

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. Contact the Mayor's Legislative team with questions

Date of Request: 09/07/2023

Please mark one: ☐ Bill Request or ☒ Resolution Request

1. Type of Request:

- ☒ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment
☐ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change
☐ Other:

2. Title: Amends an on-call contract with Environmental Hazmat Services, Inc. by adding six months for a new end date of 4-9-24 3 for the collection of discarded and abandoned solid wastes including putrescible wastes, medical waste, drug paraphernalia, and other materials in alleys, sidewalks, parks, and other public spaces, citywide. No change to contract amount (ESEQD-202369640-03)(#ENVHL-201844158, ENVHL-202053184, and ENVHL-202159546).

3. Requesting Agency: Department of Public Health & Environment - Division of Environmental Quality

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Paul Bedard	Name: Paul Bedard, and Will Fenton
Email: paul.bedard@denvergov.org	Email: Paul.bedard@denvergov.org, and william.fenton@denvergov.org
Phone: 720-865-5473	Phone: 720-865-5473, and 720-865-5361

5. General description or background of proposed request. Attach executive summary if more space needed:

The City's existing contract with EHS reaches the end of its natural 5-year term on 10/10/2023. We propose a six month extension of this term to allow the City to continue to receive the essential services of EHS, while we actively engage in the competitive solicitation process for a new contract(s) to provide a modernized scope of essential services. This extension accounts for the time the City may require to advance the solicitation process with all appropriate deliberation and the benefit of input from partner agencies and City leaders. This contract extension may be cancelled anytime at the City's discretion before six months has elapsed, including as soon as the City enters a new contract for an improved scope of essential services.

Amendment includes revised language on two line-items in the Rate Sheet to clarify how contractor may invoice the City for the labor of a security guard when those services are required to complete a City-assigned project.

6. City Attorney assigned to this request (if applicable): Lee Zarzecki, 720-913-8056

7. City Council District: All; city-wide.

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property): Professional Services

Vendor/Contractor Name: Environmental Hazmat Services, Inc.

Contract control number: #ENVHL-201844158 (additionally: ENVHL-202053184, and ENVHL-202159546)

Location: Worksites City-wide, as directed

Is this a new contract? ☐ Yes ☒ No **Is this an Amendment?** ☒ Yes ☐ No **If yes, how many?** __3rd__

1st- amended to add DPD-requested urgent response scope and cost

2nd- amended, post Lyall, for clarification and elaboration of scope of work, training, and DOTI-requested procedures.

3rd- this amendment request for 6-month term extension, and rate sheet language clarification.

Contract Term/Duration (for amended contracts, include existing term dates and amended dates): existing: 10/11/2018 - 10/10/2023; amended: 10/11/2018 - 04/09/2024

Contract Amount (indicate existing amount, amended amount and new contract total): 6,000,000.00 (unchanged)

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
(A)	(B)	(A+B)
6,000,000.00	0.00	6,000,000.00

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
10/11/2018 – 10/10/2023	Six months	04/09/2024

Scope of work:

On an on-call basis only (no work guaranteed):

- 1) Provide City-wide clean-up services on rights-of-way impacted by abandonment of wastes and illegal dumping. Provide these services only upon the specific request and under the direction of a user City agency. Services include: pick-up and abatement of dumped household hazardous wastes; HHW disposal; removal of trash and site restoration when encampments (incl RVs) are vacated;
- 2) Cleaning and power-washing sites and facilities soiled by waste and vandalism;
- 3) Taking in for safekeeping/storage belongings voluntarily relinquished by unhoused persons seeking improved shelter and services, including urgent responses to meet the needs of STAR, AIS, DPD; and
- 4) Operate of the City's fixed facility for storage and return of people's belongings (this is a requirement under the Lyall Settlement).

In addition to waste collection and packaging of items, the City may require the Contractor to assist the City with delivery and erection of temporary portable fencing for the purpose of delineating the work site perimeter and facilitating the City's maintenance of a safe work area. The City may also require the Contractor to assist with removal and return of fencing. Fencing may be provided by a third party under an agreement with the City. However, the City may require that the Contractor procure fencing at allowed contract rates and mark-up. The Contractor's employees on site shall wear level D or modified level D PPE, at a minimum.

Was this contractor selected by competitive process? YES

If not, why not?

Has this contractor provided these services to the City before? Yes ☐ No

Source of funds: Existing budgeted funds of the user agencies DPR, DPD, DOTI, DEN, GS, DDPHE

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Is this contract subject to: ☐ W/MBE ☐ DBE ☐ SBE ☐ XO101 ☐ ACDBE ☒ N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): n/a

Who are the subcontractors to this contract? None. (EHS pays an off-duty Denver Police officers for security at the City's fixed storage facility while open daytimes so people may retrieve their belongings. Officers are paid at Police Union-negotiated minimum rates).

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