

COUNCIL DOCKET OF _____

Supplemental Adoption Consent Unanimous Consent Rules Committee Consultant Review

R -

O -

Additional Supplies of Sodium Hypochlorite Used for Disinfection

Reviewed Initiated By NR&C On 10/15/08 Item No. 10

RECOMMENDATION TO:

Approve.

VOTED YEA: Frye, Faulconer, Peters, Atkins

VOTED NAY:

NOT PRESENT:

CITY CLERK: Please reference the following reports on the City Council Docket:

REPORT TO THE CITY COUNCIL NO.

INDEPENDENT BUDGET ANALYST NO.

COUNCIL COMMITTEE CONSULTANT ANALYSIS NO.

OTHER:

Metropolitan Wastewater Department's September 8, 2008, Executive Summary Sheet

COUNCIL COMMITTEE CONSULTANT M. Frye

001229

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED:	September 8, 2008	REPORT NO.:
ATTENTION:	Council President and City Council	
ORIGINATING DEPARTMENT:	Metropolitan Wastewater Department (MWWD)	
SUBJECT:	Approval of Additional Supplies of Sodium Hypochlorite Used for Disinfection	
COUNCIL DISTRICT(S):	2	
STAFF CONTACT:	Jesse Pagliaro (858) 614-4539	

REQUESTED ACTION:

It is requested you approve utilizing Bid Number 7317-05-T and its Pricing Agreement for the procurement of sodium hypochlorite in solution, to be used for the purpose of achieving partial disinfection of treated effluent at the Point Loma Metropolitan Wastewater Treatment Plant. Approval authorizes a Fiscal Year 2009 expense for this purchase not to exceed \$3,200,000, an increase of \$2,200,001 from the current Purchase Order amount with the bid-awarded vendor, Olin Chlor Alkali Products. Furthermore, it is requested that the Department be approved to possibly exercise its current bid option term at the same pricing, plus a not to exceed +15%, or NTE \$3,680,000 in FY 2010, subject to FY 2010 appropriation and Purchase Order, without another Council action necessary to approve this level of sodium hypochlorite purchase and expense from the bid-awarded vendor.

STAFF RECOMMENDATION:

Approve the resolution.

EXECUTIVE SUMMARY:

Partial disinfection is achievable by increasing the purchase and application of sodium hypochlorite solution at the Point Loma Wastewater Treatment Plant effluent channel. The rate of solution application will be controlled and varied at the plant and performance of the process will be monitored by testing the plant effluent and ocean water. This process will demonstrate compliance with the bacterial objectives of ocean water quality while remaining within established concentration limits of chlorine residual and byproducts. This action is needed to implement and sustain California Regional Water Quality Control Board (RWQCB) Addendum 2 to Order R9-2002-0025.

FISCAL CONSIDERATIONS:

This action will allow an increase of \$2,200,001 of cited chemical expense at the cited plant, greater than the current Purchase Order at \$999,999, within the current FY 2009 MWWD budget and sewer rates. A similar rate of application in FY 2010, should the option term be exercised within the current bid and pricing agreement, may increase to a NTE \$3,680,000, subject to FY 2010 appropriation and purchase, but within this Council action of procurement level.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

This item will be reviewed and approved by the Natural Resources and Culture Committee on October 15, 2008.



California Regional Water Quality Control Board San Diego Region



Arnold Schwarzenegger
Governor

Over 50 Years Serving San Diego, Orange, and Riverside Counties

Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

001231

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

August 14, 2008

CERTIFIED MAIL

7006 2760 0000 1615 6434

In reply refer to:

CRU: 9 000000275: MVALD

Mr. Alan Langworthy
Deputy Director
Metropolitan Wastewater Department
City of San Diego
2392 Kincaid Road
San Diego, California 92101

Dear Mr. Langworthy:

SUBJECT: ADOPTION OF ADDENDUM NO. 2 TO ORDER NO. R9-2002-0025, NPDES PERMIT NO. CA0107409, CITY OF SAN DIEGO E. W. BLOM POINT LOMA METROPOLITAN WASTEWATER TREATMENT PLANT DISCHARGE TO THE PACIFIC OCEAN, DISINFECTION OF TREATED WASTEWATER

Enclosed is a copy of Addendum No. 2 to Order No. R9-2002-0025 adopted by the Regional Board at their August 13, 2008 meeting in San Diego, California. Addendum No. 2 to Order No. R9-2002-0025 updates waste discharge requirements for the City of San Diego E. W. Blom Point Loma Metropolitan Wastewater Treatment Plant (PLMWTP) under NPDES Permit No. CA0107409. The modifications are associated with monitoring for total chlorine residual in effluent and re-screening of test species to evaluate whole effluent toxicity, for the protection of marine aquatic life.

If you have any questions regarding this matter, please contact Melissa Valdovinos at (858) 467-2724, or via email at mvaldovinos@waterboards.ca.gov.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to." In order to assist us in the processing of your correspondence, please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Respectfully,

JOHN H. ROBERTUS
Executive Officer

JHR:bdk:mv

Received

AUG 19 2008

Technical Services
Division

California Environmental Protection Agency

001233

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
AND
U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION IX**

9174 Sky Park Court, Suite 100
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>

**ADDENDUM NO. 2 TO ORDER NO. R9-2002-0025
NPDES NO. CA0107409**

**AMENDMENT TO THE ORDER AND ASSOCIATED MONITORING AND REPORTING
PROGRAM FOR THE CITY OF SAN DIEGO E. W. BLOM POINT LOMA METROPOLITAN
WASTEWATER TREATMENT PLANT TO ALLOW FOR DISINFECTION OF TREATED
WASTEWATER DISCHARGE TO THE PACIFIC OCEAN
THROUGH THE POINT LOMA OCEAN OUTFALL
SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On April 10, 2002, this Regional Board adopted Order No. R9-2002-0025, Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit for the City of San Diego E. W. Blom Point Loma Metropolitan Wastewater Treatment Plant (PLMWTP), NPDES Permit No. CA0107409. The United States Environmental Protection Agency (USEPA) issued its final approval of the joint permit on September 13, 2002. Order No. R9-2002-0025 establishes waste discharge requirements for the discharge of up to 240 million gallons per day (MGD) of treated wastewater to the Pacific Ocean via the Point Loma Ocean Outfall (PLOO).
2. Addendum No. 1 to Order No. R9-2002-0025 was adopted by the Regional Board on June 11, 2003 and USEPA issued its final approval of the addendum on June 25, 2003. Addendum No. 1 supersedes and entirely replaces the monitoring and reporting requirements previously established by Order No. R9-2002-0025, NPDES Permit No. CA0107409.
3. By letter dated November 13, 2007, the City of San Diego requested Regional Board approval to initiate operation of a prototype effluent disinfection system at the PLMWTP. Sodium hypochlorite solution, used for disinfection, will be applied as determined by the City of San Diego at a feed point immediately downstream of the sedimentation tanks. The request was made because of a recent interpretation by USEPA that bacterial water quality objectives in the San Diego Region apply surface to bottom, up to three nautical miles from shore. USEPA's interpretation of the applicability of bacterial objectives will be incorporated into the requirements of the next NPDES permit for the (PLOO) discharge.

The City of San Diego proposes to demonstrate compliance with bacterial objectives at all its monitoring stations, surface to bottom, up to three nautical miles from shore.

4. The potential exists for organic compounds in treated wastewater to become halogenated after chlorine is added, resulting in chlorination byproducts. Effluent concentration limits for chlorination byproducts and total chlorine residual are established in Order No. R9-2002-0025.
5. The 2005 California Ocean Plan's definition of the zone where bacterial objectives apply includes areas used for water contact sports, as determined by the Regional Board (i.e., waters designated as REC-1 for contact water recreation). USEPA maintains that based on the Water Quality Control Plan for the San Diego Basin 9 (Basin Plan) definitions for REC-1 beneficial use and for Ocean Waters, REC-1 beneficial use must be protected throughout State of California territorial marine waters in the San Diego Region, which extend out to three nautical miles from shore.
6. The permit modification established by this Addendum is authorized pursuant to Section G.1.f (40 CFR 122.62 *Modification or revocation of permits*) and Section G.3 (*Termination or modification of permit*) of Order No. R9-2002-0025.
7. The Regional Board has notified all known interested parties of its intent to modify Order No. R9-2002-0025.
8. The Regional Board in a public hearing on August 13, 2008 heard and considered all comments pertaining to the modification of Order No. R9-2002-0025.
9. Except as contradicted or superseded by the findings and directives set forth in this addendum (Addendum No. 2), all of the previous findings and directives of Order No. R9-2002-0025 and addendum remain in full force and effect.
10. The issuance of this addendum is exempt from the requirement of preparation of environmental documents under the California Environmental Quality Act [Public Resources Code, Division 13, Chapter 3, Section 21000 et seq.] in accordance with Section 13389 of the California Water Code.

IT IS HEREBY ORDERED THAT Order No. R9-2002-0025 shall be modified as follows:

1. Section F.15.a of the Order shall contain the following additional text:

Toxicity re-screening shall also be performed upon initiation of chlorination.

Addendum No. 2
 Order No. R9-2002-0025
 NPDES Permit No. CA0107409

- 3 -

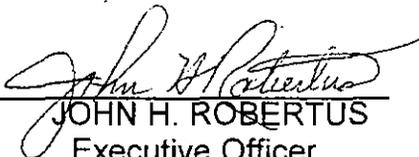
2. Table 1. Influent and Effluent Sampling and Analysis Requirements of the monitoring and reporting requirements shall include the following constituent and footnotes from the 2005 California Ocean Plan Table B parameters for protection of marine aquatic life:

CONSTITUENT	Units	Sample type	Sampling frequency		
			Influent stream	Effluent stream	Emergency connection
Total Chlorine Residual ¹²	µg/l	Grab	-	4 per day ¹³	-

¹² Per Table II, Required Containers, Preservation Techniques, and Holding Times, in 40 CFR 136, total chlorine residual samples are required to be analyzed immediately. Holding time must not exceed 15 minutes.

¹³ Samples must be collected at equal time intervals throughout on-site ELAP-accredited laboratory working hours.

I, John H. Robertus, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Addendum adopted by the California Regional Water Quality Control Board, on August 13, 2008.



 JOHN H. ROBERTUS
 Executive Officer

001237

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

MWD-9021

515

1. CERTIFICATE NUMBER FOR AUDITOR'S USE: 112
AC 26 11/18
3. DATE: September 8, 2008

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT): METROPOLITAN WASTEWATER DEPARTMENT

4. SUBJECT:

Approval of Additional Supplies of Sodium Hypochlorite Used for Disinfection

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)

Jesse Pagliaro (858) 614-4539 MS 901A

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)

Chuck Samples (858) 614-4447 MS 901A

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	41508		
DEPT.	771		
ORGANIZATION	410		
OBJECT ACCOUNT	3221		
JOB ORDER	2411		
C.I.P. NUMBER	--		
AMOUNT	\$2,200,001		

9. ADDITIONAL INFORMATION / ESTIMATED COST:

Current P.O. No. 5200557-0 \$999,999
This Additional Request + 2,200,001
P.O. after this Approval \$3,200,000

FY2010 Authorized Level \$3,680,000
If resolved per Requested Procurement Action, subject to FY 2010 appropriation and new P.O.

