



**SCOPE CHANGES SUBCOMMITTEE OF THE
TECHNICAL ADVISORY COMMITTEE OF THE MOBILE SOURCE
AIR POLLUTION REDUCTION REVIEW COMMITTEE**

AGENDA

Thursday, August 4, 2022 at 12:45 p.m.

Pursuant to Assembly Bill 361, the Scope Changes Subcommittee meeting will only be conducted via video conferencing and by telephone. Please follow the instructions below to join the meeting remotely.

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION AT BOTTOM OF AGENDA

Join Zoom Webinar Meeting - from PC or Laptop

<https://scaqmd.zoom.us/j/95514671868>

Zoom Webinar ID: 955 1467 1868 (applies to all)

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Audience will be allowed to provide public comment through telephone or Zoom connection during public comment periods

PUBLIC COMMENT WILL STILL BE TAKEN

Subcommittee Members

Jason Farin, representing Riverside County Board of Supervisors

Minh Le, representing County of Los Angeles

Kelly Lynn, representing San Bernardino County Transportation Authority

Tim Olson, Air Pollution Control Expert

Derek Winters, representing California Air Resources Board

*Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't Code Section 54954.3(a)). If you wish to comment on an agenda item or during the public comment period, please "raise your hand" on Zoom or dial *9 on your phone. All agendas for regular meetings are posted at District Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the regular meeting. Speakers may be limited to three (3) minutes each.*

CALL TO ORDER

- Roll Call

CONSENT CALENDAR

Receive and Approve

- | | | |
|----|--|------------|
| 1. | Comply with AB 361 Requirements to Allow MSRC-TAC Scope Changes Subcommittee to Continue to Meet Remotely
This action is to adopt the attached resolution finding that the MSRC-TAC Scope Changes Subcommittee: 1) has reconsidered the circumstances of the state of emergency; and 2) state or local officials continue to impose or recommend measures to promote social distancing. See Cal. Gov't Code section 54953(e)(3). | Hsu |
|----|--|------------|

ACTION CALENDAR

- | | | |
|----|--|-------------------|
| 2. | Consider Two-Month Term Extension by City of Santa Monica, Contract #ML18080 (\$121,500 – Install EV Charging Infrastructure)
The City requests a two-month term extension due to longer than expected time for Southern California Edison to energize the last four stations the City installed. | Ravenstein |
| 3. | Consider Modified Scope and Two-Year Term Extension by City of Glendora, Contract #ML18089 (\$50,760 – Purchase Medium-duty Zero Emission Vehicle)
Due to several failed attempts to procure a medium-duty vehicle, the City requests to substitute the purchase of a heavy-duty zero emission vehicle. The City further requests a two-year term extension to allow the completion of this project. The MSRC Contracts Administrator recommends, <u>if</u> the MSRC wishes to grant the request, a 30-month term extension with the contingency that no further extensions would be granted on this contract. | Ravenstein |
| 4. | Consider 25-Month Term Extension by City of Riverside, Contract #MS16110 (\$300,000 – Expand Existing CNG Station & Modify Maintenance Facility)
The City requests a 25-month term extension due to major staffing shortages and extended time to receive supplies and materials as a result of the COVID-19 pandemic. The MSRC Contracts Administrator recommends an eight-month term extension, coupled with a reduced contract scope and value, eliminating the installation of the additional dispensers at the Acorn Street station and reducing the total contract value by \$30,000. | Ravenstein |
| 5. | Consider Revised Project Scope by 4 Gen Logistics, Contract #MS21013 (\$7,000,000 – Deploy 40 Zero Emission Trucks)
4 Gen Logistics requests to substitute 40 Volvo model VNRE6ST battery electric zero emission semi-tractors for the 40 BYD 8TT zero emission electric semi-tractors originally approved by the MSRC. | Ravenstein |

OTHER BUSINESS

6. **Any member of the Subcommittee, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter, or may take action to direct staff to place a matter of business on a future agenda. (Gov't Code Section 54954.2)*

PUBLIC COMMENT PERIOD - (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)

At the end of the regular meeting agenda, an opportunity is provided for the public to speak on any subject within the Subcommittee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.

ADJOURNMENT

Next Meeting: Date: Thursday, September 1, 2022, 12:45 p.m., location TBD

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the MSRC-TAC meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the District. Please contact Alejandra Vega at (909) 396-2264 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to avega@aqmd.gov

Pursuant to SB 343

All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a regular meeting, and (iii) having been distributed to at least a majority of the Committee after the Agenda is posted, are available by contacting Alejandra Vega at (909) 396-2264 or send the request to avega@aqmd.gov

Contacts: Cynthia Ravenstein, MSRC Contracts Administrator – (909) 396-3269
Ray Gorski, MSRC Technical Advisor – (909) 396-2479
Alejandra Vega, MSRC Administrative Liaison – (909) 396-2264

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INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

Please note: During the meeting, all participants will be placed on mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chair will announce public comment.

