and equipment
- Waste collection, segregation, packaging, transportation, recycling and disposal
- Timely reporting and invoicing, including 303 reporting
- Survey collection
- Prepare and maintain a facility operations and contingency plan that shall include a contingency plan for unacceptable wastes such as explosive and biological waste, and prepare an emergency response plan subject for review and approval by local fire marshals for said facilities
- Permit preparation and submittal
- Compliance with Health and Safety Standards per OSHA 1910.120 including all local, state and federal storm water protection laws
- Manifest Preparation - to include Land Disposal Restriction (LDR), Bill of Lading, and Treatment Storage Disposal Facility (TSDF) and any other regulatory documentation as required.
- Safety meeting prior to each scheduled collection event
- On-going Project Management Meetings

## **DECISION-MAKER CONFLICT**

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Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

### **LINK TO STRATEGIC GOALS**

The household hazardous waste program supports the City's Strategic Plan goals of Operational Excellence, Healthy Community and Strong and Secure Neighborhoods by providing an environmentally safe disposal option for household hazardous waste and small business hazardous waste.

### **CURRENT YEAR FISCAL IMPACT**

All current expenditures and revenues associated with this contract and the Household Hazardous Waste Program are fully funded through the Environmental Services Fund. There is no impact to the General Fund.

### **ONGOING FISCAL IMPACT**

All future expenditures and revenues associated with this contract and the Household Hazardous Waste Program are fully funded through the Environmental Services Fund. There will be no impact to the General Fund.

### **ATTACHMENTS**

1. Clean Harbors Environmental, Inc. Two-party Agreement
2. Clean Harbors Environmental, Inc. proposal

*Staff Contact: Manuel Medrano, Sr. Sustainability Specialist, Office of Sustainability, Economic Development Department*