



# COUNCIL REPORT

**DATE:** October 22, 2024  
**CATEGORY:** Consent  
**DEPT.:** Public Works  
**TITLE:** **MV Community Shuttle EV Charging Units, Project 22-44—Various Actions**

## **RECOMMENDATION**

1. Find that in accordance with the California Environmental Quality Act (CEQA) requirements, MV Community Shuttle EV Charging Units, Project 22-44, is categorically exempt as Class 4, Minor Alterations to Land, under CEQA Guidelines Section 15304.
2. Transfer and appropriate \$190,000 of General Fund Reserve funding and \$12,000 of Construction/Conveyance Tax funding from Annual New Energy Conservation Measures, Project 19-25, to MV Community Shuttle EV Charging Units, Project 22-44. (Five votes required)
3. Transfer and appropriate \$25,000 of Construction/Conveyance Tax funding from Annual New Energy Conservation Measures, Project 23-14, to MV Community Shuttle EV Charging Units, Project 22-44. (Five votes required)
4. Transfer and appropriate \$325,000 from the Construction/Conveyance Tax Fund to MV Community Shuttle EV Charging Units, Project 22-44. (Five votes required)
5. Approve plans and specifications for MV Community Shuttle EV Charging Units, Project 22-44, and authorize staff to advertise the project for bids.
6. Authorize the City Manager or designee to award a construction contract to the lowest responsive responsible bidder if the bid is within the total project budget of \$1,186,798.

## **BACKGROUND**

In 2015, the City partnered with Google LLC (Google) to launch the Mountain View Community Shuttle (Community Shuttle) as a pilot program to provide daytime transit options for Mountain View residents. The Community Shuttle is a fare-free service that provides connections between residential neighborhoods and key destinations in Mountain View as well as connections to the

regional transportation network. During the pilot program, the Community Shuttle was fully funded and operated by Google.

On [August 25, 2020](#), Council authorized staff to enter into an agreement with Google to transition the management and operations of the Community Shuttle to the City and for Google to provide funding to continue operating the Community Shuttle at current service levels for the period from October 1, 2020 through June 30, 2024. Council also authorized staff to enter into an agreement with the Mountain View Transportation Management Association (MTMA) to manage and operate the Community Shuttle. Under the terms of the agreement, the City pays for all costs of the shuttle operations with no markup or profit to MTMA.

In anticipation of the termination of the Google funding and inability to use the electric vehicle (EV) chargers located on Google's property, staff initiated a project to design and construct charging stations and parking for the Community Shuttle EV fleet on a City site. The City site identified is located along Inigo Way, between La Avenida and Pear Avenue (see Figure 1).



Figure 1: Project Site

On [December 6, 2022](#), Council accepted \$209,798 in Transportation Fund for Clean Air (TFCA) grant funds for Mountain View Community Shuttle EV Charging Units, Project 22-44, and authorized the City Manager or designee to execute a professional service agreement with Commonwealth Associates, Inc. (CAI), to provide professional design services for the project for a not-to-exceed amount of \$143,000. The TFCA grant originally identified a utilization deadline for expenditure of funds of August 31, 2024. This deadline has been extended to June 30, 2025.

On [May 14, 2024](#), Council authorized staff to execute an agreement with the MTMA to operate the Community Shuttle from July 1, 2024 to June 30, 2027 and authorized the first-year funding of the agreement in an amount not to exceed \$3.5 million. The City is fully funding the operations of the Community Shuttle. In addition, Council authorized staff to amend the MTMA agreement for Fiscal Years 2025-26 and 2026-27 to increase the total amount of the agreement to match any future budget or amended budget approved by Council. Council also authorized the Public Works Director to approve minor modifications to the Community Shuttle operations and nonfinancial amendments to the MTMA agreement.

## **ANALYSIS**

During final negotiations on the professional service agreement, CAI requested significant revisions to the City's standard professional services agreement. After consideration and review by both parties, the City was unable to accommodate CAI's requests, and CAI withdrew from the negotiation process and declined to proceed.