A countdown timer may be displayed on the screen for each public comment.

If interpretation is needed, more time will be allotted.

Once you raise your hand to provide public comment, your name will be added to the speaker list. Your name will be called when it is your turn to comment. The host will then unmute your line.

Directions for Video ZOOM on a DESKTOP/LAPTOP:

- If you would like to make a public comment, please click on the “**Raise Hand**” button on the bottom of the screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for Video Zoom on a SMARTPHONE:

- If you would like to make a public comment, please click on the “**Raise Hand**” button on the bottom of your screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for TELEPHONE line only:

- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.

MSRC-TAC Scope Changes Agenda Item No. 1

DATE: August 4, 2022 Meeting

FROM: Daphne Hsu, Principal Deputy District Counsel

SUBJECT: Comply with AB 361 Requirements to Allow MSRC-TAC Scope Changes Subcommittee to Continue to Meet Remotely

SYNOPSIS: This action is to adopt the attached Resolution finding that the MSRC-TAC Scope Changes Subcommittee: 1) has reconsidered the circumstances of the state of emergency; and 2) state or local officials continue to impose or recommend measures to promote social distancing. See Cal. Gov't Code section 54953(e)(3).

RECOMMENDATION: Adopt the attached Resolution finding that the MSRC-TAC Scope Changes Subcommittee: 1) has reconsidered the circumstances of the state of emergency; and 2) state or local officials continue to impose or recommend measures to promote social distancing.

FINANCIAL IMPACTS: None

Background: Governor Newsom previously issued Executive Orders (EOs) N-29-20 and N-35-2 in March 2020, as a response to the public health crisis brought about by the COVID-19 pandemic. These EOs authorized local legislative bodies subject to the Ralph M. Brown Act to conduct meetings entirely via telephonic or other electronic means in lieu of requiring the physical presence of Board members or members of the public. On June 11, 2021, the Governor issued EO N-08-21, which continued suspension of the Brown Act's teleconferencing requirements, without requiring that members of the public be given the right to access all teleconference locations, through September 30, 2021, in anticipation of the State's proposed re-opening.

Assembly Bill 361, signed into law by Governor Newsom on September 16, 2021, amends the Brown Act and will stay in effect from October 1, 2021 until January 1, 2024. In part, AB 361 amends subparagraph (e) of section 54953 of the California Government Code to state that local agencies may continue to use teleconferencing without complying with the teleconferencing requirements of the Brown Act in any of the following circumstances:

- A. When the legislative body holds a meeting during a proclaimed state of emergency and state or local officials have imposed or recommended measures to propose social distancing;

- B. When the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- C. When the legislative body holds a meeting during a proclaimed state of emergency and has already determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

In the event of an ongoing proclaimed state of emergency, or where state or local officials have imposed or recommended measures to promote social distancing, in order to continue to utilize the teleconferencing measures set forth above, a legislative body must, no later than 30 days after teleconferencing for the first time pursuant to Government Code section 54953(e)(1), and every 30 days thereafter, make the following findings by majority vote:

- A. The legislative body has reconsidered the circumstances of the state of emergency.
- B. Any of the following circumstances exist:
 - i. The state of emergency continues to directly impact the ability of the members to meet safely in person; or
 - ii. State or local officials continue to impose or recommend measures to promote social distancing.

See Cal. Gov't Code section 54953(e)(1). Governor Newsom first declared a statewide emergency resulting from the COVID-19 pandemic on March 4, 2020. Furthermore, although the State no longer requires physical distancing, the MSRC, MSRC-TAC and their subcommittee meetings are generally held at the South Coast AQMD headquarters located in Diamond Bar, California, which is a city in Los Angeles County and both South Coast AQMD and the Los Angeles County Department of Public Health have recommended social distancing measures.

Recommendations: This action is to address the requirements of AB 361 to allow the MSRC-TAC Scope Changes Subcommittee to continue to meet remotely. The recommended action is to adopt the attached Resolution finding that the MSRC: 1) has reconsidered the circumstances of the state of emergency; and 2) state or local officials continue to impose or recommend measures to promote social distancing. See Cal. Gov't Code section 54953(e)(3).

RESOLUTION _____

A RESOLUTION OF THE SCOPE CHANGES SUBCOMMITTEE OF THE TECHNICAL ADVISORY COMMITTEE TO THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE RECOGNIZING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT THE COUNTY OF LOS ANGELES CONTINUES TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING; AND AUTHORIZING FULLY OR PARTIALLY REMOTE TELECONFERENCE MEETINGS OF THE SCOPE CHANGES SUBCOMMITTEE OF THE TECHNICAL ADVISORY COMMITTEE TO THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE, FOR THE PERIOD OF AUGUST 4, 2022 THROUGH SEPTEMBER 3, 2022 PURSUANT TO PROVISIONS OF THE BROWN ACT.

