

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 3/27/2024

Staff Report No. 20-467c

TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager/Chief Executive Officer
SUBJECT: GEMS Environmental Services Contract

ACTION ITEM

AGENDA PLANNING REQUEST:

RECOMMENDED ACTION(S):

Consider approving an increase to contract 2022-1540 to GEMS Environmental Services, Inc. for the removal and disposal of unforeseen contaminated soil and water at the Emeryville (D2) Division Underground Tank Removal Project.

Staff Contact:
Ramakrishna Pochiraju, Executive Director of Planning & Engineering

STRATEGIC IMPORTANCE:

Goal - Environmental Improvement
Initiative - Infrastructure Modernization

This contract increase will allow the District to remove and dispose of unforeseen contaminated soil and water at D2 in accordance with the directions from and regulations of the Alameda County Department of Environmental Health (ACDEH), and to comply with SB 445 in advance of the statutory deadline.

BUDGETARY/FISCAL IMPACT:

The project is fully funded with State of Good Repair (STA-SGR Capital) funds and has an adequate allocated budget to accommodate this contract increase. The original contract in the amount of \$525,803 was approved by Staff Report 20-467a on December 8, 2021.

During the project execution, \$59,355 in Contract Change Orders were approved by Staff primarily to provide for compatibility of the day tank on the Division's back-up power generator, bringing the contract total to \$585,158.

The proposed \$60,000 contract increase raises the total contract value to \$645,158 and represents a 22.7% increase above the original contract value as shown below.

The Original Contract Value	\$525,803.00	100.00%
Previous Staff Approved Changes	\$59,354.96	11.29%

Previous Contract Total	\$585,157.96	111.29%
This Change Request	\$60,000.00	11.41%
Revised Contract Total	\$645,157.96	122.70%

BACKGROUND/RATIONALE:

On December 8, 2021, AC Transit awarded a contract to GEMS Environmental Systems, Inc. for \$525,803 to remove a single-wall underground diesel storage tank and replace it with a new double-wall containment aboveground storage tank as required for compliance with California SB 445 and the standards of the ACDEH.

The installation of the new aboveground tank moved forward, experiencing only minor issues related to system compatibility with the legacy day tank on the Division’s back-up power generator. A new day tank had to be provided and installed, resulting in a staff-approved Contract Change Order of \$59,355. The new tank was successfully commissioned before the removal of the old tank began.

Once the old single-wall tank was removed, soil samples were taken and tested from beneath the transition piping, the sidewalls of the tank pit and the stockpiles of excavated soil. Water samples from within the containment liner of the tank pit were also taken and tested. Eighteen (18) drums of water and 44.34 tons of excavated soil were profiled and transported under manifest to hazmat disposal facilities per ACDEH guidelines.

The transport and disposal of the excavated soil and water represent extra work not included in the base contract, resulting in this request for a contract increase. The original contract award in the amount of \$525,803, plus \$59,355 in staff approved Contract Change Orders, establish a current contract value of \$585,158. The \$60,000 request will create a new Board approved value of \$645,158, an increase of 22.7% from the original contract value.

ADVANTAGES/DISADVANTAGES:

Properly removing and disposing of the contaminated soil and water ensures the District is in compliance with ACDEH requirements and guidelines, while fulfilling the SB 445 requirements, at the Emeryville (D2) Division.

Staff has not identified any disadvantages.

ALTERNATIVES ANALYSIS:

Staff considered retaining the contaminated soil onsite and bio-remediating the hydrocarbons; however, this approach is not recommended. Stockpiling hydrocarbon-contaminated soil over an undetermined period with an open excavation is not a prudent approach as it would have negatively impacted the continuous on-going operations of the Division. There was no alternative to the water disposal.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Staff Report 20-467: Single-Wall Underground Storage Tank Replacement at D2 (Emeryville) Permission to Solicit

Staff Report 20-467a: Single-Wall Underground Storage Tank Replacement at D2 (Emeryville) Contract Award to GEMS Environmental.

Board Policy 465, Procurement Policy

ATTACHMENTS:

None

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