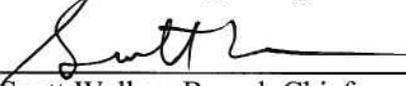


DIRECTOR REQUEST FOR APPROVAL

To: Mark De Bie, Deputy Director
Waste Permitting, Compliance and Mitigation Division

From: 

Scott Walker, Branch Chief
Engineering Support Branch

Prepared By: Wes Mindermann
(916) 341-6314
Wes.Mindermann@CalRecycle.ca.gov

Reviewed By: Holly Armstrong, Legal Office

Wendy Roberson, Contracts Office

Prepared On: October 8, 2012

Subject: **AUGMENTATION OF THE ENVIRONMENTAL SERVICES FOR
LANDFILL, DISPOSAL AND WASTE TIRE SITE REMEDIATION
CONTRACT FOR SOUTHERN CALIFORNIA (SOLID WASTE
DISPOSAL TRUST FUND AND TIRE RECYCLING
MANAGEMENT FUND, FYS 2010/11, 2011/12, AND 2012/13)**

REQUESTED ACTION:

Department of Resources Recycling and Recovery (CalRecycle) staff recommend approval of a contract augmentation to increase the budget of the Environmental Services Contract for Landfill, Disposal Site, and Waste Tire Remediation for Southern California, Contract DRR10009, from the currently authorized amount of \$3,600,000 to an amount not to exceed \$3,850,000.

Time Factor: Approval required no later than October 15, 2012.

Options: The Deputy Director may decide to:

1. Approve the proposed contract augmentation and direct staff to augment the current contract;
or
2. Disapprove the proposed contract augmentation and direct staff as to further action.

Recommendation Staff recommends Option 1.

Discussion: Public Resources Code (PRC) Section 48020(b) requires CalRecycle to initiate a program for the cleanup of solid waste disposal sites and for the cleanup of solid waste at codisposal sites where the responsible party either cannot be identified or is unable or unwilling to perform the timely remediation and where the cleanup is needed to protect public health and safety or the environment. The Legislature annually appropriates funding for purposes of implementing the Program, and program funds are periodically recovered through cost recovery efforts. In administering the Program, CalRecycle is authorized to expend funds directly for cleanup [PRC Section 48021(b)].

Sites authorized for direct expenditure of funds are cleaned up through the use of two environmental services contractors. These contracts are used in direct support of the Program. They are also used to support the Waste Tire Recycling Management Program, based upon the similar nature of the work and the common occurrence of mixed solid waste and waste tires at many sites. These contractors are selected on a competitive qualifications basis every two or three years, allowing CalRecycle to avoid the time-consuming solicitation and contracting process for each CalRecycle-managed project, and the potential for renegotiating contracts when unforeseen or unanticipated conditions occur. The Program has utilized environmental services contractors to perform CalRecycle-managed remediations since its inception in 1994. The Program typically has two companies under contract — one covering Northern California and one covering Southern California. However, the contracts are designed so that two contractors provide backup for each other in any part of the state. Likewise, in case of emergency, CalRecycle has the ability to mobilize either contractor, thus ensuring the availability of equipment and labor able to respond in a timely manner to a project anywhere in California. Contracts are typically awarded for a period of 24 to 36 months.

Contract DRR10009 (covering Southern California) was authorized in a Program Director Action Request and a contract was executed on December 31, 2010, and expires on December 31, 2013. The following table indicates the approved not-to-exceed fiscal year allocations for the contract:

	Approved Not-To-Exceed Allocation	
<u>Fiscal Year</u>	<u>Solid Waste Disposal Trust Fund</u>	<u>Tire Recycling Management Fund</u>
2010/11	\$1,000,000	\$200,000
2011/12	\$1,000,000	\$200,000
2012/13	\$1,000,000	\$200,000

Program Needs:

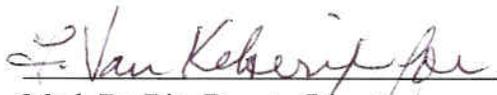
To date, the program has used the DRR10009 contract for a little more than \$400,000 of work, leaving approximately \$3.2M remaining on the contract. Two large projects, the Goat Canyon Sediment Basin Cleanout and the Bonzi Landfill Interim Cover Project, were recently approved. Using the contractor's cost estimates for these projects, the potential expenditures on these two projects may exhaust the current contract budget once all phases of work are completed. Supplemental contract funds are needed to ensure the program's ability to service projects that may arise in the upcoming year. The additional funds requested in this augmentation are \$250,000, the maximum amount by which this contract may be augmented under state contracting law. This would raise the total amount authorized under the contract to \$3,850,000

The proposed table below indicates the not-to-exceed allocations for the augmented contract requested with this contract amendment:

<u>Fiscal Year</u>	<u>Proposed Amended Not-To-Exceed Allocation</u>	
	<u>Solid Waste Disposal Trust Fund</u>	<u>Tire Recycling Management Fund</u>
2010/11	\$1,000,000	\$200,000
2011/12	\$1,000,000	\$200,000
2012/13	\$1,250,000	\$200,000

There is adequate funding available within the Solid Waste Disposal Trust Fund to fund this contract amendment.

I hereby approve the contract augmentation of the Environmental Services for Landfill, Disposal and Waste Tire Site Remediation Contract for Southern California to augment the contract budget from \$3,600,000 to \$3,850,000, an increase of \$250,000.


Mark De Bie, Deputy Director

Waste Permitting, Compliance and Mitigation Division

10/17/2012
Date