WHEREAS, the Scope Changes Subcommittee of the Technical Advisory Committee to the Mobile Source Air Pollution Reduction Review Committee (MSRC-TAC Scope Changes Subcommittee) is committed to preserving and nurturing public access and participation in all meetings subject to the provisions of the Ralph M. Brown Act (Cal. Gov't Code §§ 54950 – 54963, hereafter Brown Act); and

WHEREAS, pursuant to the provisions of the Brown Act, all meetings of the MSRC-TAC Scope Changes Subcommittee are required to be open and public so that any member of the public may attend, participate, and watch the MSRC-TAC Scope Changes Subcommittee conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency has been declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, on March 4, 2020 the Governor proclaimed a State of Emergency to exist in California as a result of the threat of the novel coronavirus (COVID-19); and

WHEREAS, pursuant to Health & Safety Code section 44244, the MSRC and its MSRC-TAC are to adopt or assist in the development of a work program that is to be submitted to the south coast district board. The South Coast Air Quality Management District includes all of the County of Orange and portions of the Counties of Los Angeles, Riverside, and San Bernardino as set forth in Health & Safety Code section 40410 and South Coast AQMD Rule 103; and

RESOLUTION _____

1 **WHEREAS**, the MSRC-TAC Scope Changes Subcommittee usually meets at the South Coast
2 AQMD headquarters, which is located in the County of Los Angeles; and

3 **WHEREAS**, it is further required that state or local officials have imposed or recommended
4 measures to promote social distancing, or, the legislative body meeting would present imminent risks to the
5 health and safety of attendees; and

6 **WHEREAS**, local and California public authorities still recommend measures promoting social
7 distancing and/or mask wearing indoors and in public gatherings as well as recommending compliance with
8 the latest advice issued by the Center for Disease Control (CDC) regarding same; and

9 **WHEREAS**, on March 14, 2022, the County of Los Angeles Department of Public Health issued
10 further guidance promoting such measures; and

11 **WHEREAS**, on June 23 and August 10, 2021, the South Coast AQMD issued further guidance
12 promoting such measures; and

13 **WHEREAS**, the spread of COVID-19 poses a continued risk to the health and safety of members
14 of the MSRC-TAC Scope Changes Subcommittee, support staff, as well as to any members of the general
15 public who attend such meetings in that unvaccinated or partially vaccinated persons are at high risk of
16 contracting covid, and even fully vaccinated persons can contract and potentially unknowingly spread
17 COVID-19; and

18 **WHEREAS**, the MSRC-TAC Scope Changes Subcommittee does hereby find that they shall
19 conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code
20 section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall
21 comply with the requirements to provide the public with access to the meetings as prescribed in paragraph
22 (2) of subdivision (e) of section 54953; and

23 **WHEREAS**, the MSRC-TAC Scope Changes Subcommittee will continue to ensure access to their
24 meetings by making them available telephonically and via virtual access for both members of the legislative
25 bodies and the general public; and

26 **WHEREAS**, notice of meetings along with information regarding all methods which may be used
27 for public participation in such meetings will continue to be posted at the South Coast AQMD's
28 headquarters, posted at any teleconference locations which are officially noticed on the agenda, posted on

RESOLUTION _____

both the MSRC and South Coast AQMD websites, provided to anyone who requests such information, and clearly printed on any agendas produced for such meetings.

NOW, THEREFORE, BE IT RESOLVED, that the MSRC-TAC Scope Changes Subcommittee hereby finds that the highly contagious nature of the Omicron and Delta Variants of COVID-19 poses an imminent risk to large numbers of persons meeting indoors in a single location; and

BE IT FURTHER RESOLVED, that the MSRC-TAC Scope Changes Subcommittee hereby finds that the Governor of California issued a Proclamation of Emergency on March 4, 2020; and

BE IT FURTHER RESOLVED, that the MSRC-TAC Scope Changes Subcommittee hereby finds that local officials continue to impose or recommend measures to promote social distancing in the South Coast AQMD's jurisdiction and where the South Coast AQMD's headquarters is located; and

BE IT FURTHER RESOLVED, that the MSRC-TAC Scope Changes Subcommittee authorizes and directs staff to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption and remain in effect until September 3, 2022 or until such time as the MSRC, the MSRC-TAC or the MSRC-TAC Scope Changes Subcommittee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the MSRC-TAC Scope Changes Subcommittee may continue to teleconference without strict compliance with paragraph 3 of Government Code section 54953(b).

