



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

**AGENDA**

**Thursday, February 2, 2023 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

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**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

Jack Garate, representing Regional Rideshare Agency

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

## ACTION CALENDAR

1. [Consider 10-Month Term Extension by Riverside County Transportation Commission \(RCTC\), Contract #MS16094 \(\\$1,909,241 – Implement MetroLink First Mile/Last Mile Mobility Strategies\)](#) Ravenstein

RCTC indicates that the project has experienced delays in the Rustin Street sidewalk element of the vicinity improvements due to required coordination with the California Public Utilities Commission taking longer than anticipated. Having previously received a 15-month extension, RCTC is requesting a 10-month term extension to complete construction of this remaining element and submit the final report. The MSRC Contracts Administrator recommends approval.
2. [Consider 19-Month Term Extension by City of Torrance, Contract #ML16039 \(\\$32,000 – Install EV Charging Infrastructure\)](#) Ravenstein

Having previous extensions totaling two years, the City is requesting an extension to March 27, 2026—approximately a 19-month extension—due to supply chain shortages associated with the COVID-19 pandemic. The MSRC Contracts Administrator recommends approval.
3. [Consider Modified Operational Requirement by City of Long Beach, Contract #ML18055 \(\\$622,220 – Install EV Charging Infrastructure\)](#) Ravenstein

The City indicates that they installed two of the specified limited-access charging stations at a property for which the City had a long-term lease. Unexpectedly, the property owner decided to sell the property. Contract #ML18055 requires that the MSRC-supported stations remain operational in the original location for at least three years. Because they were not able to fulfill this requirement in the original location, the City is proposing to relocate the stations to a City-owned facility at their own cost. They would restart the operational clock and operate the stations for three years from the date of installation in the new location. The City further requests to add language to the contract to allow a similar approach in the event that other stations need to be moved during the operational period. The MSRC Contracts Administrator recommends approval of the requested move of chargers but not the addition of language regarding future moves.
4. [Consider Modified Payment Schedule by Volvo Financial Services, Contract #MS21019 \(\\$3,930,270 – Lease up to 14 Zero Emission Trucks and Provide Charging Infrastructure\)](#) Ravenstein

Under Contract #MS21019, trucks are to be delivered by Volvo to end user Quality Custom Distribution (QCD) on a phased schedule. The payment schedule ties reimbursement for the second batch of trucks to be delivered to the installation of ABB in-ground permanent charging for the trucks. It has become possible for these “Phase 2” trucks to be delivered early, before installation of the permanent charging can be completed. Sufficient temporary charging has been identified. Volvo requests to remove the requirement for proof of the ABB charging stations’ installation as a condition for reimbursement of the Phase 2 trucks. The MSRC Contracts Administrator recommends approval.

## **OTHER BUSINESS**

5. *\*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, March 2, 2023, 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 Marjorie Eaton at (909) 396-3036 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to [meaton@aqmd.gov](mailto:meaton@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 Marjorie Eaton at (909) 396-3036 or send the request to [meaton@aqmd.gov](mailto:meaton@aqmd.gov)*

Contacts: Cynthia Ravenstein, MSRC Contracts Administrator – (909) 396-3269  
Ray Gorski, MSRC Technical Advisor – (909) 396-2479  
Marjorie Eaton, MSRC Administrative Liaison – (909) 396-3036

**\*\*\* Visit Our Website At: [www.CleanTransportationFunding.org](http://www.CleanTransportationFunding.org)\*\*\***

## 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:** February 2, 2023

**FROM:** Cynthia Ravenstein, MSRC Contracts Administrator

**SUBJECT:** 10-Month Term Extension by Riverside County Transportation Commission (RCTC), Contract #MS16094

**SYNOPSIS:** RCTC was awarded funding to implement improvements at, and in the vicinity of, Riverside County Metrolink stations to encourage cyclist and pedestrian access to commuter rail. RCTC indicates that the project has experienced delays in the Rustin Street sidewalk element of the vicinity improvements due to required coordination with the California Public Utilities Commission taking longer than anticipated. Having previously received a 15-month extension, RCTC is requesting a 10-month term extension to complete construction of this remaining element and submit the final report. This project is part of the FYs 2014-16 Transportation Control Measure 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. The MSRC Contracts Administrator recommends approval.

