



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

AGENDA

Thursday, December 8, 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>

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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

Vacant, 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** Hsu
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).

ACTION CALENDAR

2. **Consider Modified Scope of Work by Penske Truck Leasing Co., L.P., Contract #MS21007 (\$1,000,000 – Deploy 5 Zero Emission Yard Tractors)** Ravenstein
Due to the unavailability of the Kalmar T2E terminal tractor specified in the contract, Penske requests to substitute the use of Orange EV eTriever 4X2 terminal tractors instead, at no additional cost to the MSRC. The MSRC Contracts Administrator recommends approval.
3. **Consider 2-Year No-Cost Term Extension by City of Fontana, Contract #ML18144 (\$269,090 – Install Electric Vehicle Charging Infrastructure)** Ravenstein
The City indicates that the COVID-19 pandemic caused City, contractor, and Southern California Edison employee shortages as well as material delays and shortages, thereby delaying the project. A portion of the installations were further delayed due to a location change. The City requests an extension to December 31, 2025—approximately a 2-year extension. This would be the first extension on the contract. The MSRC Contracts Administrator recommends approval.
4. **Consider One-Year No-Cost Term Extension by City of La Puente, Contract #ML18178 (\$25,000 – Purchase One Heavy-Duty Near-Zero Emission Vehicle)** Ravenstein
After previously having been granted a two-year term extension, the City requests a one-year term extension due to supply chain delays associated with vehicle delivery. The MSRC Contracts Administrator recommends approval, contingent on this being the final extension.
5. **Consider Modified Scope and 32-Month No-Cost Term Extension by City of Monterey Park, Contract #ML18093 (\$25,000 – Purchase One Heavy-Duty Near-Zero Emission Vehicle)** Ravenstein
Due to the suspension of the City's Spirit Bus from April 2020 through July 2022, the purchase of a CNG bus to service an additional bus route was not completed.

The City also experienced significant personnel changes during this period. Subsequently, the City determined that they would not be adding a bus route in the near future, but they are in need of a CNG asphalt truck. The City requests a 32-month term extension. This would be the first extension on the contract. The MSRC Contracts Administrator recommends approval, contingent on this being the final extension. The MSRC Contracts Administrator also recommends substitution of the asphalt truck for the transit bus.

6. **Consider 32-Month No-Cost Term Extension by County of Los Angeles, Contract #ML14027 (\$492,000 - Construct New CNG Stations in Canyon Country and La Puente)**

Ravenstein

After previously having been granted extensions totaling 31 months, the County requests review of a 32-month term extension request which has been denied by the MSRC Contracts Administrator. The County indicates that equipment delivery delays experienced during the COVID-19 pandemic, as well as longer than anticipated time getting plans approved by Building and Safety and permits issued by Regional Planning, have delayed the project. They request a 32-month term extension to complete the installations and fulfill the operational requirements.

7. **Consider 3-Year No-Cost Term Extension by City of Montclair, Contract #ML18132 (\$40,000 – Install Electric Vehicle Charging Infrastructure)**

Ravenstein

The City requests review of a 3-year term extension request which has been denied by the MSRC Contracts Administrator. The City indicates that the need to upgrade the electrical panel at the site, and longer than anticipated time to complete the design, have delayed the project. They request a 3-year term extension to complete the installation and fulfill the operational requirements.

OTHER BUSINESS

8. **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, January 12, 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

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

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*****

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: December 8, 2022 Meeting

FROM: Daphne Hsu, Principal Deputy District Counsel

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

SYNOPSIS: This action is to adopt the attached Resolution finding that the MSRC-TAC: 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: 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 and MSRC-TAC 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 to continue to meet remotely. The recommended action is to adopt the attached Resolution finding that the MSRC-TAC: 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 _____

1 **A RESOLUTION OF THE TECHNICAL ADVISORY COMMITTEE TO THE MOBILE**
2 **SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE RECOGNIZING THE**
3 **PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4,**
4 **2020 AND THAT THE COUNTY OF LOS ANGELES CONTINUES TO RECOMMEND**
5 **MEASURES TO PROMOTE SOCIAL DISTANCING; AND AUTHORIZING FULLY OR**
6 **PARTIALLY REMOTE TELECONFERENCE MEETINGS OF THE TECHNICAL ADVISORY**
7 **COMMITTEE TO THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW**
8 **COMMITTEE, FOR THE PERIOD OF DECEMBER 8, 2022 THROUGH JANUARY 7, 2023**
9 **PURSUANT TO PROVISIONS OF THE BROWN ACT.**

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

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

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

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

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

26 **WHEREAS,** pursuant to Health & Safety Code section 44244, the MSRC and its MSRC-TAC are
27 to adopt or assist in the development of a work program that is to be submitted to the south coast district
28 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 usually meets at the South Coast AQMD headquarters, which is
2 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, support staff, as well as to any members of the general public who attend such meetings
15 in that unvaccinated or partially vaccinated persons are at high risk of contracting COVID-19, and even
16 fully vaccinated persons can contract and potentially unknowingly spread COVID-19; and

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

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

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

RESOLUTION _____

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

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

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

8 **BE IT FURTHER RESOLVED**, that the MSRC-TAC hereby finds that local officials continue to
9 impose or recommend measures to promote social distancing in the South Coast AQMD’s jurisdiction and
10 where the South Coast AQMD’s headquarters is located; and

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

15 **BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon adoption
16 and remain in effect until January 7, 2023 or until such time as the MSRC or the MSRC-TAC adopts a
17 subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during
18 which the MSRC-TAC may continue to teleconference without strict compliance with paragraph 3 of
19 Government Code section 54953(b).