DATE: _____

_____, Member, MSRC-TAC Scope Changes Subcommittee
[Print Name]

MSRC-TAC Scope Changes Agenda Item No. 2

DATE: August 4, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: Two-Month Term Extension by City of Santa Monica, Contract #ML18080

SYNOPSIS: The City of Santa Monica requests a two-month term extension due to longer than expected time for Southern California Edison to energize the four most recently installed stations. This project is part of the FYs 2016-18 Local Government Partnership Program.

FINANCIAL IMPACT: None

RECOMMENDATIONS: The MSRC-TAC Scope Changes Subcommittee will review the request and their recommendations will be brought forward at the MSRC-TAC meeting.

ATTACHMENTS: Contractor's letter with primary and contingency requests

DISCUSSION:

Contractor: City of Santa Monica

Project Title: Install Electric Vehicle Charging Infrastructure

MSRC Funding: \$121,500

Project Term: January 10, 2019 to July 9, 2025

Current Request: Two-month term extension

Previous Requests: Modified statement of work, reallocation of costs between tasks, and 19-month term extension

Project Description: The City was awarded \$121,500 under the MSRC's FYs 2016-18 Local Government Partnership Program towards the installation of electric vehicle charging stations: 32 public-access and 7 limited-access. Subsequently, the MSRC approved substituting the installation of 40 total public-access Level II charging ports for the installation of 32 public-access Level II charging stations, as well as substituting the installation of 10 limited-access charging ports for 7 limited-access stations. To date, the City has completed installation of 8 public-access ports (although 7 have yet to be energized) and 10 limited-access ports. \$14,748.62 has been paid to date on this contract.

Previous Requests: In addition to the port for station substitutions described above, the City requested to reallocate \$944 from limited-access charging ports to public-access charging ports. The City also requested, and the MSRC approved, a 19-month contract term extension.

Contract Request: The City submitted a request for a one-year term extension, with a contingency request for a two-month term extension. The City indicated that due to previous delays and budget cuts, they were unable to install the number of stations that were originally planned. In the event that the MSRC did not elect to grant the one-year term extension, the City requested a two-month term extension. The City installed four public-access stations—providing a total of 7 ports—in early June, but Southern California Edison has not been able to energize the stations yet. The City estimates that a two-month term extension would suffice for these stations to be made fully operational.

MSRC Contracts Administrator Review: In accordance with the MSRC's recently adopted Policy on Contract Modifications, the request was reviewed by the MSRC's Contracts Administrator. The Contracts Administrator denied the City's **primary** (one-year) request because it fell into the following category: the contract had previously been extended for a total of one year or more, and the current request is for contractor convenience. Also, the Contractor has the right to request MSRC review if their extension request is denied by the Contracts Administrator. The City has opted against exercising this option.

Contractor Request for MSRC Consideration of Contingency Request

The City has confirmed that their contingency request for a two-month term extension is still active.

Recommendations: The MSRC-TAC Scope Changes Subcommittee will review the request and their recommendations will be brought forward at the MSRC-TAC meeting.



Office of Sustainability and the Environment
1685 Main Street, City Hall East
Santa Monica, CA 90401
tel: (310) 458-2213
www.sustainablesm.org

July 8, 2022

Attn: Cynthia Ravenstein

Contracts Administrator | MSRC

21865 Copley Drive

Diamond Bar, CA 91765

Subject: Extension Request to MSRC Contract No. ML18080 – City of Santa Monica

To Whom It May Concern:

The City of Santa Monica would like to request a contract extension for our project to install four curbside EV charging stations due to delays that are out of the City's control. These sites are Los Amigos Park, Reed Park, Fairview Library, and 1050 California. The four stations were installed in early June 2022 but Southern California Edison is unable to energize the stations until mid-July.

We requested to expedite the energization schedule due to the MSRC deadline, but SCE was unable to accommodate this request. Additional project delays include supply chain issues which delayed components of the project installation, including meter pedestals. All sites will be publicly accessible as soon as SCE sends power to the stations.

Due to previous delays and budget cuts, we were unable to install the number of stations that were originally planned in this contract scope of work. New fiscal year budget allocations will allow us to move forward with at least one additional site (Joslyn Park), and hopefully 431 Willshire and Lot 9 (4 ports per site, for a total of 12 additional ports if all three sites meet the budget). The City has electrical designs for the above sites and aims to bid out the construction if the extension is awarded by fall 2022. We aim to complete these sites by June 2023.

Please consider a one-year extension to contract ML 18080 (through July, 2023) and a change to the scope of work to allow construction and installation costs to be eligible for

reimbursement. If that is too long of an extension and/or the scope of work cannot be modified, we kindly request a two-month extension through September 9, 2022 to account for any additional unexpected delays from the utility to energize the four completed stations. If the MSRC does not grant the request, we will be unable to utilize any of the City's remaining MSRC allocation (>\$100,000) and will be unable to fund the construction of the four sites listed above. The completed project will still open but future project budgets will be impacted without access to these funds.