**ATTACHMENTS:** Contractor's request letter

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**DISCUSSION:**

**Contractor:** Riverside County Transportation Commission

**Project Title:** Metrolink First Mile/Last Mile Mobility Strategies

**MSRC Funding:** \$1,909,241

**Project Term:** January 15, 2017 to April 24, 2023

**Current Request:** 10-month term extension

**Previous Requests:** Revised project list, reallocation of costs between tasks and 15-month term extension

**Project Description:** The MSRC awarded RCTC \$1,909,241 under the FYs 2014-16 Transportation Control Measure Partnership Program to implement improvements at, and in the vicinity of, Riverside County Metrolink stations to encourage cyclist and pedestrian access to commuter rail. The original proposal provided basic framework with some specific details to be developed subsequently. Contract #MS16094 was executed to effectuate the award.

Subsequently a Bicycle Storage Plan, Station Active Transportation Access Plan, and Vicinity Active Transportation Plan were submitted and approved by staff, and then the MSRC approved a revised project list. Six out of seven projects are now complete. The remaining project (Rustin Street sidewalk) has just completed final design. Nothing has been paid to date on this contract.

Previous Requests: RCTC indicated that they were able to complete the bicycle storage projects for substantially less than originally estimated, and station vicinity improvements were also projected to cost somewhat less than originally budgeted. On the other hand, projects in the station improvement category were now expected to cost considerably more than originally estimated. RCTC requested approval of a revised project list and further requested reallocation of \$600,000 from bicycle storage projects and \$223,235 from vicinity improvements projects to station improvements projects. Lastly, RCTC requested a 15-month term extension. The project was delayed because the First Mile/Last Mile Assessment and Plan took longer than anticipated and the COVID-19 pandemic caused a shift in project priorities, but the extension was primarily needed to accommodate unforeseeable delays related to the Rustin Street sidewalk improvement that might require approval by the California Public Utilities Commission due to proximity to the rail line. At their November 2021 meeting, the MSRC considered and approved RCTC's requests.

Contract Request: RCTC indicates that while all other improvements are complete, the project has experienced delays in the Rustin Street sidewalk element of the vicinity improvements due to required coordination with the California Public Utilities Commission taking longer than anticipated. Having previously received a 15-month extension, RCTC requests a 10-month term extension to complete construction and submit the Final Report.

Recommendations: The MSRC-TAC Scope Changes Subcommittee will review the request and their recommendations will be brought forward at the MSRC-TAC meeting. Given the progress demonstrated on the project overall, the MSRC Contracts Administrator recommends approval.



4080 Lemon Street, 3rd Floor • Riverside, CA  
Mailing Address: P.O. Box 12008 • Riverside, CA 92502-2208  
951.787.7141 • 951.787.7920 • [www.rctc.org](http://www.rctc.org)

January 24, 2023

Cynthia Ravenstein  
MSRC Contracts Administrator  
21865 Copley Drive  
Diamond Bar, CA 91765  
[cravenstein@aqmd.gov](mailto:cravenstein@aqmd.gov)

**VIA E-MAIL**

**Subject: Request for Time Extension for Contract No. MS16094  
(Agreement No. 17-25-016-00) for First Mile/Last Mile  
Improvements**

Dear Ms. Ravenstein:

The Riverside County Transportation Commission (RCTC) was awarded \$1.9 million for the First Mile/Last Mile Project under the County Transportation Commission Program (Contract No. MS16094). The proposal included the implementation of bicycle and pedestrian improvements for three categories: bicycle storage, station improvements, and vicinity improvements.

RCTC is seeking a 10-month extension to Contract No. MS16094, which is set to expire April 2023. The extension would set the contract expiration date to February 2024. The proposed bicycle and station improvements have been completed. The project has experienced delays with the vicinity improvements because approval and design of the Rustin Street sidewalk improvement, which the City of Riverside is leading, required coordination with the California Public Utilities Commissions due to the proximity to the rail line. Of the seven (7) project improvements listed in Attachment 1, six (6) have already been completed, and the remaining project (Rustin Street sidewalk) has just completed final design and is anticipated to begin construction by summer. If the contract cannot be extended, the project will be delayed further as the local agency does not have another funding source available at this time.

RCTC and partner agencies are making every effort to promote transit and active transportation as viable travel options. We appreciate the continued partnership with MSRC and your consideration to this request. Should you have any questions regarding this project, please contact me at 951-529-5815 or [lmoeluna@rctc.org](mailto:lmoeluna@rctc.org).