20
21 DATE: _____

22 Steven Lee, Chair, MSRC-TAC
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MSRC-TAC Scope Changes Agenda Item No. 2

DATE: December 8, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: Modified Scope by Penske Truck Leasing Co. L.P., Contract #MS21007

SYNOPSIS: Due to the unavailability of the Kalmar T2E terminal tractor specified in the contract, Penske requests to substitute the use of the Orange EV eTrievers 4X2 terminal tractor instead, at no additional cost to the MSRC, as part of the FYs 2018-21 Off-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. The MSRC Contracts Administrator recommends approval.

ATTACHMENTS: Contractor's letter requesting modification

DISCUSSION:

Contractor: Penske Truck Leasing Co., L.P.
Project Title: Deploy 5 Zero Emission Yard Tractors
MSRC Funding: \$1,000,000
Contract Term: April 1, 2022 to March 31, 2028
Current Request: Modified scope
Previous Requests: None

Project Description: The MSRC originally awarded Penske \$1,160,000 under the FYs 2018-21 Off-Road Inland Ports Program to procure and deploy five Tesla Kalmar T2E terminal tractors and to install electric vehicle charging infrastructure. Subsequently, a determination was made that the charging infrastructure would be owned and operated by property owner Costco Wholesale Corporation (Costco), and the award was bifurcated into a \$1,000,000 award to Penske and a \$160,000 award to Costco. No work has been completed and nothing has been paid to date.

Contract Request: Penske now indicates that the Kalmar T2E terminal tractors are not available. Penske proposes to substitute comparable zero emission equipment. MHX requests to substitute the procurement of five Orange EV eTriever 4X2 terminal tractors.

The proposed Orange EV terminal tractors carry a higher price tag than the original Kalmar terminal tractors. Penske is seeking additional funding through California's Clean Off-Road Equipment (CORE) Program, but commits to covering the additional project costs if they are not otherwise able to defray them. There will be no additional cost to the MSRC.

Recommendations: The MSRC-TAC Scope Changes Subcommittee will review the request, and their recommendations will be brought forth at the MSRC-TAC meeting. The MSRC Contracts Administrator recommends approval.



October 31, 2022

Cynthia Ravenstein
South Coast Air Quality Management District
21865 Copley Drive A
Diamond Bar, California 91765

Re: Request for Vehicle Change for Penske Truck Leasing Co., L.P.'s Agreement (MS21007) for the Mobile Source Air Pollution Reduction Review Committee's P2021-08 Zero & Near-Zero Emission Cargo Handling Equipment & Infrastructure at Warehouse, Distribution, & Intermodal Facilities in Riverside & San Bernardino Counties

Dear Ms. Ravenstein:

Penske Truck Leasing Co., LP (Penske) is pleased to have been selected for the South Coast Air Quality Management District's (SCAQMD) Mobile Source Air Pollution Reduction Review Committee (MSRC) Clean Transportation Funding, #P2021-08. The original proposal would replace five (5) diesel powered off-road terminal tractors and deploy newly procured *Kalmar T2E* electric models, as well as associated charging infrastructure, to support goods movement at our fleet partner's distribution center in Mira Loma, CA. Penske is eager to deploy critical zero-emission technologies to immediately reduce emissions and improve air quality. But the original scope of work to deploy Kalmar T2E's is now no longer possible. We have received word that the OEM has since discontinued the specific model and will not meet previous orders. As such we are notifying MSRC that we will be utilizing a new vendor for the project, specifically OrangeEV. As such, Penske would like to request an amendment to our Grant Agreement (MS21007) to accommodate this Scope change.

Penske will not adjust the original requests of \$1,160,000, or \$200,000 per yard truck with \$32,000 per unit for supportive charging infrastructure. In addition to the budget, the timeline will not be impacted by this development. Penske will still pursue Clean Off-Road Equipment (CORE) Voucher Incentive Program funds and commits to covering the remaining \$466,250 project costs as match-share funding which may be offset by additional CORE vouchers or other off-road funding.

Penske appreciates the opportunity to pursue this deployment and is committed to reducing emissions and supporting California's clean air goals. Support from MSRC is critical for achieving Penske's sustainability goals and the larger goal of accelerating the market for advanced zero-emission solutions. Should you have any questions please do not hesitate to contact me.

Sincerely,

Patrick Watt

Patrick Watt (Oct 31, 2022 20:54 EDT)

Patrick Watt
VP Alternative Vehicles & Emerging Technologies

Penske Truck Leasing Tel: 610 775 6465
2875 Morgantown Road Fax: 610 775 6442
Reading, PA 19607 www.GoPenske.com

MSRC-TAC Scope Changes Agenda Item No. 3

DATE: December 8, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: 2-Year Term Extension by City of Fontana, Contract #ML18144

SYNOPSIS: The City indicates that the COVID-19 pandemic caused City, contractor, and Southern California Edison employee shortages as well as material delays and shortages, thereby delaying the project. A portion of the installations were further delayed due to a location change. The City requests an extension to December 31, 2025—approximately a 2-year extension. This would be the first extension on the contract. 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. The MSRC Contracts Administrator recommends approval.

ATTACHMENTS: Contractor’s request letter

DISCUSSION:

Contractor: City of Fontana

Project Title: Install Electric Vehicle Charging Infrastructure

MSRC Funding: \$269,090

Project Term: October 4, 2019 to December 3, 2023

Current Request: 2-year term extension

Previous Requests: Specify 12 charging ports instead of 12 charging stations

Project Description: The City was awarded \$269,090 under the MSRC’s FYs 2016-18 Local Government Partnership Program (LGPP) towards the installation of 12 publicly accessible Level II charging stations. This was subsequently modified to specify that the City needed to provide a combined total of 12 charging ports. 4 stations, providing a combined total of 6 charging ports, have been installed, and nothing has been paid to date on this contract.

Previous Requests: For efficiency purposes, the City requested to substitute the installation of four single-port stations and four dual-port stations for the twelve stations specified in the contract. They would still be installing twelve charging ports. The MSRC and the South Coast AQMD Governing Board approved the modification.