Thank you for your consideration. Please let me know if you need any additional information.

Sincerely,

Ariana Vito, Sustainability Analyst

City of Santa Monica | Office of Sustainability & the Environment

City Hall East

1685 Main Street MS-27

Santa Monica, CA 90401

Ariana.vito@santamonica.gov | (310) 458-2294

MSRC-TAC Scope Changes Agenda Item No. 3

DATE: August 4, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: Modified Scope and Two-Year Term Extension by City of Glendora, Contract #ML18089

SYNOPSIS: Due to several failed attempts to procure a medium-duty vehicle, the City requests to substitute the purchase of a heavy-duty zero emission vehicle. The City further requests a two-year term extension to allow the completion of this project. This project is part of the FYs 2016-18 Local Government Partnership Program.

FINANCIAL IMPACT: None

RECOMMENDATIONS: The MSRC Contracts Administrator recommends, if the MSRC wishes to grant the request, a **30-month** term extension with the contingency that no further extensions would be granted on this contract. The MSRC-TAC Scope Changes Subcommittee will also review the request and their recommendations will be brought forward at the MSRC-TAC meeting.

ATTACHMENTS: Contractor's letter requesting modifications

DISCUSSION:

Contractor: City of Glendora

Project Title: Purchase Medium-duty Zero Emission Vehicle (ZEV)

MSRC Funding: \$50,760

Project Term: July 19, 2019 to April 18, 2026

Current Request: Substitute heavy-duty vehicle for medium-duty vehicle and two-year term extension

Previous Requests: One-year term extension

Project Description: The City was awarded \$50,760 under the MSRC's FYs 2016-18 Local Government Partnership Program towards the purchase of a medium-duty ZEV. To date, the City has issued a purchase order for a 30-foot bus (a heavy-duty vehicle). Nothing has been paid to date on this contract.

Previous Requests: The City indicated that a funding shortfall in the State's Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) prevented them from procuring the vehicle, but they anticipated that HVIP might have some capacity in the upcoming months. The City requested a one-year term extension. This request was processed administratively.

Contract Request: The City now states that all three of their attempts to procure a medium-duty vehicle failed, either due to dealer error with the HVIP voucher request or the vehicle manufacturer removing the product from the market. Now the City has identified availability for the GreenPower EV250, a 30-foot heavy-duty bus. This will meet a City need to replace a cutaway, and the City has issued a purchase order for the vehicle. The City requests to modify the contract to substitute the purchase of a heavy-duty ZEV instead of the purchase of a medium-duty vehicle.

The MSRC's FYs 2016-18 Local Government Partnership Program included funding for medium- and heavy-duty ZEVs under a single category with the same operational requirements. The purchase of the GreenPower bus would have been approved if originally proposed, and no transfer of funding between categories would be required.

The City notified MSRC staff in late June of their intention to place the order. The MSRC Contracts Administrator advised the City that they would be proceeding at risk if they ordered the vehicle in advance of MSRC approval of their request. Due to deadlines associated with other funding sources for charging infrastructure, etc., the City proceeded with the order.

Recommendations: Given the current termination date of April 18, 2026, the City's requested two-year extension will only be long enough to cover the required five-year operational period if the vehicle is delivered and placed into service on the most optimal end of the quoted schedule of 10 to 12 months. Furthermore, the City proceeded at risk without waiting for MSRC approval. Therefore the MSRC Contracts Administrator recommends approval of a **30-month** term extension, with a contingency that no further extensions would be granted on this contract. This would allow for the full range of the provided schedule, with a small allowance for unforeseen delays, but it would also place a definitive endpoint.

The MSRC-TAC Scope Changes Subcommittee will also review the request and their recommendations will be brought forward at the MSRC-TAC meeting.



City of Glendora | Transportation Division

410 E. Dalton Ave., Glendora, CA 91741-3380
(626) 852-4814 | CityOfGlendora.org

Matt Mackenzie
MSRC Contracts Administration
21865 Copley Dr
Diamond Bar, CA 91765

July 13, 2022

Subject: Letter of Extension and Scope Change for City of Glendora MSRC Grant - #ML18089

Dear Mr. Mackenzie,

The City of Glendora is requesting an extension and scope change for the MSRC Grant - #ML18089 to allow the city to purchase a zero-emission transit vehicle.

Scope Change Request

The existing contract provides for the purchase of a medium-duty transit vehicle. At the time of application, the City intended to purchase either a zero-emission dial-a-ride van or a medium-duty transit vehicle. However, all three attempts to procure the vehicles failed either due to dealer error with HVIP voucher request or the vehicle manufacturer removing the product from the market.

The City has identified the GreenPower EV250. This is a 30 ft. heavy-duty bus. This product fits our fleet needs in replacing a cutaway and will allow us to provide an improved passenger experience. The vehicle is fully compliant with the air quality and testing terms of the grant. The City is requesting the scope to be amended from medium-duty to heavy-duty transit vehicle.

