

REQUEST FOR APPROVAL

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

From: Wes Mindermann
Senior Waste Management Engineer
Solid Waste & Tire Cleanup Programs Section

Request Date: November 9, 2012

Decision Subject: **APPROVAL OF THE SCOPES OF WORK AND AUTHORIZATION TO SOLICIT PROPOSALS FOR ENVIRONMENTAL SERVICES CONTRACTS (NORTH AND SOUTH) UNDER THE SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP AND TIRE RECYCLING MANAGEMENT PROGRAMS (Solid Waste Disposal and Codisposal Trust Fund and Waste Tire Recycling Management Fund, FYs 2012/13, 2013/14, AND 2014/15)**

Action By: November 13, 2012

Summary of Request: Department of Resources Recycling and Recovery (CalRecycle) staff propose to use two environmental services contracts for landfill and disposal site remediations under the Solid Waste Disposal and Codisposal Site Cleanup Program (Program) and the Waste Tire Recycling Management Program. 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 contracts for Northern and Southern California for an amount not to exceed \$5,300,000 (Table 1) and an amount not to exceed \$5,300,000 (Table 2), respectively, for a total amount not to exceed \$10,600,000 over three fiscal years. The Fiscal Year (FY) 2012/13 funding for the Southern California contract has been revised from \$1,000,000 to \$2,000,000 due to the potential for a significant Department-managed remediation that may have to be begin in the Spring of 2013. The revised funding amount will also make the funding for both contracts the same.

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

Fiscal Year	Solid Waste Disposal Trust Fund	California Tire Recycling Management Fund
2012/13	\$2,000,000	
2013/14*	\$1,500,000	\$150,000
2014/15*	\$1,500,000	\$150,000

*Pending Governor's Budget approval

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

Fiscal Year	Solid Waste Disposal Trust Fund	California Tire Recycling Management Fund
2012/13	\$2,000,000	
2013/14*	\$1,500,000	\$150,000
2014/15*	\$1,500,000	\$150,000

*Pending Governor's Budget approval

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 to Solicit Proposals.

Dated: 11/14/12



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

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

Background Information, Analysis, and Findings: Public Resources Code (PRC) Section 48020(b) required 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. 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 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 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. These contracts are used in direct support of the Program. They are also used to support the California Tire Recycling Management Program based upon the similar nature of the work and the common occurrence of mixed solid waste and waste tires at the same site.

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 required task in accordance with CalRecycle's requirements are unavailable.

Fiscal Impacts: The above-noted tables indicate the proposed not-to-exceed fiscal year allocations for the proposed Southern and Northern environmental service contracts. Fiscal year 2012-13 funds allocated for this item will be encumbered upon award of the proposed contracts. Staff anticipates that the contractor will be presented to the Director, or her designee, for approval and that the contract will be awarded in February 2013. Given the potential funding for the three fiscal years, the proposed contracts would be for a total amount not to exceed \$10,600,000 over the contract service period.