Contract Request: The City opted to proceed with the installations in two phases. While the stations were originally anticipated to be installed in two different locations, after the first phase was complete in May 2021, the City revised their plans and decided to install the remaining stations in the City Hall/Police Department area as well. The contract does allow for location changes within the City limits.

The City indicates that both phases of station installation were impacted by City, contractor, and Southern California Edison employee shortages as well as material delays and shortages associated with the COVID-19 pandemic. The second phase was further impacted by the decision to switch locations. The City requests an extension to December 31, 2025—approximately a 2-year term extension—to allow sufficient time to complete the remaining installations and fulfill the required five-year operational period. This would be the first extension on the contract.

[Note: the City’s letter makes reference to being required to reimburse South Coast AQMD a percentage of the funding if their request is not approved. This reflects a misunderstanding of the contract provisions; the referenced contractor reimbursement provision comes into play if a contract deliverable such as a charging station unexpectedly ceases to operate during the required operational period. The City will not receive **any** reimbursement if the MSRC does not extend their contract.]

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.



City Council

Acquanetta Warren
Mayor

Peter A. Garcia
Mayor Pro Tem

John B. Roberts
Council Member

Jesus "Jesse" Sandoval
Council Member

Phillip W. Cothran
Council Member

November 9, 2022

Cynthia Ravenstein
MSRC Contracts Administrator
Clean Transportation Funding from MSRC
21865 Copley Drive
Diamond Bar, CA 91765

Re: MSRC Contract #ML18144/Funding for EV Charging Infrastructure – Contract Modification

Dear Ms. Ravenstein:

The City of Fontana is requesting a Contract Modification to MSRC Contract #ML18144/Funding for EV Charging Infrastructure. The original scope of work was to purchase and install twelve (12) electric vehicle charging stations, including all necessary infrastructure work, electrical, paving, striping, and EV legend improvement as needed to facilitate the use and ease of public accessible Charging Stations 24 hours per day, 7 days per week. The City of Fontana decided to complete the Project in two (2) Phases at two different locations.

- Phase 1 - City Hall/Police Department
 - Installation of new electrical infrastructure and installation of (6) new Charge Point EV chargers in parking lot; two (2) dual level 2 CT-4021 and two (2) level 2 CT-4011 single ports. Along with spare conduits for two (2) future dual level 2 and two (2) single 50kW DC Fast chargers. **Contract amount \$200,545.97.**
 - ◆ Started January 2021 – **Completed May 2021**
 - ◆ Length of Extension Requested – May 2024
 - ◆ New Project Schedule – Not Applicable
 - ◆ Project Completion Status - **Complete**
 - ◆ Reason for Delay – COVID 19 which caused City, Contractor, and SCE employee shortage along with material delays and shortage.
 - ◆ Consequences of Denial – City will be required to reimburse SCAQMD up to 33% of the funds allocated for the Project Phase I

Due to delay mention above, the Project was postponed for approximately a year and a half (1.5) however, Phase I is now complete.

- Phase 2 – Center Stage/HR

- Installation of new electrical infrastructure and installation of (6) new Charge Point EV chargers in parking lot; two (2) dual level 2 CT-4021 and two (2) level 2 CT-4011 single ports. **Contract amount \$158,527.53.** However, the City revised the location of Phase II thereby, moving the remaining six (6) EV Charging Stations from Center Stage/HR to City Hall/Police Department area.
 - ◆ Construction to Start November 15, 2022 and be complete December 16, 2022
 - ◆ Length of Extension Requested – December 31, 2025
 - ◆ New Project Schedule – **See attached**
 - ◆ Project Completion Status – Revised Drawing in Plan Check review with the City's Building & Safety. Once Plans are approved a Construction Permit will be issued and construction will commence.
 - ◆ Reason for Delay – Revised location, Revised Plans, COVID 19, City, Contractor, and SCE employee shortage along with material delays and shortage.
 - ◆ Consequences of Denial – City will be required to reimburse SCAQMD 100%

Unfortunately, due to unforeseen circumstances beyond the City's control at the beginning of MSRC Contract Award; severe delays have hindered commencement in addition to the change in location with Phase II. However, under MSRC Contract Agreement, the City of Fontana is aware of our obligation to comply with the Policies and Operational availability of the EV Charging Stations for a minimum of three (3) years from the date the EV Station becomes online. Approving the Contract Modification would allow the City to complete Phase II and remain in compliance under MSRC Contractual Agreement and SCAQMD, as well as meet the community demands of assessable EV Charging Ports. If you need any additional information, please feel free to contact me via email Adaniel@fontana.org , or at (909) 350-6683.

