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Alameda Corridor Transportation Authority

September 12, 2019

To:	Governing Board
From:	John T. Doherty, Chief Executive Officer
Subject:	<i>Approve Third Amendment to Agreement No. C0869 with Ocean Blue Environmental Services, Inc. for Emergency Response & Hazardous Waste Management Services (APPROVAL)</i>

Recommendation:

Approve the proposed Third Amendment to Agreement No. C0869 with Ocean Blue Environmental Services, Inc. for Emergency Response & Hazardous Waste Management Services which will increase the amount of compensation by \$50,000 and authorize the Chief Executive Officer or Chief Financial Officer to execute said amendment.

Discussion:

ACTA has a continued need for on-call emergency response & hazardous waste management services. These services are provided by Ocean Blue Environmental Services, Inc. (Ocean Blue) under a contract with ACTA, which services include but are not limited to the cleanup of homeless encampments along the Corridor as well as other properties that are ACTA owned and maintained.

Cleanup services to date have included:

1. A homeless encampment next to the trench at Nadeau Street north of Firestone Boulevard, which resulted in debris being generated by the occupants as well as dumping by others. The area was cleaned up five times between November 2017 and January 2019, at which time the area was vacated with the assistance of the LA County Sheriff's Department.
2. A lot adjacent to the Pacific Coast Highway (PCH) Grade Separation in May 2019. This area was illegally occupied by individuals primarily utilizing the property to dismantle motor vehicles. Although this property is not located within or adjacent to the railroad right-of-way, it is currently owned and maintained by ACTA awaiting transfer to Caltrans in the near future.



3. Periodic trench debris removal including hypodermic needles, biological waste and other hazardous material thrown into the trench by the homeless at several locations. These removes are necessary to eliminate safety hazards for rail operations and maintenance workers, and to keep those items from entering ACTA's storm drain system. To date have there have been five required removals.

Additional cleanup services will be required as-needed as encampments occur anywhere on Corridor property. Homeless activity has recently increased at both the North and South End of the Corridor as well as in certain trench areas.

It is requested that additional funds be authorized for any additional cleanup required during FY20.

Background:

In September 2017, the Board approved Agreement No. C0869 with Ocean Blue to provide emergency response and hazardous waste management services. The Agreement is for a term of three years through June 30, 2020, with an option to extend for three additional years, and it had an initial not to exceed compensation amount of \$50,000. In June 2018, the Board approved the First Amendment to the Agreement increasing the compensation by \$50,000 to \$100,000. In March 2019, the Board approved the Second Amendment to the Agreement increasing the compensation by \$50,000 to \$150,000.

This new amendment, if approved, will increase the total compensation amount by \$50,000 for a new not-to-exceed value of \$200,000.

Budget Impact:

Depending upon the location of the clean-up work, the services are charged against the Operations and Maintenance Budget, which is paid by the Railroads or charged against ACTA's Program and Operating Budget. Both budgets contain budgetary amounts to pay for these services.

Co-General Counsel Review:

ACTA's Co-General Counsel has reviewed and approved the proposed Amendment as to form.

Transmittal:

Transmittal 1 - Third Amendment to ACTA Agreement No. C0869