

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO.

C.M.S.

RESOLUTION:

1. ACCEPTING AND APPROPRIATING GRANT FUNDS FROM THE ENVIRONMENTAL PROTECTION AGENCY CLEAN HEAVY DUTY VEHICLES PROGRAM IN THE AMOUNT OF ONE MILLION THREE HUNDRED SIXTY-FOUR THOUSAND ONE HUNDRED FIFTY-FOUR DOLLARS (\$1,364,154);
2. ACCEPTING AND APPROPRIATING GRANT FUNDS FROM THE ALAMEDA COUNTY TRANSPORTATION COMMISSION TRANSPORTATION FUND FOR CLEAN AIR PROGRAM IN THE AMOUNT OF ONE HUNDRED FOUR THOUSAND DOLLARS (\$104,000);
3. AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A COOPERATIVE AGREEMENT PURSUANT TO OAKLAND MUNICIPAL CODE SECTION 2.04.080 WITH:
 - (A) TECH EQUIPMENT THROUGH SOURCEWELL CONTRACT #110223-THC FOR THE PURCHASE OF ONE REFUSE HAULER IN A NOT TO EXCEED AMOUNT OF FIVE HUNDRED FORTY THOUSAND DOLLARS (\$540,000);
 - (B) OWEN EQUIPMENT SALES THROUGH SOURCEWELL CONTRACT #093021-ELG FOR THE PURCHASE OF THREE ELECTRIC STREET SWEEPERS IN A NOT TO EXCEED AMOUNT OF TWO MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$2,850,000);
 - (C) BEAM GLOBAL THROUGH THE UNITED STATES GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT #47QSWA21D0006 FOR THE PURCHASE OF ONE ELECTRIC SOLAR PANEL CHARGER IN A NOT TO EXCEED AMOUNT OF ONE HUNDRED TWO THOUSAND EIGHT HUNDRED EIGHTY-FIVE DOLLARS AND EIGHTY-NINE CENTS (\$102,885.89); AND
 - (D) INCHARGE ENERGY INC THROUGH SOURCEWELL

CONTRACT #051123-INC. TO DESIGN, BUILD, PURCHASE, AND MAINTAIN 15 ELECTRIC VEHICLE CHARGERS IN AN AMOUNT NOT TO EXCEED ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000);

- 4. APPROPRIATING TWO MILLION SIX HUNDRED THIRTY-FOUR THOUSAND SIX HUNDRED NINE DOLLARS (\$2,634,609) FROM AVAILABLE FUND BALANCE IN THE COMPREHENSIVE CLEAN-UP FUND (1720) FOR GRANT MATCHING PURPOSES;**
- 5. APPROPRIATING ONE MILLION SIX HUNDRED FORTY-FOUR THOUSAND ONE HUNDRED SEVENTY-FOUR DOLLARS (\$1,644,174) FROM AVAILABLE FUND BALANCE IN THE EQUIPMENT FUND (4100) FOR GRANT MATCHING PURPOSES; AND**
- 6. ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

WHEREAS, the City of Oakland is in the process of replacing its gasoline- and diesel-powered vehicles and equipment with electric vehicles and expanding its electric vehicle charging infrastructure. The projects identified in the accompanying staff report include the replacement of three street sweepers, one refuse truck, an electric solar-powered charger, and the installation of fifteen pedestal-mounted electric vehicle chargers to be installed at the City's Maintenance Service Center at 7101 Edgewater Drive; and

WHEREAS, the City of Oakland's fleet must transition to alternatively fueled, zero-emission, renewable, or low-carbon fuel-powered vehicles. This transition is being driven by the City policy and guidance provided in the Equitable Climate Action Plan (ECAP) and Zero Emission Vehicle (ZEV) Action Plan, as well as State of California Executive Orders and mandates such as the Advanced Clean Fleet (ACF) Rule, Advanced Clean Trucks (ACT) Rule, Innovative Clean Transit (ICT) Rule, and off-road zero emission regulations currently under development; and

WHEREAS, the cost of these projects is estimated at \$12,015,708. The City has been awarded several grants for these projects totaling \$4,844,509, as outlined in **Table 3**. These grants include the following: Environmental Protection Agency (EPA), Alameda County Transportation Commission (ACTC), Pacific Gas & Electric (PG&E), California Energy Commission (CEC), CEC-Responsive Easy Charging Products with Dynamic Signals (REDWDS); and

WHEREAS, the EPA Clean Heavy Duty Vehicles Program awarded the City a grant in the amount of One Million Three Hundred Sixty-Four Thousand One Hundred Fifty-Four Dollars (\$1,364,154); and

WHEREAS, the ACTC Transportation Fund for Clean Air Program awarded the City a grant in the amount of One Hundred Four Thousand Dollars (\$104,000);

WHEREAS, the City's matching share required to accept these grants is \$7,171,199. The

City currently only has an appropriation for these projects in the amount of \$2,892,416. Therefore, an additional appropriation of \$4,278,783 is required to complete these projects with \$2,634,609 from the Comprehensive Clean-Up Fund 1720 and \$1,644,174 from Equipment Fund 4100 as outlined in **Table 3**; and

WHEREAS, funds for these projects will be used to purchase electric vehicles and equipment, and upgrades to City infrastructure. Purchases include three electric street sweepers, one electric refuse hauler, fifteen electric vehicles, electric vehicle chargers, and software. The Oakland Public Works, Equipment Services Division has identified cooperative agreements to make these purchases; and