Sincerely,

Adrian Daniel

Adrian Daniel
Project Coordinator

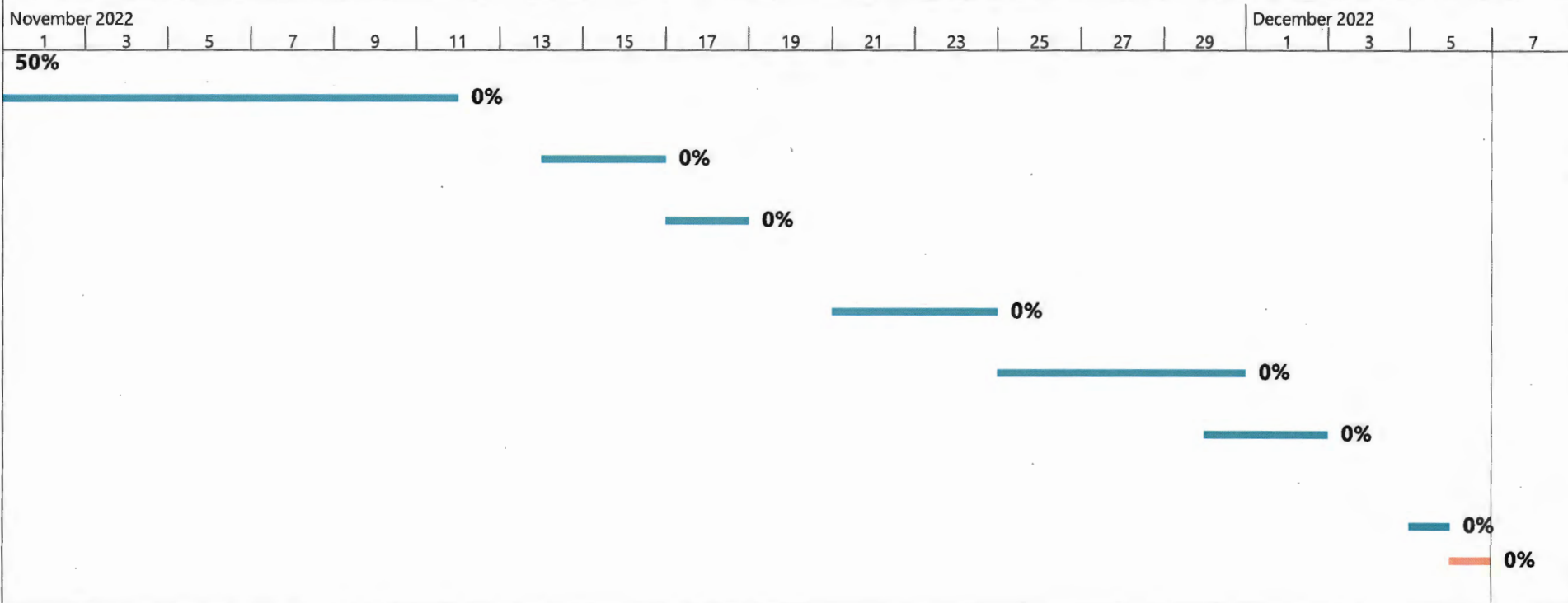
Encl: Construction Schedule for Phase II
Plans of EV Charging Stations new location

City of Fontana Preliminary CO Schedule

ID	Task Mode	Task Name	Duration	Start	Finish	Timeline (Days)										No
						14	16	18	20	22	24	26	28	30		
1		Project Drawings	11 days	Mon 10/17/22	Mon 10/31/22											5
2		City of Fontana Plan Check approximate	9 days	Tue 11/1/22	Fri 11/11/22											
3		Saw Cutting and Trenching	3 days	Mon 11/14/22	Wed 11/16/22											
4		Under Ground Conduit Install Electrical Rough	2 days	Thu 11/17/22	Fri 11/18/22											
5		Back fill and finish patching	4 days	Mon 11/21/22	Thu 11/24/22											
6		EV Charging Stations install	4 days	Fri 11/25/22	Wed 11/30/22											
7		EV Charging stations Connect and Comissioning	3 days	Wed 11/30/22	Fri 12/2/22											
8		Final Electrical Inspec	1 day	Mon 12/5/22	Mon 12/5/22											
9		Project Final walk and acceptance	1 day	Tue 12/6/22	Tue 12/6/22											

Critical		Finish-only		Manual Summary	
Critical Split		Duration-only		Project Summary	
Critical Progress		Baseline		External Tasks	
Task		Baseline Split		External Milestone	
Split		Baseline Milestone		Inactive Task	
Task Progress		Milestone		Inactive Milestone	
Manual Task		Summary Progress		Inactive Summary	
Start-only		Summary		Deadline	

City of Fontana Preliminary CO Schedule



Critical		Finish-only		Manual Summary	
Critical Split		Duration-only		Project Summary	
Critical Progress		Baseline		External Tasks	
Task		Baseline Split		External Milestone	
Split		Baseline Milestone		Inactive Task	
Task Progress		Milestone		Inactive Milestone	
Manual Task		Summary Progress		Inactive Summary	
Start-only		Summary		Deadline	

MSRC-TAC Scope Changes Agenda Item No. 4

DATE: December 8, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: One-Year Term Extension by City of La Puente, Contract #ML18178

SYNOPSIS: After previously having been granted a two-year term extension, the City requests a one-year term extension due to supply chain delays associated with vehicle delivery. 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. The MSRC Contracts Administrator recommends approval, contingent on this being the final extension.

ATTACHMENTS: Contractor's request letter

DISCUSSION:

Contractor: City of La Puente

Project Title: Purchase One Heavy-Duty Near-Zero Emission Vehicle

MSRC Funding: \$25,000

Project Term: September 7, 2018 to July 6, 2025

Current Request: One-year term extension

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

Project Description: The City was awarded \$83,500 under the MSRC's FYs 2016-18 Local Government Partnership Program (LGPP) towards the installation of electric vehicle charging stations: one public-access and 3 limited-access. No construction work has been completed and nothing has been paid to date on this contract.

Previous Requests: The City's initial vehicle purchase was disqualified for failure to meet the emission standards specified in the contract. The City requested a one-year contract term extension to allow time for them to procure a second vehicle which would fulfill the contract requirements. This modification was processed administratively.

Subsequently, the City indicated that they needed longer than anticipated to compile comparisons between bus models, ensuring compliance with the emission requirements set

forth in the contract as well as considering efficiency, capacity and lifespan. The City also evaluated the availability of various procurement approaches, including cooperative purchasing agreements, within their municipal code. The City now expected to bring the selected vehicle to their Council for approval in January 2022 and proceed with the purchase. The City requested a one-year term extension to complete the project. The MSRC approved the request in December 2021.

Contract Request: The City states that in accordance with the schedule they had outlined to the MSRC, they placed their order in January 2022. However, the vendor A-Z Bus Sales has indicated that all bus models with the Ford chassis are delayed in production. The revised in-service date is now estimated at April 2023. The City requests a one-year term extension. They are bound by their purchase order contract, and if the MSRC were to deny the City's request, the City would have to make up the difference.

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, contingent on this being the final extension.



