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TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.
Commissioner of Environmental Facilities

DATE: June 1, 2022

RE: Award Resolution to the Low Bidder
Contract No. **EF-2206**
Operation and Maintenance of
Household Material Recovery Facility (H-MRF)
Valhalla, New York

Contractor: Clean Harbors Environmental Services, Inc.

Amount: \$2,617,400.00

On May 25, 2022, three (3) bids were received for Contract No. EF-2206 for Operation and Maintenance of Household Material Recovery Facility (H-MRF), Valhalla, New York. The bids were reviewed by the Department and it was determined that Clean Harbors Environmental Services, Inc., submitted the low bid in the amount of \$2,617,400.00. Funds for this project are available in the Operating Budget. This contract is for a term of three (3) years. The Contract may be extended by mutual consent of the Contractor and the County of Westchester for one (1) additional two year term with all prices, terms and conditions remaining the same as the original contract.

The low bidder has been investigated and it has been found that Clean Harbors Environmental Services, Inc., has the required experience in the field, and is the current operator of the facility. Information submitted was also reviewed by the County Attorney's Office in connection with the determination that Clean Harbors Environmental Services, Inc. is a responsible bidder.

The goals and objectives of this contract are to continue to operate and maintain the County's centralized facility for the disposal and processing of many household hazardous and hard-to-dispose of wastes not accepted by municipal and local carters. During the three year term of the contract, Department representatives will track and monitor the performance of the contractor and ensure that required records of collection and disposal are maintained, including certified payrolls.

The work under this contract consists of all activities necessary to operate and maintain the H-MRF, including furnishing all labor, equipment, materials, supplies, record-keeping, and incidentals necessary to for the continued operation and maintenance of, and regulatory compliance at, the facility. This contract is crucial to provide Westchester County residents with a convenient outlet to safely dispose of common household hazardous wastes and other hard-to-dispose of wastes that may otherwise make their way into the environment, causing potential damage to watercourses and human health.

The Department will monitor performance by the contractor, and maintain County staff at the H-MRF 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 and protection of the environment by continuing to provide residents with a location to safely and appropriately dispose of household hazardous waste, thus addressing the County Executive's priority area: Health and the Environment (HE).

It is my recommendation that Contract No. EF-2206 be awarded to Clean Harbors Environmental Services, Inc. in the amount of \$2,617,400.00, subject to County appropriations.

A proposed form of Resolution is attached.

APPROVED BOARD OF ACQUISITION & CONTRACT - 06/16/2022, RAYMOND GUILKY, SECRETARY

RESOLUTION

CONTRACT NO. EF-2206

Upon communication from the Commissioner of the Department of Environmental Facilities, hereby

WHEREAS, the Commissioner of the Department of Environmental Facilities requests approval of Contract No. EF-2206 for the Operation and Maintenance of Household Materials Recovery Facility, Valhalla, New York, between the County of Westchester and the lowest responsible bidder, Clean Harbors Environmental Services, Inc., 42 Longwater Dr, Norwell, MA 02061; and

WHEREAS, it is requested that Contract No. EF-2206, be issued to provide Westchester County residents with a convenient outlet and for operating a centralized facility for the disposal and processing of all household hazardous waste that cannot be accepted by local carters; and

RESOLVED, that Contract No. EF-2206 for Operation and Maintenance of Household Materials Recovery Facility, Valhalla, New York, is hereby awarded to the lowest responsible bidder, Clean Harbors Environmental Services, Inc., 42 Longwater Dr, Norwell, MA 02061, in the amount of 2,617,400.00 for a term of three years commencing on July 5, 2022, and ending July 4, 2025, with an option to extend for one (1) additional two year term by mutual consent of the Contractor and the County of Westchester with all prices, terms and conditions remaining the same as the original contract subject to the adoption of the Operating Budget; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement 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 State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct 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 the 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 authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