Sincerely,



Lorelle Moe-Luna  
Multimodal Director

Encl:

- 1) RCTC First Mile/Last Mile Project Status
- 2) Revised Project Schedule



**Attachment 1:  
RCTC First Mile/Last Mile Project Status**

<b>Bicycle Storage</b>			Original Amount:	\$ 600,000	\$ 200,000	
Lead	Station(s)	Amenity & Quantity	Amenity Description	MSRC Amount	Co-funding Amount	Status
RCTC	Various	6 - DT Riv 6 - Jurupa Valley/Pedley 6 - La Sierra 6 - West Corona 6 - North Main Corona 6 - Perris DT 6 - MoVal/March 4 - Hunter park/UCR 4 - Perris South	Bike lids purchase and installation	\$ -	\$ 127,450	Complete
RCTC/Cty	Various	1 - Downtown Riverside	Bike hut purchase and installation	\$ -	\$ 47,600	Complete
<b>Total</b>				\$ -	\$ 175,050	
<b>Remaining (Over)</b>				\$ 600,000	\$ 24,950	

<b>Station Improvements</b>			Original Amount:	\$ 600,000	\$ 200,000	
Lead	Station(s)	Amenity & Quantity	Amenity Description	MSRC Amount	Co-funding Amount	Status
RCTC	Downtown Riverside	1. New sidewalk from Vine St to bus island. 2. New sidewalk from north entrance from Vine St to bus island 3. Sidewalk improvements for bike lid foundation (co-funding)	2 concrete path/sidewalks: 5' x 272' & 5' x 175'	\$ 188,000	\$ 30,740	Estimated Completion: January 2022
RCTC	West Corona	1. New sidewalk from southern entrance to platform	Concrete Path: 5' x 320'	\$ 124,000	\$ -	Estimated Completion: January 2022
RCTC	South Perris	1. New sidewalk from station entrance to Mapes Rd. 2. New bike path from station entrance to Mapes Rd. to connect with City active transportation trail.	Concrete Path: 5' x 3700'; Bike path: 8' x 1/2 mile	\$ 1,111,235	\$ 404,969	Estimated Completion: January 2022
<b>Total</b>				\$ 1,423,235	\$ 435,709	
<b>Remaining (Over)</b>				\$ (823,235)	\$ (235,709)	

<b>Vicinity Improvements</b>			Original Amount:	\$ 709,241	\$ 290,759	
Lead	Station(s)	Amenity & Quantity	Amenity Description	MSRC Amount	Co-funding Amount	Status
City of Riverside	Downtown Riverside	Commerce Street Sidewalk	New sidewalk on Commerce St between Mission Inn Ave and University Ave	\$ -	\$ 80,000	Complete
City of Riverside	Hunter Park	Rustin Ave Sidewalk	New sidewalk on Rustin Ave between Marlborough Ave to Spruce St ( <b>East Side</b> ), <b>new mid-blockcrossing to County Building and new continental crosswalk at Rustin Ave. and Spruce Street.</b>	\$ 486,006	\$ -	Start construction summer/fall 2022  Estimated completion: March 2023
<b>Total</b>				\$ 486,006	\$ 80,000	
<b>Remaining (Over)</b>				\$ 223,235	\$ 210,759	

<b>Proposed Total</b>	\$	<b>1,909,241</b>	\$	<b>690,759</b>	\$	<b>2,600,000.00</b>
<b>Original Contract Amount</b>	\$	<b>1,909,241</b>	\$	<b>690,759</b>	\$	<b>2,600,000.00</b>

Attachment 2  
Statement of Work  
Riverside County Transportation Commission

Schedule Revision as of January 2024

**4. Project Schedule**

CONTRACTOR shall comply with the increments of progress identified in the following chart. The completion month for each task is based on the date of Contract execution.

