

**REQUEST FOR ACTION**

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

**From:** Steve Santa Croce  
Senior Waste Management Engineer  
Solid Waste & Tire Cleanup Programs Section

**Reviewed By:** Ron Darbee, Legal Office; Julian Vilmar, Budgets; Shelly Lewis,  
Contracts

**Request Date:** February 15, 2016

**Decision Subject:** **Approval of the Scopes of Work and Authorization to Solicit Proposals for Environmental Services Contracts Under the Solid Waste Disposal and Waste Tire Site Cleanup Programs (Solid Waste Disposal Trust Fund and Waste Tire Recycling Management Fund, FYs 2015/16, 2016/17, And 2017/18)**

**Action By:** February 26, 2016

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**Summary of Request:** Department of Resources Recycling and Recovery (CalRecycle) staff propose to continue use two environmental construction services contracts for landfill and disposal site remediations under the Solid Waste Disposal and Co-disposal Site Cleanup Program (Program) and Waste Tire Site Cleanup under the Waste Tire Recycling Management Fund. This requested action is to approve the Scopes of Work for the two contracts and authorize the solicitation of proposals to perform this work. Detailed project information and scopes of work are located in Attachments 1 and 2.

**Recommendation:** Staff recommends the approval of the scopes of work and authorization to solicit proposals for environmental services contacts for Northern and Southern California for an amount not to exceed \$3,450,000 (Table 1) and an amount not to exceed \$3,450,000 (Table 2), respectively, for a total amount not to exceed \$6,900,000 over three fiscal years.

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**Deputy Director Action:**

On the basis of the information and analysis in this Request for Approval and the findings set out above, I hereby approve the Scopes of Work and authorization the solicitation of proposals.

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

**Dated:** 2/25/16

**Attachments:**

1. Scope of Work – Environmental Services Contract for Landfill, Disposal Site, and Waste Tire Site Remediation for Southern California
2. Scope of Work – Environmental Services Contract for Landfill, Disposal Site, and Waste Tire Site Remediation for Northern California

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**Background Information, Analysis, and Findings:** Public Resources Code (PRC) Section 48020(b) requires CalRecycle to initiate a program for the cleanup of solid waste disposal sites, for the cleanup of solid waste at co-disposal sites, and for the cleanup at waste tire disposal 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. 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 construction services contractors. These contractors are selected on a competitive qualifications basis, allowing the 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 construction services contractors to perform CalRecycle-managed remediations since its inception in 1994. The Program typically has two companies under contract to ensure availability of equipment and labor to respond in a timely manner to a project anywhere in California, in direct support of the Program. The contracts are also used to remediate waste tire sites in support of 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 sites.

The proposed Scopes of Work presented in Attachment 1 and Attachment 2 outline the contract objectives and work to be performed, identified tasks, and the proposed contract timeframes. Each of these contracts would cover projects in a specific geographic region of California (i.e., Northern California and Southern California) and the respective contractors would serve as backups for each other in case the resources to perform a task in accordance with CalRecycle's requirements are unavailable.

**Fiscal Impacts:** Tables 1 and 2 indicate the proposed not-to-exceed fiscal year allocations for the proposed Southern and Northern environmental service contracts. Fiscal year 2015/16 funds allocated for this item will be encumbered upon award of the proposed contracts. Staff anticipates that each contractor will be presented to the Director or his designee for approval and that each respective contract will be awarded in May 2016. Given the potential funding for the

three fiscal years, the proposed contracts would be for a total amount not to exceed \$6,900,000 over the contact service period.

**Table 1: Contact Not-To-Exceed Allocation for Southern California**

<b>Fiscal Year</b>	<b>Solid Waste Disposal Trust Fund</b>	<b>Waste Tire Recycling Management Fund</b>
2015/16	\$1,000,000	\$150,000
2016/17*	\$1,000,000	\$150,000
2017/18*	\$1,000,000	\$150,000

\*Pending Governor's Budget approval

**Table 2: Contract Not-To-Exceed Allocation for Northern California**

<b>Fiscal Year</b>	<b>Solid Waste Disposal Trust Fund</b>	<b>Waste Tire Recycling Management Fund</b>
2015/16	\$1,000,000	\$150,000
2016/17*	\$1,000,000	\$150,000
2017/18*	\$1,000,000	\$150,000

\*Pending Governor's Budget approval.



