



AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Joe DeVries
Deputy City Administrator

SUBJECT: Professional Service Agreement
with Bayview Industrial Services

DATE: January 23, 2024

City Administrator Approval


Jestin Johnson (Jan 31, 2024 07:20 PST)

Date: Jan 31, 2024

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Waiving Request For Proposal/Qualification Requirements And Awarding A Professional Services Contract To Bayview Industrial Services, Inc. (Also Known As Bay View Environmental Services, Inc.) For On-Call Emergency And Non-Emergency Collection, Removal And Disposal Of Hazardous Materials For A One-Year Term In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000), With An Option To Renew The Agreement For An Additional One-Year Term In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For A Total Contract Amount Not To Exceed One Million Dollars (\$1,000,000)

EXECUTIVE SUMMARY

The City's Hazardous Materials Working Group (Working Group) is undergoing an evaluation of the handling of hazardous materials across all relevant departments with an intended goal of creating an improved, better coordinated, and more efficient system. That process includes a baseline audit and implementing recommendations from the audit. This process will likely take up to two years. In the meantime, the City needs to ensure the collection of hazardous materials continues uninterrupted. Authorizing this contract ensures that service will continue while the working group completes its implementation.

BACKGROUND / LEGISLATIVE HISTORY

The Oakland Fire Department contracts with Bay View Industrial Services to provide emergency and non-emergency responses to hazardous materials collected at the City's approved transfer and storage station and waste abandoned in the City's public right-of-way that will expire in February 2022. This contract was awarded after multiple competitive RFP processes, during which Bay View proved to be the best candidate. Over the years, these incidents have primarily been associated with homeless encampment sites but are also becoming more common in public areas such as streets, parks, sidewalks, and City facilities. Because Bay View has the capacity to perform both functions, and the Working Group has an intended goal of streamlining hazardous material management, it is most prudent to expand Bay View's contract to cover both

Public Safety Committee
February 13, 2024

services until the evaluation and implementation of a new system is completed. The current Bay View contract expired in February 2024, with all previously authorized funds being exhausted.

ANALYSIS AND POLICY ALTERNATIVES

The City's handling of hazardous materials spans multiple departments. The Police Department routinely requires the cleaning of vehicles, which includes the reclamation of human waste. The Fire Department is responsible for addressing hazardous material that is abandoned in the public right-of-way and maintains a storage facility for that material. The collection of that material has historically been handled by an outside contractor once the department verifies that the material does not pose an immediate emergency in the public right-of-way. The Public Works Department's Environmental Services Division oversees compliance issues across the City and retains a separate contractor to remove hazardous waste generated through the City's operations (e.g., Facilities, Keep Oakland Clean and Beautiful, and Department of Transportation). In addition, the Equipment Services Division relies on yet another vendor to dispose of waste oil generated from its maintenance of the City's vehicle pool.

The adoption of this resolution aligns with the Citywide priorities to advance **holistic community safety** and represent a **responsive transparent government**. Illegal dumping, especially hazardous waste, is an environmental threat and public health hazard. Hazardous materials can release toxic fumes into the air, leading to respiratory problems, skin irritations, and other health issues for nearby residents.

When the Oak311 Call Center was managed by the Department of Public Works, there was a significant surge in biohazard service calls, specifically for human waste and used syringes, especially as homelessness campsites began to rise. This led the department to seek a contract with an outside vendor for efficient, rapid abatement services. The increase in discarded syringes fueled by the opioid epidemic and the increase in human waste associated with the rapid increase in unsheltered homelessness has caused that contract to grow significantly over the past five years.

This separation of responsibilities is inefficient and has, in certain instances, resulted in protocols not being followed. The City is utilizing an on-call contractor to develop a baseline audit of the City's hazardous materials management to improve the City's systems. The City may consider placing hazardous materials management under the authority of a single department with clearly delineated roles and responsibilities to ensure long-term compliance and efficiency.

As that process develops, merging the services needed by two separate departments and having one vendor perform them is a step toward that efficiency.

FISCAL IMPACT

This contract is for service on an as needed basis and is not to exceed \$500,000 for a one-year term, with an option to renew, if necessary, for an additional one-year term in an amount not to exceed \$500,000 for a total contract amount over two years not to exceed \$1,000,000.

Funding for these services will be shared by the Oakland Fire Department and the Department of Public Works. The funding for these services is part of Oakland Public Works and Oakland.

Fire Department's Operation and Maintenance budget and funding will be provided on an as needed basis depending on the different biohazard categories when services are rendered.

Below are the funding codes used for the various waste pickup categories:

Oakland Public Works

Homeless Encampments: Vacant Property Tax Fund (2270), Illegal Dumping Org (30674), Misc. Services Account (53719), Departmental Admin Project (1000010)

Human Waste: Sewer Service Fund (3100), Infrastructure Maint: Sewer System Org (30533), Misc. Services Account (53719), Departmental Admin Project (1000010)

Other (Needles, Vomit, etc.): Comprehensive Cleanup Fund (1720), Illegal Dumping Org (30674), Misc. Services Account (53719), Departmental Admin Project (1000010)

Oakland Fire

Development Services Fund (2415), Inspectional Services (20331), Misc. Contract Services Account (54919), Fire Code Insp of Structures Project (1005060)

PUBLIC OUTREACH / INTEREST

No public outreach or engagement is needed for the adoption of this resolution.

COORDINATION

The Hazardous Materials Working Group includes the City Administrator's Office, the Public Works Department, the Fire Department, and the City Attorney's Office.

SUSTAINABLE OPPORTUNITIES

Economic: Hazardous materials in the public right-of-way, especially bio-hazards, have a direct impact on businesses and are increasingly costly to mitigate. Developing a more efficient system to address these hazards quickly will reduce costs to the City and improve economic development opportunities on impacted commercial corridors.

Environmental: The environmental devastation that hazardous materials cause is also a primary concern, involving many health risks to nearby ecosystems and humans alike. Pollution from fires caused by igniting hazardous waste materials can take years to properly contain, resulting in contaminated ground water, air quality, and soil.

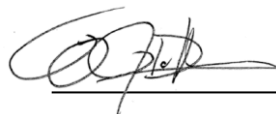
Race & Equity: Hazardous materials in public spaces can have a devastating impact on the neighborhoods where it regularly occurs. Communities with low-median family incomes, higher rates of poverty and crime, and a higher percentage of renters are amongst the most afflicted by dumped waste. The negative implications of biohazards in public spaces are vast and affect the community in physical ways, as well as psychologically

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Waiving Request For Proposal/Qualification Requirements And Awarding A Professional Services Contract To Bayview Industrial Services, Inc. (Also Known As Bay View Environmental Services, Inc.) For On-Call Emergency And Non-Emergency Collection, Removal And Disposal Of Hazardous Materials For A One-Year Term In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000), With An Option To Renew The Agreement For An Additional One-Year Term In An Amount Not To Exceed Five Hundred Thousand Dollars (\$500,000) For A Total Contract Amount Not To Exceed One Million Dollars (\$1,000,000)

For questions regarding this report, please contact Joe DeVries, Director, Interdepartmental Operations, at (510) 238-3083.

Respectfully submitted,



Joe DeVries, Deputy City Administrator,
Chief Resilience Officer, City of Oakland