<b>Task</b>	<b>Original Completion</b>	<b>Actual Completion</b>	<b>Current Revision</b>
Submit Bicycle Storage Plan	Month 12	Month 24 – Dec. 2018	
Submit Station Active Transportation Plan	Month 12	Month 24 – Dec. 2018	
Submit Vicinity Active Transportation Plan	Month 12	Month 24 – Dec. 2018	
Submit Public Outreach Plan	Month 13	Month 54 – Sep. 2021	
Conduct Pre-Construction Bicycle and Pedestrian Usage count for at least one station	Month 15	November 2021	
Purchase and install Bicycle Storage	Month 47	2017-2019	
Implement Station Improvements	Month 47	August 2022	
Implement Station Vicinity Improvements	Month 47		January 2024
Implement Public Outreach Plan	Month 50	On-going	
Conduct Post-Construction Bicycle and Pedestrian usage count	Month 56		January 2024
Quarterly Reports	Months 4, 7, 10, 13, 16, 19, 22, 25, 28, 31, 34, 37, 40, 43, and 46	On-going	
Final Report	Month 58		February 2024

MSRC-TAC Scope Changes Agenda Item No. 2

**DATE:** February 2, 2023

**FROM:** Cynthia Ravenstein, MSRC Contracts Administrator

**SUBJECT:** 19-Month Term Extension by City of Torrance, Contract #ML16039

**SYNOPSIS:** The City of Torrance indicates that supply chain shortages associated with the COVID-19 pandemic delayed the project. The stations are now installed. After previously having been granted extensions totaling two years, the City requests a term extension to March 27, 2026—approximately a 19-month extension--in order to fulfill the required three-year operational period. This project is part of the FYs 2014-16 Local Government Match 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. The MSRC Contracts Administrator recommends approval.

**ATTACHMENTS:** Contractor's request letter

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**DISCUSSION:**

**Contractor:** **City of Torrance**

**Project Title:** Install Eight Level II EV Chargers

**MSRC Funding:** \$32,000

**Project Term:** January 6, 2017 to September 5, 2024

**Current Request:** 19-month term extension

**Previous Requests:** One-year term extension; one-year term extension

**Project Description:** The City was awarded \$32,000 under the MSRC's FYs 2014-16 Local Government Match Program to install eight Level II publicly accessible charging stations at its planned regional Transit Center. Installation of the charging stations is complete and nothing has been paid to date on this contract.

**Previous Requests:** The City indicated that heavier than anticipated rains had slowed construction on the Center. They requested a one-year contract term extension. This modification was processed administratively.

Subsequently, the City reported that the COVID-19 pandemic, as well as other events related to civil unrest, had significantly delayed the completion of this project. The City requested, and in April 2021 the MSRC approved, a one-year term extension.

Contract Request: The City indicates that supply chain shortages throughout the manufacturing and construction industries delayed the project. The charging stations are now installed, however, and the facility itself is scheduled to open to the public in March. Having previously received extensions totaling two years, the City requests an extension to March 27, 2026—approximately a 19-month term extension—to allow them to fulfill the Local Match Program’s three-year operational requirement.

Recommendations: The MSRC-TAC Scope Changes Subcommittee will review the request and their recommendations will be brought forward at the MSRC-TAC meeting. Given that station installation is complete, the MSRC Contracts Administrator recommends approval.



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# CITY OF TORRANCE

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TRANSIT DEPARTMENT  
Administration Division

**Kim Turner**  
Transit Director

**Godfrey Offoegbu**  
Deputy Transit Director

**James Lee**  
Transit Administration Manager

James Lee  
Transit Administration Manager  
310-781-6924  
jameslee@TorranceCA.Gov

Matt Mackenzie  
MSRC Contracts Administration  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765

January 25, 2023

Subject: Torrance Transit System – MSRC Grant Extension Request - ML16039

Dear Mr. Mackenzie,

The Torrance Transit System respectfully requests your approval to extend our Local Government Match Program grant to March 27, 2026 (approximately 19 months from current termination date) for the installation of eight (8) public access Level II Electric Vehicle Charging Stations at the Torrance Transit Park and Ride Regional Terminal which is presently under construction. This request is to allow for the final testing and activation of these units. All eight (8) public access chargers have been installed and will be fully operational for public access and use by the requested date. The facility itself is scheduled to open in late March of 2023.

The COVID-19 Pandemic of 2020 has created significant supply chain shortages throughout the manufacturing and construction industry. We request this extension to account for the delays experienced as a result of this. Denial of this extension would create unforeseen challenges as the facility is nearing completion.

We truly appreciate the opportunity to continue our work with the MSRC, and we sincerely apologize we were unable to complete this project last year due to circumstances beyond our control. Should you have any questions, please contact me at (310) 781-6924, and I will be happy to assist you.

