COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENERGY RESOURCES (DOER)
Meg Lusardi, Acting Commissioner

PON-ENE-2015-002

PROGRAM OPPORTUNITY NOTICE

MA Clean Vehicle Project
CNG or Propane (Autogas) Conversion for Medium Duty (MD)

DOER Issues PON	July 8, 2014
PON Response Due	August 22, 2014

Applicant Name:	*Web address:*
Street:	*Authorized Agent:*
City & State:	*Authorized Agent's title:*
Zip Code:	*Authorized Agent's phone:*
Main phone #:	*Authorized Agent's email:*

1. Introduction

The Massachusetts Department of Energy Resources (DOER) and the MA Clean Cities Coalition (MA CCC) have long been at the forefront of efforts to diversify the types of motor fuels used in the Commonwealth, and to reduce greenhouse gas (GHG) emissions from the transportation sector. In keeping with our efforts to lessen the use of petroleum based products as a motor fuel, and reduce greenhouse gas emissions, DOER is announcing a Program Opportunity Notice (PON) to encourage the replacement of conventionally fueled vehicles with alternative fuel technology.

The Clean Vehicles Program proposes to replace a variety of vehicles over a cross section of fleets in the Commonwealth. This program will use the Congestion Mitigation and Air Quality (CMAQ) improvement program sponsored by the U.S Department of Transportation's Federal Highway Administration. The CMAQ program provides funding through the federal government for surface transportation projects which result in improvements to air quality and roadway congestion mitigation. The main goal is to reduce emissions in areas designated as "nonattainment" and "maintenance" areas for criteria pollutants.

2. Agency

DOER is the state agency whose mandate includes the analysis and development of policies and programs to ensure that Massachusetts' transportation sector is aware of and adopting, alternative technologies and fuels available for vehicles today. To that end, DOER strives to create a clean energy future for the Commonwealth, which makes sense both economically and environmentally, with goals including:

- accelerating the deployment of clean alternative fuel vehicles;
- encouraging the development of additional alternative fuel infrastructure;
- increasing the awareness of what technologies are available today;
- working with fleets in the alternative fuel vehicle sector;
- providing information about the various alternative fuels and technologies to both public and private fleets;
- reducing the consumption of petroleum fuels in the transportation sector;
- reducing the amount of CO_2 emitted from the transportation sector; and
- reducing the barriers preventing effective use of alternative fuels, paving the way for expanded use of alternative-fueled vehicles powered transportation.

3. Purpose of the PON

Purpose: to partially cover differential cost of converting conventionally fueled medium duty vehicles to CNG or Propane

- Award to cover 80% of the differential cost up to $25,000 per vehicle
- Total amount of funding available for this PON is $800,000.00.
- Eligible Vehicles:

  Medium-duty vehicles: 14,001 to 16,000 lbs GVWR - Class 4
  Medium-duty vehicles: 16,000 to 19,500 lbs GVWR - Class 5
  Medium Duty vehicles: 19,000 to 26,000 lbs. GVWR – Class 6

- Must operate in commercial operation or in a public fleet, and used on a regular basis
- Award can be applied to new or retrofitted vehicles
- New vehicle purchases must be replacing an existing vehicle, and replaced vehicles rendered unusable
- Fleets that have converted to an alternative fuel in the past 8 months or a fleet that has technology on order and scheduled to be done, are eligible

Fleets are asked to apply to convert their conventionally-fueled vehicles to CNG or propane autogas technology. The program is intended to demonstrate the cost effectiveness of the conversions to encourage more widespread deployment. Small businesses are encouraged to apply.

If this PON is over subscribed then DOER reserves the right to reduce the number of vehicles requested by an individual grantee. In addition, priority will be given to dedicated fuel conversions over bi- fuel conversions. Fleets that have converted to CNG or propane in the past 8 months, and have back up documentation and proof of the alternative fuel use in the vehicle, may apply for the funds. In addition, a fleet that has technology on order, scheduled to be done, is also eligible.

