

**Performance Work Statement
For
Solid Medical Waste Collection, Removal and Disposal**

General Intention: The VA San Diego Healthcare System (VASDHS) requires special procedures for the removal and inspection of their solid medical waste to remain in compliance San Diego County and the Department of Public Health. The purpose of this request is to avoid violations to the Medical Waste Management Act, California Health and Safety code sections 117600-118360, the solid medical waste generated at the VASDHS requires be deposited in a private secured landfill as Non-Hazardous special waste. The removal and disposal services shall take place at the VASDHS 3350 La Jolla Village Drive San Diego, CA 92161. This solid medical waste is considered “Special Waste” due to the required procedures under this statement of work.

General Requirements: Contractor shall furnish all labor, supervision, materials, supplies and equipment necessary to collect, remove, and dispose of the VASDHS’s “Special Waste” resulting from the day to day operation to a private, secure landfill. This waste shall be inspected for any- non conforming material (hazardous waste) upon disposal in accordance with applicable local, state and federal regulations. If it is discovered that Non-conforming material is picked up, the contractor shall contact the COR within 24 hours. The contractor will be expected to perform to the standards of this contract.

Contractor Compliance: Contractor shall assume full responsibility for compliance with all current Federal, State, City, and County laws, VHA M-1 Part VII Chapter 14 dated 9/19/94, rules and regulations governing the collection, removal, and disposal of solid waste. The contractor is to provide equipment maintenance of equipment and transportation necessary to manifest and transport all solid medical waste located at the VASDHS off-site to a private, secure landfill as “special waste”. Contractor will be responsible for providing copies of all necessary permits/documents. Contractor will dispose of any solid waste collected from the VASDHS in such a manner as not to cause conditions detrimental to public health or to constitute a public nuisance. Contractor will assume full responsibility for clean up in the event any solid waste from the VASDHS is released into the environment accidentally or otherwise, on or off VASDHS property.

Availability of Utilities: The VASDHS shall furnish at no expense to the Contractor, electricity at existing outlets for Contractor’s use in performing this contract. At no time will the Contractor make any modifications to the electrical outlets without prior approval by the VASDHS. The power available in Bldg.18 is as follows:

1. Shredder: 480 volt, 100amp, 3-phase
2. Compactor 480 volt, 30 amp, 3-phase

The contractor is responsible for implementing the proper electrical phasing which includes, but may not be limited to, running approximately 10 feet of conduit and cable from general electrical

(GE) disconnect to the contractor's equipment. Incorrect wiring by the contractor that may cause damage or destruction of contractor-owned equipment is solely the risk of the contractor.

Containers: Contractor shall provide easy loadable, leak proof industrial heavy duty type solid waste containers that have working lids/covers. Any containers that are mounted on wheels will have a mechanism that will lock the wheels for safety. Containers will be maintained in good operating condition, cleaned regularly, and will not be unsightly. No containers or lids will be rusty, bent, or damaged in any other way. Any containers identified by the VASDHS to not meet the aforementioned defects will be replaced or repaired within seven (7) calendar days unless otherwise agreed upon by the VASDHS. All containers should be of sufficient size to hold a minimum of three to four days' worth of solid waste. Compactor containers will be operational year round regardless of weather and temperatures. All equipment shall meet all industry standard safety guidelines to protect the operators for accidental injury or death. At a minimum, the Contractor shall provide the following:

- 1. Two (2) self-contained compactors to be used on rotating basis. Compactor can be 6-8 tons in size.*
- 2. One (1) free standing hopper/ power unit*
- 3. One(1) freestanding cart dumper or tipper that can invert at full 180 degrees to avoid the waste material to be trap and avoid vibrations of the equipment; see similar equipment to EDR 200Elite Dumper Rotator (WWW.a1hydraulicservice.com) or Dumper Rotator Video*
- 4. Ten(10) feet of conduit and cable required for electrical phasing*
- 5. Two (2) open top 40-yard non- compactor dumpster to be used, on rotating basis during transition time period.*
- 6. Period maintenance of equipment to avoid downtime (oil, grease, etc.)*
- 7. Verify the equipment is in operating conditions after every exchange of the 40cy container*

The VA San Diego Healthcare System shall not be liable for any lost, stolen, damaged or missing contractor-owned equipment while in their custody.

Equipment Delivery: Within 5 days prior to effective date of the contract, the contractor shall arrange with the COR to have one of their temporary non-compactor dumpster delivered to the site (to be determined by the COR) for a 45 day transitional time period or less during which, the current contractor - owned equipment will be dismantled and removed from the site and the new contractor-owned equipment will be installed.

During the 45 day time period, the contractor shall work with the COR to coordinate installation of the contractor-owned equipment while the current contract-owned equipment is being dismantled. The contractor shall-pick up and empty one (1) 40-CY open top, non-compactor dumpster twice per day, on rotation, during the transitional equipment installation period.

Scheduled Work: Once installation of contractor-owned equipment has been completed, the contractor shall pick-up one of the contractor-owned self-contained compactors twice a week (T & TH) on rotation, and be taken to the private landfill to be dumped. Contractor shall provide a schedule of service agreeable by both the Contractor and VASDHS. Contractor will provide this service on regular business days, between Monday and Friday, 7:30 am until 4:30 pm. In the event a scheduled pick-up falls on a holiday the pick-up will take place no later than the very next business day.