Sincerely,

James Lee, Administration Manager  
Torrance Transit Systems

### MSRC-TAC Scope Changes Agenda Item No. 3

**DATE:** February 2, 2023

**FROM:** Cynthia Ravenstein, MSRC Contracts Administrator

**SUBJECT:** Modified Operational Requirement by City of Long Beach, Contract #ML18055

**SYNOPSIS:** The City indicates that they installed two of the specified limited-access charging stations at property for which the City had a long-term lease. Unexpectedly, the property owner decided to sell the property. Contract #ML18055 requires that the MSRC-supported stations remain operational in the original location for at least three years. Because they were not able to fulfill this requirement in the original location, the City is proposing to relocate the stations to a City-owned facility at their own cost. They would restart the operational clock and operate the stations for three years from the date of installation in the new location. The City further requests to add language to the contract to allow a similar approach in the event that other stations need to be moved during the operational period, as part of the FYs 2016-18 Local Government Partnership Program.

**FINANCIAL IMPACT:** The existing contract language includes a provision requiring the City to reimburse a percentage of the MSRC funds provided for the stations, should the stations not remain operational in the original location for three years. The MSRC reimbursed \$18,120.46 for the subject stations; the stations ceased operation in the original location in Years 1-2; and the payback percentage for this timeframe is 66%. Thus, if the MSRC does not approve the City's request, the City is responsible for reimbursing \$11,959.50.

**RECOMMENDATIONS:** The MSRC Contracts Administrator recommends approval of the requested relocation, but not the addition of language regarding future relocations

**ATTACHMENTS:** Contractor's letter requesting modification

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**DISCUSSION:**

Contractor: **City of Long Beach**  
Project Title: Install EV Charging Infrastructure

MSRC Funding: \$622,220  
 Contract Term: November 29, 2018 to November 28, 2026  
 Current Request: Modified operational requirements  
 Previous Requests: None

Project Description: The MSRC awarded the City \$622,220 under the FYs 2016-18 Local Government Partnership Program to install 50 limited access Level II charging stations. 43 stations have been installed to date, and \$302,401.53 has been paid to date.

Contract Request: The City has completed installation of the majority of stations specified in the contract. The City indicates that they installed two of the specified limited-access charging stations at property for which the City had a long-term lease. Unexpectedly, the property owner decided to sell the property. Contract #ML18055 requires that the MSRC-supported stations remain operational in the original location for at least three years. Should the stations not remain operational in the original location for three years, and the termination of operation is not due to technical problem which cannot be repaired, the City must reimburse a percentage of the MSRC funds provided for the stations. The percentage is based upon when the termination occurred, as follows:

3 year Operational Availability Obligation Occurs	Termination	Percentage of MSRC Funds to be Reimbursed
Within Year 1		100%
Between Years 1-2		66%
Between Years 2-3		33%
After Year 3		0%

The City was reimbursed \$18,120.46 for the installation of the subject stations. The stations operated one year and 10 months in the original location. Thus, under the existing terms they are responsible to reimburse 66% of the amount received, or \$11,959.50.

Because they were not able to fulfill the operational requirement in the original location, the City is proposing to relocate the stations to a City-owned facility at their own cost. They would restart the operational clock and operate the stations for three years from the date of installation in the new location. Because the contract does not terminate until November 28, 2026, it is feasible for the City to complete this within the current contract term.

The City further requests to add a clause to the contract to address any future cases in which the City needs to move stations. This clause would read:

Should CONTRACTOR need to move Level II charging stations, CONTRACTOR shall have the option to move charging stations to another location. The reinstalled Level II charging stations shall remain operational for three (3) years in the new installation. CONTRACTOR is responsible for all costs associated with this move and shall not seek reimbursement for any reinstallation of chargers. Should CONTRACTOR desire to deviate from this obligation, for reasons other than those stated in the EARLY TERMINATION

clause of this Contract, CONTRACTOR shall reimburse SCAQMD for a prorated share of the funds provided for fueling/charging facilities as indicated in the table above.

Recommendations: Given that the City is covering relocation costs, the new location will have similar accessibility, the operational clock will be restarted, and there is sufficient time remaining on the contract term, the MSRC Contracts Administrator recommends approval of the requested relocation. However, the MSRC Contracts Administrator does not recommend the addition of language automatically authorizing future relocations. There are too many variables which ought to be assessed in each instance, most particularly whether there is enough time remaining in the contract to cover a fresh three-year operational period.



