



BOARD MEETING DATE: January 7, 2022

AGENDA NO. 6

**PROPOSAL:** Approve Appropriation of Funds to Re-Open Contract and Bifurcation of Award as Approved by MSRC

**SYNOPSIS:** A contract under the Transportation Control Measure Partnership Program was closed prematurely prior to payment of the final invoice. The MSRC authorized an appropriation to re-open the contract as part of the FYs 2014-16 Work Program. Additionally, the MSRC approved the bifurcation of a previous award under the Zero and Near-Zero Emission Cargo Handling Equipment in Riverside and San Bernardino Counties Program as part of their FYs 2018-21 Work Program. At this time, the MSRC seeks Board approval of the modification and bifurcation as part of the FYs 2014-16 and 2018-21 Work Programs.

**COMMITTEE:** Mobile Source Air Pollution Reduction Review, December 16, 2021; Recommended for Approval

**RECOMMENDED ACTIONS:**

1. Appropriate \$115,023.09 to re-open Contract #MS16086 with San Bernardino County Transportation Authority (formerly San Bernardino County Associated Governments) to pay the final invoice on the contract as part of approval of the FYs 2014-16 Work Program, as described in this letter;
2. Approve bifurcation of original \$1,160,000 award under the Zero and Near-Zero Emission Cargo Handling Equipment at Warehouse, Distribution and Intermodal Facilities in Riverside and San Bernardino Counties Program to Penske Truck Leasing Co., LP to procure and deploy up to 5 zero-emission electric yard tractors and associated charging infrastructure into a \$1,000,000 award to Penske for the yard tractors and a \$160,000 award to Costco Wholesale Corporation for the charging infrastructure, as part of approval of the FYs 2018-21 Work Program, as described in this letter; and

3. Authorize the Board Chair to execute the modified contracts under the 2018-21 Work Program, as described above and in this letter.

Larry McCallon,  
Chair, MSRC

MMM:AK:CR

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### **Background**

In September 1990, Assembly Bill 2766 was signed into law (Health & Safety Code Sections 44220-44247) authorizing an annual \$4 motor vehicle registration fee to fund the implementation of programs exclusively to reduce air pollution from motor vehicles. AB 2766 provides that 30 percent of the annual \$4 vehicle registration fee subvended to South Coast AQMD be placed into an account to be allocated pursuant to a work program developed and adopted by the MSRC and approved by the Board.

### **Proposals**

At its December 16, 2021 meeting, the MSRC considered recommendations from the MSRC-Technical Advisory Committee (TAC) and approved the following:

#### **FYs 2014-16 Transportation Control Measure Partnership Program**

In March 2016, the MSRC approved an award to San Bernardino County Associated Governments (SANBAG, now San Bernardino County Transportation Authority or SBCTA as approved by Senate Bill 1305 in 2016) to implement special transit service to Dodger Stadium for 2018. Contract #MS16086 was executed to effectuate the award. While the \$115,023.09 final invoice was awaiting processing, due to an error the contract was closed prematurely. In order to pay the outstanding invoice, an appropriation of \$115,023.09 was recommended to re-open the contract. The MSRC considered and approved the recommended appropriation.

#### **FYs 2018-21 Inland Ports Zero and Near-Zero Emission Cargo Handling**

In March 2021, the MSRC approved several awards for on- and off-road goods movement projects associated with the “Inland Ports”—warehouse and distribution facilities located in Riverside and San Bernardino Counties. Among these was a \$1,160,000 award to Penske Truck Leasing to procure and deploy up to 12 zero-emission electric yard tractors and associated charging infrastructure. Subsequent to the award, a determination has been made that the charging infrastructure would be owned and operated by property owner Costco Wholesale Corporation. To enhance accountability in administration of the project, it was recommended that the award be bifurcated into a \$1,000,000 award to Penske Truck Leasing Company and a \$160,000

award to Costco Wholesale Corporation. The MSRC considered and approved the bifurcation. No other aspects of the project would be changed.

At this time, the MSRC requests the Board approve the contract appropriation and bifurcation of award as part of approval of the FYs 2014-16 and 2018-21 AB 2766 Discretionary Fund Work Programs as outlined above. The MSRC also requests the Board approve the South Coast AQMD Board Chair to execute all agreements described in this letter.

**Resource Impacts**

South Coast AQMD acts as fiscal administrator for the AB 2766 Discretionary Fund Program (Health & Safety Code Section 44243). Money received for this program is recorded in a special revenue fund (Fund 23) and any contracts awarded in response to the solicitation will be paid from this fund.