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT.	<i>[Signature]</i>	9/18/08	6	DIR. OF PUBL. UTIL.	<i>[Signature]</i>	9/18/08
2	E.O.C. PIC	<i>[Signature]</i>	10/9/08	7	CITY ATTORNEY	<i>[Signature]</i>	10/24/08
3	E.A.S.	<i>[Signature]</i>	9/25/08	8	ORIG. DEPT.	<i>[Signature]</i>	10/21/08
4	F.M.	<i>[Signature]</i>	10/1/08				
5	COMPTROLLER	<i>[Signature]</i>	10-6-08				

DOCKET COORD: _____ COUNCIL LIAISON *[Signature]* 11/4/08

COUNCIL PRESIDENT *[Signature]* SPOB CONSENT ADOPTION

REFER TO: _____ COUNCIL DATE: 11/5/08

11. PREPARATION OF:

- RESOLUTIONS
- ORDINANCE(S)
- AGREEMENT(S)
- DEED(S)

- Approving increasing the purchase and application of chemicals to achieve partial bacterial disinfection of treated wastewater at the Point Loma Wastewater Treatment Plant to meet the California Regional Water Quality Control Board Addendum 2 to Order No. R9-2002-0025.
- Approving utilizing Bid Number 7317-05-T for the increased procurement of sodium hypochlorite in solution at a level not to exceed \$3,200,000 in FY 2009, an increase of \$2,200,001 to the current Purchase Order No. 5200557-0, using the current Pricing Agreement 8070141-0 for unit pricing of \$0.837 per gallon, but increasing quantity in gallons and total cost. **NOTE: Continued on next page**

11A. STAFF RECOMMENDATIONS:

Approve the resolution.

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 2

COMMUNITY AREA(S): Point Loma

ENVIRONMENTAL IMPACT: This activity is not a "Project" and is therefore not subject to CEQA Pursuant to State CEQA Guidelines Section 15060 (C) (3).

ATTACHMENTS: August 14, 2008 letter from the California Regional Water Quality Control Board, San Diego Region, to Deputy Director, Metropolitan Wastewater Department; Subject: Adoption of Addendum No. 2 to Order No. R-9-2002-0025, NPDES Permit No. CA0107409...Disinfection of Treated Wastewater.

CITY CLERK INSTRUCTIONS: PLEASE FORWARD TWO COPIES OF THE RESOLUTION TO MWD, MS 901A, ATTN: ROSE SALARDA.

001138

SECTION 11- PREPARATION OF: RESOLUTIONS, ORDINANCES, ETC. (CONTINUED):

3. Approving expense for sodium hypochlorite from Metro Sewer Fund 41508, Department 771, provided that the City Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.
4. Approving usage of cited Bid and Pricing Agreement in FY 2010 at a level NTE \$3,680,000, subject to FY 2010 appropriation and a new Purchase Order in FY 2010, without another Council procurement authorization, provided that the City Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: September 8, 2008

ATTENTION: Council President and City Council

ORIGINATING DEPARTMENT: Metropolitan Wastewater Department (MWWD)

SUBJECT: Approval of Additional Supplies of Sodium Hypochlorite Used for Disinfection

COUNCIL DISTRICT(S): 2

STAFF CONTACT: Jesse Pagliaro (858) 614-4539

REQUESTED ACTION:

It is requested you approve utilizing Bid Number 7317-05-T and its Pricing Agreement for the procurement of sodium hypochlorite in solution, to be used for the purpose of achieving partial disinfection of treated effluent at the Point Loma Metropolitan Wastewater Treatment Plant. Approval authorizes a Fiscal Year 2009 expense for this purchase not to exceed \$3,200,000, an increase of \$2,200,001 from the current Purchase Order amount with the bid-awarded vendor, Olin Chlor Alkali Products. Furthermore, it is requested that the Department be approved to possibly exercise its current bid option term at the same pricing, plus a not to exceed +15%, or NTE \$3,680,000 in FY 2010, subject to FY 2010 appropriation and Purchase Order, without another Council action necessary to approve this level of sodium hypochlorite purchase and expense from the bid-awarded vendor.

STAFF RECOMMENDATION:

Approve the resolution.

EXECUTIVE SUMMARY:

Partial disinfection is achievable by increasing the purchase and application of sodium hypochlorite solution at the Point Loma Wastewater Treatment Plant effluent channel. The rate of solution application will be controlled and varied at the plant and performance of the process will be monitored by testing the plant effluent and ocean water. This process will demonstrate compliance with the bacterial objectives of ocean water quality while remaining within established concentration limits of chlorine residual and byproducts. This action is needed to implement and sustain California Regional Water Quality Control Board (RWQCB) Addendum 2 to Order R9-2002-0025.

FISCAL CONSIDERATIONS:

This action will allow an increase of \$2,200,001 of cited chemical expense at the cited plant, greater than the current Purchase Order at \$999,999, within the current FY 2009 MWWD budget and sewer rates. A similar rate of application in FY 2010, should the option term be exercised within the current bid and pricing agreement, may increase to a NTE \$3,680,000, subject to FY 2010 appropriation and purchase, but within this Council action of procurement level.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

This item was reviewed and approved by the Natural Resources and Culture Committee on October 15, 2008.

001240

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

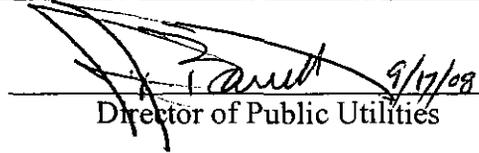
Potential changes in truck traffic have been discussed at meetings with Point Loma stakeholders, via the monthly "Good Neighbors" meeting. This meeting includes representatives from the Cabrillo National Monument, Coast Guard, Fort Rosecrans National Cemetery, Navy and City.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Achieving RWQCB order and permit compliance benefits Metro Wastewater System customers.



Originating Department



Director of Public Utilities

001241

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2900280
DEPT. _____
NO. 771

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT											

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$2,200,001.00

Vendor: Olin Chlor Alkali Products

Purpose: Authorize the FY09 expenditure of funds for sodium hypochlorite used for disinfection at the Point Loma Wastewater Treatment plant

Date: October 6, 2008 By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
001	0	41508	771	410	3221	002411					\$2,200,001.00
TOTAL AMOUNT											\$2,200,001.00

FUND OVERRIDE

AC 2900280

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE SAN DIEGO CITY COUNCIL
AUTHORIZING THE PURCHASE OF SODIUM
HYPOCHLORITE FOR USE AT THE POINT LOMA
WASTEWATER TREATMENT PLANT.

WHEREAS, the United States Environmental Protection Agency is currently applying bacterial water quality objectives in the San Diego region up to three nautical miles from shore, from the sea floor to the surface; and,

WHEREAS, on August 13, 2008, the Regional Water Quality Control Board approved the City's request to initiate operation of a prototype effluent disinfection system at the Point Loma Wastewater Treatment Plant using a Sodium Hypochlorite solution, pursuant to Addendum No. 2 to Order No. R9-2002-0025; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to purchase Sodium Hypochlorite from Olin Chlor Alkali Products at the price of \$0.837 per gallon pursuant to Bid Number 7317-05-T, not to exceed the amounts listed below:

Fiscal Year 2009: \$ 3,200,000

Fiscal Year 2010: \$ 3,680,000

BE IT FURTHER RESOLVED, that the additional expenditure of \$2,200,001 from Sewer Fund 41508, Department 771, for a total of \$3,200,000, is hereby authorized for Fiscal Year 2009, solely and exclusively for the purchase of Sodium Hypochlorite.

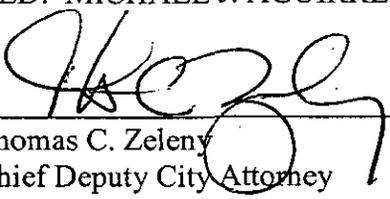
BE IT FURTHER RESOLVED, that the expenditure of \$3,680,000 from Sewer Fund 41508, Department 771, is hereby authorized for Fiscal Year 2010, solely and exclusively for the purchase of Sodium Hypochlorite, contingent on approval of such purchase in the Metropolitan

Wastewater Department's Fiscal Year 2010 budget, and provided the City Comptroller first furnishes one or more certificates demonstrating the funds necessary for expenditure are, or will be on deposit in the City Treasury.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to transfer excess budgeted funds, if any, to the appropriate reserves on advice from the administering department.

BE IT FURTHER RESOLVED, that this activity is not a "project" and therefore not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(2) and 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Thomas C. Zeleny
Chief Deputy City Attorney

TCZ:mb
10/20/08
Aud.Cert:2900280
Or.Dept:MWWD
MWD-9021
R-2009-515

I hereby certify that the foregoing Resolution was passed by the Council of the City of Diego, at its meeting of _____.

ELIZABETH S. MALAND, City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor



City of San Diego
PRICING AGREEMENT
Bid No.: 7317-05-T

PA No. **8070141-0**

Ship To: Center ID: 102PURCH PURCHASING & CONTRACTING SEE ACTUAL PO'S FOR SPECIFICS BILL-TO AND SHIP-TO ADDRESS SAN DIEGO, CA	Bill To: Center ID: 102PURCH PURCHASING & CONTRACTING SEE ACTUAL PO'S FOR SPECIFICS BILL-TO AND SHIP-TO ADDRESS SAN DIEGO, CA	Date: 10/08/08 Page: 1 of 2 Time: 3:22:45PM OPIS No.: PA05-8070141-0 Commodity Code: 0723 Last Option End Date: 03/31/10
--	--	--

Vendor: OLIN CHLOR ALKALI PRODUCTS 700 YGNACIO VALLEY RD STE 250 WALNUT CREEK, CA 94596-8224 USA	Terms: Net 30 FOB: Destination Tax Code: T Buyer: Karan Wolff Phone: 619-236-7131 Fax: 619-236-5904 E-Mail: kwolff@sandiego.gov
Vendor ID: OCA 05006819 Phone: Fax:	

Line #	Item ID/Description	Quantity/U/M	Unit Price	Extended Price
<i>This Document is for Contractual Information Only and is NOT a Purchase Order Purchase Orders Will be Issued as Needed</i>				
1	SODIUM HYPOCHLORITE 12.5% in Solution - Point Loma Wastewater Treatment Plant Point Loma Wastewater Treatment Plant	350,000.00 GL	\$ 0.8370	\$ 292,950.00
2	SODIUM HYPOCHLORITE Sodium Hypochlorite 12.5% in Solution - Metro Pump Station Metro Pump Station No. 1	32,000.00 GL	0.8370	26,784.00
3	SODIUM HYPOCHLORITE 12.5% in Solution Metro Pump Station No. 2	32,000.00 GL	0.8370	26,784.00
4	SODIUM HYPOCHLORITE 12.5% Solution - Metro Pump Station No. 64	34,000.00 GL	0.8370	28,458.00
5	SODIUM HYPOCHLORITE 12.5% Solution - Metro Pump Station No. 65	27,000.00 GL	0.8370	22,599.00
6	SODIUM HYPOCHLORITE 12.5% Solution - penasquitos Pump Station	12,000.00 GL	0.8370	10,044.00
7	SODIUM HYPOCHLORITE 12.5% Solution - MBC	45,000.00 GL	0.8370	37,665.00
8	SODIUM HYPOCHLORITE 12.5% Solution - North City Water Reclamation	731,000.00 GL	0.8370	611,847.00
9	SODIUM HYPOCHLORITE 12.5% Solution - South Bay Water Reclamation Plant	275,000.00 GL	0.8370	230,175.00

Notes:

Have questions about doing business with the City of San Diego? Visit our Purchasing web site at www.sandiego.gov/purchasing and get all the answers.