City of La Puente

15900 E. Main Street, La Puente, CA 91744-4719 Telephone: (626) 855-1500 Fax: (626) 961-4626 www.lapuente.org

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

Oct. 24, 2022

Dear Ms. Ravenstein:

The City of La Puente formally requests an extension of MSRC Contract **ML 18178** for a period of twelve (12) additional months from the current in-service date of November 30, 2022. This would extend the five-year contract term for an additional period from Dec. 01, 2027, through Nov. 30, 2028.

The purpose of this request is to allow sufficient time for the clean-air vehicle to be placed into service. On January 18, 2022, the City placed an order with A-Z Bus Sales, Inc. for this vehicle. As of late October of 2022, the vendor still estimates a six (6) to seven (7) month timeframe remaining prior to delivery of the vehicle – placing the revised in-service date on or about April 2023.

This setback reflects significant disruptions in global supply chains, especially with regard to vehicles. A-Z Bus Sales has indicated that Ford chassis for all bus models are delayed in production. This assertion is consistent with the City's experience in procuring other vehicles this year, with longer lead times becoming a frequent occurrence.

Since the City placed its order for the clean-air bus early in 2022, we have secured a relatively favorable place in the chronological order of manufacturing. If the extension request were not approved, the City would still be bound to the purchase order contract and would be required to subsidize the shortfall of grant funds. We have completed 5 out of 6 tasks identified in fulfillment of this contract, and we are hopeful you will consider this in your evaluation.

We thank you for your consideration of this request. If we can provide any further information, please feel free to contact us at any time.

Respectfully Submitted,

Troy Grunklee, CPA
Director of Administrative Services

MSRC-TAC Scope Changes Agenda Item No. 5

DATE: December 8, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: Modified Scope and 32-Month Term Extension by City of Monterey Park, Contract #ML18093

SYNOPSIS: Due to the suspension of the City's Spirit Bus from April 2020 through July 2022, the purchase of a CNG bus to service an additional bus route was not completed. The City also experienced significant personnel changes during this period. Subsequently, the City determined that they would not be adding a bus route in the near future, but they are in need of a CNG asphalt truck. The City requests a 32-month term extension. This would be the first extension on the contract. 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. The MSRC Contracts Administrator recommends approval, contingent on this being the final extension. The MSRC Contracts Administrator also recommends substitution of the asphalt truck for the transit bus.

ATTACHMENTS: Contractor's request letter

DISCUSSION:

Contractor: City of Monterey Park

Project Title: Purchase One Heavy-Duty Near-Zero Emission Vehicle

MSRC Funding: \$25,000

Project Term: February 1, 2019 to February 28, 2026

Current Request: 32-month term extension

Previous Requests: None

Project Description: The City was awarded \$25,000 under the MSRC's FYs 2016-18 Local Government Partnership Program (LGPP) towards the purchase of one heavy-duty near-zero emission vehicle. No work has been completed and nothing has been paid to date on this contract.

Contract Request: The City had originally planned to procure a CNG bus for its Spirit Bus fixed-route transit program. Due to the suspension of the City's Spirit Bus from April 2020 through July 2022, the purchase of a CNG bus to service an additional bus route was not completed. The City also experienced significant personnel changes during this period, which prevented them from developing plans to repurpose the MSRC funds.

Subsequently, the City determined that they would not be adding a bus route in the near future, but they are in need of a CNG asphalt truck. This vehicle meets the contract specifications and would have been approved if originally proposed. The City requests a 32-month term extension to allow sufficient time to complete the procurement and fulfill the required five-year operational period. This would be the first extension on the contract.

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 likelihood that the City would continue operating their old truck if the MSRC funding is not available, the MSRC Contracts Administrator recommends approval, contingent on this being the final extension. The MSRC Contracts Administrator also recommends substitution of the asphalt truck for the transit bus.

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.montereypark.ca.gov



City Council
Peter Chan
Hans Liang
Henry Lo
Yvonne Yiu

City Clerk
Vincent D. Chang

City Treasurer
Joseph Leon

November 7, 2022

Cynthia Ravenstein
MSRC Contracts Administrator
Clean Transportation Funding
21865 Copley Drive
Diamond Bar, CA 91765

Re: MSRC Contract #ML18093/Funding for a Heavy-Duty Near-Zero Emission Vehicle -
Modification Request

Dear Ms. Ravenstein,

This letter serves as the City of Monterey Park's formal request for a 32-month extension to MSRC Contract #ML18093 for the purchase of a Heavy-Duty Near-Zero Emission vehicle. This would extend the City's current contract term end date of February 28, 2026 to October 31, 2028. The City's request for an extension would allow the City to complete the procurement process and have the vehicle in service for a minimum of 5 years as required by the contract. According to the current project schedule, the City had to complete the procurement of a CNG Bus for its Spirit Bus fixed-route transit program by December 2020. However, due to the Covid19 pandemic, the City's Spirit Bus was suspended from April 2020 through July 2022. During this time, there were no buses in operation and the anticipated purchase of a CNG Bus to service an additional bus route was not completed. Additionally, during this time, the City experienced significant personnel changes to the management of this grant and was therefore not able to complete or repurpose the MSRC grant funds prior to this year.

At this time, the City is conducting a full evaluation of its fixed-route transit and does not plan to add an additional bus route in the near future. For this reason, it was determined to repurpose the MSRC grant funds for the purchase of an alternate Heavy-Duty Near-Zero emission vehicle for the City. On November 2, 2022, City Council approved a modification request to its MSRC agreement and purchase of a CNG Asphalt Truck with grant funds. A copy of the report for Item 3E and its related approval is enclosed with this letter. Official minutes for this meeting will be forwarded to MSRC once they are made available by the City Clerk's office.

The total cost of the proposed CNG Asphalt Truck is approximately \$327,405. If this modification request is granted, the City would use \$25,000 from its MSRC grant and \$302,405 from its AQMD 2766 Subvention Fund to purchase the vehicle. The City anticipates the vehicle to be in-service by September 2023. An updated project schedule is listed in the following table.

