



# Board Agenda Item 52

DATE: August 9, 2022

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Approve Second Amendment to Agreement with Clean Earth Environmental Solutions, Inc.

## RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute a retroactive Second Amendment to Agreement 17-316 with Clean Earth Environmental Solutions, Inc. to extend the term of the agreement by six months from August 1, 2022, to January 31, 2023, and increase the maximum by \$750,000 total not to exceed \$5,404,500.**

Approval of the recommended action allows the contractor to continue to provide Household Hazardous Waste Collection and Transportation services for the Fresno County Permanent Regional Household Hazardous (HHW) Waste Management Facility and all associated programs beyond the current agreement end of term of July 31, 2022, extending the end of term to January 31, 2023. This item is countywide.

## ALTERNATIVE ACTION(S):

Your board may deny the recommended action; however, this may result in a disruption of services. Disruption in services could result in fines imposed by the State of California.

## RETROACTIVE AGREEMENT:

The recommended Amendment is retroactive to August 1, 2022, due to the RFP evaluation process taking longer than anticipated. There were long periods of time when the Review Committee were unable to meet due to scheduled leave, training, and COVID-related illness.

## FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Operation of the HHW facility and associated Local Network Programs, such as the sharps, bulbs and battery drop-off locations throughout Fresno County and its jurisdictions, are fully funded by accumulated and current surcharge revenues on each ton of landfilled solid waste generated in Fresno County. Sufficient appropriations have been included in the FY 2022-23 Adopted Budget for the Public Works and Planning Resources Org 9015 and will be included in subsequent budget requests.

## DISCUSSION:

On June 20, 2017, the County of Fresno entered into Agreement No. 17-316 (Agreement) with Stericycle Environmental Solutions, Inc. to operate the regional HHW facility for an initial three-year term, with the

option to extend the Agreement for two additional periods of one-year each.

On June 22, 2021, Amendment 1 to Agreement attested to the name change of Stericycle Environmental Solutions, Inc. to Clean Earth Environmental Solutions, Inc. The County exercised its right to extend the Agreement for two additional years for a total of five years of HHW Operations services under the Agreement.

On February 7, 2022, the Purchasing Division issued RFP No. 22-036 to solicit and select an experienced contractor to serve as the County's HHW Facility Operator and to provide services associated with the County's various HHW-related programs.

Three bidders submitted responses by the March 7, 2022, RFP closing date. Due to the evaluation process taking longer than anticipated, the Department of Public Works and Planning (Department) has not begun contract negotiations with an awarded bidder, with only forty-five days remaining until the current agreement expires.

The Department is in the process of closing the HHW Facility that has resided at the American Avenue Disposal Site since 2014 and opening the new Environmental Compliance Center (ECC) at 310 S. West Avenue in the City of Fresno.

It is essential that services of an experienced contractor are maintained during the transition period. The Department requests that Agreement No. 17-316 is extended for an additional six-month period, which will give sufficient time to bring a new Agreement before your Board and make the transition to providing services at the new ECC. This amendment will extend this Agreement past the 5-year standard county agreement so that the County can seamlessly make the transition from the former Household Hazardous Waste Facility to the new Environmental Compliance Center.

REFERENCE MATERIAL:

BAI # 59, June 22, 2021

BAI # 79, June 20, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Second Amendment to Agreement 17-316

CAO ANALYST:

Salvador Espino