## Attachment 1

### Department of Resources Recycling and Recovery

#### SCOPE OF WORK

#### *Environmental Construction Services Contract for Landfill and Disposal Site Remediation for Southern California*

#### **I. INTRODUCTION/OBJECTIVES**

Pursuant to Public Resources Code (PRC) Sections 48020 et seq., the Department of Resource Recycling and Recovery (CalRecycle) administers the Solid Waste Disposal and Codisposal Site Cleanup Program (Program). In administering the Program, CalRecycle is authorized to expend funds directly for cleanups. Furthermore, PRC Section 42846(a) allows CalRecycle to expend available money in the Waste Tire Recycling Management Fund to perform any cleanup, abatement, or remedial work required under the circumstances set forth in PRC Section 42845. The purpose of this contract is to provide environmental construction services where CalRecycle determines that the direct expenditure of funds is the appropriate method for site cleanup.

#### **II. WORK TO BE PERFORMED**

All work under this contract shall be completed in accordance with Division 1 – General Provisions of the State of California Department of Transportation 2010 publication entitled Standard Specifications and the plans, special provisions, approved Work Plans, and instructions included in Work Orders issued under the Agreement.

The Contractor may be required to perform remediations at solid waste disposal sites, illegal disposal sites, waste tire sites and/or emergency disaster debris cleanup sites located in Southern California on an as-needed basis during the contract period. For the purpose of this Agreement, Southern California is defined as all counties within California located to the south of, and including, San Luis Obispo County, Kern County, and San Bernardino, including Mono County and Inyo County. The Contractor will serve as backup for other environmental services contractors serving other geographic areas of California and may be required to work in those areas in case resources to perform tasks in accordance with CalRecycle's requirements are unavailable.

Based on previous remediation Agreements activities listed herein are expected to be required for up to three concurrent remediation projects. Firms interested in entering into an Agreement for the stated services must be able to provide sufficient staff with technical abilities and related experience to ensure cost effective and timely remediation of sites selected for remediation. All Site Superintendents shall be currently certified for Hazardous Waste Operations and Emergency Response (HAZWOPR) in accordance with Title 29, Code of Federal Regulations (29 CFR),

Section 1910.120 and Title 8, California Code of Regulations (8 CCR), Section 5192 and have appropriate experience to adequately perform the tasks outlined below.

Types of anticipated tasks include, but are not limited to:

1. Removal, transportation, and disposal of solid waste, as defined in PRC Section 40191, where recycling of the waste is not economically practical.
2. Collection, transportation, storage, transfer, and/or processing of materials suitable for recycling that would otherwise become solid waste.
3. Consolidation of solid waste and/or burn ash and construction of soil or other types of covers.
4. Site grading and construction of drainage systems.
5. Installation of erosion control systems and establishment of vegetative cover.
6. Construction of excavations, embankments, and placement of fill.
7. Installation of fencing, barriers and signs.
8. Performing trenching, drilling, and other activities for subsurface exploration in support of investigations of potential sites.
9. Identification, collection, segregation, removal, disposal, and/or recycling of hazardous waste as defined in California Health and Safety Code Section 25117, and other wastes encountered during solid waste cleanup.
10. Preparation of Work Plans that shall include, but are not limited to, project work elements, a project schedule, a cost estimate, a site specific injury and illness prevention plan, and any other required documents.
11. Processing of waste tires on-site or off-site by de-rimming, shredding, baling or cutting into pieces.
12. Retrieving, loading, processing, and transporting whole or altered tires on or from a designated site in accordance with applicable laws and regulations.
13. Implementing elements of approved firefighting plans for solid waste and/or waste tire facilities, which may include:
  - a. Installing tanks or impoundments for firefighting water.
  - b. Stockpiling sand, foam and other materials.
  - c. Providing taps, piping valves, hydrants and pumps as needed.
14. The Contractor will have industrial hygiene resources available to prepare site specific Health and Safety Plans (as necessary) and to provide occupational health and safety equipment and training and support for field staff. Resources available must provide health and safety services including, but not limited to industrial hygiene field support, employee exposure monitoring, site assessment, characterization and control measure, on-site consultation and respirator fit testing and training.
15. The Contractor must have resources available to respond to emergency situations at sites within a twenty-four (24) hour period with one crew, consisting of a foreman, an operator, and two laborers, following CalRecycle notification. All emergency response personnel shall be

currently certified for Hazardous Waste Operations and Emergency Response (HAZWOPR) in accordance with Title 29, Code of Federal Regulation (29 CFR), Section 1910.120 and Title 8, California Code of Regulations (8 CCR), Section 5192.