Project Schedule:

	Current Schedule	Proposed Schedule (32-month extension)
<i>Contract Execution</i>	February 1, 2019	-
<i>Order Vehicle</i>	March 31, 2020	December 31, 2022
<i>Submit Public Outreach Plan</i>	June 30, 2020	March 31, 2023
<i>Take Delivery and place vehicle into service</i>	December 31, 2020	September 30, 2023
<i>Implement Public Outreach Plan</i>	February 28, 2021	November 30, 2023
<i>Quarterly Reports</i>	June 2019 – December 31, 2020	June 2019 – September 30, 2023
<i>Final Report</i>	March 31, 2021	December 31, 2023
<i>Contract Expiration</i>	February 28, 2026	October 31, 2028

We thank you in advance for your review and consideration of our contract modification request. Should you have any questions or require additional information, please contact Xochitl Tipan at xtipan@montereypark.ca.gov or (626) 307-1383.

Respectfully,



Shawn Igoe,
Director of Public Works

Enclosures: Staff Report Item 3E

MSRC-TAC Scope Changes Agenda Item No. 6

DATE: December 8, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: 32-Month Term Extension by County of Los Angeles, Contract #ML14027

SYNOPSIS: After previously having been granted extensions totaling 31 months, the County of Los Angeles requests MSRC review of a 32-month term extension request which has been denied by the MSRC Contracts Administrator. The County indicates that equipment delivery delays experienced during the COVID-19 pandemic, as well as longer than anticipated time getting plans approved by Building and Safety and permits issued by Regional Planning, have delayed the project. This project is part of the FYs 2012-14 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. This request was previously denied by the MSRC Contracts Administrator.

ATTACHMENTS: Contractor's letter requesting review of denial; Contracts Administrator's letter notifying Contractor of denial; original letter requesting extension

DISCUSSION:

Contractor: County of Los Angeles

Project Title: Construct New CNG Stations in Canyon County and La Puente

MSRC Funding: \$492,000

Project Term: October 2, 2015 to December 1, 2025

Current Request: 32-month term extension

Previous Requests: Reduce time-fill hoses in Canyon Country and reduce value \$8,000; 18-month term extension; Substitute installations in Canyon Country and La Puente for Downey and 13-month term extension

Project Description: The County was originally awarded \$500,000 under the MSRC's FYs 2012-14 Local Government Match Program to install a CNG station in Downey, but this was subsequently changed to the installation of stations in Canyon Country and La Puente. Later, the number of time-fill hoses to be installed was reduced, with a corresponding reduction in

contract value. Designs have been completed for both stations and permits have been issued for the Canyon Country station, but no construction has been performed; nothing has been reimbursed to date.

Previous Requests: The County indicated that with the opening of Southern California Gas' CNG station in Pico Rivera, their need for a station in Downey was diminished. However, the County determined that stations in two other locations--Canyon Country and La Puente—would serve a greater percentage of their Public Works fleet. The County requested to substitute these station locations for the station in Downey. The location changes delayed the project, so the County also requested a 13-month contract term extension. At their August 18, 2016 meeting, the MSRC considered and approved the County's request. In early 2020, the County indicated that they had encountered equipment order and construction delays associated with their vendor. The County requested, and the MSRC approved, an 18-month contract term extension. In late 2020, the County indicated that the area designated for the installation of time fill hoses at the Canyon Country location was highly congested. The limited space needs to accommodate parking, staging, and storage for trucks, equipment and material. The County requested to reduce the number of time fill hoses to be installed from six to four, with a corresponding \$8,000 reduction in the contract value. The MSRC considered and approved this request.

Contract Request: The County now indicates that equipment delivery delays experienced during the COVID-19 pandemic, as well as longer than anticipated time getting plans approved by Building and Safety and permits issued by Regional Planning, have further delayed the project. The County requests a 32-month term extension to allow time to complete the installations and fulfill the five-year operational requirement.

MSRC Contracts Administrator Review & Contractor Request for MSRC Review of Denial:In accordance with the MSRC's recently adopted Policy on Contract Modifications, the request was reviewed by the MSRC's Contracts Administrator. The first review is for completeness. Having satisfied those requirements, the request is then checked against a set list of pre-established criteria for denial. The Contracts Administrator denied the City's request because it fell into the following category: contract has already had extensions totaling greater than or equal to two years and is requesting an extension greater than one year.

Also as established by the Policy on Contract Modifications, the Contractor has the right to request MSRC review if their extension request is denied by the Contracts Administrator. The County has exercised this option.

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



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

October 27, 2022

Ms. Cynthia Ravenstein
MSRC Contracts Administrator
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Dear Ms. Ravenstein:

**MOBILE SOURCE AIR POLLUTION
REDUCTION REVIEW COMMITTEE
AB 2766 DISCRETIONARY FUND
LA PUENTE AND CANYON COUNTRY
INSTALLATION OF CNG STATION
FISCAL YEAR 2013-14 - CONTRACT NO. ML14027**

Public Works is requesting to amend Contract No. ML14027 as follows:

- Amend contract term by granting an extension of 32 months to meet the five-year operational requirement of the grant. This extension is requested due to multiple delays encountered, including equipment delivery delays experienced during the COVID-19 pandemic, with the vendor getting plans approved by Building and Safety, and with the permits getting issued by Regional Planning.

The planning and design phase of the projects have been completed, the utilities have been installed, and the permits for Canyon Country have been issued. We are awaiting the permits for the La Puente location. Once they are issued, construction will begin at both locations, and we anticipate a completion date of June 2023 for both locations.

We anticipate the following updated schedule:

- December 2022: All permits issued
- January/February 2023: Begin construction
- June 2023: Complete construction

If our extension request is not approved, we would be required to remove all gas and electric utilities that have been installed, rescind the right of way easements, and bear the cost of expenses incurred to date.

If you have any questions regarding this request, please contact Ms. Marwa Zughbi, Administrative Services Manager, at (626) 458-7328.