For specific information regarding contract opportunities with the City of San Diego, please visit our

**SEE LAST PAGE
FOR TOTALS**



City of San Diego
PRICING AGREEMENT
Bid No.: 7317-05-T

PA No. **8070141-0**

Ship To: Center ID: 102PURCH PURCHASING & CONTRACTING SEE ACTUAL PO'S FOR SPECIFICS BILL-TO AND SHIP-TO ADDRESS SAN DIEGO, CA 001247	Bill To: Center ID: 102PURCH PURCHASING & CONTRACTING SEE ACTUAL PO'S FOR SPECIFICS BILL-TO AND SHIP-TO ADDRESS SAN DIEGO, CA	Date: 10/08/08 Page: 2 of 2 Time: 3:22:45PM OPIS No.: PA05-8070141-0 Commodity Code: 0723 Last Option End Date: 03/31/10
--	--	--

Vendor: OLIN CHLOR ALKALI PRODUCTS 700 YGNACIO VALLEY RD STE 250 WALNUT CREEK, CA 94596-8224 USA	Terms: Net 30 FOB: Destination Tax Code: T Buyer: Karan Wolff Phone: 619-236-7131 Fax: 619-236-5904 E-Mail: kwolff@sandiego.gov
Vendor ID: OCA 05006819 Phone: Fax:	

Notes (cont):

PREVIOUS BID NO. 3574-01-S
 BID NO. 7317-05-T
 RESOLUTION: 101 300209

EXERCISING OPTION NO.3 TO FURNISH THE CITY OF SAN DIEGO WITH SODIUM HYPOCHLORITE, 12.5% IN SOLUTION, AS MAY BE REQUIRED FOR A PERIOD OF ONE (1) YEAR FROM 4/1/08 THROUGH 3/31/09 AT NO PRICE INCREASE.

OPTIONS REMAINING:
 4/1/09 THROUGH 3/31/10 NTE 15%

DELIVERY: THREE (3) DAYS ARO
 PUBLIC AGENCY: NO
 INSURANCE TO BE UPDATED AS REQUIRED
 VENDOR CONTACT: CUSTOMER SERVICE TELEPHONE: (800) 435-6310
 FAX: (562) 695-2441

DISTRIBUTION: FILE, VENDOR, BUYER, OPIS, RIM STANLEY MS 45,
 SAM PRUETT MS 901N, ROB RELPH MS 901N,
 LINDA RUIZ-LOPEZ MS 901A, K.C. SHANKLES

Have questions about doing business with the City of San Diego? Visit our Purchasing web site at www.sandiego.gov/purchasing and get all the answers. For specific information regarding contract opportunities with the City of San Diego, please visit our	<table> <tr> <td>Line Item Total</td> <td>\$ 1,287,306.00</td> </tr> <tr> <td>Tax</td> <td>99,766.22</td> </tr> <tr> <td>Freight</td> <td>0.00</td> </tr> <tr> <td>PA Total:</td> <td>\$ 1,387,072.22</td> </tr> </table>	Line Item Total	\$ 1,287,306.00	Tax	99,766.22	Freight	0.00	PA Total:	\$ 1,387,072.22
Line Item Total	\$ 1,287,306.00								
Tax	99,766.22								
Freight	0.00								
PA Total:	\$ 1,387,072.22								

001249

The Agreement is currently with OLIN CHLOR ALKALI.

Pioneer Americas, LLC, the successful bidder, was purchased by Olin in 2007 and Olin assumed all Pioneer contracts.



001251

CITY OF SAN DIEGO

PURCHASING DIVISION
1200 Third Avenue, Suite 200
San Diego, CA 92101-4195

ORIGINAL

PA 05-8070141

Bid No. 7317-05-T

REQUEST FOR BID

Bid Closing Date: December 27, 2004
@ 2:30 p.m.

Subject: Furnish the City of San Diego with **SODIUM HYPOCHLORITE 12.5% IN SOLUTION**, as may be required for a period of one (1) year from date of award, with options to renew for four (4) additional one (1) year periods, in accordance with the attached specifications.

Company <u>Pioneer Americas, LLC</u>	Name <u>John M. Schabacker</u> <small>(PRINT OR TYPE)</small>
Federal Tax I.D. No. <u>06-1420850</u>	Signature* <u><i>John M. Schabacker</i></u>
Street Address <u>700 Ygnacio Valley Rd, Ste 250</u>	Title <u>Regional Manager West</u>
City <u>Walnut Creek</u>	Date <u>12/20/04</u>
State <u>CA</u> Zip Code <u>94596</u>	
Tel. No. <u>925-280-2600</u> Fax No. <u>925-280-4465</u>	<i>*Authorized Signature: The signer declares under penalty of perjury that she/he is authorized to sign this document and bind the company or organization to the terms of this agreement.</i>
E-Mail <u>john.schabacker@piona.com</u>	

ONLY BIDS WITH AN ORIGINAL SIGNATURE
WILL BE ACCEPTED.

This cover page must be completed and submitted as part of your bid.

If your firm is not located in California, are you authorized to collect California sales tax? YES NO N/A

If YES, under what Permit # N/A

NOTE: The City of San Diego is subject to State Sales and Use Tax, but is exempt from Federal Excise Tax and will furnish exemption certificates upon request. Do not include Federal Excise or Sales Tax in your Bid.

If you are a Vendor located in the City of San Diego, a 1% sales tax refund to the City will be considered in evaluation of your bid.

Cash discount terms 0 % 30 days.
[Terms of less than 20 days will be considered as Net 30 for bid evaluation purposes.]

State delivery time required: 3 days ARO days after receipt of order.

The following addenda are acknowledged and incorporated in this submittal: _____

FOR FURTHER INFORMATION CONCERNING THIS BID, PLEASE CONTACT:

THOMAS ROY, CPPB/cp4, Senior Procurement Specialist

Phone: (619) 236-6158 Facsimile: (619) 236-5904

E-mail: TRoy@sandiego.gov

001253

TABLE OF CONTENTS

I. Pricing Page4

II. Scope Of Work6

III. Terms And Conditions6

 A. Award6

 B. Award Notification6

 C. Pricing6

 D. Submittals6

 E. Option To Renew7

 F. Price Adjustment Clause For Option Renewal8

 G. Insurance And Bond Requirements8

 H. Indemnification And Hold Harmless Agreement9

 I. Material Safety Data Sheets9

 J. Quality Assurance Meetings10

 K. Quantities10

 L. References/Qualifications10

 M. General Provisions10

 N. Addenda11

 O. Exceptions11

 P. Bid Results11

 Q. Request For Taxpayer Identification Number11

 R. Audit And Inspection Of Records12

 S. Assignment Of Contract12

 T. Drug-Free Workplace Policy12

 U. Americans With Disabilities Act13

 V. Equal Employment Opportunity13

 W. Nondiscrimination In Contracting13

IV. Specifications15

 A. Specifications15

 B. Product Delivery Requirements15

 C. Emergency Delivery17

 D. Plant Visit17

 E. Bid Sample, Plant And Storage Location17

 F. Manufacturing Process18

 G. Fittings, Hoses, And Spillage18

 H. Delivery Route For Point Loma Wastewater Plant18

001054

TABLE OF CONTENTS (cont.)

Forms

Bidder's References	19
Bidder's Statement Of Subcontractors.....	20
Bidder's Statement Of Available Equipment	21
Bidder's Statement Of Financial Responsibility.....	22
Contractor Information Form.....	23
Certification Survey	24
Work Force Report	25

00155

I. PRICING PAGE

Item	Est. Annual Qty	U/M	Description	Manufacturer	Item No.	Price per Delivered Gallon	Extension
1.	350,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: Point Loma Wastewater Treatment Plant 1902 Gatchell Road San Diego, CA 92106	<i>Pioneer</i>	<i># 470644</i>	*\$ 0.728 * 4,000 gallon deliveries required.	\$ 254,800. ⁰⁰
2.	32,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: Metro Pump Station No. 1 3550 East Harbor Drive San Diego, CA 92101	<i>Same</i>	<i>Same</i>	*\$ 0.728 * 4,000 gallon deliveries required.	\$ 23,296. ⁰⁰
3.	32,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: Metro Pump Station No. 2 4077 North Harbor Drive San Diego, CA 92101	<i>Same</i>	<i>Same</i>	*\$ 0.728 * 4,000 gallon deliveries required.	\$ 23,296. ⁰⁰
4.	34,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: Metro Pump Station No. 64 10749 Roselle Street San Diego, CA 92101	<i>Same</i>	<i>Same</i>	*\$ 0.728 * 4,000 gallon deliveries required.	\$ 24,752. ⁰⁰
5.	27,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: Metro Pump Station No. 65 12112 Sorrento Valley Road San Diego, CA 92121	<i>Same</i>	<i>Same</i>	*\$ 0.728 * 1,000 gallon deliveries required.	\$ 19,656. ⁰⁰

00156

Item	Est. Annual Qty.	U/M	Description	Manufacturer	Item No.	Price per Delivered Gallon	Extension
6.	12,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: Penasquitos Pump Station 10150 Scripps Poway Parkway San Diego, CA 92131	Pioneer	# 470644	*\$ 0.728 * 1,000 gallon deliveries required.	\$ 8,736. ⁰⁰
7.	45,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: Metropolitan Biosolids Center 5240 Convoy Street San Diego, CA 92111	Same	Same	*\$ 0.728 * 4,000 gallon deliveries required.	\$ 32,760. ⁰⁰
8.	731,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: North City Water Reclamation Plant 4949 Eastgate Mall San Diego, CA 92121	Same	Same	*\$ 0.728 * 4,000 gallon deliveries required.	\$ 532,168. ⁰⁰
9.	275,000	Gallons	Sodium Hypochlorite 12.5% in Solution for: South Bay Water Reclamation Plant 2411 Dairy Mart Road San Diego, CA 92154	Same	Same	*\$ 0.728 * 4,000 to 5,000 gallon deliveries required.	\$ 200,200. ⁰⁰
TOTAL:							\$ 1,119,664. ⁰⁰

001257

II. SCOPE OF WORK

The City of San Diego is soliciting bids to furnish Sodium Hypochlorite 12.5 % in solution, as may be required for a period of one (1) year from date of award, with options to renew for four (4) additional one (1) year periods, in accordance with this bid solicitation. The chemical will be used in facilities for odor control systems and in disinfection process. Multiple delivery locations are required as specified herein with a combined estimated annual usage of 1,538,000 gallons. Quantities for optional periods are expected to remain constant.

III. TERMS AND CONDITIONS

A. AWARD

This bid shall be awarded on an item by item basis, or in any group or combination of items, or as a lot, as may be in the best interest of the City.

B. AWARD NOTIFICATION

The City will notify all Bidders, in writing, of its intent to award the bid.

C. PRICING

All chemicals shall be FOB Destination. The City reserves the right to add additional City locations at a later date with the same pricing. Include all freight, delivery and/or handling charges, surcharges, and special taxes in bid price of the material. Do not include sales tax in bid price.

D. SUBMITTALS

1. BID SUBMITTAL

Bids must be returned in a sealed envelope to the Purchasing Division, 1200 Third Avenue, Suite 200, San Diego, CA 92101. The bid number and closing date/time must be referenced on the outside of the envelope (lower left corner). Bids must be received by the Purchasing Reception Desk prior to bid closing at 2:30 p.m. on bid closing date. **Faxed bids will not be accepted.**

The original and one (1) copy of bid, including any attachments, shall be submitted.

001958

2. SUBMITTALS REQUIRED WITH BID

Failure to provide the required submittals with the bid may be cause for the bid to be rejected as non-responsive.

- a. Two (2) Copies of Material Safety Data Sheets (as specified in Section III, paragraph I).
- b. Bidder's References (as specified in Section III, paragraph L).
- c. Bidder's Statement of Subcontractors (as specified in Section III, paragraph L).
- d. Bidder's Statement of Available Equipment (as specified in Section III, paragraph L).
- e. Bidder's Statement of Financial Responsibility (as specified in Section III, paragraph L).
- f. Bid Evaluation Sample (as specified in Section IV, paragraph E).
- g. Manufacturing Process used for the Production of Sodium Hypochlorite 12.5% in Solution (as specified in Section IV, paragraph F).
- h. Contractor's Information Form (use form on page 23).
- i. Certification Survey (use form on page 24).