Length of Contract Extension Requested

The City respectfully requests a 24 month extension from the existing performance period ending on April 28, 2026 to a new completion date of April 28, 2028.

New Project Schedule

The City proposes the following revised schedule:

- June 28, 2022
 - Issue purchase order for GreenPower EV250
- June 28, 2023
 - Take delivery of EV250 and commence revenue service

Project Completion Status

The City has completed the Outreach Plan in 2019. The City plans on conducting additional outreach in the Fall of 2022 to support the Transportation Yard enhancements needed for zero-emission buses as well as promote the arrival of the EV250. The City will also be issuing a purchase order for the GreenPower EV250 on June 28, 2022.

Reason for Delay

The market for small and midsize zero-emission transit vehicles continues to mature. As a result, the City has experience great difficulty in securing a transit vehicle which meets the scope of work. For example, two vendors under contract have withdrawn their products over the past two years.

Despite these setbacks, the City has continued to search for a viable vehicle platform to meet the City's transportation needs and the terms of the agreement. Recently, the City has identified a Class 8 bus from GreenPower Motor Company. Their EV250 Low Floor Bus is a zero-emission 30-foot bus with a 26-seating capacity for passengers. The anticipated delivery date on this vehicle is 10-12 months.

Consequences of Denial

This grant is essential to the City's plan to convert its transit buses to zero-emission technology. To help finance the deployment of zero-emission transit vehicles, the City has secured participation in the Southern California Edison ChargeReady Transport Program as well as funding from the Carl Moyer Program to purchase DC fast chargers. Denial of this request would jeopardize the funding plan to support the transition and would likely result in the City losing both the ChargeReady Transport Program and the Carl Moyer Grant. Should the City lose those grants, the City will be unable to meet the statutory requirements of the Innovative Clean Transit Rule and may have to explore reducing service as new conventional fuel transit vehicles will be prohibited starting in 2026.

Thank you for your consideration.

Sincerely,

Steven Mateer

Steven Mateer
Transportation Manager

MSRC-TAC Scope Changes Agenda Item No. 4

DATE: August 4, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: 25-Month Term Extension by City of Riverside, Contract #MS16110

SYNOPSIS: The City requests a 25-month term extension due to major staffing shortages and extended time to receive supplies and materials as a result of the COVID-19 pandemic. This project is part of the FYs 2014-16 Alternative Fuel Infrastructure Program.

FINANCIAL IMPACT: If the MSRC follows the recommendations of the MSRC Contracts Administrator, the contract value would be reduced by \$30,000 and that amount would revert to the AB2766 Discretionary Fund.

RECOMMENDATIONS: The MSRC Contracts Administrator recommends an **8-month** term extension, coupled with a reduced contract scope and value, eliminating the installation of the additional dispensers at the Acorn Street station, and reducing the total contract value by \$30,000. The MSRC-TAC Scope Changes Subcommittee will also review the request and their recommendations will be brought forward at the MSRC-TAC meeting.

ATTACHMENTS: Contractor's letter requesting modifications

DISCUSSION:

Contractor: City of Riverside

Project Title: Expand Existing CNG Stations and Modify Maintenance Facility

MSRC Funding: \$300,000

Project Term: October 6, 2017 to February 5, 2026

Current Request: 25-month term extension

Previous Requests: Change dispenser locations, reallocate \$30,000 between stations and one-year term extension

Project Description: The City was awarded \$300,000 to expand two existing CNG stations and to modify their vehicle maintenance facility. Of this amount, originally \$30,000 was allocated for the expansion of the Acorn Street station, \$195,000 was allocated for the expansion of the Lincoln Avenue station, and \$75,000 was allocated for modification of the maintenance facility. The MSRC approved reallocating \$30,000 from the Lincoln Avenue station to the Acorn Street station, in concert with changing the installation location for two (2) two-hose dispensers from Lincoln Avenue to Acorn Street. To date, the maintenance facility modifications, the expansion

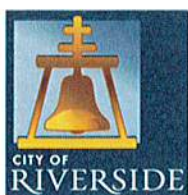
of the Lincoln Avenue station, and the installation of storage spheres at the Acorn Street station have all been completed. \$71,250 has been paid to date on this contract (for maintenance facility modifications).

Previous Requests: The contract specified the addition of three (3) two-hose dispensers at the Lincoln Avenue station. As a result of updated projections of fueling needs for the two subject locations, the City requested to reduce this and add only one (1) two-hose dispenser at the Lincoln Avenue station, but also to add two (2) two-hose dispensers to the Acorn Street station. Project-wide, the total number of dispensers added would not change. In accordance with the above change, the City further requested that \$30,000 be reallocated from the funding for the Lincoln Avenue station to the funding for the Acorn Street station. The City also indicated that the station expansions had been delayed because no proposals were received in response to the original RFP issuance. The City requested a one-year term extension to allow sufficient time to complete the expansions and to fulfill the five-year operational requirements. In November 2019, the MSRC considered and approved the City's requests. The contract modification to effectuate the change was fully executed in February 2020.

