



CITY OF HUNTINGTON PARK

Department of Public Works
City Council Agenda Report

June 2, 2020

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

CONSIDERATION AND APPROVAL OF INDUSTRIAL WASTE AND DISPOSAL SERVICES AGREEMENT WITH WASTE MANAGEMENT FOR SOIL REMOVAL AS PART OF THE PRE-CONSTRUCTION PHASE OF AN AQUATIC CENTER AND RELATED AMENITIES AT SALT LAKE PARK

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve the Industrial Waste and Disposal Services Agreement with Waste Management for Soil Removal as part of the Pre-Construction Phase of an Aquatic Center and Related Amenities at Salt Lake Park; and
1. Appropriate \$279,098 in account number 111-6010-451.76-05 from General Fund unappropriated fund balance; and
2. Approve payment of a not-to-exceed amount of \$1,979,097.84 to Waste Management from account number 111-6010-451.76-05 for the soil removal as part of the pre-construction phase of an Aquatic Center and Related Amenities at Salt Lake Park, and
3. Authorize the City Manager to enter into agreement with Waste Management and approve payment for services rendered.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On August 6, 2019 the Huntington Park City Council (City Council) approved the design-build construction of an Aquatic Center and related amenities at Salt Lake Park. The goal of the project is to provide a usable body of water for recreational, health, and competitive youth activities for traditionally underserved residents of the City of Huntington Park (City). Preliminary plans presented to the City Council outlined the construction of a new 30,000 square foot two-story state-of-the-art aquatic center, with an Olympic size pool (competition 50-meter pool), locker rooms, showers, saunas, gym/exercise room (overlooking the swimming pool from the second floor), conference rooms, multi-purpose room, public restrooms, new playground, new football field, facade modifications to a

CONSIDERATION AND APPROVAL OF INDUSTRIAL WASTE AND DISPOSAL SERVICES AGREEMENT WITH WASTE MANAGEMENT FOR SOIL REMOVAL AS PART OF THE PRE-CONSTRUCTION PHASE OF AN AQUATIC CENTER AND RELATED AMENITIES AT SALT LAKE PARK

June 2, 2020

Page 2 of 3

separate existing building and various infrastructure modifications to accommodate the aquatic center. Construction of Aquatic Center is scheduled to begin in July 2020.

As part of a pre-construction review conducted by Infrastructure Engineers (Project Manager), it was determined that a substantial amount of soil needed to be removed from the project site before construction can begin. Based on the best available information, it is estimated that approximately 4,000 tons of soil needs to be removed. As a result, the Project Manager anticipated between 650 and 750 truckloads of soil removal over a two-month period commencing in May through June 2020 to complete the scope of work. As the principal for the project, the City enlisted Waste Management to complete the aforementioned soil removal as a two-phase remediation process. Phase 1 of the soil removal will encompass approximately 424 truckloads at a cost of \$989,548.92. Phase 2 is anticipated to have an approximate equal amount of truckloads and cost to Phase 1 (\$989,548.92). At this time, staff recommends approval by the City Council of the Industrial Waste and Disposal Services Agreement with Waste Management and payment for expected services rendered in Phase 1 and Phase 2 for soil removal in the not-to-exceed amount of \$1,979,097.84.

LEGAL REQUIREMENT

Typically, local municipalities are required to procure such services through a traditional Request for Qualifications (RFQ) or Request for Proposal (RFP) process. However, the City's Municipal Code provides exceptions to the RFP procurement process. Specifically, Huntington Park Municipal Code: **2-5.14** provides the following:

"Formal bidding requirements shall be waived in areas where only a single vendor can reasonably provide the service, product or project being purchased. (Emphasis added.) The Purchasing Agent will establish requirements and procedures for sole source purchases.

In this case, the City enlisted Waste Management due to their unique ability to remove this amount soil within the estimated pre-construction timeline. It is important to note that the City and Project Manager sought proposals from various waste haulers including CR&R Incorporated (City's current waste hauler) whom declined our request because they could not meet the requirements in the scope of work. For this reason, it was determined that Waste Management offered a specialized service as the only trash hauler in the geographic region that could complete this level of soil removal. Overall, the City believes Waste Management meets the following criteria: **1) Only one known source that can provide the commodity or service, and 2) Unique source (commodity/service is unique/special in nature).**

As it pertains to this specialized service, Waste Management is known as one of North America's primary environmental services leader and offers expert soil removal and excavation services to industrial customers, State, County and municipal agencies. Waste Management has one of the industry's largest fleets of earthmoving equipment. Plus, Waste Management has the experience and expertise to remove and dispose of

CONSIDERATION AND APPROVAL OF INDUSTRIAL WASTE AND DISPOSAL SERVICES AGREEMENT WITH WASTE MANAGEMENT FOR SOIL REMOVAL AS PART OF THE PRE-CONSTRUCTION PHASE OF AN AQUATIC CENTER AND RELATED AMENITIES AT SALT LAKE PARK

June 2, 2020

Page 3 of 3

the City' soil in a manner that is safe, cost-effective and in full compliance with all state and federal environmental regulations. As such, Waste Management devised a specific plan for the City to safely and effectively removing the necessary volumes without causing further harm to the surrounding environment. The use of Waste Management is based on the unique expertise and background in the City's recognized field of endeavor. Waste Management has advanced and specialized knowledge and expertise gained over an extensive period of time in a specialized field of experience, such as the removal of soil.