3. SUBMITTALS REQUIRED UPON PROVISIONAL AWARD

Failure to provide the following documentation within the time period specified may be cause for the provisional award to be voided and the bid to be rejected as non-responsive.

- a. Insurance requirements as specified in Section III, paragraph G.
- b. Taxpayer Identification Number (W-9) as specified in Section III, paragraph Q if not currently on file.

E. OPTION TO RENEW

The City reserves the option to renew the contract for four (4) additional one (1) year periods under the terms and conditions of the current contract beginning on the anniversary of the commencement of contract. The renewal is contingent on a mutual agreement between the City and the Contractor with such agreement to be confirmed sixty (60) days prior to the expiration of the contract period. Either the City or the Contractor may decline to confirm the renewal of the contract for any reason whatsoever, which shall render the renewal option null and void.

The City's initial letter offering the Bidder an opportunity to renew the contract does not constitute an award of the option period. Any option acceptance must be confirmed by the City, in writing, before it becomes valid.

001159

If Bidder would accept the option to renew, please indicate the maximum percentage increase to which the prices in effect at the end of the current contract year would be subject if the renewal options were exercised. 15 %

Failure to submit or complete the price increase section above will be construed to mean that prices bid will not be increased during any option period. The City will not grant an option, if the Contractor requests a price increase which exceeds above stated percentage. If a price increase is requested, the Contractor must provide detailed supporting documentation to justify the requested increase. The requested increase will be evaluated by the City, and the City reserves the right to accept or reject.

This section will not be considered in the evaluation for award.

The City may also desire to extend a contract on a month-to-month basis upon expiration of the current contract period under the terms and conditions of the current contract unless modified in writing. The renewal is contingent on a mutual agreement between the City and the Contractor with such agreement to be confirmed in writing prior to the expiration of the contract period.

F. PRICE ADJUSTMENT CLAUSE FOR OPTION RENEWAL

In the event the Contractor does not request a price increase at the time of the contract renewal, and the Manufacturer subsequently announces a general increase in the price of their products, the Contractor may request an increase at that time. The Contractor must provide detailed supporting documentation from the Manufacturer to support the requested increase. The requested increase shall not exceed the percentage increase indicated in the "Option to Renew" clause.

G. INSURANCE AND BOND REQUIREMENTS

All required insurance and bonds shall be submitted to Purchasing within ten (10) days of provisional award. **Failure to provide the insurance certificates and bonds within the time frame specified by the City shall be cause for the bid to be rejected as non-responsive.** Insurance and bonds shall be maintained by the Contractor in full force and effect during the entire period of performance under contract. Failure to do so shall be cause for termination of the contract.

All policies must have a **thirty (30) day non-cancellation clause** giving the City thirty (30) days prior written notice in the event a policy is canceled.

At the end of each contract year, the City reserves the right to review insurance and bond requirements and to require more or less coverage depending upon assessment of the risk, the vendor's past experience, and the availability and affordability of increased liability insurance coverage.

Insurance coverage must be from an insurance carrier licensed in the State of California and rated "A" or better by the A.M. Best Key Rating Guide.

001160

The following coverage is required:

- **Commercial General Liability** for a minimum of one million dollars each occurrence (\$1,000,000.00 EO). **The City of San Diego must be named as an additional insured on the certificate.**
- **Automobile Liability** for a minimum of one million dollars combined single limit (\$1,000,000.00 CSL). **The City of San Diego must be named as an additional insured on the certificate.**
- **Workers' Compensation** coverage in accordance with the laws of the State of California. **Policy must contain a Waiver of Subrogation of Rights against the City of San Diego.**
- **Performance Bond** in a sum equal to one hundred percent (100%) of the Contract price, conditional for the performance of the Contract. The surety bond shall be executed by a surety company authorized to do business in the State of California, and approved by the City of San Diego. Proof of such performance bonding shall be submitted to the City of San Diego Purchasing Division prior to issuance of a purchase order.

H. INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

To the fullest extent permitted by law, the Contractor agrees to defend, indemnify, protect, and hold City and its agents, officers, and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to City's or Contractor's employees, agents, or officers which arise from, or are connected with, or are caused, or claimed to be caused by the acts, or omissions of Contractor and its agents, officers, or employees in performing, providing, manufacturing, or supplying the work, services, product, or equipment relating to this bid, and all expenses of investigating and defending against same; provided, however, that Contractor's duty to indemnify and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the City, its agents, officers, or employees.

Notwithstanding anything herein to the contrary, the services provided under this contract will not give rise to, nor will be deemed or construed so as to confer any rights on any other party as a third party beneficiary or otherwise.

I. MATERIAL SAFETY DATA SHEETS

All Bidders must submit with their bids two (2) copies of the material safety data sheet (MSDS) for each product bid. Only those products whose label and MSDS clearly state the contents, hazard potential, and protective measures required shall be considered for purchase.

001261

The Contractor must also send with each shipment one (1) copy of the MSDS for each item shipped. **Failure to comply with this procedure will be cause for immediate termination of the contract for violation of safety procedures.**

J. QUALITY ASSURANCE MEETINGS

Contractor will be required to schedule at least one (1) meeting with City's Contract Administrator to discuss Contractor's performance. This meeting should be scheduled no later than eight (8) weeks from date of commencement of work. At this meeting, City's Contract Administrator will provide Contractor with feedback and will note any deficiencies in contract performance and provide Contractor with an opportunity to address and correct these areas. Additional quality assurance meetings may be required, depending upon Contractor's performance.

K. QUANTITIES

The estimated requirements shown on the Pricing Page(s) will vary with the demands of the City of San Diego. These quantities are listed for information purposes only and shall not be deemed to either guarantee a minimum amount or restrict the maximum amount to be delivered throughout the contract period. Nor shall any variations from the estimated quantities, regardless of extent, entitle the Bidder to an adjustment in the unit price or to any other compensation.

L. REFERENCES/QUALIFICATIONS

Bidders are required to demonstrate successful performance for work of similar size and scope as specified in this contract during the past three (3) years. Bidders must also demonstrate that they are properly equipped to perform the work as specified in this contract.

To enable the City to evaluate the responsibility, experience, skill, and business standing of the Bidder, the following documents must be included with the bid submittal:

1. Bidder's References (use form on page 19).
2. Bidder's Statement of Subcontractors (use form on page 20).
3. Bidder's Statement of Available Equipment (use form on page 21).
4. Bidder's Statement of Financial Responsibility (use form on page 22).

M. GENERAL PROVISIONS

Except as otherwise specified herein, the City of San Diego General Provisions, dated September 12, 2001, (on file in the Office of the Purchasing Agent) are incorporated as part of this bid/proposal and any resulting contract by reference. The General Provisions are available online at www.sandiego.gov/purchasing or via request from the Purchasing Division by calling (619) 236-6000.

001162

By signing and/or authorizing the bid submittal, the Bidder/Proposer acknowledges that they have read and understood the meaning, intent and requirements of said General Provisions; and acknowledge said General Provisions are included as a part of this bid/proposal.

In the event of any conflict between the City of San Diego General Provisions and the terms and conditions included in this bid/proposal, the terms and conditions of this bid/proposal shall prevail.

N. ADDENDA

It is the Bidders' responsibility to ensure that all addenda issued are incorporated in their bid submittal.

Failure to acknowledge and incorporate addenda will not relieve the Bidder of the responsibility to meet all terms and conditions of the specifications for price bid.

O. EXCEPTIONS

If a Bidder/Proposer takes any exception to any part of these specifications as written, or as amended by any Addenda subsequently issued, or the General Provisions, they must do so in writing. Said exceptions must be submitted with the bid/proposal. *Failure to do so will be construed as acceptance of all provisions of the specifications and General Provisions.*

P. BID RESULTS

Bid results **will not** be given out over the phone. To obtain bid results, either (1) attend the bid closing or (2) provide a self-addressed stamped envelope referencing the bid number. Envelopes may be submitted with the bid, or mailed directly to the Purchasing Division. They will be kept on file until the bid closes and the extensions are verified. Bid tabulations will generally be mailed to requester within **three (3) working days** after the bid closing to review bid tabulation.

Q. REQUEST FOR TAXPAYER IDENTIFICATION NUMBER

I.R.S. regulations require the City of San Diego to have the correct name, address, and Taxpayer Identification Number (TIN) or Social Security Number (SSN) on file for businesses or persons who provide services or products to the City of San Diego. This information is necessary to complete Form 1099 at the end of each tax year.

In order to comply with I.R.S. regulations, the City of San Diego requires each Vendor to provide a Form W-9 prior to award of contract. Failure to provide a completed Form W-9 within three (3) business days of the City's request may result in a bid being declared non-responsive and rejected.

001263

R. AUDIT AND INSPECTION OF RECORDS

The Contractor, and any Subcontractors, shall make available upon request all records which in the opinion of the City Auditor are necessary to conduct an audit of this contract. Such records may include invoices, materials, payrolls, personnel records, and other data relating to all matters covered by this contract. The Contractor and Subcontractors shall retain such data and records for a period of not less than three (3) years following receipt of final payment. The Contractor shall make available all requested data and records at reasonable locations within the City or County of San Diego, at any time during normal business hours, and as often as the City deems necessary. If records are not made available within the City or County of San Diego, the Contractor shall pay the City's travel costs to the location where the records are maintained. Failure to make requested records available for audit by the date requested will result in immediate termination of contract.

S. ASSIGNMENT OF CONTRACT

Contractor shall not assign this contract or any right or interest hereunder, without prior written consent of the City.

T. DRUG-FREE WORKPLACE POLICY

All City projects are subject to City of San Diego Council Policy No. 100-17, Drug-Free Workplace. This policy requires that all City construction contractors, consultants, grantees, and providers of non-professional services provide a drug-free workplace in accordance with the provisions contained therein.

The Drug-Free Workplace Policy is available online at www.sandiego.gov/purchasing or via request from the Purchasing Division by calling (619) 236-6000.

By signing and/or authorizing the bid submittal, the Bidder/Proposer acknowledges that they have read and understood the meaning, intent, and requirements of said policy; acknowledge said policy is incorporated as part of this bid/proposal; certify that they have a drug-free workplace program in place that complies with said policy; and that Subcontractor agreements for this bid/proposal contain language which indicates the Subcontractor's agreement to comply with this policy.

001264

U. AMERICANS WITH DISABILITIES ACT

Every person or organization awarded a contract, lease, or grant by the City of San Diego acknowledges and agrees that they are aware of and will comply with Council Policy 100-04, adopted by Resolution No. 282153 relating to the federally mandated Americans with Disabilities Act (ADA). Contractors and Subcontractors will be individually responsible for their own ADA program.

In compliance with Council Policy 000-03, adopted by Resolution No. 279130, sign language or oral interpreting services are available at pre-bid meetings and bid closings with a five (5) business day notice to Purchasing at (619) 236-6000 or email at Purchasing@sanidiego.gov.

V. EQUAL EMPLOYMENT OPPORTUNITY

Contractor shall not discriminate against any employee or applicant for employment on any basis prohibited by law. Contractor shall provide equal opportunity in all employment practices. Contractor shall also ensure that their Subcontractors comply with the City's Equal Employment Opportunity Program. Contractor agrees to be bound by the City Of San Diego Equal Opportunity Ordinance (Municipal Code Chapter II, Article 2, Division 27).

Contractor shall submit a Work Force Report or an Equal Employment Opportunity Plan, within five (5) days of being notified by the Purchasing Division.

For questions regarding the City's Equal Employment Opportunity Program, contact the Equal Opportunity Contracting Office at (619) 533-4464.

