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**Title:** Actions related to the award of a consulting services agreement with The LeFlore Group, LLC, of Whittier, California, in the amount of \$198,500

1. Affirm the City Manager’s determination that The LeFlore Group, LLC, is uniquely qualified to develop the Department of Transportation Zero-Emission Bus Rollout Plan as required by the California Air Resource Board Innovative Clean Transit regulation
2. Affirm the City Manager’s determination that The LeFlore Group, LLC, is uniquely capable, as defined by the Federal Transit Administration for sole source non-competitive procurements, to develop the Department of Transportation Zero-Emission Bus Rollout Plan as required by the California Air Resource Board Innovative Clean Transit regulation.
3. Award a consulting services agreement with The LeFlore Group, LLC, of Whittier, California, in the amount of \$198,500

**Sponsors:** Department of Transportation

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement for Federal Consultant Services.pdf, 2. Uniquely Qualified Memo.pdf, 3. CMAS Pricing Schedule.pdf, 4. CMAS Contract.pdf

Date	Ver.	Action By	Action	Result
4/9/2020	1	City Council	approved	

**REPORT TO THE CITY COUNCIL**

**April 9, 2020**

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

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

**SUBJECT**

Actions related to the award of a consulting services agreement with The LeFlore Group, LLC, of Whittier, California, in the amount of \$198,500

1. Affirm the City Manager’s determination that The LeFlore Group, LLC, is uniquely qualified to develop the Department of Transportation Zero-Emission Bus Rollout Plan as required by the California Air Resource Board Innovative Clean Transit regulation
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develop the Department of Transportation Zero-Emission Bus Rollout Plan as required by the California Air Resource Board Innovative Clean Transit regulation.

3. Award a consulting services agreement with The LeFlore Group, LLC, of Whittier, California, in the amount of \$198,500

## **RECOMMENDATION**

Staff recommends Council affirm the City Manager's determination that The LeFlore Group, LLC (TLG), is uniquely qualified and uniquely capable to perform the services for the Department of Transportation, FAX Division Zero-Emission Bus Rollout Plan and award a consulting service agreement with TLG in the amount of \$198,500 in accordance with the California Air Resource Board (CARB) Innovative Clean Transit (ICT) regulation.

## **EXECUTIVE SUMMARY**

The CARB adopted the ICT regulation requiring all transit agencies to transition to zero-emission bus fleets by 2040, to meet California's 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 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-emission experience needed to develop this plan without the assistance from industry experts who are particularly experienced in public transportation zero-emission technologies.

## **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 comply with the following requirements:

- Submit a Zero-Emission Bus Rollout Plan, approved by Council, outlining the strategy to transition to zero-emission technologies by 2040 by July 1, 2020.
- Beginning in year 2023, 25% of all new fixed route bus purchases must be zero-emission.
- Beginning in year 2026, 50% of all new fixed route and paratransit bus purchases must be zero-emission.
- Beginning in year 2029, 100% of all new fixed route and paratransit bus purchases must be zero-emission. Fossil fuel buses can no longer be purchased.
- Beginning in year 2040, FAX's fleet is required to be fully transitioned to zero-emission technologies.

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 part of the 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 are overseeing 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.

The Rollout Plan requires the following key elements to be included:

- Perform a route analysis to determine which bus routes can be satisfied with either BEBs or FCEBs. Current technology for BEBs have limited range without requiring recharging, whereas FCEB can comfortably exceed 300 miles without needing to refuel.
- Identify the technology and infrastructure needed to transition to a zero-emission fleet.
- Provide a schedule for construction of facilities and infrastructure modifications to accommodate the zero-emission fleet.
- Provide a schedule of zero-emission and CNG bus purchases to comply with the phased purchase regulation.
- Provide a schedule to convert the bus fleet to zero-emission by 2040.
- Provide a description on how FAX plans to deploy zero-emission buses in disadvantaged communities.
- Provide a workforce training plan and schedule for bus operators, maintenance and repair staff.
- Identify the estimated costs for infrastructure and zero-emission vehicles.
- Identify potential funding sources to support the plan.

Prior to July 1, 2020, FAX will return to Council to request approval of the Zero-Emission Rollout Plan.

The department recommends the City utilize pricing from the California Multiple Award Schedule (CMAS). TLG, LLC, is a CMAS contractor and CMAS provides a cost-effective and expeditious means of contracting products and services. The State of California establishes CMAS contracts in accordance with Public Contract Code Sections 10290 and 12101.5. The CMAS offers a variety of products and services at prices that have been assessed to be fair, reasonable, and competitive. State and local government agencies are able to take advantage of these CMAS contracts.

The City Attorney's Office has approved the contract to form.

## **ENVIRONMENTAL FINDING**

By the definition in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this service contract does not qualify as a “project.”

## **LOCAL PREFERENCE**

Local preference was not implemented because TLG is uniquely qualified and federal funds preclude the use of local preference.

## **FISCAL IMPACT**

There is no impact to the General Fund from this action. This contract is federally funded by FTA 5307 grants.

### **Attachments:**

- Agreement for Federal Consultant Services Over 100K
- Uniquely Qualified Memo
- CMAS Pricing Schedule
- CMAS Contract