Contract Request: The City states that the scope change approved by the MSRC delayed the completion of the design phase for the project. Furthermore, they indicate that due to the COVID-19 pandemic, the City experienced major staffing shortages, and the time to receive supplies and materials has increased drastically. This extended the bid process as well as the delivery for the CNG storage spheres for the Acorn Street station, but the installation of those spheres was completed in December 2020. The expansions to the Lincoln Avenue station were completed in October 2021. The proposed RFP for the final phase—the additional dispensers for the Acorn Street station—has been submitted to the City's purchasing department, but not yet released. The City estimates that the installation of these dispensers will be completed by March 2023. Therefore, they request a 25-month term extension to allow fulfillment of the required five-year operational period.

Recommendations: For the elements of the project which are already complete, an 8-month contract term extension would suffice to allow the City to fulfill its five-year operational requirements. Despite previously being granted an extension, the City has not yet issued an RFP for the additional dispensers for the Acorn station. Therefore, the MSRC Contracts Administrator recommends approval of an **8-month** term extension, coupled with a reduced contract scope and value, eliminating the installation of the additional dispensers at the Acorn Street station, and reducing the total contract value by \$30,000. Not only is \$30,000 the amount that the City previously asked to be reallocated when they requested to change the location of these dispensers, but it is also extremely close to the proportional value of the dispensers in comparison to the storage spheres, based on their estimated cost.

The MSRC-TAC Scope Changes Subcommittee will also review the request and their recommendations will be brought forward at the MSRC-TAC meeting.



General Services Department

City of Arts & Innovation

July 15, 2022

Cynthia Ravenstein
MSRC Contracts Administrator
South Coast Air Quality Management / MSRC
(909) 396-2036
CRavenstein@aqmd.gov

Dear Ms. Ravenstein:

The City of Riverside's Alternative Fuel Program has been extremely successful in providing clean fuels, public access and convenient City consumption of Compressed Natural Gas (CNG), propane, and electric vehicle charging infrastructure.

The City of Riverside (City) Fleet Management Division was awarded MS16110 on November 1, 2017. On October 22, 2019, the City submitted a request for revisions to the scope of work as well as an extension. On February 7, 2020, the scope of work modifications and extension request was approved.

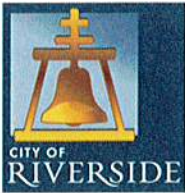
The City would like to formally request an additional 25 month extension as noted below:

Proposed Project Revisions:

1. Extension of the CNG station expansion located at 8095 Lincoln Ave. in-service date from 2/5/21 to 10/5/21 in order to meet the 5-year operational requirement.
2. Extension of the CNG station expansion located at 5951 Acorn St. in-service date from 2/5/21 to 3/5/23 in order to meet the 5-year operational requirement.

The following table demonstrates the portions of the project that have already been completed:

A - MAINTENANCE FACILITY MODIFICATION	COMPLETION STATUS/DATE
INSTALL METHANE DETECTION SYSTEM	COMPLETE – October 2018
B - LINCOLN STATION EXPANSION	
ONE (1) TWO-HOSE DISPENSER	COMPLETE – October 2021
FUELING ISLAND WITH CANOPY	COMPLETE – October 2021
CREDIT CARD READER	COMPLETE – October 2021
C - ACORN STATION EXPANSION	
FOUR (4) CNG STORAGE SPHERES	COMPLETE – December 2020
TWO (2) TWO-HOSE DISPENSERS	ESTIMATED COMPLETION – March 2023



General Services Department

City of Arts & Innovation

Justifications:

The proposed project extension for revision 1 is due to many contributing factors. On July 2, 2019, Riverside City Council approved a vendor to complete the expansion of the alternative fuel island located on Lincoln Avenue. On July 30, 2019, the notice to proceed was completed and the design phase of the project was underway. On October 22, 2019, a request to change the scope of work for this project was submitted and was fully approved on February 7, 2020. This change to the scope delayed the completion of the design phase for this project. As a result of the Covid-19 Pandemic, the City of Riverside has experienced major staffing shortages and the time to receive supplies and materials has increased drastically, causing additional delays. On May 10, 2021, the station expansion at Lincoln Avenue broke ground and was completed on October 7, 2021.