W. NONDISCRIMINATION IN CONTRACTING

Contractor shall not discriminate on the basis of race, gender, religion, national origin, ethnicity, sexual orientation, age, or disability in the solicitation, selection, hiring or treatment of Subcontractors, Vendors or Suppliers. Contractor shall provide equal opportunity for Subcontractors to participate in subcontracting opportunities. Contractor understands and agrees that violation of this clause shall be considered a material breach of the contract and may result in contract termination, debarment, or other sanctions. This language shall also be included in construction contracts between the Contractor and any Subcontractors, Vendors, and Suppliers.

As part of its bid proposal, Bidder shall provide to the City a list of all instances within the past ten (10) years where a complaint was filed or pending against Bidder in a legal or administrative proceeding alleging that Bidder discriminated against its employees, Subcontractors, Vendors, or Suppliers, and a description of the status or resolution of that complaint, including any remedial action taken.

001065

Upon the City's request, Contractor agrees to provide to the City, within sixty (60) calendar days, a truthful and complete list of names of all Subcontractors, Vendors, and Suppliers that Contractor has used in the past five (5) years on any of its contracts that were undertaken within San Diego County, including the total dollar amount paid by Contractor for each subcontract or supply contract. Contractor further agrees to fully cooperate in any investigation conducted by the City pursuant to the City's Nondiscrimination in Contracting Ordinance (Municipal Code Sections 22.3401 - 22.3417). Contractor understands and agrees that violation of this clause shall be considered a material breach of the contract and may result in remedies being ordered against the Contractor up to and including contract termination, debarment, and other sanctions for violation of the provisions of the Nondiscrimination in Contracting Ordinance. Contractor further understands and agrees that the procedures, remedies, and sanctions provided for in the Nondiscrimination Ordinance apply only to violations of said Nondiscrimination Ordinance.

For questions regarding the City's Nondiscrimination in Contracting Ordinance, contact the Equal Opportunity Contracting Office at (619) 533-4464.

031266

IV. SPECIFICATIONS

A. SPECIFICATIONS

Sodium hypochlorite shall be 12.5% in solution and shall be in conformance with AWWA specifications B300-99. The sodium hypochlorite shall contain not more than 0.15% soluble matter by weight and total free alkali shall not exceed 1.5% by weight.

B. PRODUCT DELIVERY REQUIREMENTS

Sodium Hypochlorite 12.5% in solution will be required to be delivered FOB Destination five (5) business days after receipt of order to the below City locations and any other City location, which may be added in the future. Time is of the essence in making deliveries. On time deliveries are critical to the effective operation of the City's treatment plants and pump stations.

1. Point Loma Wastewater Treatment Plant
1902 Gatchell Road
San Diego, CA 92106

Point Loma Wastewater Treatment Plant has two (2) storage tanks, each having a 14,000 - 15,000 gallon capacity.

2. Metro Pump Station No. 1
3550 East Harbor Drive
San Diego, CA 92101

Pump Station No. 1 has one (1) storage tank with a 5,200 gallon capacity.

3. Metro Pump Station No. 2
4077 North Harbor Drive
San Diego, CA 92101

Pump Station No. 2 has one (1) storage tank with a 5,200 gallon capacity.

4. Pump Station No. 64
10749 Roselle Street
San Diego, CA 92101

Pump Station No. 64 has one (1) storage tank with a 4,000 gallon capacity.

5. Pump Station No. 65
12112 Sorrento Valley Road
San Diego, CA 92121

Pump Station No. 65 has one (1) storage tank with a 1,000 gallon capacity.

001267

6. Penasquitos Pump Station
10150 Scripps Poway Parkway
San Diego, CA 92131

Penasquitos Pump Station has one (1) storage tank with a 1,000 gallon capacity.

7. Metropolitan Biosolids Center
5240 Convoy Street
San Diego, CA 92111

Metropolitan Biosolids Center has two (2) storage tanks, each having a 4,000 gallon capacity.

8. North City Water Reclamation Plant
4949 Eastgate Mall
San Diego, CA 92121

North City Water Reclamation Plant has four (4) storage tanks, each having a 8,500 gallon capacity.

9. South Bay Water Reclamation Plant
2411 Dairy Mart Road
San Diego, CA 92154

South Bay Water Reclamation Plant has three (3) storage tanks, each having a 6,500 gallon capacity.

Delivery shall be provided in tanker trucks to multiple delivery locations in 1,000; 4,000; or 4,000 to 5,000 gallon deliveries as specified herein.

Delivery shall be made during plant receiving hours, 8:00 a.m. to 2:00 p.m., Monday through Friday, not including City holidays. Exceptions to this schedule should be rare; however, the City may allow changes at its discretion.

Truck tanks or cargo carrier operator shall be clean prior to being filled with Sodium Hypochlorite 12.5% in solution to prevent contamination of the product. Trucks shall be DOT approved. Drivers shall have all necessary safety equipment and materials as required by Local, State, and Federal laws and regulations.

Contractor, trucking company, and drivers shall comply with all Local, State, and Federal laws applicable to production, transportation, and delivery of product.

The Contractor shall be responsible for setting up delivery schedules with personnel for each site prior to any deliveries.

001268

C. EMERGENCY DELIVERY

Emergency deliveries, as determined by the City, may be required within twenty-four (24) hours after receipt of order.

D. PLANT VISIT

To make an appointment to view the existing plants and delivery sites contact the following:

1. Point Loma Wastewater Treatment Plant: Jim Lindsay at (619) 221-8771.
2. Metropolitan Biosolids Center: Chuck Lockhart at (858) 614-5825.
3. North City Water Reclamation Plant: Andrew Stoecker at (858) 824-6022
4. Pump Stations: Rim Stanley at (619) 692-4929
5. South Bay Water Reclamation Plant: Linda Ruiz-Lopez at (619) 428-7313

E. BID SAMPLE, PLANT AND STORAGE LOCATION

Contractors shall submit a one (1) quart sample sodium hypochlorite 12.5% in solution for testing purposes to:

Metro Wastewater Department,
Technical Services Division, Alvarado Laboratory
ATTN: Walter Konopka
5530 Kiowa Drive
La Mesa, CA 91942

Telephone No.: (619) 668-3205

Samples must be received at the Alvarado Laboratory on bid closing day by 12:00 p.m.

Successful Contractor warrants that material to be furnished is one of the purity and content specified herein and that the material to be furnished is substantially equal to the sample submitted for testing. The plant from which the material will be furnished must produce sample. Samples made in a laboratory are not acceptable. The City reserves the right to request additional samples for evaluation purposes.

Plant and Address of Storage Location:

11600 Pike Street
Santa Fe Springs, CA 90670

001269

F. MANUFACTURING PROCESS

Contractors shall disclose and explain the manufacturing process used for the product be supplied as an attachment to this bid submittal. Contractor shall list the major production materials used.

G. FITTINGS, HOSES, AND SPILLAGE

1. The Contractor shall be responsible for checking and verifying with each delivery point the type of fittings and hoses required for pumping the chemical into the storage tanks. Truck tanks or cargo carrier operators shall have the appropriate fittings and hoses for delivering the chemical into the storage tanks.
2. The Contractor and the truck tanks or cargo trailer operator shall be responsible for clean-up of all spillage and contaminated matter and removal and disposal of all contaminated clean-up material in accordance with Local, State, and Federal laws.
3. The City reserves the right to hire a private hazardous waste company, at the Contractor's expense if spillage is not cleaned up by the Contractor and the cargo trailer operator within four (4) hours of notification.
4. Spill kits shall be carried on all vehicles.

H. DELIVERY ROUTE FOR POINT LOMA WASTEWATER PLANT

Delivery trucks are required to use the following route: Take I-5 to Rosecrans Street exit; then follow Catalina Boulevard and turn left; then follow Catalina Boulevard onto U.S. Navy property heading towards Cabrillo National Monument. Just before the monument turn right onto Gatchell Road follow it to the end and into the Point Loma Wastewater Treatment Plant.

001270

BIDDER'S REFERENCES

The Bidder is **required** to provide a minimum of three (3) references where work was successfully performed within the past three (3) years of a similar size and nature. This will enable the City of San Diego to judge the responsibility, experience, skill, and business standing of the Bidder.

REFERENCES

Company Name: Los Angeles County San. Contact Name: Cheryl Zuvich
 Address: 1955 Workman Mill Road Phone Number: (562) 699-7411
Whittier, CA 90601 Fax Number: _____
 Dollar Value of Contract: \$ 3.5 million gals Contract Dates: 6/1/04 to 5/31/05
 Requirements of Contract: Sodium Hypochlorite

Company Name: City of Thousand Oaks Contact Name: Wade Heldabridle
 Address: 2100 Thousand Oaks Blvd. Phone Number: (805) 449-2151
Thousand Oaks, CA 91362 Fax Number: _____
 Dollar Value of Contract: \$ 600,000 gallons annually Contract Dates: 7/1/03 to 6/30/06
 Requirements of Contract: Sodium Hypochlorite

Company Name: City of Escondido Contact Name: Darrel Hale
 Address: 201 North Broadway Phone Number: (760) 839-6290
Escondido, CA 92025 Fax Number: _____
 Dollar Value of Contract: \$ 180,000 gallons Contract Dates: 7/1/04 to 6/30/05
 Requirements of Contract: Sodium Hypochlorite

001271

BIDDER'S STATEMENT OF SUBCONTRACTORS

The Bidder is **required** to state below all subcontractors to be used in the performance of the proposed contract, and what portion of work will be assigned to each Subcontractor. Failure to provide details of Subcontractors may be grounds for rejection of bid. **NOTE:** Add additional pages if necessary.

N/A

Company Name: _____ Contact Name: _____
Address: _____ Phone Number: _____
_____ Fax Number: _____
Dollar amount of sub-contract: \$ _____ Contract Dates: _____
Contractor's License #: _____
Requirements of contract: _____
What portion of work will be assigned to this subcontractor: _____

Company Name: _____ Contact Name: _____
Address: _____ Phone Number: _____
_____ Fax Number: _____
Dollar amount of sub-contract: \$ _____ Contract Dates: _____
Contractor's License #: _____
Requirements of contract: _____
What portion of work will be assigned to this subcontractor: _____

Company Name: _____ Contact Name: _____
Address: _____ Phone Number: _____
_____ Fax Number: _____
Dollar amount of sub-contract: \$ _____ Contract Dates: _____
Contractor's License #: _____
Requirements of contract: _____
What portion of work will be assigned to this subcontractor: _____

001272

BIDDER'S STATEMENT OF AVAILABLE EQUIPMENT

The Bidder is **required** to list all necessary equipment to complete the work as specified. The Bidder shall state below the motive, industrial, construction and other equipment which Bidder has or will have available to perform the work under this contract prior to the commencement of the contract. The City of San Diego reserves the right to reject any bid when, in its opinion, the Bidder has not demonstrated they will be properly equipped to perform the work in an efficient, effective manner for the duration of the contract period. In instances where required equipment is not presently owned, the Bidder shall explain how the equipment will be made available prior to commencement of the work.

NOTE: Add additional pages if necessary.

Equipment:

Equipment Description: Tankers

Owned Rented Other (explain below)

If Owned, Quantity Available: 15 bleach tankers

Year, Make & Model: Fleet built between 1996 - 2004

Explanation: Pioneer owns all of their own tankers for delivering product in So. California.

Equipment Description: _____

Owned Rented Other (explain below)

If Owned, Quantity Available: _____

Year, Make & Model: _____

Explanation: _____

Equipment Description: _____

Owned Rented Other (explain below)

If Owned, Quantity Available: _____

Year, Make & Model: _____

Explanation: _____

001273

BIDDER'S STATEMENT OF FINANCIAL RESPONSIBILITY

The Bidder is required to furnish below a statement of financial responsibility, except when the Bidder has previously completed contracts with the City of San Diego covering work of similar scope.