WHEREAS, Oakland Municipal Code (OMC) § 2.04.080 provides that “[w]here advantageous for the City, the City Administrator may purchase supplies or services as defined in Section 2.04.010, through legal contracts of other governmental jurisdictions or public agencies that were awarded pursuant to an appropriate competitive process [...] without further contracting, solicitation, or formal bidding. Cooperative agreements are subject to City of Oakland purchasing and other applicable policies and requirements set forth in the City’s standard contracts and insurance requirements”; and

WHEREAS, the use of cooperative agreements allows the City to ensure services are uninterrupted, provides the City with access to commodities and services at lower prices, which results in significant cost savings for the City, and significantly shortens the contract cycle because the competitive solicitation process has been completed by another governmental jurisdiction or public agency thereby saving staff time and resources; and

WHEREAS, the City Council finds that to the extent that these agreements are for services of a professional, scientific or technical nature, the services under the contracts are temporary in duration and shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

RESOLVED: That the City Council hereby accepts and appropriates grant funds from 1) the Environmental Protection Agency in the amount of One Million Three Hundred Sixty-Four Thousand One Hundred Fifty-Four Dollars (\$1,364,154) and 2) the Alameda County Transportation Commission in the amount of One Hundred Four Thousand Dollars (\$104,000); and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to enter into a cooperative agreement pursuant to Oakland Municipal Code section 2.04.080 with:

(a) Tech Equipment through Sourcewell Contract #110223-THC for the purchase of one refuse hauler in a not to exceed amount of Five Hundred Forty Thousand Dollars (\$540,000);

(b) Owen Equipment Sales through Sourcewell Contract #093021-ELG for the purchase of three electric street sweepers in a not to exceed amount of Two Million Eight Hundred Fifty Thousand Dollars (\$2,850,000);

(c) Beam Global through The United States General Services Administration (GSA)

Contract #47QSWA21D0006 for the purchase of one electric solar panel charger in a not to exceed amount of One Hundred Two Thousand Eight Hundred Eighty-Five Dollars and Eighty-Nine Cents (\$102,885.89); and

(d) InCharge Energy Inc through Sourcewell Contract #051123-INC. to design, build, purchase, and maintain 15 electric vehicle chargers in an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000); and be it

FURTHER RESOLVED: That the City Council hereby appropriates for grant matching purposes 1) Two Million Six Hundred Thirty-Four Thousand Six Hundred Nine Dollars (\$2,634,609) from available fund balance in the Comprehensive Clean-Up Fund (1720) and One Million Six Hundred Forty-Four Thousand One Hundred Seventy-Four Dollars (\$1,644,174) from available fund balance in The Equipment Fund (4100); and be it

FURTHER RESOLVED: That the City Administrator or their designee is authorized to complete all required negotiations, execute the agreements, and take any other action consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the agreements and the action being undertaken to implement them are exempt from the California Environmental Quality Act (CEQA) under the following CEQA Guideline Sections: Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment; Section 15061(b)(3) (no significant effect on the environment); Section 15301 (existing facilities); Section 15307 (protection of natural resources); and Section 15308 (protection of the environment). Each of the above exemptions serve as a separate and independent basis for CEQA clearance and, when viewed collectively, provide an overall basis for CEQA clearance.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST:

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

TABLE 3 - AWARDED INFRASTRUCTURE AND VEHICLE GRANTS

| GRANT | EQUIPMENT | TOTAL ESTIMATED PROJECT COST | GRANT AWARD | MATCHING FUND REQUIREMENT | AVAILABLE APPROPRIATION | ADDITIONAL APPROPRIATION REQUESTED | FUND |
|---------------|--|------------------------------|--------------|---------------------------|-------------------------|------------------------------------|------|
| EPA | 3 SWEEPERS AND 1 REFUSE HAULER | 3,202,607 | 1,364,154 | 1,838,453 | - | 1,838,453 | 1720 |
| TFCA | 1 SWEEPER | 92,116 | 90,000 | 2,116 | - | 2,116 | 1720 |
| TFCA | 1 SOLAR EV CHARGER | 90,000 | 14,000 | 76,000 | - | 76,000 | 4100 |
| PG&E CHARGERS | UPGRADE SERVICE, 15 CHARGERS AND PORTION OF NEW VEHICLE COST | 2,193,820 | 926,238 | 1,267,582 | - | 1,267,582 | 4100 |
| PG&E VEHICLES | PORTION OF NEW VEHICLE COST FOR 15 VEHICLES | 825,000 | 30,960 | 794,040 | - | 794,040 | 1720 |
| CEC | 100 ELECTRIC CHARGING PORTS | 5,286,371 | 2,300,000 | 2,986,371 | 2,892,416 | 93,955 | 4100 |
| REDWDS | CHARGER SOFTWARE AND 3 CHARGERS | 325,794 | 119,157 | 206,637 | - | 206,637 | 4100 |
| | TOTALS: | \$ 12,015,708 | \$ 4,844,509 | 7,171,199 | \$ 2,892,416 | | |
| | | | | | TOTAL FUND 4100: | \$ 1,644,174 | |
| | | | | | TOTAL FUND 1720: | \$ 2,634,609 | |
| | | | | | GRAND TOTAL: | \$ 4,278,783 | |