The proposed project extension for revision 2 is also due to many contributing factors. Due to the City of Riverside experiencing major staffing shortages, the Bid process for the four CNG spheres took longer than anticipated. City Council approved the purchase of the four CNG spheres on April 21, 2020; however, it took a significant amount of time for the spheres to arrive on site. The installation for the four additional CNG spheres at the Acorn Street location was completed on December 14, 2020. The scope of work for station expansion located at Acorn Street had also been revised and approved on February 7, 2020, causing a delay in the project. This revision included two dual-hose dispensers. On June 21, 2022 the Request For Proposals (RFP 2194) for this project have been submitted to the Purchasing department however staffing shortages are causing a delay in the review process. This last portion of the project is estimated to be completed by March 7, 2023

While no funds are currently encumbered for the two remaining dispensers, if this extension is not approved, the City will not be able to fully complete the previously approved scope of work, and the public will not receive the full benefit of this project.

Please feel free to contact me if you have any questions or require additional information.

Respectfully submitted,

Shari Call
General Services, Deputy Director
scall@riversideca.gov

MSRC-TAC Scope Changes Agenda Item No. 5

DATE: August 4, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: Modified Scope by 4 Gen Logistics, Contract #MS21013

SYNOPSIS: 4 Gen Logistics requests to substitute 40 Volvo model VNRE6ST battery electric zero emission semi-tractors for the 40 BYD 8TT zero emission electric semi-tractors originally approved by the MSRC, as part of the FYs 2018-21 On-Road Inland Ports Program.

FINANCIAL IMPACT: None

RECOMMENDATIONS: The MSRC-TAC Scope Changes Subcommittee will review the request, and their recommendations will be brought forth at the MSRC-TAC meeting

ATTACHMENTS: Contractor's letter requesting modification

DISCUSSION:

Contractor: **4 Gen Logistics**

Project Title: Deploy 40 Zero Emission Trucks

MSRC Funding: \$7,000,000

Contract Term: March 27, 2022 to May 26, 2028

Current Request: Modified scope

Previous Requests: Reduce Inland Empire operational requirement from 90% to 70% (request later revised to 80%)

Project Description: The MSRC awarded 4 Gen \$7,000,000 under the FYs 2018-21 On-Road Inland Ports Program to procure and deploy 40 BYD 8TT Class 8 zero emission trucks. No work has been completed and nothing has been paid to date.

Previous Request: Given that their containers originate from the San Pedro Bay Port Complex and the trucks' driving distance constraints, 4 Gen stated that the trucks might not reach the Inland Empire every day. Therefore, 4 Gen requested that this requirement be reduced to 70%--the minimum set forth in the RFP. Following Scope Change Subcommittee consideration and further discussions with staff, 4 Gen modified their request, asking that the requirement be reduced to 80%, coupled with a reimbursement for noncompliance provision that is proportional to the percentage of trips that 4 Gen fell short of the 80%, if any. The MSRC considered and approved the revised request.

Contract Request: 4 Gen now indicates that delivery timelines for the originally specified BYD trucks have been delayed to late spring 2023. Rather than delay their project to that extent, 4 Gen proposes to substitute comparable zero emission vehicles. 4 Gen requests to substitute the procurement of 40 Volvo model VNRE6ST battery electric zero emission semi-tractors.

The proposed Volvo trucks carry a price tag which is lower than the BYD trucks by \$3,000 per vehicle. However, changing vehicle models would require 4 Gen to submit a new application to the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP). 4 Gen indicates that since their original HVIP application, that program's rules have changed, and companies with more than 20 trucks are no longer eligible to receive a \$12,000 per truck disadvantaged community incentive. Therefore, making this change would result in a \$9,000 per truck net **increase** in cost. If their request is approved, 4 Gen would absorb this additional expense at no cost to MSRC.



2298 Stonehurst Drive, Rialto CA 92377

July 27, 2022

Dear Ms. Ravenstein,

Per our conversation regarding the OEM originally selected in our MSRC grant application, we respectfully ask that the MSRC allow 4 Gen Logistics to switch truck manufacturers. We understand this shift is a big step in our application, however, we no longer have confidence that the OEM has worked in our best interest.

In January 2021 we signed a purchase order for 40 third-generation Class 8 ZE trucks with BYD Motors. At that time, we were told delivery would be around August 2021, which was acceptable considering the charging infrastructure build needed. Unfortunately, the date slipped on multiple occasions to the present estimated delivery of April or May 2023. This delay, coupled with the lack of communication, ordering complications, and parts issues, we no longer identify, in our opinion, BYD as a competent provider at this time.

Therefore, we respectfully ask that we move the purchase order to Volvo Trucks North America to purchase 40 ZE class 8 trucks. We hope to receive delivery of the Volvo trucks in late 2022/early 2023 and immediately place the trucks into service, domiciled in Rialto, CA.

Thank you,

A handwritten signature in blue ink, appearing to read 'David Duncan', with a long horizontal flourish extending to the right.

David Duncan
Principal
4 Gen Logistics, L.L.C.