I, John M. Schabacker, certify that my company, Pioneer Americas, LLC, has sufficient operating capital and/or financial reserves to properly fund the services identified in these contract specifications for a minimum of two (2) full months. I agree that upon notification of provisional award, I will promptly provide a copy of my company's most recent balance sheet, or other necessary financial statements, as supporting documentation for this statement, if requested. I understand that this balance sheet, as well as any other required financial records, will remain confidential information to the extent allowed under the California Public Records Act.

I certify under penalty of perjury under the laws of the State of California that the information contained in this statement is true and correct.

Dated: 12/20/04 Signature: John M. Schabacker

001274

CONTRACTOR INFORMATION FORM

CONTRACTOR: Pioneer Americas, LLC

BID NUMBER: 7217-05-T

CONTRACT TITLE: SODIUM HYPOCHLORITE 12.5% IN SOLUTION

CONTACT PERSON: 7:00 a.m. to 3:30 p.m. customer service

PHONE NUMBER: One (1) Hour Response or Less 800-435-6310

FAX NUMBER: 562-695-2441

PAGER NUMBER: _____

CELL PHONE NUMBER: _____

EMERGENCY NUMBER: 800-435-6310

(For non working hours including weekends and holidays)

NAME OF ON SITE (WORKING) SUPERVISOR: John Bilac, Plant Manager
(Capable of discussing all aspects of the contract)

NAME OF NON-WORKING SUPERVISOR: N/A

NUMBER OF EMPLOYEES ASSIGNED TO JOB SITE: 15

DAYS OF WEEK (EMPLOYEES) ON SITE (CIRCLE): S (M) (T) (W) (TH) (F) S

PRINT NAME: John M. Schabacken

SIGNATURE: *John M. Schabacken*

THIS FORM MUST BE CURRENT AT ALL TIMES. REPORT ANY CHANGES IN WRITING TO THE CONTRACT ADMINISTRATOR.

001075

Certification Survey

For Small, Ethnically and Culturally Diverse,
Woman, Disadvantaged, Disabled Veteran, Or Other Businesses

All Contractors are required to complete this form and return it with their bid package.

Company Name: Pioneer Americas, LLC

Mailing Address: 700 Ygnacio Valley Road, Suite 250
Walnut Creek, CA 94596

Telephone No.: (925) 280-2600

E-Mail Address: john.schabacker@piona.com

- 1. Contractor's company is **currently** certified as small, ethnically and culturally diverse, woman, disadvantaged, disabled veteran, or other business? Yes No

Certification Number/Agency: _____

- 2. Contractor's company has applied for certification? Yes No

If yes, which agency? _____

- 3. Contractor's company is an independently owned business? Yes No

- 4. Contractor's company is 51% or more owned by a socially, economically, disadvantaged individual*? Yes No

5. SIC Code: 2819 NAICS: 325188

6. Number of Employees: 500

7. Annual Gross Receipts (three year average): \$ 350,000,000

- 8. This is not an application for certification. If you would like to receive an application for certification, please check box:

I certify that this information is correct: John Schabacker 12/20/04
Authorized Signature (Date)

* Black Americans, Native Americans, Hispanic Americans, Asian-Pacific Americans, Subcontinent Asian Americans, Women, any additional groups whose members are designated as socially and economically disadvantaged by the Small Business Administration (SBA) at such time as the SBA designation becomes effective.

001276



THE CITY OF SAN DIEGO
EQUAL OPPORTUNITY CONTRACTING
1010 SECOND AVENUE, SUITE 500
SAN DIEGO, CA 92101
PHONE (619) 533-4464 • FAX (619) 533-4474

WORK FORCE REPORT

The objective of the Equal Employment Opportunity is to ensure that contractors doing business with the City, or receiving funds from the City, will not engage in unlawful discriminatory employment practices prohibited by State and Federal law. Such employment practices include, but are not limited to the following: employment, promotion or upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation and selection for training, including apprenticeship.

**NO OTHER FORMS WILL BE ACCEPTED
CONTRACTOR IDENTIFICATION**

Type of Contractor: Construction Vendor/Supplier Financial Institution Lessee/Lessor
 Consultant Grant Recipient Insurance Company Other

Name of Company: Pioneer Americas, LLC

ADA/DBA: N/A

Address (Corporate Headquarters, where applicable): 700 Louisiana Street, Ste 4300

City Houston County Harris State TX Zip 77002

Telephone Number: (713) 570-3200 Fax Number: (713) 225-4426

Name of Company CEO: Mike McGovern

Address(es), phone and fax number(s) of company facilities located in San Diego County (if different from above):

Address: none

City _____ County _____ State _____ Zip _____

Telephone Number: () _____ - _____ Fax Number: () _____ - _____

Type of Business: Chemical manufacturer Type of License: _____

The Company has appointed: Jerry Bradley

As its Equal Employment Opportunity Officer (EEOO). The EEOO has been given authority to establish, disseminate and enforce equal employment and affirmative action policies of this company. The EEOO may be contacted at:

Address: 700 Luisiana Street, Suite 4300, Houston, TX 77002

Telephone Number: (713)-570-3200 Fax Number: (713)-225-4426

For Firm's: San Diego Work Force and/or Managing Office Work Force

I, The undersigned representative of Pioneer Americas, LLC

Contra Costa (County) California (State)

hereby certify that information provided herein is true and correct. This document was executed on this day of 12/20, 2004

(Authorized Signature)

John M. Schabacker, Regional Manager West

(Print Authorized Signature Name)

WORK FORCE REPORT – Page 2

001077
 NAME OF FIRM: Pioneer Americas, LLC DATE: 12/16/04

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) African-American, Black
- (2) Latino, Hispanic, Mexican-American, Puerto Rican
- (3) Asian, Pacific Islander
- (4) American Indian, Eskimo
- (5) Filipino
- (6) Caucasian
- (7) Other ethnicity; not falling into other groups

OCCUPATIONAL CATEGORY	(1) African-American		(2) Latino		(3) Asian		(4) American Indian		(5) Filipino		(6) Caucasian		(7) Other Ethnicities	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Executive, Administrative, Managerial			2	1										
Professional Specialty														
Engineers/Architects														
Technicians and Related Support														
Sales														
Administrative Support/Clerical												1		
Services														
Precision Production, Craft and Repair														
Machine Operators, Assemblers, Inspectors			11											
Transportation and Material Moving														
Handlers, Equipment Cleaners, Helpers and Non-construction Laborers*														

*Construction laborers and other field employees are not to be included on this page

TOTALS EACH COLUMN			13	1								1		
--------------------	--	--	----	---	--	--	--	--	--	--	--	---	--	--

GRAND TOTAL ALL EMPLOYEES	15
---------------------------	----

INDICATE BY GENDER AND ETHNICITY THE NUMBER OF ABOVE EMPLOYEES WHO ARE DISABLED:

DISABLED														
----------	--	--	--	--	--	--	--	--	--	--	--	--	--	--

NON-PROFIT ORGANIZATIONS ONLY:

BOARD OF DIRECTORS														
VOLUNTEERS														
ARTISTS														

WORK FORCE REPORT - Page 3

001578

NAME OF FIRM: Pioneer Americas, LLC DATE: 12/16/04

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) African-American, Black
 - (2) Latino, Hispanic, Mexican-American, Puerto Rican
 - (3) Asian, Pacific Islander
 - (4) American Indian, Eskimo
 - (5) Filipino
 - (6) Caucasian
 - (7) Other ethnicity; not falling into other groups
- Non- Applicable

OCCUPATIONAL CATEGORY	(1) African-American		(2) Latino		(3) Asian		(4) American Indian		(5) Filipino		(6) Caucasian		(7) Other Ethnicities	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
	Carpenter													
Drywall Installer														
Electrician														
Elevator Installers														
Finishers, Concrete or Terrazzo														
Glaziers														
Helpers, Construction Trade														
Ironworkers, Structural Metal Workers														
Laborers														
Millwrights														
Masons, Bricklayers														
Tile setters														
Operators														
Painters														
Pipe fitter, Plumbers														
Plasterers														
Roofers														
Security, Protective Services														
Sheet Metal, Duct Installers														
Welders, Cutters														
TOTALS EACH COLUMN														
GRAND TOTAL ALL EMPLOYEES	[]													
INDICATE BY GENDER AND ETHNICITY THE NUMBER OF ABOVE EMPLOYEES WHO ARE DISABLED:														
DISABLED														



001279

700 Ygnacio Valley Road
Suite 250
Walnut Creek, California 94596
Telephone (925) 280-2600
Fax: (925) 280-4465

December 20, 2004

City of San Diego
Purchasing Division

Re: Bid No. 7317-05-T Sodium Hypochlorite 12.5% in solution – Manufacturing Process

To whom it may concern:

Pioneer Americas is the largest producer of sodium hypochlorite and chlorine in the western U.S. We produce all our own raw materials used in our process which makes us self-sufficient and not dependent on any other sources for materials used in our manufacturing processes. We have a plant in Santa Fe Springs, CA which provides easy access to all major municipal customers from the central valley to the Mexican border.

Our finished product is NSF/ANSI 60 certified and meets all industry standards including AWWA standards for potable water.

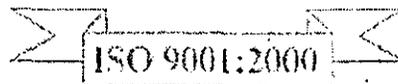
We welcome any potential customers to visit our facilities if they care to learn more about our operations.

Sincerely,

PIONEER AMERICAS, LLC

A handwritten signature in black ink, appearing to read "John M. Schabacker".

John M. Schabacker
Region Manager



001280



USA
Tel: (713) 570-3200
Canada
Tel: (514) 397-6100

SODIUM HYPOCHLORITE 12.5% (w/w) "WATERCARE" GRADE

SALES SPECIFICATIONS	INDEX	hypo12.5%.doc
APPLICABILITY: GENERAL	ISSUED	December 2004
	SUPERSEDES	May 2003

Sodium Hypochlorite	by wt	12.5% min.
Free Alkalinity (as NaOH)	by wt	0.2% min.
	by wt	1.0% max
Iron (Fe)	ppm	2 max.
Copper (Cu)	ppm	0.1 max.
Nickel (Ni)	ppm	0.1 max.
Manganese (Mn)	ppm	0.1 max.
Insolubles	by wt	0.15% max.
Odor		Faint chlorine odor
Appearance		Clear green liquid
Density	g/ml	1.195 approximately

Store in a cool dry area to maintain product quality.

Note 1 : All ppm values are expressed on a weight by weight basis.

Note 2 : This product meets the latest revisions for the following standards :

- NSF/ANSI Standard 60, Drinking Water Treatment Chemicals – Health Effects - 2002
- American Water Works Association (AWWA B300-04)

Contact PIONEER for additional technical information

In the United States, call (713) 570-3200 and in Canada, call (514) 397-6100

Our Quality System is ISO 9001:2000 registered

IMPORTANT: The information presented herein, while not guaranteed, is true and accurate to the best of our knowledge. No warranty or guarantee, express or implied, is made regarding performance, stability or otherwise. While our technical personnel will be happy to respond to questions regarding safe handling and use procedures, safe handling and use remains the responsibility of the customer. No suggestions for use are intended as, and nothing herein shall be construed as, a recommendation to infringe any existing patents or to violate any applicable law.



001281

Memo

To: Kathy Eells
From: John Bilac
CC:
Date: December 17, 2004
Re: (SODIUM HYPOCHLORITE 12.5%)

The bleach that is manufactured at SFS' plant is done with the Powell machine; this is a continuous process. It combines soft water, 50% caustic soda solution and liquid chlorine, which react to form the bleach solution. The hypochlorite and free alkalinity are controlled via the ORP controller and confirmed by lab analysis.

