Panel for Educational Policy
Contract Agenda
October 15, 2013

Item: 1 **Description:** Removal, restoration and/or disposal of students and administrative documents.

Term: 1 year **Options:** None **Funding:** FEMA

Division: Division of Financial Systems and Business Operations **Contract Type:** Requirements

Vendor Name	Estimated Annual Amount
BMS CAT, Inc.	$1,250,000

Item: 1

Description:

Removal, restoration and/or disposal of students and administrative documents.

REQUEST FOR AUTHORIZATION TO CONTRACT WITH BMS CAT FOR DOCUMENT REMOVAL, RESTORATION, AND DISPOSAL SERVICES

Estimate Contract Amount	Funding Source	Contract Term	Options	Procurement Method	Is Contract Retroactive?	Contract Type
$1,250,000	FEMA	One Year	None	Emergency Procurement	Yes	Requirements

Vendor's Name & Address	BMS CAT, Inc. 303 Arthur Street Fort Worth, TX 76107

Service Requestor	Lead Contracting Officer	Division of Contracts and Purchasing
William Goldband Chief Administrator Financial Services and Business Operations	Richard Carlo Executive Director Financial Services and Business Operations	Andrea Black Director School Based Procurement

PURPOSE

Authorization is requested to contract with BMS CAT, Inc. for the removal, restoration, and/or disposal of student and administrative records that have been contaminated by storm water caused by Hurricane Sandy. Funding will be provided by the Federal Emergency Management Administration (FEMA).

DISCUSSION

Flood waters from Hurricane Sandy were known to have damaged approximately 9,000 boxes of student and administrative records in 32 schools and a DOE administrative office building. This emergency situation required an immediate response to mitigate the damage and stop further deterioration of these documents.

The Office of Financial Services and Business Operations (FSBO) requested the assistance of the Division of Contracts and Purchasing (DCP) to secure a vendor to perform these services.

The DOE sought proposals from multiple vendors, including those listed under the applicable U.S. General Services Administration (GSA) contract. The rates quoted were per box, including general labor, supplies and equipment, freezer stabilization, and transportation. The prices ranged from $135.45 to $360.08 per box, with BMS CATS offering the lowest price, as shown in the following table:

	Vendor's Name	Per Box Rate (>5K Boxes)
1.	**BMS CAT**	**$135.45**
2.	Document Reprocessors	$165.54
3.	TERS	$175.20
4.	Polygon	$243.00
5.	ServPro	$360.08

Due to the urgency of this matter, the Executive Director of DCP issued an Emergency Declaration dated January 30, 2013, awarding a contract to BMS CATS.

The contract required the vendor to:

- Maintain confidentiality with respect to student and other confidential records;
- Adhere to the schedule provided by the DOE for each site;
- Provide flexible work hours;
- Respond to the New York State Education Department questions on their protocol and implement any changes deemed unacceptable; and
- Offer the following service actions:
  - Initial assessment (provide written protocol on all aspects of the work)
  - Retrieving/Packing
  - Drying
  - Packing
  - Sterilization/Cleaning
  - Unrecoverable documents must be destroyed by incineration
  - Deodorization
  - Gamma Irradiation
  - Freezing Stabilization
  - Inventory/Photography
  - Transportation.

Subsequent to the approval of the emergency declaration, Document Reprocessors, the second vendor awarded pursuant to the same emergency declaration, stated they would not be able to perform the services in a timely manner. Having completed services, we note that the actual box quantity was 15,000, 6,000 boxes more than the original estimate for this requirements contract.

Pricing has been determined to be fair and reasonable based on the competitive nature of the procurement and given that we're using GSA pricing.

DCP's Vendor Research & Price Analysis Unit conducted a full background review and revealed no adverse findings. Additionally, because this is a GSA contract, VENDEX is not required. BMS CATS's services were monitored and supervised by the DOE throughout the entire project because the vendor is new to the DOE. BMS CATS provided satisfactory service in accordance with the emergency declaration and has therefore been determined to be responsible.

This contract is retroactive due to the emergency need for these services.