January 18, 2023

Cynthia Ravenstein  
South Coast AQMD/MSRC  
21865 East Copley Drive  
Diamond Bar, CA 91765

Re: MSRC Local Government Partnership Agreement ML18055 – Contract Modification Request

To: Cynthia Ravenstein

The City of Long Beach Fleet Services was recently made aware of a situation that affects our agreement ML18055 with the MSRC.

The City of Long Beach's Technology & Innovation Department (TID) were 20-year, long term tenants at a non-City owned facility located at 5580 Cherry Ave, Long Beach, CA 90805. Chargers were installed at this property using MSRC funding, with the expectation that the department would be housed there indefinitely. However, the property owner has decided to sell the property. After a series of failed negotiations over the past 8 months, TID was given 60 days' notice to vacate the property, by December 2022. Unfortunately, Fleet Services was given only days' notice on the move and immediately contacted your organization to discuss our plans and any ramifications. The City's plan is to move the chargers previously located at 5580 Cherry to the City-owned parking garage at 332 W Broadway, Long Beach, CA 90802, where the same TID vehicles will be using them for normal operations.

We understand that there is a 3-year minimum operating requirements per location on this agreement as indicated in our contract. As of 12/31/22, the chargers at 5580 Cherry have been operational for 1 years, 10 months. Statement of Work, item no. 2(A) reads:

*CONTRACTOR commits to ensuring Level II charging stations remain operational in the original location for a period of no less than three (3) years from the date the station begins operations in either its initial or expanded capacity.*

In order to meet the requirements of this contract, the City is proposing the following changes:

- 1) The City shall move these 2 chargers, which were partially funded by this agreement, to a City owned facility located at 332 W Broadway, Long Beach, CA



90802. The TID chargers were intended for City employee use and will remain so in their new location. These 2 chargers will become operational in 2023 and the City will cover all the costs associated with this move. The City also shall not seek any further reimbursement on these 2 chargers.

- 2) The City shall restart the clock, on the required operational commitments, when these 2 chargers are reinstalled in 2023. Therefore, the City will commit to 3 years of operational availability and obligation on these 2 chargers.
- 3) Add a 4<sup>th</sup> item (D) in clause no. 2 in the Statement of Work. This new, additional clause applicable to all chargers under this agreement, shall read:

*D. Should CONTRACTOR need to move Level II charging stations, CONTRACTOR shall have the option to move charging stations to another location. The reinstalled Level II charging stations shall remain operational for three (3) years in the new installation. CONTRACTOR is responsible for all costs associated with this move and shall not seek reimbursement for any reinstallation of chargers. Should CONTRACTOR desire to deviate from this obligation, for reasons other than those stated in the EARLY TERMINATION clause of this Contract, CONTRACTOR shall reimburse SCAQMD for a prorated share of the funds provided for fueling/charging facilities as indicated in the table above.*

The City recognizes that preemptive communication is preferable for situations like this. We apologize for the late notification of this situation and hope that our quick turnaround to communicate this to the South Coast Air Quality Management District adequately conveys our priority of honoring all the provisions of this contract.

Should you have any questions about the submitted materials, please contact Jason Kang, Administrative Analyst, at 562-570-5407.

Sincerely,



Ryan Van Andel,  
Fleet Finance Officer

Attachments

Contract ML18055

DB:rv:jk

T:\Fleet Oper\Grants\MSRC 17-18 Govt Partnership ML18055\ML 18055 Contract



MSRC-TAC Scope Changes Agenda Item No. 4

**DATE:** February 2, 2023

**FROM:** Cynthia Ravenstein, MSRC Contracts Administrator

**SUBJECT:** Modified Payment Schedule by Volvo Financial Services, Contract #MS21019

**SYNOPSIS:** Under Contract #MS21019, trucks are to be delivered by Volvo to end user Quality Custom Distribution (QCD) on a phased schedule. The payment schedule ties reimbursement for the second batch of trucks to be delivered to the installation of ABB in-ground permanent charging for the trucks. It has become possible for these “Phase 2” trucks to be delivered early, before installation of the permanent charging can be completed. Volvo requests to remove the requirement for proof of the ABB charging stations’ installation as a condition for reimbursement of the Phase 2 trucks, as part of the FYs 2018-21 On-Road Inland Ports Program.

