



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...		GENERAL MANAGER ACTION REQ'D: No		
DATE: 7/8/2025 8/8/2025		BOARD INITIATED ITEM: Yes		
Originator/Prepared by: Cristiano Torresi Dept: Strategic Administrative Group Signature/Date: DocuSigned by: <i>Cristiano Torresi</i> 15AD466D82FA476... 8/7/2025		General Counsel DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D... 8/7/2025 []	Chief Financial Officer Signed by: <i>Shirley Beach</i> 7D9A7C6E7348456... 8/7/2025 []	District Secretary DocuSigned by: <i>Robert Franklin</i> AFF4529E1F0D45C... 8/8/2025 []
		BARC DocuSigned by: <i>Shane Edwards</i> 8128A2EB2F014F3... 8/7/2025 []		

AWARD OF IFB 9148 - Hazardous Waste and Materials Storage Shed

PURPOSE: To request Board Authorization to Award Invitation For IFB 9148 for Hazardous Waste and Materials Storage Shed to U.S Chemical Storage LLC. in the amount of \$374,082 (including all taxes) for a period of (1) one year.

DISCUSSION: The existing storage units have reached the end of their serviceable life and require replacement. These units are equipped with outdated and non-functional fire suppression systems and exhibit significant structural defects. Additionally, the protective coatings have deteriorated to the point where they no longer effectively safeguard against fire and corrosion.

Replacing these units will ensure BART facilities comply with OSHA, Fire Life Safety, and environmental regulations. Moreover, it will safeguard the well-being of BART employees and contractors who rely on these facilities daily. Inadequate storage facilities can lead to non-compliance, resulting in fines and legal issues. They also expose employees and visitors to potential hazards, including chemical exposure, injuries, and equipment damage.

Investing in new hazardous waste/material storage sheds is essential to maintain regulatory compliance, enhancing safety, protecting the environment, and mitigating BART's liability risks associated with potential chemical releases.

A notice requesting bids was published on 3/24/25. On the same day, this solicitation was uploaded onto the BART Vendor Portal. Correspondence was sent to 5 prospective bidders inviting them to view the solicitation on the Vendor Portal. A total of 9 prospective bidders downloaded the solicitation. Bids were opened on 5/6/25, and 2 bids were received.

Bidder	Unit Price (9) each	Grand Total
1. U.S. CHEMICAL STORAGE LLC	\$41,564.67	\$ 374,082.03
2. BIZON GROUP, INC.	Non-compliant with specs	

Independent cost estimate by BART staff: \$457,200

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 5% Small Business Prime Preference for this Invitation for Bid for Small Businesses certified by the California Department of General Services. The only responsive Bidder, US Chemical Storage LLC, is not a certified Small Business and, therefore, is not eligible for the 5% Small Business Prime Preference.

Staff has determined that the apparent low bidder, US Chemical Storage LLC. has submitted a responsive bid. Staff has also determined that the bid pricing is fair and reasonable based upon the independent cost estimate.

The Office of the General Counsel will approve the Agreement as to form.

FISCAL IMPACT: The \$374,082 authorization to award Invitation For Bid # 9148 contributes to Fiscal Year 2025 - System Reinvestment expenditure amount of \$250,513,587.

The table below lists funding assigned since project inception date of 06/20/201.

Funding Sources:

<u>Project</u>	<u>Project Description</u>	<u>Fund Group</u>	<u>Fund Description</u>	<u>Amount</u>
79NB001	RS&S Tools and Equipment	BART	Capital Allocations	12,128,036
Total Project Funding				12,128,036

As of July 10, 2025, the table below lists the current budget for the project:

<u>Project</u>	<u>Budget</u>	<u>Expense</u>	<u>Encumbrance</u>	<u>Pre-Encumbrance</u>	<u>Available Budget</u>
79NB001	12,128,036	4,987,146	3,272,749	921,105	2,947,036

Total Budget	12,128,036	4,987,146	3,272,749	921,105	2,947,036
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The Office of the Chief Financial Officer certifies that funds are currently available to meet this obligation.

This action is not anticipated to have any Fiscal Impact on unprogrammed District reserves.

ALTERNATIVES: The alternative to awarding this Contract would be to reject all bids and re-advertise the Contract. Staff does not believe that re-advertising the Contract will result in lower prices.

RECOMMENDATION: It is recommended that the Board adopt the following motion.

MOTION: The General Manager is authorized to award IFB No. 9148 for Hazardous Waste and Materials Storage Shed to US Chemical Storage LLC. in the amount of \$374,082.03 (inclusive of all taxes), pursuant to notification to be issued by the General Manager, subject to compliance with District's Protest Procedures.