Very truly yours,

MARK PESTRELLA
Director of Public Works

Richard Smith

RICHARD L. SMITH
Chief, Fleet Management, Public Works
Fleet Management Division

MZ:vc

P:\FT\PUB\FTGENERAL\BUDGET FILES\GRANTS\AWARDED\LOCAL GOVT MATCH AB 2766 (2013)\ML14027A (LA PUENTE & CANYON COUNTRY)\CONTRACT\ML14027 AMENDMENT REQUEST (D).DOCX



Clean Transportation Funding

from the MSRC

Mobile Source Air Pollution Reduction Review Committee

October 28, 2022

Richard L. Smith
Chief, Fleet Management, Public Works
Fleet Management Division
County of Los Angeles
P.O. Box 1460
Alhambra, CA 91802-1460

RE: MSRC Contract #ML14027 Extension Request

Dear Richard L. Smith:

MSRC staff have received the County's request for a 32-month term extension of the above-referenced contract to construct new CNG stations in Canyon Country and La Puente.

Pursuant to the MSRC's Policy on Contract Modifications as last modified in February 2022 (attached), as Contracts Administrator I have the responsibility to assess the request and determine if there is an adequate case for approval (Section B.7). Upon review of the County's request and the previous history of Contract #ML14027, I hereby deny the County's request for a 32-month term extension because it falls into the following category: the contract has already had extensions totaling greater than or equal to two years and is requesting an extension greater than one year.

The County has the option to appeal this denial of the request to the MSRC. If the County desires to pursue this course, please submit a letter requesting MSRC review of the denial. In order to place an item on the December 8 and 15 MSRC-TAC and MSRC agendas, respectively, we would need to receive your letter no later than November 23.

Should you have any questions, please don't hesitate to contact me at 909-396-3269 or the email below.

Cynthia Ravenstein
MSRC Contracts Administrator
Cynthia@CleanTransportationFunding.org

cc: Marwa Zughbi



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460

ALHAMBRA, CALIFORNIA 91802-1460

A-0

November 10, 2022

Ms. Cynthia Ravenstein
MSRC Contracts Administrator
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Dear Ms. Ravenstein:

**MOBILE SOURCE AIR POLLUTION
REDUCTION REVIEW COMMITTEE
AB 2766 DISCRETIONARY FUND
LA PUENTE AND CANYON COUNTRY
INSTALLATION OF CNG STATION
FISCAL YEAR 2013-14 - CONTRACT NO. ML14027**

On October 27, 2022, Public Works submitted a request to the MSRC to extend the contract term on Contract No. ML14027 by 32 months to meet the five-year operational requirement of the grant. On October 28, 2022, Public Works received a letter from the MSRC denying the request.

Public Works requests that the MSRC reviews the denial and consider reversing this decision. We are nearing completion of the projects after multiple delays that were out of our control and expect project completion by June 2023.

If you have any questions regarding this request, please contact Ms. Marwa Zughbi, Administrative Services Manager, at (626) 458-7328.

Very truly yours,

MARK PESTRELLA
Director of Public Works

Richard Smith

RICHARD L. SMITH,
Chief, Fleet Management Division

MZ:sh

MSRC-TAC Scope Changes Agenda Item No. 7

DATE: December 8, 2022

FROM: Cynthia Ravenstein, MSRC Contracts Administrator

SUBJECT: 3-Year Term Extension by City of Montclair, Contract #ML18132

SYNOPSIS: The City of Montclair requests MSRC review of a 3-year term extension request which has been denied by the MSRC Contracts Administrator. The City indicates that the need to upgrade the electrical panel at the site, and longer than anticipated time to complete the design, have delayed the project. This would be the first extension on this contract. 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. This request was previously denied by the MSRC Contracts Administrator.

ATTACHMENTS: Contractor's letter requesting review of denial; Contracts Administrator's letter notifying Contractor of denial; original letter requesting extension

DISCUSSION:

Contractor: City of Montclair

Project Title: Install EV Charging Infrastructure

MSRC Funding: \$40,000

Project Term: April 5, 2019 to September 4, 2023

Current Request: 3-year term extension

Previous Requests: None

Project Description: The City was originally awarded \$50,000 under the MSRC's FYs 2016-18 Local Government Partnership Program to procure one light-duty zero emission vehicle and install 8 Level II limited-access EV charging stations. Subsequently, the City decided not to proceed with the vehicle procurement, and Contract #ML18132 was executed for \$40,000 for the EV charging infrastructure only. No work has been completed and nothing has been reimbursed to date.

Contract Request: The City indicates that subsequent to the submittal of their funding application, they discovered that the existing electrical panel at the Civic Center would not

support the stations. The City has since completed a variety of infrastructure improvements, at a cost of approximately \$9,000, in anticipation of the charging station installation. With these improvements completed, the City entered into an agreement for design of the charging station installation project; with approximately \$11,000 expended to date, the design has taken much longer than anticipated. The City requests a three-year term extension to allow time to complete the installations and fulfill the three-year operational requirement.

MSRC Contracts Administrator Review & Contractor Request for MSRC Review of Denial: In accordance with the MSRC's recently adopted Policy on Contract Modifications, the request was reviewed by the MSRC's Contracts Administrator. The first review is for completeness. Having satisfied those requirements, the request is then checked against a set list of pre-established criteria for denial. The Contracts Administrator denied the City's request because it fell into the following category: the request is for three years or more.

Also as established by the Policy on Contract Modifications, the Contractor has the right to request MSRC review if their extension request is denied by the Contracts Administrator. The City has exercised this option.

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



September 20, 2022

Cynthia Ravenstein, MSRC Contracts Administrator
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765-4178

Subject: Contract # ML18132- Request for 36 Month Extension

Dear Ms. Ravenstein:

We respectfully request that AQMD approve a request for a time extension for this project.

Project Status - project is currently in the final plan check phase for construction documents. The estimated time for advertisement and construction is approximately six months.

Reason for project delay - Following the approval of the AB 2766/MSRC grant application, City staff discovered that the existing electrical panel at the Civic Center building site was not adequate in size to allow for the installation of a new Electrical Vehicle (EV) Charging Station. City staff has since completed a variety of infrastructure improvements totaling approximately \$9,000 in anticipation of the charging station installation at the Montclair Civic Center. The improvements include electrical panel upgrades and conduit installation. Construction of these improvements took longer than anticipated due to COVID restrictions during 2020-2021. Without these electrical upgrades, the City would not have been able to complete the installation of the Civic Center charging station.

With the preliminary electrical improvements completed, staff entered into an agreement with Wildan Engineering in December 2021 to design the EV charging installation project. Staff anticipated that the design would have a completion date of March 2022. However, the design has taken much longer than expected. To date, the City has expended approximately \$11,000 in design services for the preparation of construction documents for this project. In total, combining the preliminary electrical improvements and preparation of construction documents, the City has invested approximately \$20,000 in anticipation of the EV charging station installation.

CITY OF MONTCLAIR

5111 Benito Street, P. O. Box 2308, Montclair, CA 91763 (909) 626-8571 FAX (909) 621-1584

Mayor J. John Dutrey * Mayor Pro Tem Bill Ruh * Council Members: Tenice Johnson, Corysa Martinez, Benjamin Lopez * City Manager Edward C. Starr

The City of Montclair takes full responsibility for the delays in this project and we are working towards completing this project as quickly as possible. The proposed schedule below would outline the request for our extension request.

TASK	COMPLETION
Completion of design	October 2022
Advertise for construction	November/December 2022
Award construction contract	January 2023
Construction	February/April 2023
Closeout	May 2023
Operational End Timeline	May 2026

We looking forward to working with you on this Project. Should you have any questions, please feel free call me at (909) 625-9444.

Very truly yours,



Steve Stanton
Engineering Division Manager

September 22, 2022

Steve Stanton
Engineering Division Manager
City of Montclair
5111 Benito Street
Montclair, CA 91763

RE: MSRC Contract #ML18132 Extension Request

Dear Mr. Stanton:

MSRC staff have received the City's request for a 36-month term extension of the above-referenced contract for the installation of eight limited-access Level II charging stations.

Pursuant to the MSRC's Policy on Contract Modifications as last modified in February 2022 (attached), as Contracts Administrator I have the responsibility to assess the request and determine if there is an adequate case for approval (Section B.7). Upon review of the City's request and the previous history of Contract #ML18132, I hereby deny the City's request for a 36-month term extension because it falls into the following category: the current request is for three years or more.

The City has the option to appeal this denial of the request to the MSRC. If the City desires to pursue this course, please submit a letter requesting MSRC review of the denial. **We need to receive such letter no later than September 26, 2022** for the item to be placed on the October 6, 2022 MSRC-TAC agenda. We realize that this is a very short timeframe. If we receive your letter at a later date, the item will be placed on the first possible agenda.

Should you have any questions, please don't hesitate to contact me at 909-396-3269.

Sincerely,



Cynthia Ravenstein
MSRC Contracts Administrator
Cynthia@CleanTransportationFunding.org



November 1, 2022

Mobile Source Air Pollution Reduction Review Committee
21865 Copley Drive
Diamond Bar, CA 91765-4178

Subject: Contract # ML18132- MSRC Extension Denial Appeal

Dear Committee Members:

On September 20, 2022, the City of Montclair submitted a request for a contract extension. After having a conference call with Cynthia Ravenstein, MSRC Contracts Administrator, we received a denial letter. We respectfully request that MSRC members reconsider this decision and approve a request for a time extension for this project based on the following information.

Project Status – project is complete and ready to advertise within a 30 day notice. The estimated time for advertisement and construction is approximately six months.

Reason for project delay - Following the approval of the AB 2766/MSRC grant application, City staff discovered that the existing electrical panel at the Civic Center building site was not adequate in size to allow for the installation of a new Electrical Vehicle (EV) Charging Station. City staff has since completed a variety of infrastructure improvements totaling approximately \$9,000 in anticipation of the charging station installation at the Montclair Civic Center. The improvements include electrical panel upgrades and conduit installation. Construction of these improvements took longer than anticipated due to COVID restrictions during 2020-2021. Without these electrical upgrades, the City would not have been able to complete the installation of the Civic Center charging station.

With the preliminary electrical improvements completed, staff entered into an agreement with Wildan Engineering in December 2021 to design the EV charging installation project. Staff anticipated that the design would have a completion date of March 2022. However, the design has taken much longer than expected. To date, the City has expended approximately \$11,000 in design services for the preparation of construction documents for this project. In total, combining the preliminary electrical improvements and preparation of construction documents, the City has invested approximately \$20,000 in anticipation of the EV charging station installations.

CITY OF MONTCLAIR

5111 Benito Street, P. O. Box 2308, Montclair, CA 91763 (909) 626-8571 FAX (909) 621-1584

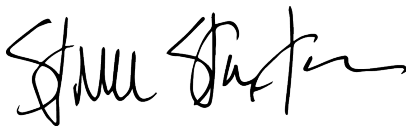
Mayor J. John Dutrey * Mayor Pro Tem Bill Ruh * Council Members: Tenice Johnson, Corysa Martinez, Benjamin Lopez * City Manager Edward C. Starr

The City of Montclair takes full responsibility for the delays in this project and we are working towards completing this project as quickly as possible. The proposed schedule below would outline the request for our extension request.

TASK	COMPLETION
Completion of design	October 2022
Advertise for construction	November/December 2022
Award construction contract	January 2023
Construction	February/April 2023
Closeout	May 2023
Operational End Timeline	May 2026

We looking forward to working with you on this Project. Should you have any questions, please feel free call me at (909) 625-9444.

Very truly yours,



Steve Stanton
Engineering Division Manager