

**61945**

**DATE:** March 5, 2018  
**TO:** Board of Acquisition and Contract  
**FROM:** Vincent F. Kopicki, P.E.  
Commissioner  
**RE:** Contract No. **EF-1501**  
Operation and Maintenance of  
Household Material Recovery Facility  
Valhalla Campus  
Valhalla, New York  
**Contractor:** Clean Harbors Environmental Services, Inc.  
**Amount:** \$1,294,800.00

**Resolution to extend a contract with Clean Harbors Environmental Services, Inc.  
(the "Contract") for one additional two-year term commencing April 1, 2018.**

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A resolution was approved on 03/12/2015 authorizing the award of contract EF-1501 to Clean Harbors Environmental Services, Inc. ("Clean Harbors"), the lowest responsible bidder, for the Operation and Maintenance of the Household-Material Recovery Facility ("H-MRF"), Valhalla Campus Valhalla, New York for a three-year period with an option to extend for an additional two year term with all prices, terms and conditions remaining the same as the original contract upon the mutual consent of the parties.

The goal of the contract is to obtain services that will allow the Department of Environmental Facilities ("Department") to safely collect and dispose of hazardous and other household wastes. The objective of the contract is to operate a centralized facility for the disposal and processing of many household wastes not accepted by municipal and local carters. During the term of the contract, Department representatives track and monitor the performance of the contractor and ensure that required records of collection and disposal are maintained.

The work performed under this contract consists of operating and maintaining the H-MRF, including furnishing all labor, equipment, materials, supplies, and incidentals necessary to do so. This contract is crucial to provide Westchester County residents with a convenient outlet to safely dispose of common household wastes. The department will monitor performance by the contractor and staff at the H-MRF with a department employee to ensure the successful operation and maintenance of the facility. The Contractor will be responsible to comply with all applicable regulations and codes. This contract is in the public's best interest because it will promote the health and safety of the general public by providing a facility equipped to receive, process and dispose of household waste, thus addressing the County Executive's priority area: Health and the Environment (HE).

During the term of the original contract, Clean Harbors has provided satisfactory service to the County. Accordingly, authority is requested to exercise the County's option to extend the Clean Harbors contract for the additional two-year period in the amount of \$1,294,800.00, as provided in the original bid document.

Approval of the attached resolution is respectfully requested.

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2018 - LISA MRIJAJ, SECRETARY

# RESOLUTION

Upon a communication from the Commissioner of Environmental Facilities, be it hereby:

**RESOLVED**, the resolution dated March 09, 2015 awarding contract EF-1501 to Clean Harbors Environmental Services, Inc., (“Clean Harbors”), the lowest responsible bidder, for the Operation and Maintenance of Household Material Recovery Facility (“H-MRF”), Valhalla Campus for a two-year period is hereby amended to include the extension of the Agreement by mutual consent of the Contractor and the County of Westchester for one (1) additional two year term upon the same terms and conditions; and be it further

**RESOLVED**, the County is authorized to extend the Clean Harbors Contract for one additional two-year term commencing April 1, 2018 at a cost not to exceed \$1,294,800.00, as provided in the bid specifications and contract documents; and be it further

**RESOLVED**, all other terms and conditions of the Clean Harbors contract shall remain the same and in full force and effect; and be it further

**RESOLVED**, that this contract extension is subject to County appropriations; and be it further

**RESOLVED**, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed budget of the State of New York and/or the adoption of the State Budget or any amendments thereto, and after the County has a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then such Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby authorized to execute any and all instruments and take all actions necessary to accomplish the purpose hereof.

Account to be Charged/Credited			Major Program, Program & Phase	Object/	Trust	
	Fund	Dept	Or Unit	Sub Object	Account	Dollars
2018	251	60	7800:7810	4380		\$291,330
2018	241	60	5110:5110	4380		\$194,220
2019	251	60	7800:7810	4380		\$388,440
2019	241	60	5110:5110	4380		\$258,960
2020	251	60	7800:7810	4380		\$97,110
2020	241	60	5110:5110	4380		\$64,740

Budget Funding Year(s) 2018-2020 Start Date 04/01/2018 End Date 03/31/2020  
(must match resolution)

Funding Source Tax Dollars \$1,294,800  
State Aid \_\_\_\_\_  
Federal Aid \_\_\_\_\_

NTE \$1,294,800

(must match resolution)

Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/05/2018 - LISA MRIJAJ, SECRETARY