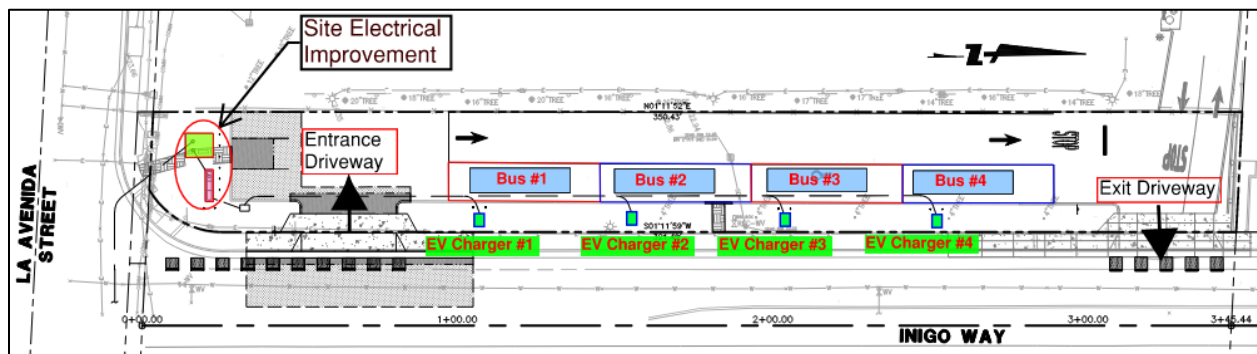
The only other respondent to the Request for Proposals (RFP) for this project was deemed nonresponsive. To keep the project moving forward, have the site ready for the Community Shuttle EV fleet based on the original schedule, and meet the grant funding deadline, staff requested informal proposals from an electrical engineering firm and a civil engineering firm who could provide a similar service and received a proposal from each firm. Through discussions with both firms, it was determined that the civil engineering firm (BKF Engineers) would engage the electrical engineering firm as a subconsultant to their proposal. Staff evaluated the proposals and found that both were qualified based on the merits of their proposals, experience in completing similar projects, and understanding of the project goals and timelines. In March 2023, the City entered a professional services agreement with BKF Engineers for the design of the project in a not-to-exceed amount of \$100,000.

The MTMA, as operator of the Community Shuttle, had been coordinating with a bus manufacturer for the purchase of electric buses; however, the original manufacturer could not fulfill the order, and a new manufacturer was selected. The MTMA is in the process of purchasing four electric buses from this manufacturer with delivery anticipated in early 2025.

Originally, the project's design criteria were for the site to accommodate four 28' electric buses based on the original manufacturer's bus specifications. The buses provided by the new manufacturer are 32' long, and the site design was updated accordingly.

The project will include the following elements (see Figure 2):

1. Widening of the existing driveway to the parking lot to accommodate 32' long buses.
2. Parking for four EV buses and passenger vehicles.
3. Four charging units for the buses.
4. New electrical service.
5. Bike lane striping enhancements along Inigo Way at the two driveway locations.



**Figure 2: Charging Station Site Improvements**

In parallel with the design of the interim charging station's site improvements, staff executed the following critical tasks to expedite installation of power to the site and minimize the impact of long-lead time items on the project schedule.

- **Electrical Service:** Utilizing PG&E's Electric Vehicle Infrastructure Rule 29, established to promote this type of infrastructure, staff has worked with PG&E to obtain a new electrical service at no cost to the City.
- **Main Electrical Panel:** Another long-lead time item is the main electrical panel (switchgear), which will house the PG&E meter and main distribution circuit breakers. Staff has coordinated with PG&E and the switchgear vendor to initiate the design and fabrication process. After PG&E approves the design, fabrication will take an additional six months.

- Charging Units: Typical procedures for the fabrication and the delivery of charging units are lengthy. To ensure the timely arrival of these chargers, a cooperative purchase order contract was executed with EV Connect/Sourcwell for fabrication, delivery, and on-site installation of the chargers. The charging units are on track for delivery ahead of the site construction schedule.

The current cost estimate for the project is \$1,186,798, which is significantly higher than the initial budget estimate of \$634,798. Several elements have contributed to the increase in costs. As seen with other construction projects, inflation has caused increased costs for labor and materials in the past few years since the initiation of the project. The original budget underestimated the construction costs of the new on-site electrical services and site modifications needed, including the electrical equipment pad, trenching, and paving work. Additionally, improvements were needed to widen the driveway to accommodate the new manufacturer's longer buses, which were not originally contemplated.

The plans and specifications for the project are complete. If Council approves the recommended actions and a responsive responsible bid within the project budget is received, construction is anticipated to begin in spring 2025 and be completed in summer 2025.

### **Environmental Clearance**

In accordance with the requirements of the California Environmental Quality Act (CEQA), staff has reviewed the scope of the project and determined that it meets the classification for categorically exempt as Class 4, Minor Alterations to Land, pursuant to Article 19, Section 15304, as it consists of minor alterations to the site for electrical vehicle charging. Staff recommends that Council make findings that, in accordance with the CEQA requirements, the project is categorically exempt as Class 4, Minor Alterations to Land, under CEQA Guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations) Section 15304.

### **FISCAL IMPACT**

Mountain View Community Shuttles Charging Units, Project 22-44, is funded with \$425,000 from the General Fund—Transportation Reserve and \$209,798 from TFCA grant funds, for a total project budget of \$634,798.