001283



MATERIAL SAFETY DATA SHEET

Sodium Hypochlorite Solution (10 ~ 16% w/w)

SECTION 1 - CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

HOUSTON OFFICE
700 Louisiana Street, Suite 4300
Houston, Texas 77002
U.S. • 1-800-423-4117

MONTREAL OFFICE
630 Rene Levesque Blvd. West, 31st Floor
Montreal, Quebec H3B 1S6
Canada • (514) 397-6100

Product Name: Sodium Hypochlorite Solution (10 - 16% w/w)
CAS#: 7681-52-9 **Major Update:** 05/01/02
MSDS Code: NaOCl (11-19% Trade)-e **Minor Update:** 01/15/03
Synonyms: Sodium Hypochlorite Solution - Trade % (11 - 19), Bleach, Javel Water, Clorox
Product Use: Bleach, disinfectant

Emergency Contacts (24 hr.)

Δ FOR INFORMATION REGARDING ON SITE CHEMICAL EMERGENCIES INVOLVING A SPILL OR LEAK, CALL

U.S.: 1-800-424-9300 - CHEMTREC
Canada: 1-613-996-6666 - CANUTEC

SECTION 2 - COMPOSITION / INFORMATION ON INGREDIENTS

Hazardous Ingredient(s)	% (w/w)	ACGIH	OSHA	CAS NO.
Δ Sodium Hypochlorite	10 - 16	Not established 0.5 ppm (as chlorine)	Not established	7681-52-9
Sodium Hydroxide	0.3 - 4	2 mg/m ³ (ceiling)	2 mg/m ³	1310-73-2

SECTION 3 - HAZARD IDENTIFICATION

Emergency Overview: CORROSIVE! Contact with acid liberates toxic chlorine gas. Causes burns to skin, eyes, respiratory tract and mucous membranes. Harmful or fatal if swallowed. May cause sensitization by skin contact. Toxic to aquatic organisms. Read the entire MSDS for a more thorough evaluation of the hazards.

Potential Health Effects:

Inhalation: Mist can irritate the nose and throat. If mixed with acids, hypochlorite solutions release large amounts of chlorine gas. This gas can cause severe irritation of the nose and throat. Exposure to high levels of chlorine gas may result in severe lung damage.

Skin Contact: Sodium hypochlorite mist and solutions can cause skin irritation. In severe cases, chemical burns may result.

001284

SODIUM HYPOCHLORITE SOLUTION

Major Update : May 1, 2002

Page 2 of 10

Eye Contact: Can cause severe eye irritation and permanent eye injury.

Ingestion: May cause irritation, pain and inflammation of the mouth and stomach, vomiting, shock, confusion, delirium, coma and, in severe cases, death. Perforation of the esophagus or stomach may occur.

Subchronic Effects: SKIN: Prolonged or repeated skin contact with solutions containing as little as 4-6% sodium hypochlorite can cause allergic contact dermatitis. Symptoms include chronic, itchy eczema. Sensitized people can react to very dilute (0.04-0.06% NaOCl) solutions that touch their skin

Existing Medical Conditions Possibly Aggravated by Exposure: Skin irritation may be aggravated in individuals with existing skin lesions. Breathing of vapors or mists may aggravate acute or chronic asthma and chronic pulmonary disease such as emphysema and bronchitis.

Carcinogenicity: Sodium hypochlorite is not classified as a carcinogen by ACGIH (American Conference of Governmental Industrial Hygienists) or IARC (International Agency for Research on Cancer), not regulated as a carcinogen by OSHA (Occupational Safety and Health Administration), and not listed as a carcinogen by NTP (National Toxicology Program).

SECTION 4 – FIRST AID MEASURES

General: If you feel unwell seek medical advice (show the label where possible).

Inhalation: Move victim to fresh air. Give artificial respiration ONLY if breathing has stopped. Do not use mouth-to-mouth method if victim ingested or inhaled the substance: induce artificial respiration with the aid of a pocket mask equipped with a one-way valve or other proper respiratory medical device. Give Cardiopulmonary Resuscitation (CPR) only if there is no pulse AND no breathing. Obtain medical attention IMMEDIATELY.

Skin Contact: Immediately flush skin with running water for at least 15 – 20 minutes. Under running water remove contaminated clothing, jewelry, and shoes. If irritation persists, repeat flushing. For burns, obtain medical attention. Discard heavily contaminated clothing and shoes in a manner, which limits further exposure. Otherwise, wash clothing separately before reuse.

Eye Contact: Immediately flush eyes with running water for a minimum of 20 minutes. Hold eyelids open during flushing. If irritation persists, repeat flushing. Obtain medical attention IMMEDIATELY. Do not transport victim until the recommended flushing period is completed unless flushing can be continued during transport.

Ingestion: DO NOT INDUCE VOMITING. If victim is alert and not convulsing, rinse mouth and give as much water as possible to dilute material. If spontaneous vomiting occurs, have victim lean forward with head down to avoid breathing in of vomitus, rinse mouth and administer more water. IMMEDIATELY transport victim to an emergency facility.

Note to Physicians: Symptomatic. Treatment and supportive therapy as indicated. Do NOT give acidic antidotes such as juice, soft drink, vinegar, etc. This product contains materials that may cause severe pneumonitis if aspirated. If ingestion has occurred less than 2 hours earlier, carry out careful gastric lavage; use endotracheal cuff if available, to prevent aspiration. Observe patient for respiratory difficulty from aspiration pneumonitis. Give artificial resuscitation and appropriate chemotherapy if respiration is depressed. Following exposure the patient should be kept under medical review for at least 48 hours as delayed pneumonitis may occur. Pulmonary edema is likely and may be delayed. Steroid therapy, if given early, may be effective in preventing or alleviating edema.

SECTION 5 – FIRE FIGHTING MEASURES

Flash Point	Not applicable. Not combustible
Flammable Limits (Lower)	Not applicable
Flammable Limits (Upper)	Not applicable
Auto Ignition Temperature	Not applicable
Combustion and Thermal Decomposition Products	Chlorine, sodium oxide, oxygen
Rate of Burning	Not applicable
Explosive Power	Not applicable
Sensitivity to Mechanical Impact	Not applicable

Fire and Explosion Hazards: Sodium hypochlorite is a strong chemical oxidant, but solutions do not support combustion. Reaction with nitrogen compounds, chloroorganic compounds, or easily oxidizable compounds (reducing agents) may be explosive. This material is non-flammable but is decomposed by heat and light, causing a pressure build-up, which could result in an explosion. When heated, it may release chlorine gas. Vigorous reaction with oxidizable or organic materials may result in fire. See Section 10.

Extinguishing Media: For large fires use an all purpose type AFFF alcohol foam resistant medium expansion according to foam manufacturer's recommended techniques. The foam supplier should be consulted for recommendations regarding foam types and delivery rates for specific applications. Use carbon dioxide or dry chemical media for small fires. If only water is available, use it in the form of a fog.

Special Information: Water may be used to cool containers of Hypochlorite solution exposed to heat from a fire. This should be done from a safe distance since containers may rupture.

Move containers from fire area if you can do it without risk. Dike fire control water for later disposal; do not scatter the material.

Fire involving tanks or trailer loads: Fight fire from maximum distance or use unmanned hose holders or monitor nozzles. Do not get water inside containers. Cool containers with flooding quantities of water until well after fire is out. Withdraw immediately in case of rising sound from venting safety devices or discoloration of tank. ALWAYS stay away from the ends of tanks.

Evacuation: If tank or tank truck involved in a fire, ISOLATE and consider evacuation of one-half (½) mile radius.

Fire Fighting Protective Equipment: Firefighters should wear protective equipment and self-contained breathing apparatus with full facepiece operated in positive pressure mode in a fire involving this material. Toxic gas and vapors are produced upon decomposition.

NOTE: Also see "Section 10 - Stability and Reactivity"

SECTION 6 – ACCIDENTAL RELEASE MEASURES**Spills, Leaks, or Releases:**

- Restrict access to area until completion of clean up. Ensure trained personnel conduct clean up.
- Remove all ignition sources (no smoking, flares, sparks or flames). All equipment should be grounded and non-sparking. Ventilate area.
- Wear adequate personal protective equipment. Do not touch spilled material.
- Stop leak if possible without personal risk.
- Small spills: Cover with DRY earth, sand or other non-combustible material. Use clean non-sparking tools to collect material and place it into loosely covered plastic containers for later disposal. Rinse area with water.

SODIUM HYPOCHLORITE SOLUTION

Major Update : May 1, 2002

Page 4 of 10

- **Large spills:** Prevent entry into sewers and confined areas. Dike with inert material (sand, earth, etc.). Contact fire and emergency services and supplier for advice. Collect product for recovery or disposal by pumping it into polyethylene containers. Consider in-situ neutralization and disposal. Ensure adequate decontamination of tools and equipment following clean up. Collect contaminated soil and water, and absorbent for proper disposal. Comply with Federal, Provincial/State and local regulations on reporting releases.

Deactivation for Small Spills: Hypochlorite can be broken down by covering it with a reducing agent such as sodium sulfite or sodium thiosulfate.

Deactivating Chemicals: Use sodium sulfite or diluted hydrogen peroxide to reduce the material. Ensure there is no chlorine residue before neutralizing with a weak solution of hydrochloric or sulfuric acid.

Waste Disposal Methods: Dispose of waste material at an approved waste treatment/disposal facility, in accordance with applicable regulations. Do not dispose of waste with normal garbage or to sewer systems.

- Note:**
- Clean-up material may be a RCRA Hazardous Waste on disposal.
 - Spills are subject to CERCLA reporting requirements: RQ = 100 lbs.

SECTION 7 – HANDLING AND STORAGE

Precautions: Have emergency equipment (for fires, spills, leaks, etc.) readily available. Ensure all containers are labeled. Wear appropriate Personal Protection Equipment. People working with this chemical should be properly trained regarding its hazards and its safe use.

Handling Procedures and Equipment: Avoid generating mist. Use smallest possible amounts in designated areas with adequate ventilation. Keep containers closed when not in use. Empty containers may contain hazardous residues. Use corrosion-resistant transfer equipment when dispensing.

Storage Requirements: Store in a cool, dry, well-ventilated area, out of direct sunlight. Store containers at 15 – 29°C (59 – 84°F). Do not store above 30°C (86°F) or below freezing point. Keep containers tightly closed when not in use and when empty. Protect from damage. Vent caps should be checked with full personal protection. Store away from incompatible materials such as reducing materials, strong acids, nitrogen compounds, copper, nickel and cobalt. Use corrosion-resistant structural materials and lighting and ventilation systems in the storage area. This product has a shelf life of up to six months at 60°F or lower.

Outdoor storage tanks should be suitably diked or otherwise provided with an adequate means of secondary containment. Appropriate secondary containment measures should be taken to prevent spills or leaks from indoor storage tanks and tank-truck unloading stations from entering sewers or other channels that discharge directly to a water body or a municipal sewage system.

SECTION 8 – EXPOSURE CONTROLS / PERSONAL PROTECTION**PREVENTIVE MEASURES**

Recommendations listed in this section indicate the type of equipment, which will provide protection against over exposure to this product. Conditions of use, adequacy of engineering or other control measures, and actual exposures will dictate the need for specific protective devices at your workplace.

Engineering Controls: Local exhaust ventilation should be applied wherever there is an incidence of point source emissions or dispersion of regulated contaminants in the work area. Ventilation control of the contaminant as close to its point of generation is both the most economical and safest method to minimize personnel exposure to airborne contaminants. The most effective measures are the total enclosure of processes and the mechanization of handling procedures to prevent all personal contact. Smoking should be prohibited in areas in which sodium hypochlorite solution is stored or handled.

PERSONAL PROTECTIVE EQUIPMENT

Eye Protection: Wear splash resistant chemical goggles and full-face shield. Maintain eye wash fountain and quick-drench facilities in work area.

