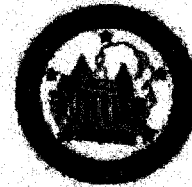


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM  
12.3  
(ID # 8468)

**MEETING DATE:**

Tuesday, December 4, 2018


**FROM :** DEPARTMENT OF WASTE RESOURCES:

**SUBJECT:** DEPARTMENT OF WASTE RESOURCES: Approve Amendment No. 7 to Personal Service Agreement with Clean Harbors Environmental Services, Inc. for Household Hazardous Waste (HHW) Collection and Disposal Services for Countywide HHW Collection Program. All Districts [\$270,000] 100% Department of Waste Resources Enterprise Funds

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the attached Amendment No. 7 to the Personal Service Agreement for Household Hazardous Waste Collection Services with Clean Harbors Environmental Services, Inc. to extend the period of performance to March 9, 2019, for the amount of \$270,000, and authorize the Chairman of the Board to execute the same on behalf of the County.

**ACTION:** Policy


  
Jane Keenkamp, General Manager - Chief Engineer 11/13/2018

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None  
Date: December 4, 2018  
xc: Waste

Kecia Harper-Ihem  
Clerk of the Board  
By   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 270,000	\$ 0	\$ 270,000	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Department of Waste Resources Enterprise Funds			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 18/19	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Household Hazardous Waste (HHW) Collection Program began in 1988. First operated by the Environmental Health Agency's Hazardous Material Division, the program was transferred to the Waste Management Department (Department) on July 1, 2006.

In 2013, the Board approved a contract award for HHW collection and disposal services to Clean Harbors for supplies, staffing, collection and management of HHW collected at four permanent and 17 temporary HHW collection sites. The contract approved by the Board in 2013 is subject to annual renewal for a period of five years (through 2018). In June 2018, the Department initiated the Request for Proposal (RFP) process for a new contract award. A 3-month contract extension is requested to allow time for comprehensive review of bid submittals and contract negotiations. This requested extension will ensure services will continue without interruption.

In compliance with California Government Code § 25502.5, County Counsel has recommended that any amendments for service agreements with an annual aggregate cost exceeding \$100,000 be ratified or executed exclusively by the Board.

**Impact on Residents and Businesses**

In fiscal year 2016/2017, 20,968 households were served and 1.69 million pounds of HHW was collected. The HHW Collection Program provides free HHW collection to Riverside County residents. The collection of HHW provides a needed service for County residents and helps protect the public health and environment by ensuring proper management of this hazardous waste stream. Clean Harbors Environmental Services, Inc. (CHES) has satisfactorily performed these services for Riverside County for the last decade.

**Additional Fiscal Information**

The current annual not-to-exceed amount for these services under the existing contract is \$1,074,720.41 or roughly \$90,000 per month. Therefore, for this 3-month extension the estimated cost is not-to-exceed an additional \$270,000 for a total of \$1,344,720.41 during the proposed contract extension period.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

**Contract History and Price Reasonableness**

In August 2013, County Purchasing released Request for Proposal (RFP) WMARC-226, soliciting proposals for HHW Collection and Disposal Services on behalf of the Department. RFPs were sent to potential bidders, advertised on the County Purchasing website and the e-Procurement service was used to attract bids. A total of three (3) contractors submitted proposals. A comprehensive analysis was performed by County Purchasing and the Department.

Of the three proposals received, PSC Environmental Services and Clean Harbors Environmental Services both showed experience and infrastructure capable of performing all requirements for the County's HHW Program. As the most responsive, responsible proposals with the lowest cost, County Purchasing requested best and final offers from these two bidders. Each qualified proposer was evaluated based on criteria set forth in the RFP (overall response to the RFP, experience and ability, overall cost, references, and licenses and certifications). Each bidder's proposed cost for services were applied to actual program activity for FY12/13 to determine best pricing, the results of which are shown below:

CHES	PSC	ACT
\$ 1,074,720.41	\$ 1,218,151.00	\$ 1,453,663.00

Based on the analysis of the proposals submitted, Clean Harbors Environmental Services, Inc. was found to be the lowest responsive/responsible vendor.

Amendments to the 2013 agreement are as follows.

**Amendment No. 1** executed on 6/24/14 adjusted the price for 55 Gal. sharps to \$72.00;

**Amendment No. 2** executed on 12/10/14 extended the period of performance through 12/10/15;

**Amendment No. 3** executed on 12/11/15 extended the period of performance through 12/10/16;

**Amendment No. 4** executed on 08/26/16 amended the Payment Provisions to include a price increase of 1.1%; added Conditionally Exempt Small Quantity Generator (CESQG) Hazardous Waste disposal rates, and added a truck stop fee of \$75 per pick up for used motor oil;

**Amendment No. 5** executed on 1/11/2017 extended the period of performance through 12/10/2017; and

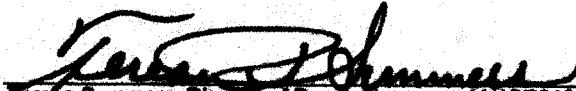
**Amendment No. 6** executed on 1/30/2018 extended the period of performance through 12/09/2018; amended the Payment Provisions to include a CPI increase of 1.9%, and amended the Contract ID.

