


Date: May 27, 2026

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 26-05-18 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING A CONTRACT WITH BAYOTECH, INC. FOR THE SUPPLY AND DELIVERY OF GASEOUS LOW CARBON INTENSITY HYDROGEN FOR THE FUEL-CELL ARTICULATED BUS SUBFLEET**

1. Purpose of Item

This Resolution requests authorization for the General Manager or his designee to execute a contract (Contract) with BayoTech, Inc. (BayoTech) for the supply and delivery of Gaseous Low Carbon Intensity Hydrogen for the Fuel-Cell Articulated Bus Subfleet (Project).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other _____

3. Type of Contract Procurement

- Low Bid / Invitation to Bid (ITB)
- Request for Proposals (RFP) (inc. CM/GC, Architecture & Engineering services)
- Other: Two-Step / Invitation to Bid (ITB)

4. Reason for Board Action

The TriMet Board of Directors' (Board) authorization is required for all contracts obligating TriMet to pay in excess of \$2,000,000.

5. Type of Action

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading
- Other _____

6. Background

A portion of bus service for the TriMet FX® - Frequent Express established through the 82nd Avenue Transit Project will be provided by a subfleet of 15 articulated fuel-cell electric buses (FCEB). This will represent TriMet's first deployment of hydrogen-powered transit vehicles.

FCEBs rely on a highly refined, low-carbon hydrogen fuel to operate safely and efficiently. Once in full revenue service, the subfleet is expected to consume up to 500 kilograms (kg) of hydrogen per day.

Before TriMet can proceed with major capital commitments on the 82nd Avenue Transit Project - such as procuring FCEBs, upgrading maintenance bays, and constructing a gaseous hydrogen fueling station at the Powell Operations Facility - we must first secure a reliable, regionally-sourced supply of low-carbon hydrogen. TriMet needs delivery assurance and price certainty in order to move forward.

To address this, staff developed a two-step Invitation for Bid process to competitively establish the market cost of hydrogen fuel over a five-year baseline period, aligned with the bus production and deployment schedule. In Q4 2027, we expect to obtain a pilot FCEB to test and validate the design, performance and maintainability before full subfleet production, with all 15 FCEBs delivered by Q3 2028 for further testing and commissioning. Revenue service is planned to begin in summer 2029. Sufficient hydrogen supply is necessary to support these key milestones.

This action is time-sensitive. Acting now allows TriMet to:

- Lock in predictable fuel pricing for budget planning,
- Reduce exposure to future market volatility, and
- Support the development of a regional low-carbon hydrogen supply chain.

This Resolution would authorize a contract award to BayoTech in the amount of up to \$8,344,120, with a contract term of five (5) years. This action will help ensure the 82nd Avenue Transit Project remains on schedule to launch FCEB FX service along 82nd Avenue.

TriMet has received multiple grants for FCEBs and hydrogen fueling infrastructure. The Federal Transit Administration Small Starts Program is expected to contribute \$150 million to the 82nd Avenue Transit Project. Almost all match funding will come from local, regional, state, and other flexible federal sources awarded for hydrogen or at least zero-emissions buses.

7. Description of Procurement Process

TriMet used a two-step procurement process for the supply and delivery of gaseous low carbon intensity hydrogen for the FCEB subfleet. A two-step procurement process combines elements of competitive proposals and sealed bids (pricing) as follows:

- Step-One: Request for submission of unpriced Technical Proposals
- Step-Two: Invitation to Bid pricing from technically qualified firms from Step-One

Step-One was issued on October 17, 2025, with a due date of November 7, 2025. A pre-bid meeting was held on October 24, 2025, with a total of ten (10) firms in attendance. TriMet received six (6) technical proposals in total, four (4) of which were determined to be responsive. Those Bidders were:

- BayoTech
- Enliven Energy, Inc.
- OneH2

- ZeroUp Energy, Inc.