16. Providing debris cleanup, transport, and/or disposal in response to a state/local/federal declared disaster.

### **III. TASKS IDENTIFIED**

All work under this contract will be performed through Work Orders issued to the Contractor. When Program staff determines the need for Contractor services under this Agreement, a Work Order will be issued detailing specific tasks or activities to be completed, provide a schedule for completion, and give a maximum cost for accomplishing the work. Work Order costs will be determined after discussions between the Contractor and Program staff and the preparation of a cost estimate by the Contractor.

The Contractor shall not perform or undertake any work that is not indicated or addressed in the Work Order. The Contractor shall immediately notify Program staff of any condition or event that may interfere with completion of the work or which may require a modification in the Work Order. The Contract Manager will, in a reasonable time, provide written direction to the Contractor clarifying any required adjustment to the Work Order. Any unauthorized modification of the Work Order, work in excess of that provided for in the Work Order, or changes and additions not pre-authorized in writing by the Contract Manager will not be considered for compensation.

### **IV. CONTRACT/TASK TIME FRAME**

The anticipated Agreement termination date is December 2018, but CalRecycle may extend or terminate the Agreement as deemed necessary and in accordance with the Agreement provisions. Deadlines for each authorized task are to be specified in each Work Order.



## **Attachment 2**

### **Department of Resources Recycling and Recovery**

#### **SCOPE OF WORK**

*Environmental Construction Services Contract for Landfill and Disposal Site  
Remediation  
for  
Northern California*

#### **I. INTRODUCTION/OBJECTIVES**

Pursuant to Public Resources Code (PRC) Sections 48020 et seq., the Department of Resource Recycling and Recovery (CalRecycle) administers the Solid Waste Disposal and Codisposal Site Cleanup Program (Program). In administering the Program, CalRecycle is authorized to expend funds directly for cleanups. Furthermore, PRC Section 42846(a) allows CalRecycle to expend available money in the Waste Tire Recycling Management Fund to perform any cleanup, abatement, or remedial work required under the circumstances set forth in PRC Section 42845. The purpose of this contract is to provide environmental construction services where CalRecycle determines that the direct expenditure of funds is the appropriate method for site cleanup.

#### **II. WORK TO BE PERFORMED**

All work under this contract shall be completed in accordance with Division 1 – General Provisions of the State of California Department of Transportation 2010 publication entitled Standard Specifications and the plans, special provisions, approved Work Plans, and instructions included in Work Orders issued under the Agreement.

The Contractor may be required to perform remediations at solid waste disposal sites, illegal disposal sites, waste tire sites and/or emergency disaster debris cleanup sites located in Northern California on an as-needed basis during the Agreement period. For the purpose of this contract, Northern California is defined as all counties within California located to the north of, and including, Monterey County, Kings County, and Tulare County, excluding Inyo County and Mono County. The Contractor will serve as backup for other environmental services contractors serving other geographic areas of California, and may be required to work in those areas in case resources to perform tasks in accordance with the CalRecycle's requirements are unavailable.

Based on previous remediation Agreements activities listed herein are expected to be required for up to three concurrent remediation projects. Firms interested entering into an Agreement for the stated services must be able to provide sufficient staff with technical abilities and related experience to ensure cost effective and timely remediation of sites selected for remediation. All Site Superintendents shall be currently certified for Hazardous Waste Operations and Emergency Response (HAZWOPR) in accordance with Title 29, Code of Federal Regulations (29 CFR),

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5. Installation of erosion control systems and establishment of vegetative cover.
6. Construction of excavations, embankments, and placement of fill.
7. Installation of fencing, barriers and signs.
8. Performing trenching, drilling, and other activities for subsurface exploration in support of investigations of potential sites.
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10. Preparation of Work Plans that shall include, but are not limited to, project work elements, a project schedule, a cost estimate, a site specific injury and illness prevention plan, and any other required documents.
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