



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Award of a three-year Contract for Routine Hazardous Waste and Emergency Cleanup Service (F18-166)

#### **REPORT IN BRIEF**

Approval is requested to award a three-year contract to Clean Harbors of Norwell, MA, in an amount not-to-exceed \$240,000 for the routine disposal of hazardous waste and emergency cleanup services. Approval is also requested to authorize the City Manager to renew the contract for two one-year periods depending on if services and pricing remain acceptable to the City, subject to the availability of funds.

#### **EXISTING POLICY**

Pursuant to Section 2.08.040 of the Sunnyvale Municipal Code, City Council approval is required for the procurement of goods and/or services exceeding \$100,000, in any one transaction.

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

#### **BACKGROUND AND DISCUSSION**

The City generates materials classified as hazardous waste during routine operations. One of the most common operations that generate hazardous waste is the Corporation Yard truck wash system where debris, consisting of oil, water, and sludge (dirt and vegetation), are accumulated in oil/water separator sumps which must be pumped out monthly. Additionally, hazardous waste is collected from the departments of Public Works, Public Safety, Environmental Services and at the Water Pollution Control Plant operations that requires proper disposal. The Sunnyvale Hazardous Materials Storage Ordinance (HMSO) requires monitoring of hazardous materials (including hazardous waste) storage areas as a condition of the Corporation Yard’s permit to store hazardous materials. Finally, the Corporation Yard Hazardous Materials Management Program and Contingency Plan have been implemented to comply with all state and federal planning requirements.

Bid specifications were prepared by Department of Public Works and Purchasing staff. An Invitation for Bids (IFB) No. F18-166 was advertised for potential vendors on November 20, 2017 through the City’s DemandStar public procurement network and directly emailed to the current vendor. Eight (8) vendors requested the bid documents and three (3) sealed bids were received and publicly opened on December 15, 2017. The bid summary is contained in Attachment 1. Purchasing staff recommends awarding all bid line items except for the items on Bid Form Part 5 due to the container

unit size being unclear on the bid form. Considering the uncertainty of the type of services required during the removal and disposal of hazardous materials, staff recommends adding flexibility to utilize vendor's full capacity by including "miscellaneous services" into the contract. Staff, therefore, recommends issuing a Purchase Order to Clean Harbors, the lowest unit price bidder that is responsive and responsible. Clean Harbors operates and dispatches from a facility in San Jose.

### **FISCAL IMPACT**

The majority of expenditures under this contract are for routine hazardous waste disposal and are associated with regular operations at the Corporation Yard.

Although, the City's need for emergency services is impossible to predict, staff requests an additional \$40,000 in authorized expenditures to cover emergency services, as required, for a total contract amount not to exceed \$240,000.

### **Funding Source**

Budgeted funds are available in various operating programs in the Department of Public Works.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

### **RECOMMENDATION**

1) Award a three-year contract in substantially the same form as Attachment 2 to the report in the amount not to exceed \$240,000 to Clean Harbors of Norwell, MA, for the routine hazardous wastes and emergency cleanup service, and 2) Authorize the City Manager to renew the contract for two additional one-year periods if services and pricing remain acceptable to the City, subject to the availability of funds.

Prepared by: Gregory S. Card, Purchasing Officer  
Reviewed by: Timothy J. Kirby, Director of Finance  
Reviewed by: Charles Taylor, Director of Public Works  
Reviewed by: Teri Silva, Assistant City Manager  
Approved by: Kent Steffens, City Manager

### **ATTACHMENTS**

1. Bid Summary
2. Draft Service Agreement