Services shall not be performed on the following national holidays:

New year's Day (January 1st), Martin Luther King's Birthday (Third Monday in January), President's Day (Third Monday in February), Memorial Day (last Monday in May), Independence Day (4th July), Labor Day (First Monday in September), Columbus Day (Second Monday in October), Veteran's Day (November 11th), Thanksgiving Day (fourth Thursday in November), Christmas Day (December 25th)

When a holiday falls on a Sunday, the following Monday will be observed as a legal holiday. When a holiday falls on a Sunday, the proceeding Friday is observed as a legal holiday by U.S. Government agencies. Also included, would be any other day specifically declared by the President of the United States of America to be a national holiday.

Unscheduled Work: From time to time there may be special needs that require immediate attention, such as, a collection container needs repaired, collection container is overfilled, collection container was missed on a regularly scheduled pick-up, etc. When this occurs the Contracting Officers Representative (COR) will place a call to the Contractor. The Contractor will retort within two (2) hours to resolve the issue, even if that falls on a weekend or holiday, unless otherwise agreed upon by the COR. In the event inclement weather causes a delay in service the Contractor will provide service immediately upon road conditions improving.

Collection Areas: Contractor shall provide sufficient containers so that VASDHS staff will have reasonable access from all buildings, i.e., Hospital, Domiciliary, Boiler Plants, Fire Stations, Building and Grounds, Facilities Management, etc. Contractor will insure that the area immediately surrounding any waste container is clean. Any large solid waste that will not fit into a waste container will also be removed at the Contractor's earliest convenience; however, at no time will this exceed more than seven (7) days. Pick up location is currently designated as B-18.

Estimated Quantity/Waste Weights: Contractor will provide agreed upon written verifiable approximate/actual weights of the solid waste collected and removed from the VASDHS with each billing cycle. It is currently estimated that the VASDHS is producing about 50 tons of solid waste to be processed as "Special Waste" a month.

VA Responsibilities: The VASDHS shall remain responsible for on-site management and collection of all solid waste until it is placed in the compactors and removed from the Medical Center site by the contractor or its agents for disposal. The VA will not utilize on-site treatment

while the contractor is providing special waste services. Any on-site treatment challenges the goals of eliminating non-conforming waste from entering the special waste compactor.

Contractor Responsibilities:

The contractor shall provide management oversight, process all solid waste that is manifested as “special waste” for transportation, and, dispose the special waste at a private secure landfill. If, for any reason, non-conforming material or inappropriate waste is discovered, it shall be removed from the landfill and transported to the contractor’s plant for proper treatment.

- “Management oversight” is defined,, for the purpose of this contract, as “ continuous and rigorous oversight until VA’s “special waste” is capped at the landfill.”
- “Capping” is defined, for the purpose of the contract, as “buried in the landfill, and which time the “special waste” is reclassified as garbage”
- The contractor shall provide designated drivers that have been trained in transporting hazardous waste in the event of a spill during transportation of special waste to the designated private landfill, and shall be responsible for all clean-up efforts in the event of a spill.
- The contractor shall be responsible for providing continuous hazardous waste education and training to their employees that will be performing duties of this contract.
- The contractor must provide a monthly and annual report of all the waste collected; pounds and cost.
- The contractor must provide notification report Within 24 horas of discovery of non-conforming material, the contractor shall provide compliance information back to the Contracting Officer’s Technical Representative (COR) and the contracting officer (CO)

Definition of Solid Waste: Solid waste shall be identified as defined in Section 40191 of the Public Resources Code and not medical waste.

40191 (a) Except as provided in subdivision (b), "solid waste" means all putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes.

(b) "Solid waste" does not include any of the following wastes:

- (1) Hazardous waste, as defined in Section 40141.
- (2) Radioactive waste regulated pursuant to the Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code).
- (3) Medical waste regulated pursuant to the Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health

and Safety Code). Untreated medical waste shall not be disposed of in a solid waste landfill, as defined in Section 40195.1. Medical waste that has been treated and deemed to be solid waste shall be regulated pursuant to this division.

Definition of Medical Waste: 117690 - Medical Waste (a) “Medical waste” means any biohazardous, pathology, pharmaceutical, or trace chemotherapy waste not regulated by the federal Resource Conservation and Recovery Act of 1976 (Public Law 94-580), as amended; sharps and trace chemotherapy wastes generated in a health care setting in the diagnosis, treatment, immunization, or care of humans or animals; waste generated in autopsy or necropsy; waste generated during preparation of a body for final disposition such as cremation or interment; waste generated in research pertaining to the production or testing of microbiologicals; waste generated in research using human or animal pathogens; sharps and laboratory waste that poses a potential risk of infection to humans generated in the inoculation of animals in commercial farming operations; waste generated from the consolidation of home-generated sharps; and waste generated in the cleanup of trauma scenes. Biohazardous, pathology, pharmaceutical, sharps, and trace chemotherapy wastes that meet the conditions of this section are not subject to any of the hazardous waste requirements found in Chapter 6.5 (commencing with Section 25100) of Division 20.

(b) For purposes of this part the following definitions apply:

(1) “Biohazardous waste” includes all of the following:

(A) (i) Regulated medical waste, clinical waste, or biomedical waste that is a waste or reusable material derived from the medical treatment of a human or from an animal that is suspected by the attending veterinarian of being infected with a pathogen that is also infectious to humans, which includes diagnosis and immunization; or from biomedical research, which includes the production and testing of biological products.

(ii) Regulated medical waste or clinical waste or biomedical waste suspected of containing a highly communicable disease.

(B) Laboratory waste such as human specimen cultures or animal specimen cultures that are infected with pathogens that are also infectious to humans; cultures and stocks of infectious agents from research; wastes from the production of bacteria, viruses, spores, discarded live and attenuated vaccines used in human health care or research, discarded animal vaccines, including Brucellosis and Contagious Ecthyma, as defined