FISCAL IMPACT/FINANCING

In FY 2019-20 Adopted Budget, Council appropriated a total of \$1,700,000 to account number 111-6010-451.76-05 for the Construction of an Aquatic Center and related amenities at Salt Lake Park as part of the City's Capital Improvement Program. Accordingly, staff recommends using available funds from account number 111-6010-451.76-05, as well as the additional appropriation approved as part of the recommended actions above, for payment of services rendered (Phase 1 and Phase 2) by Waste Management for this project in the not-to-exceed amount of \$1,979,097.84.

CONCLUSION

Upon Council approval, staff will proceed with the recommended actions.

Respectfully submitted,



RICARDO REYES
City Manager



CESAR ROLDAN
Director of Public Works

ATTACHMENT(S)

- A. Industrial Waste and Disposal Services Agreement

Attachment "A"



Industrial Waste & Disposal Services Agreement

Exhibit A

F. COMMENTS

See Attached

- Waste Management reserves the right to refuse any load or discontinue any waste stream should such waste pose a threat to human health or safety, prove to be operationally challenging, or is in violation of any WM permit.
- Acceptance of waste is contingent upon the completion, submittal and approval of special waste profile sheet, required analytical, Industrial Waste & Disposal Services Agreement (ISA), and Exhibit A or other pricing document.
- All loads must be accompanied by proper shipping paper.
- If Waste Management (WM) received authorization to make changes to your waste profile during the approval process, your acceptance and execution of this Exhibit A confirms the accuracy of the changes.
- If WM (or a WM contracted hauler) is not providing the transportation services, you must ensure that the transporter is licensed and approved to haul the Special Waste and/or Hazardous Waste. All Third Party Transporters must comply with WM Safety requirements and procedures (hard hat, safety glasses, steel-toe boots, and safety vest). If transporting to a CWM facility, a Tyvek suit and respirator are also required.
- Prices quoted herein are valid for 30 days. Unless Waste Management is hired for this project prior to the expiration of this 30 day period in which case pricing remains valid in accordance with the terms of the Service Agreement.
- Pricing is based on the information provided on your profile and the representative data previously submitted. Charges incurred for additional services not listed above will be subject to standard rates and payment of the invoice represents mutual agreement of those charges.
- The fuel surcharge percentage can fluctuate on a weekly basis; www.wm.com/fec.jsp provides the current Fuel Surcharge and DOE average. The actual percentage rate applied to the total project invoice will be determined on the date the load was received.
- Please see profile approval form for special handling instructions. Additional special terms and conditions may be defined on your original quotation.
- These prices are subject to final confirmation via the WM approval and contracting process initiated by submission of sample/analysis and/or paperwork. Terms and Conditions of Approval will be listed in WM Solutions Account under the WAM Approval Form upon final approval confirmation. The services provided by Waste Management on this Exhibit are not subject to prevailing wage or other special labor wage agreements.
- Unit pricing shown above is based on unit of measure provided on the profile paperwork. Waste delivered in a different manner or a different unit of measure will be charged at current gate rate or current contract rate for that commodity.
- The services provided by Waste Management on this Exhibit are not subject to prevailing wage or other special labor wage agreements.
- Waste Management will not provide individual signed manifests or weights tickets with the invoice for special waste projects. Consolidated project summary reports and certification statements can be provided upon request. If tickets and/or manifests are also requested by the Customer, additional fees may apply.

The work contemplated by this Exhibit A is to be done in accordance with the terms and conditions of the Industrial Waste & Disposal Services Agreement or other contractual agreement between the parties dated: 10/12/2015

YOUR ACCEPTANCE OF THESE TERMS CREATES A BINDING AGREEMENT AS FOLLOWS: (I) TYPE OR SIGN YOUR NAME AND TITLE WHERE INDICATED BELOW OR (II) YOUR TENDER OR DELIVERY TO COMPANY OF THE INDUSTRIAL WASTE DESCRIBED IN THE COMPANY APPROVED PROFILE SHEET AND (IF APPLICABLE) CONFIRMATION LETTER SHALL CONSTITUTE YOUR ACCEPTANCE OF THESE TERMS WITHOUT YOUR SIGNATURE.

COMPANY

By: _____ Date: _____
 Name: _____
 Title: _____

CUSTOMER

Signature: _____ Date: _____
 Name: _____
 Title: _____