Skin Protection: Wear impervious protective clothing, including boots, gloves, lab coat, apron, rain jacket, pants or coveralls, as appropriate, to prevent skin contact.

RECOMMENDED (resistance to breakthrough longer than 8 hours): butyl rubber, natural rubber, neoprene, nitrile rubber, polyethylene, Viton™, Saranex™, Responder™.

Recommendations are valid for permeation rates reaching 0.1 ug/cm²/min or 1 mg/m²/min and over. Resistance of specific materials can vary from product to product. Breakthrough times are obtained under conditions of continuous contact, generally at room temperature. Evaluate resistance under conditions of use and maintain clothing carefully.

Respiratory Protection: A NIOSH/MSHA approved air-purifying respirator equipped with acid mist cartridges for concentrations up to 10 times the TLV. Use a supplied air respirator if concentrations are higher or unknown.

EXPOSURE GUIDELINES

PRODUCT :

Sodium Hypochlorite

Workplace environmental exposure level guides (WEELS) / American Industrial Hygiene Association (AIHA) / 2001 short-term time weighted average ; 2 mg/m³; 15 minute

	Sodium Hypochlorite	Chlorine*	Sodium Hydroxide
ACGIH TWA	Not established	0.5 ppm	Not established
OSHA PEL	Not established	0.5 ppm	2 mg/m ³
NIOSH IDLH	Not established	10 ppm	Not established
ACGIH-STEEL	Not established	1 ppm	Not established
OSHA STEEL	Not established	1 ppm as Cl ₂	Not established
NIOSH (15 min. ceiling)	Not established	0.5 ppm	Not established
ACGIH Ceiling	Not established	Not established	2 mg/m ³

* Chlorine may be present as a decomposition product.

SECTION 9 – PHYSICAL AND CHEMICAL PROPERTIES

Alternate Name(s)	Hypochlorous acid, Clorox, Javel water, bleach
Chemical Name	Sodium hypochlorite
Chemical Family	Hypochlorous acid salt
Molecular Formula	Na-O-Cl
Molecular Weight	74.4
Appearance	Green to yellow, watery liquid
Odor	Pungent chlorine-like odor
PH	11-13
Vapor Pressure (mm Hg at 21°C(69.8°F))	12 mmHg
Vapor Density (Air = 1)	No data
Boiling Point	Decomposes above 40°C (104°F)
Freezing Point	7.5°F (-13.6°C)
Solubility (Water)	Completely
Specific Gravity	About 1.198 (12.5% w/w solution) @ 20°C (68°F)
Evaporation Rate	Not available
% Volatile by Volume	Not available

SECTION 10 – STABILITY AND REACTIVITY

Chemical Stability: Stable at room temperature.

Hazardous Decomposition Products: Thermal decomposition: Chlorine, sodium oxide, oxygen, oxides of chlorine, sodium chlorate, and hydrogen.

Conditions to Avoid: Keep away from high heat, and sunlight or ultra-violet light. Do not store above 30°C (86°F). Do not allow solutions to evaporate dry. Keep away from incompatibles.

Incompatibility with other Substances: May react violently with strong acids producing chlorine gas, which is toxic. Other incompatibles include organic material, cellulose, oxidizable materials, ammonia, urea, ammonium salts, ethyleneimine, cyanides, nitrogen compounds, alcohols, metals, and metal oxides. Reacts with metals to produce flammable hydrogen gas. Metal and metal oxide catalysts decompose hypochlorites, evolving oxygen and often causing explosions. May react explosively with nitrogen containing compounds or form chloramines, which are explosive. Alkaline hypochlorite solutions may react explosively with some chloroorganic compounds.

Corrosivity to Metals: Solutions can be corrosive to many metals.

Hazardous Polymerization: Will not occur.

SECTION 11 – TOXICOLOGICAL INFORMATION**TOXICOLOGICAL DATA****Sodium Hypochlorite:**

Toxicity Data: TD_{L0} (Lowest published toxic dose) oral-woman- 1 gm/kg
45 mg/kg intravenous-man TD_{L0}
LD₅₀ oral rat- 8910 mg/kg
LD₅₀ oral mouse- 5800 mg/kg

Δ

LC₅₀ rat- >10500 mg/m³ (1 hr)

Δ Irritation Data: Eyes: One drop of 15% solution (pH 11.2) caused immediate severe pain. If not quickly washed off with water, it caused bleeding and swelling of the tender tissue surrounding the eye (conjunctiva) and damage with swelling to the front part of the eye (cornea). The eyes sometimes healed in two to three weeks with slight or no scar damage to the cornea.

Skin: A solution of 3.5% NaOCl applied to rabbit skin for 15 or 30 minutes caused severe skin damage.

Sodium Hydroxide:

Irritation data: 500 mg/24 hour(s) skin-rabbit severe; 400 µg eyes-rabbit mild;
1 percent eyes-rabbit severe;

Toxicity data: 1350 mg/kg skin-rabbit LD₅₀; 104-340 mg/kg oral-rat LD₅₀

Mutagenicity: Sodium hypochlorite caused mutations in several short-term studies using bacteria and cultured mammalian cells. The significance of these tests is unclear. It was not mutagenic in tests (chromosome aberration and micronucleus) on live animals.

Reproductive Effects: High doses of NaOCl in drinking water caused a small but significant increase in abnormal sperm in mice.

Teratogenicity and Fetotoxicity: No data available

Carcinogenicity: See Section 3, page 2.

Synergistic Materials: None known

SECTION 12 – ECOLOGICAL INFORMATION

Ecotoxicological Information: Harmful to aquatic life in low concentrations.

Fish Toxicity: LC₅₀ (48 hr) rainbow trout 0.07 mg/l.
LC₅₀ (96 hr) fathead minnow 5.9 mg/l.

Invertebrate and Microbial Toxicity: LOEC Oncorhynchus kisutch 0.02 mg/l.

Persistence and Degradation: No data available.

SECTION 13 – DISPOSAL CONSIDERATIONS

Review federal, state and local government requirements prior to disposal.

Do not dispose of waste with normal garbage, or to sewer systems.

Whatever cannot be saved for recovery or recycling, including containers should be managed in an appropriate and approved waste disposal facility. Processing, use or contamination of this product may change the waste management options.

RCRA: Test waste material for corrosivity, D002, prior to disposal.

SECTION 14 – TRANSPORT INFORMATION

	TDG CLR *	DOT
Shipping Name	Hypochlorite Solution – with more than 7 percent available chlorine	Hypochlorite Solution
Hazard Class / Division	8: Corrosive	8: Corrosive
Identification No.	UN1791 II	UN1791 II
ERAP/RQ	N/AP	N/AP

- Δ Note: * TDG CLR (Clear Language Regulations) became effective August 15, 2002
- Δ IATA/ICAO Shipping Description: Hypochlorite solution, Class 8, UN1791, PG II or III is accepted for air transport.
- Δ For Chemical Emergencies In Transportation Requiring Activation Of Pioneer 24 Hour Emergency Response Plan Call:
 U.S. 1-800-424-9300 – Chemtrec
 Canada 1-819-294-6633

SECTION 15 – REGULATORY INFORMATION**USA CLASSIFICATION**

OSHA Classification: Hazardous by definition of Hazard Communication Standard (29 CFR 1910.1200)

SARA Regulations sections 313 and 40 CFR 372: N

SARA Hazard Categories, SARA SECTIONS 311/312 (40CFR370.21):

ACUTE: Y

CHRONIC: N

FIRE: N

REACTIVE: N

SUDDEN RELEASE: N

OSHA PROCESS SAFETY (29CFR1910.119): N

CERCLA SECTION 103 (40CFR302.4): Y

Reportable Quantity (RQ) under CERCLA: 100 lbs. (45.4 kg)

TSCA Inventory Status: Y

- Δ Other Regulations/Legislation which apply to this product:
 Right-to-Know/Disclosure Lists: Illinois, Massachusetts, New Jersey, Pennsylvania,
 This product does not contain nor is it manufactured with ozone depleting substances.

CANADIAN CLASSIFICATION

This product has been classified in accordance with the hazard criteria of the CPR (Controlled Products Regulations) and this MSDS (Material Safety Data Sheet) contains all the information required by the CPR.

- Δ Controlled Products Regulations (WHMIS) Classification:
 D2B: Material causing other toxic effects -Toxic
 E: Corrosive

CEPA / Canadian Domestic Substances List (DSL): Y

WHMIS Ingredient Disclosure List: Meets criteria for disclosure at 1% or greater.

EINECS Number: 231-668-3

SECTION 16 - OTHER INFORMATION

The information contained herein is offered only as a guide to the handling of this specific material and has been prepared in good faith by technically knowledgeable personnel. It is not intended to be all-inclusive and the manner and conditions of use and handling may involve other and additional considerations. No warranty of any kind is given or implied and PIONEER will not be liable for any damages, losses, injuries or consequential damages that may result from the use of or reliance on any information contained herein. This Material Safety Data Sheet is valid for three years.

Revision Indicators:

- Δ In the left margin indicates a revision or addition of information since the previous issue.

National Fire Protection Association (NFPA) Rating
Hazardous Materials Identification System (HMIS) Rating

Δ

	NFPA	HMIS
HEALTH	3	3
FIRE	0	0
REACTIVITY	1	1

4 = Extreme/Severe
 3 = High/Serious
 2 = Moderate
 1 = Slight
 0 = Minimum
 W = Water Reactive

REFERENCE

- American Water Works Association, ANSI/AWWA B300-99, AWWA Standard for Hypochlorites, Colorado, Oct 1999
- Bretherick's Handbook of Reactive Chemical Hazards, 4th Ed, Butterworth & Co. Ltd., 1990
- Chemlist, STN Database, Chemical Abstract Service, Feb 2002
- "CHEMINFO", through "CCINFODisc", Canadian Centre for Occupational Health and Safety, Hamilton, Ontario, Canada, (Feb 2002).
- Chemical Hazards Response Information System (CHRIS), CCOHS, Feb 2002.
- HSDB- Hazardous Substances Data Bank, CCOHS, Feb 2002
- RTECS-Registry of Toxic Effects of Chemical Substances, Canadian Centre for Occupational Health and Safety RTECS database National Institute for Occupational Safety and Health, U.S. Dept. of Health and Human Services, Cincinnati, Entry Update/Feb 2002.
- "2001 Threshold Limit Values and Biological Exposure Indices", American Conference of Government Industrial Hygienists, 2001.
- Merck, 11th Edition, 1989

LEGEND

ACGIH	- American Conference of Governmental-Industrial Hygienists
CAS #	- Chemical Abstracts Service Registry Number
CERCLA	- Comprehensive Environmental Response, Compensation, and Liability Act
CFR	- Code of Federal Regulations
DOT	- Department of Transportation
EPA	- Environmental Protection Agency
IDLH	- Immediately Dangerous to Life and Health
LC ₅₀	- The concentration of material in air expected to kill 50% of a group of test animals
LD ₅₀	- Lethal Dose expected to kill 50% of a group of test animals
MSHA	- Mine Safety and Health Administration
NIOSH	- National Institute for Occupational Safety and Health
OSHA	- Occupational Safety & Health Administration
PEL	- <i>Permissible Exposure Limit</i>
PVC	- Polyvinyl chloride
RCRA	- Resource Conservation and Recovery Act
SARA	- Superfund Amendments and Reauthorization Act of the U.S. EPA
STEL	- Short Term Exposure Limit
TDG	- Transportation of Dangerous Goods Act/Regulations
TLV	- Threshold Limit Value
TSCA	- Toxic Substances Control Act
TWA	- Time-Weighted Average

Prepared by : Pioneer
(905) 403-2745