The estimated project cost is as follows:

Construction with Contingency	\$ 440,000
Equipment	370,000
Consultant Services	100,000
Project Management	80,000
Construction Management, Inspection, and Testing	80,000
Permits and Miscellaneous	20,000
Project Contingency	24,398
Subtotal	<u>\$1,114,398</u>
City Administration	<u>72,400</u>
<b>TOTAL PROJECT COST ESTIMATE</b>	<b>\$1,186,798</b>
 CURRENT APPROVED BUDGET	 <u>634,798</u>
 <b>PROJECT SHORTFALL</b>	 <b><u>\$ 552,000</u></b>

The project shortfall is due to the rise in the cost of materials and labor, underestimated original budgeted scope elements, and expanded site improvements since the project was originally initiated. An increase in appropriations of \$552,000 is requested to fully fund the construction. The nature of this project only allows limited-funding sources to be used. In this case, the fund source options are:

- Transportation Reserve;
- Construction/Conveyance Tax; and/or
- Capital Improvement Program (CIP) Reserve.

There is limited funding available in the Transportation Reserve Fund, and there continues to be a demand on the Construction/Conveyance Tax and CIP Reserve Funds for other projects. Accordingly, the funding strategy recommended by staff is to use the Construction/Conveyance Tax Fund in combination with identified available funding from other CIP projects, which were funded with General Fund Reserve and Construction/Conveyance Tax funding that can be transferred to this project. The identified projects are Annual New Energy Conservation Measures, Projects 19-25 and 23-14 (Annual Energy Projects). There are other Annual Energy Projects that are also active providing similar energy conservation improvements as the ones proposed, allowing funding from Projects 19-25 and 23-14 to be utilized.

Staff recommends Council appropriate \$190,000 of General Fund Reserve funding and \$12,000 of Construction/Conveyance Tax funding from Project 19-25, \$25,000 of Construction/Conveyance Tax funding from Project 23-14, and \$325,000 from the Construction/Conveyance Tax Fund to Project 22-44, resulting in a total appropriation of \$552,000.

If the recommended actions are approved, the project will be funded as shown in Table 1.

**Table 1: Project Funding**

<b>Funding Source</b>	<b>Currently Appropriated</b>	<b>Recommended Additional Appropriation</b>	<b>Funding Source Total</b>
Transportation Reserve	\$425,000	--	\$ 425,000
Construction/Conveyance Tax Fund	--	\$362,000	362,000
TFCA Grant	209,798	--	209,798
General Fund Reserve	<u>--</u>	<u>190,000</u>	<u>190,000</u>
<b>TOTAL</b>	<b><u>\$634,798</u></b>	<b><u>\$552,000</u></b>	<b><u>\$1,186,798</u></b>

There is sufficient funding in the Construction/Conveyance Tax Fund and Projects 19-25 and 23-14 for the recommended actions.

**LEVINE ACT**

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$250 from a party, participant, or agent of a party or participant in the proceeding within the last 12 months. A city official is similarly prohibited from accepting, soliciting, or directing a campaign contribution exceeding \$250 from a party, participant, or agent of a party or participant to any proceeding involving a license, permit, or other entitlement for use for 12 months after a final decision is rendered in said proceeding.

Please refer to the “X” in the checklist below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

**SUBJECT TO THE LEVINE ACT**

- Land development entitlements
- Other permit, license, or entitlement for use
- Contract or franchise

**EXEMPT FROM THE LEVINE ACT**

- Competitively bid contract
- Labor or personal employment contract
- General policy and legislative actions

For more information about the Levine Act, please see the Fair Political Practices Commission website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html).

**CONCLUSION**

The MV Community Shuttle EV Charging Station project will develop the City-owned property along Inigo Way, to provide charging stations for the four all-electric Community Shuttles expected to arrive in 2025. This improvement is essential to continue offering fare-free shuttle services that connect residential neighborhoods and key destinations across the City, using environmentally friendly buses. Staff has purchased materials in advance to minimize material procurement delays to help facilitate delivery of the project. Due to ongoing increased inflation costs and additional improvements needed to accommodate the new buses, additional appropriations are recommended to fully fund the project. Construction is anticipated to begin in spring 2025 and be completed in summer 2025.

**ALTERNATIVES**

1. Do not authorize the appropriations of \$552,000 from the identified funding sources and projects, and direct staff to use other funding sources.
2. Do not make environmental findings and approve plans and specifications, and direct staff to identify a different site for the Community Shuttle EV fleet.
3. Provide other direction.



**PUBLIC NOTICING**—Agenda posting.

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