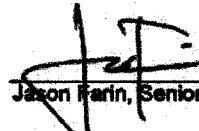
County Counsel has approved Amendment No. 7 as to legal form.

**ATTACHMENT. Amendment No. 7**

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA

Prev. Agn. Ref.: M.O. 12.1C of 12/17/2013  
M.O. 12.2 of 1/30/2018 - Amendments

  
Teresa Summers, Director of Purchasing 11/16/2018

  
Jason Farin, Senior Management Analyst 11/27/2018

  
Gregory V. Priaplos, Director County Counsel 11/19/2018

COUNTY OF RIVERSIDE  
AMENDMENT NO. 7 TO THE AGREEMENT  
WITH  
CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.

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Original Contract Term:	December 17, 2013 through December 10, 2014
Contract Term Extended To:	March 9, 2019
Effective Date of Amendment:	December 10, 2018
Original Annual Maximum Contract Amount:	\$1,074,720.41
Amended Annual Maximum Contract Amount:	\$1,344,720.41 (\$270,000 over 3-month ext.)
Original Contract ID:	WMARC-92645-002-12/14
Amended Contract ID (from Amd. No. 6):	WMARC-92645-002-12/18 (no change this Amd.)

This Amendment No. 7 to the Personal Service Agreement for Household Hazardous Waste Collection Services (Contract ID No. WMARC-92645-002-12/14) (the "Amendment") is entered into by and between the County of Riverside (the "County") and Clean Harbors Environmental Services, Inc. (the "Contractor"), effective December 10, 2018.

WHEREAS, County and Contractor entered into that certain Personal Service Agreement for Household Hazardous Waste Collection Services (Contract ID No. WMARC-92645-002-12/14), effective December 17, 2013 (the "Agreement");

WHEREAS, County and Contractor have since amended the Agreement a total of six (6) times as follows:

- a. **Amendment No. 1** executed on 6/24/14 adjusted the price for 55 Gal. sharps to \$72.00;
- b. **Amendment No. 2** executed on 12/10/14 extended the period of performance through 12/10/15;
- c. **Amendment No. 3** executed on 12/11/15 extended the period of performance through 12/10/16;
- d. **Amendment No. 4** executed on 08/26/16 amended Exhibit B to include a price increase of 1.1%; added CESQG rates, and added a truck stop fee of \$75 per pick up for used motor oil;
- e. **Amendment No. 5** executed on 1/11/2017 extended the period of performance through 12/10/2017; and
- f. **Amendment No. 6** executed on 1/30/2018 extended the period of performance through 12/09/2018; amended Exhibits B & B-1 to include a CPI increase of 1.9%, and amended the Contract ID.

WHEREAS, County and Contractor now desire to amend the Agreement to extend the period of performance through March 9, 2019 and adjust the contract amount accordingly.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, County and Contractor agree as follows:

1. The above recitals are true and correct, and are incorporated herein by reference.
2. The first sentence of Section 2.1 of the Agreement is hereby deleted in its entirety and replaced with the following: "This Agreement shall be effective upon signature of this Agreement by both parties and continues in effect through March 9, 2019."
3. The second sentence of Section 3.1 of the Agreement is hereby deleted in its entirety and replaced with the following: "Maximum payments by COUNTY to CONTRACTOR shall not exceed \$1,344,720.41 annually including all expenses."

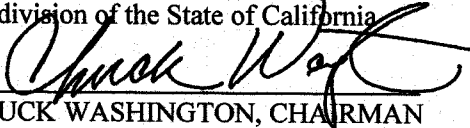
COUNTY OF RIVERSIDE  
AMENDMENT NO. 7 TO THE AGREEMENT  
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CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.

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4. All other terms and conditions of the Agreement not modified herein shall remain unchanged.

**IN WITNESS WHEREOF**, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

COUNTY OF RIVERSIDE, a political subdivision of the State of California

By:   
CHUCK WASHINGTON, CHAIRMAN  
BOARD OF SUPERVISORS

Dated: DEC 04 2018

ATTEST:  
Kecia Harper-Ihem  
Clerk of the Board

By:   
DEPUTY

DEC 04 2018

Dated: \_\_\_\_\_

CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. a Massachusetts Corporation

By:   
GARY BURNS  
DISTRICT VP

Dated: 11-8-18

APPROVED AS TO FORM:  
Gregory P. Priamos  
County Counsel

By:   
SUSANNA OH  
DEPUTY COUNTY COUNSEL

Dated: 11/13/18