TriMet appointed an Evaluation Committee (EC) consisting of TriMet staff from the Planning, Finance & Administrative Services, Maintenance, and Engineering & Construction divisions to evaluate technical proposals. The EC evaluated each Bidder's qualifications and written responses to the requirements of Step-One. The evaluation criteria included Bidder Qualifications, Staff Qualifications, Certified Small Business Utilization and Workforce Hiring & Training, and a Work Plan.

In order to advance to Step-Two, Bidders were required to (1) show their technical proposal has a satisfactory approach, and (2) have satisfactory qualifications in order to carry out that approach to meet TriMet's minimum requirements. After completing the evaluations, the EC determined that only BayoTech met all minimum requirements. BayoTech advanced to Step-Two and was invited to submit pricing.

Step-Two was issued on November 18, 2025, with a due date of December 1, 2025. BayoTech's bid was \$8,344,120. The per kilogram hydrogen fuel price will decrease over the five (5) year contract supply period as TriMet scales its FCEB subfleet and, thus, requires larger fuel volumes. We expect a significant reduction in freight costs to occur in Year 2 as BayoTech's source of fuel supply shifts from Pittsburg, CA in Year 1 to Arlington, OR beginning in Year 2. Full bid pricing is listed below.

Fuel Price (5 year term)	Delivery Period				
	Year 1 2027	Year 2 2028	Year 3 2029	Year 4 2030	Year 5 2031
Estimated kgs dispensed in one year	2,600	36,500	91,400	146,000	146,000
Fuel (including fees, taxes): \$/kg	\$15.00	\$14.10	\$12.60	\$12.20	\$11.90
Freight Cost (including fees, taxes): \$/kg	\$45.70	\$14.50	\$7.40	\$6.10	\$6.20
Total Fuel and Freight Cost: \$/kg	\$60.70	\$28.60	\$20.00	\$18.30	\$18.10
Estimated Annual Cost:	\$157,820	\$1,043,900	\$1,828,000	\$2,671,800	\$2,642,600

Grand Total Gaseous Hydrogen (Y1-Y5)	\$8,344,120
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TriMet's Independent Cost Estimate (Cost Estimate) for the delivered price of gaseous hydrogen fuel was \$25 to \$45 per kg. BayoTech's delivered price of gaseous hydrogen fuel was found to be fair and reasonable in comparison with TriMet's Cost Estimate.

TriMet determined that BayoTech was the lowest responsive and responsible Bidder.

Notice of Intent to Award was sent to all proposers on January 27, 2026. No protests were received.

8. Financial/Budget Impact

The cost of the requested yearly estimated fuel amount is included in the Maintenance Division's proposed FY 2027 Budget and will be included in future year Maintenance Division budgets. The funding source for this project is TriMet general fund.

9. Impact if Not Approved

If the Board does not authorize proceeding with the hydrogen fuel and delivery contract, TriMet will be unable to establish price certainty and secure supply of low-carbon hydrogen. As a result, the schedule to launch FX FCEB service along 82nd Avenue would be put at risk, including delays with FCEB procurement and facility construction. Furthermore, TriMet would remain vulnerable to market volatility and supply disruptions from an unstable regional hydrogen market. Overall, the Project would likely face significant delays, cost escalation potentially in excess of \$10 million, and potential loss of momentum to shape and support the development of a regional hydrogen supply chain.

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WHEREAS, TriMet has authority under ORS 267.200 to enter into a contract with BayoTech, Inc. for the supply and delivery of Gaseous Low Carbon Intensity Hydrogen for the Fuel Cell Articulated Bus Subfleet (Contract); and

WHEREAS, by Resolution No. 25-06-29 dated June 25, 2025, the TriMet Board of Directors adopted a Statement of Policies requiring it to authorize contracts obligating TriMet to pay in excess of \$2,000,000; and

WHEREAS, the total amount of the Contract exceeds \$2,000,000;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Contract shall conform with applicable law.
2. That the General Manager or his designee is authorized to execute the Contract in the amount of not more than \$8,344,120, with a contract term of five (5) years.

Dated: May 27, 2026



Attest:



Recording Secretary

Presiding Officer

Approved as to Legal Sufficiency:



Legal Department