

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 9/9/2020

Staff Report No. 15-228b

TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager
SUBJECT: Contract Assignment for Hazardous Waste Services

ACTION ITEM

RECOMMENDED ACTION(S):

Consider approving a contract assignment from Stericycle Environmental Solutions, Inc. to Clean Earth Environmental Solutions, Inc. for hazardous waste services.

STRATEGIC IMPORTANCE:

Goal - Environmental Improvement
Initiative - Infrastructure Modernization

Approving this assignment allows the District to remain in compliance with regulatory mandates.

BUDGETARY/FISCAL IMPACT:

There is no fiscal impact to this contract assignment. The same scope of services will continue to be provided at the current contract rates and terms.

BACKGROUND/RATIONALE:

Stericycle Environmental Solutions, Inc. and AC Transit entered into contract number 2016-1363 on November 1, 2016 which is a five-year contract to provide hazardous waste disposal services for all of the AC Transit facilities. This contract was the product of a competitive Request for Proposals (RFP) and was awarded by the AC Transit Board on September 14, 2016 via Staff Report 15-228a.

Since the notice to proceed was issued on November 30, 2016, Stericycle Solutions, Inc. has performed all hazardous waste disposal services as agreed and has enabled the District to comply with the California Health and Safety Code and Title 22 California Code of Regulations and 40 C.F.R. for its hazardous waste management program.

On July 24, 2020 the District was informed that Clean Earth, a Harsco company, recently acquired Stericycle Environmental Solutions, Inc. which operates Stericycle's domestic Environmental Solutions business and officially changed its name to Clean Earth Environmental Solutions, Inc.

Further, the July 24th notification indicated that the parties desired to amend the Contract to reflect this name

change and formally name Clean Earth Environmental Solutions, Inc. as the “Contractor” under the existing Contract. Clean Earth is a Harsco company and is considered a major player in the hazardous waste disposal industry. This assignment will ensure that the District’s hazardous waste management program will remain in compliance for the balance of the contract term. This contract will expire on October 31, 2021.

ADVANTAGES/DISADVANTAGES:

The advantage to approving this contract assignment is that hazardous waste disposal services will continue without interruption and the District will remain in compliance with the California Health and Safety Code and Title 22 California Code of Regulations and 40 C.F.R. for its hazardous waste management program.

Staff is unable to identify any disadvantages with the contract assignment.

ALTERNATIVES ANALYSIS:

Staff has determined that there are no reasonable alternatives to the contract assignment. The only potential alternative would be to cancel the contract and recompete the procurement. Staff does not think this is a reasonable alternative because it would leave the District without hazardous waste disposal services for six to nine months.

PRIOR RELEVANT BOARD ACTION/POLICIES:

SR 15-228a dated September 14, 2016 Consider contract award to Stericycle for Hazardous Waste Services.
SR 15-228 dated September 16, 2015 - Permission to solicit for Hazardous Waste Services. Board Policy 465 - Procurement Policy.

ATTACHMENTS:

None

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