**FINANCIAL IMPACT:** If the MSRC approves the request, Phase 2 trucks would be delivered and the MSRC share would be reimbursed over the next 2-3 months. If the MSRC does not approve the request, either delivery would be delayed, or Volvo/QCD would be forced to wait several months for completion of the ABB chargers’ installation to be reimbursed for the trucks.

**RECOMMENDATIONS:** The MSRC Contracts Administrator recommends approval

**ATTACHMENTS:** Contractor’s letter requesting modification

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**DISCUSSION:**

**Contractor:** Volvo Financial Services

**Project Title:** Lease 14 Zero Emission Trucks and Provide Charging Infrastructure

**MSRC Funding:** \$3,930,270

**Contract Term:** March 31, 2022 to March 30, 2030

**Current Request:** Modified payment schedule

**Previous Requests:** None

Project Description: The MSRC awarded Volvo \$3,930,270 under the FYs 2018-21 On-Road Inland Ports Program to lease 14 zero emission trucks to end user QCD and provide them with

charging infrastructure. Two trucks and two portable charging stations have been deployed, and \$495,869.15 has been paid to date.

Contract Request: Under Contract #MS21019, trucks are to be delivered by Volvo to end user QCD on a phased schedule. "Phase 1" consisted of two trucks. These trucks have been delivered, placed into service, and received reimbursement. The payment schedule ties reimbursement for the "Phase 2" trucks to the installation of ABB in-ground permanent charging for the trucks. However, while the ABB charging stations are still going to be installed as planned, this is not anticipated to occur for some time yet.

It has become possible for these "Phase 2" trucks to be delivered early, before installation of the permanent charging can be completed. Volvo indicates QCD has confirmed that they can support 4-5 more trucks with their current portable charger setup. 2 of these portable chargers were funded under Contract #MS21019; others were obtained through other resources. Volvo and QCD are discussing potential temporary charging solutions for additional trucks beyond this. Volvo requests to remove the requirement for proof of the ABB charging stations' installation as a condition for reimbursement of the Phase 2 trucks.

Recommendations: Typically, MSRC contracts impose a 5-10% across-the-board withhold on all project elements. The primary purpose of the withhold is to ensure submission of a final report. Upon acceptance of the final report, the withhold is released. To minimize hardship to end user QCD, Contract #MS21019 was negotiated with the entirety of the withhold (\$196,514) associated with the installation of the ABB charging stations. However, as a means of assuring that progress towards the stations' installation continued, various milestones associated with the stations were tied to reimbursement for the trucks.

Although this is Volvo's first contract with MSRC, they have a good performance history with South Coast AQMD. Given that the requirement for proof of the ABB stations' installation would still remain for the Phase 3 trucks, the MSRC Contracts Administrator recommends approval of Volvo's request.

January 18, 2023  
Contracts Administration, MSRC  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765

Re: Contract No. AB 2766/MS21019

Dear SCAQMD/MSRC:

This correspondence is in regards to the contract between VFS and the SCAQMD/MSRC (No. AB 2766/MS21019). VFS requests your agreement in amending the contract to account for the timing of certain deliveries that were unforeseeable when the Parties signed the agreement.

We would request your assistance with amending that certain section of the contract in Attachment 2, under "cost breakdown" - Milestone 3 (d). The evidence required in this section states that "proof of ABB charging stations' installation" must be provided prior to reimbursement. We would request that you consider removing this requirement from the contract in connection with criteria for reimbursement in milestone 3.

We request this amendment due to an unforeseen accelerated delivery schedule for phase 2 trucks and QCD's need to place these electric trucks into service ahead of completed installation of in-ground permanent charging. QCD, the end-user, has confirmed they can support 4-5 more trucks with their current portable charger setup. Two of those portable chargers were funded under this project upon completion of milestone 2. Additionally, we are discussing potential temporary charging solutions for the additional phase 2 trucks that would deliver beyond that. Please note that the in-ground permanent charging will still be installed as planned – just after the phase 2 trucks deliver.

The end user is very excited to put these trucks into service and to continue transferring their fleet to carbon neutral with zero emission vehicles. We appreciate your consideration of this request. Please let us know what documentation is required and if you have any questions. Thank you.

With best regards,  
*Logan Andrew*  
Logan Andrew