THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: 6/27/2023

Subject: Biohazardous Waste Cleanup Contract

Staff Resource(s): Jes Foster, Public Works, Sanitation Division
Greg Shuler, Public Works

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract with Bene Vivere LLC DBA Steri Clean North Carolina for biohazardous waste cleanup.

Background:

- In 2022, the Public Works Sanitation Division was awarded $500,000 in American Rescue Plan Act (ARPA) funding to implement a litter and cleanliness program.
- The Public Works Sanitation Division proposed to fill a current service gap by providing services for roadside litter and hot spot litter collection, including cleanup of sites which may contain biohazardous materials.
- Two RFP's were issued in 2022 for 1) Biohazardous Material Cleanup and 2) Roadside Litter Collection, and two separate contracts were executed in March 2023.
- The originally approved contract for biohazardous waste clean up was terminated due to an inability to reach a consensus on cost with the selected vendor.
- A new bid was issued 4/27/2023 and bids were received on 5/24/2023. Bene Vivere LLC DBA Steri Clean North Carolina is the lowest responsive, responsible bidder.
- This new contract will replace the one approved by Council on February 28, 2023, and will be allocated no additional funding beyond that which was previously approved by City Council for this purpose.

Vendor Outreach Efforts:

- Funding for this project is from Federal American Rescue Plan Act grant funding and outreach and engagement efforts followed federal guidelines.
- Staff performed outreach to disadvantaged business enterprises and minority- and women-owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System and the North Carolina Department of Administration Historically Underutilized Business (HUB) website.
- Staff also used the City of Asheville List of Certified Business spreadsheet, NCDOT Directory of Firms and the North Carolina HUB website to search for DBE and MWBE companies to whom to directly advertise the contract.
- The lowest, responsive, responsible bidder is a sole-proprietor, woman-owned firm and does not propose to subcontract any of the work.

Council Goal(s):

- A Clean and Healthy Environment

Committee(s):

- N/A

Pro(s):

- Supports Council's goal for a Clean and Healthy Environment
- Supports Council's FY23 priority to Improve and Expand Core Services
- Supports Citywide cleanliness efforts

Con(s):

- Currently there is no funding to continue these expanded core services beyond the grant funding.
- Additional project and contract management duties will be added to existing staff workload without additional staffing capacity.

Fiscal Impact:

- Funding for this contract ($500,000) was previously budgeted through the ARPA allocation process.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to enter into a contract with Bene Vivere LLC DBA Steri Clean North Carolina for biohazardous waste cleanup for up to $200,000, as part of the ARPA Litter and Cleanliness Program which has a total combined project amount of $500,000; and further authorizing the City Manager to execute any change orders to adjust the total amount of each individual contract described herein, as well as change orders for individual contract renewals, within the total project not-to-exceed amount of $500,000.

Attachment(s)

- Resolution

RESOLUTION NO. 23-____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BENE VIVERE LLC DBA STERI CLEAN NORTH CAROLINA FOR BIOHAZARDOUS WASTE CLEANUP AS PART OF THE ARPA CLEANLINESS AND LITTER PROJECT; AND FURTHER AUTHORIZING THE EXECUTION OF CHANGE ORDERS

WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, Resolution 22-92 authorized the City Manager to execute the agreements for the fulfillment of the American Rescue Plan Act funding recommendations;

WHEREAS the City of Asheville Public Works Sanitation Division was awarded $500,000 in American Rescue Plan Act funding to implement a litter and cleanliness program; and

WHEREAS, Resolution 23-37 authorized the City Manager to enter into contracts with Steri-Clean NC for Biohazardous Waste Cleanup for up to $200,000, and WNC Landscaping LLC for Roadside and Hot Spot Litter Collection for up to $300,000, for a total combined project amount not to exceed $500,000, and further authorized to execute any change orders to adjust the total amount of each individual contract, as well as change orders for individual contract renewals, within the total project not-to-exceed amount of $500,000.

WHEREAS the contract with Steri-Clean NC was terminated effective April 26th, 2023.

WHEREAS a new bid was issued for the biohazardous waste clean up portion of the total project;

WHEREAS, cleaning up litter and biohazardous debris protects the environment and public health;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to enter into a contract with Bene Vivere LLC DBA Steri Clean North Carolina for biohazardous waste cleanup for up to $200,000, as part of the ARPA Litter and Cleanliness Program which has a total combined project amount of $500,000; and further authorized to execute any change orders to adjust the total amount of each individual contract described herein, as well as change orders for individual contract renewals, within the total project not-to-exceed amount of $500,000.

Read, approved and adopted this the 27th of June, 2023.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney