






**DEPARTMENT OF TRANSPORTATION**

**DATE:** March 25, 2020

**TO:** WILMA QUAN, City Manager  
Office of the City Manager 

**THROUGH:** GREGORY A. BARFIELD, Director  
Department of Transportation 

**FROM:** BRIAN BARR, Assistant Director  
Department of Transportation 

**SUBJECT:** FINDING THE LEFLORE GROUP, LLC, IS UNIQUELY QUALIFIED AND  
UNIQUELY CAPABLE, AS DEFINED BY THE FEDERAL TRANSIT  
ADMINISTRATION, TO DEVELOP A STATE MANDATED ZERO-  
EMISSION ROLLOUT PLAN

**Executive Summary**

The California Air Resource Board (CARB) adopted the Innovative Clean Transit (ICT) regulation requiring all transit agencies to transition to zero-emission bus fleets by 2040, to meet the California air quality and climate goals by reducing emissions from the transportation sector. As part of the regulation, a Zero-Emission Rollout Plan must be developed, approved by Council, and submitted to the State by the deadline of July 1, 2020. The Department of Transportation, FAX Division requires technical assistance in the field of zero-emission technologies, planning, analysis, financial forecasts, schedules, and technical expertise. FAX personnel do not have the zero-emissions experience needed to develop this plan without the assistance from industry experts who are particularly experienced in public transportation hydrogen fuel cell and battery electric bus zero-emission technologies.

The LeFlore Group, LLC, (TLG) is a uniquely qualified public transportation zero-emission technology consultant. TLG is a leader in a steering committee for the Zero Emission Bus Resource Alliance and is an industry expert in Federal Transit Administration (FTA) compliance. Moreover, TLG and its subconsultants are engaged in oversight of the largest public transit hydrogen fuel electrolyzer station in the United States, which produces over 900kg of hydrogen per day. TLG purchased the first Buy America compliant hydrogen fuel cell electric bus in the United States. Its experience will allow FAX to produce a credible Zero-Emission Rollout Plan backed by real-life experience in the application of public transportation zero-emission technologies.

To comply with this regulation, FAX seeks to enter into a consulting services agreement with TLG. This action is defined as a sole-source non-competitive procurement by the FTA. This finding is supported by TLG's unique capability, direct experience and technical expertise, and innovation necessary to develop a Zero-Emission Rollout Plan in accordance with CARB regulations.

## **Background**

The CARB is charged with protecting the public from the harmful effects of air pollution and developing programs and actions to fight climate change. From requirements for clean cars and fuels to adopting innovative solutions to reduce greenhouse gas emissions. California has pioneered a range of effective approaches that have set the standard for effective air and climate programs. Accordingly, CARB issued the ICT regulation, which targets greenhouse gas emissions in the transit industry. Effective October 1, 2019, CARB requires all transit agencies to gradually transition all bus and paratransit vehicles to a 100% zero-emission fleet by 2040. This regulation applies to all transit agencies that own, operate, or lease buses with a gross vehicle weight rating greater than 14,000 lbs. FAX's 112 compressed natural gas (CNG) buses and a mix of 61 unleaded and CNG paratransit vehicles are applicable to this regulation.

To achieve these reductions, CARB requires transit agencies to submit a Zero-Emission Bus Rollout Plan, approved by Council, outlining the strategy to transition to zero-emission technologies by 2040, by the deadline of July 1, 2020.

Available zero-emission technologies are battery electric buses (BEB) and hydrogen fuel cell electric buses (FCEB). This technology will require innovative solutions to maintain, fuel, or recharge buses and train the workforce to the rapidly changing environment. In compliance with the ICT regulation, FAX seeks a qualified consultant with unique zero-emission transit experience to develop FAX's Zero-Emission Bus Rollout plan.

TLG and its subconsultant, Zen Clean Energy Solutions (Zen), provide the specialized experience necessary to understand the complexities to transition a large transit agency to a fully zero-emission fleet. Mr. LeFlore serves as a leader in a steering committee for the Zero Emission Bus Resource Alliance, a transit industry group formed by transit operators focused on the advancements of zero-emission technologies. It is noteworthy to highlight Mr. LeFlore's experience with FTA regulations, guidance and expertise, which have allowed the department to navigate the complexity of state and federal funding regulations. Mr. LeFlore also purchased the first Buy America compliant hydrogen fuel cell bus in the United States. Zen brings over 30 years of experience in the alternative clean fuel industry. Moreover, both TLG and Zen are members of the team that oversee the installation of the largest hydrogen fuel electrolyzer in public transportation and are actively involved in creating rollout plans for other transit agencies in California. TLG has the necessary zero-emission expertise in the transit industry to satisfy the requirements of the ICT regulation and provide a valuable plan for implementation by FAX.

### Cost Analysis

FAX has compared the consultant pricing with comparable procurements from other transit agencies. For example, Riverside Transit Agency recently approved a rollout plan contract at a cost of \$460,709 to Stantec. They operate 224 fixed route buses and 110 paratransit vehicles. Additionally, The Arroyo Grande transit operators, which includes the City of Pasadena, Glendale, and Burbank, have a total of 117 transit vehicles and paid \$407,997 to CALSTART through a sole source non-competitive procurement. The all-inclusive, not to exceed, price for services proposed by TLG is \$198,500. The lower cost can likely be attributed to lower overhead costs as TLG and Zen are small firms. Based on this price comparison, staff concludes that the overall cost to perform these services are fair and reasonable.

TLG has proposed 141 man days (1,128 hours) to complete this plan. When considering the short timeline with a staff of 4 involved, the level of effort proposed is reasonable. The consultant has less than 40 working days to complete the study with a staff of four. This equates to approximately 1,280 man hours or 160 man days. Based upon this analysis, staff concludes that the labor hours are fair and reasonable.

TLG is proposing a rate of \$175 per hour. This rate is supported by the Program Manager GSA rate of \$178.85 (GSA Contract No. GS00F191CA), therefore the labor rate can be considered fair and reasonable.

### Recommendation

FAX is requesting the City Manager's agreement that TLG is uniquely qualified to perform the Zero-Emission Rollout Plan and concurrence that TLG is uniquely capable as an appropriate FTA defined sole-source procurement. The funding for this procurement will be provided by the FTA. FAX will then seek Council award of a Consulting Services Agreement to TLG in the amount of \$198,500.


\_\_\_ Approve as to Form:

  
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Kristi Costa, Deputy City Attorney

3/25/2020  
\_\_\_\_\_  
Date

\_\_\_ Approve Request

\_\_\_ Deny Request

  
\_\_\_\_\_  
Wilma Quan, City Manager

3/26/20  
\_\_\_\_\_  
Date