4. Procurement

Applicants may not alter PON language or any PON component files. Those submitting a proposal must respond in accordance to the PON directions and complete only those sections that prompt an applicant for a response. Modifications to the body of this PON, specifications, terms and conditions, or which change the intent of this PON are prohibited. Any unauthorized alterations will disqualify a response.

The applicant will be required to execute the Commonwealth Standard Terms and Conditions and Standard Contract Forms prior to receiving funds. The contract will further establish terms and conditions and detail how and when payment will be made.

To be considered for funding, applicants must supply a list of all costs associated with the project.

Massachusetts Public Records Law. All proposals and information submitted in response to this PON are subject to the Massachusetts Public Records Law, M.G.L., Chapter 66, Section 10, and to Chapter 4, Section 7, Subsection 26. Any statements in submitted proposals that are inconsistent with these statutes shall be disregarded.

No Guarantee of Resulting Contract. The Commonwealth and DOER make no guarantee that an award will result from responses to this PON or that any particular funding level will be awarded. All contracts shall be subject to available funding, whether through the appropriation and authorization of sufficient funds or the receipt of sufficient revenues.

Costs. By submitting a response, applicants agree that any cost incurred in responding to this PON, or in support of activities or presentations associated with this PON, shall be the sole responsibility of the submitting applicant. DOER shall not be held responsible for any costs incurred by applicants in preparing their respective responses to this PON.

Review Rights. DOER reserves the right to have a review performed of any and all responses to this PON, including materials presented at any presentations. Said review may be conducted by, but is not limited to, officials in DOER or any Massachusetts state agency and any independent consultants retained by DOER.

5. Applicant/Recipient Responsibilities

- Coordinate with a vendor that provides alternative fuel vehicles or conversions.
- Submit a request for reimbursement that includes pertinent invoice and backup documentation, including destruction or disuse of replaced vehicle or engines that confirms the purchase of the alternative fuel vehicle.
- Use and maintain the alternative fuel or technology for a minimum of Five (5) years. Should the alternative fuel technology be taken out of service, scrapped, or transferred or sold out-of-state prior to the lapse of the five-year period, DOER would be reimbursed for a prorated amount of the grant awarded to the public or private entity.(includes fueling stations)
- Submit fuel savings from alternative fuel technologies installed or deployed. Fuel volumes at fueling stations must also be reported for at least 5 years from the completion of the project.
- Render unusable replaced vehicles.

- The grant recipient is responsible for compliance with all competitive procurement principles and guidelines.
- Company or public entity personnel shall be trained to operate the alternative fuel vehicles.
- All awards are subject to strict adherence to the Federal Highway Administration's **Title 23**. (See APPENDIX)

  This includes but is not limited to the following sections:
  - **Sec. 313 "Buy American," and**
  - **Sec. 113 "Prevailing Wage"**

6. Proposal Requirements

Each project recipient will be awarded 80% of the differential cost up to $25,000. Money is to be awarded at the completion of the project, with proper documentation.

The following are requirements for the project proposal:

1. All proposals must include the Mandatory Criteria Chart below with an attached brief narrative addressing each point:

   (*A NO ANSWER WILL ELIMINATE APPLICANT*)

	ITEM	YES	NO
A.	Must either operate the vehicle in a commercial operation, or in a public fleet, and used on a regular basis		
B.	Applicant must demonstrate the ability to fund the balance of the vehicles cost		
C.	Applicant must sign a state contract and therefore must be in compliance with all applicable terms and conditions		

2. All proposals must include a list of the anticipated make(s), model(s) and number of vehicles being identified for retrofitting.

3. All proposals must include a detailed breakdown of all costs including, but not limited to, the cost of vehicles and/or retrofits. The grantee must do their own procurement for all technology used in this program.

4. All proposals must complete the AFLEET tool, found at https://greet.es.anl.gov/afleet_tool, to determine the Fuel and Energy savings by replacing a conventional fuel powered vehicles. The

AFLEET Tool tables must be submitted annually to DOER for a five-year period following the completion of the project, within two months of the close of the previous calendar year.

5. All proposals must include a schedule with a project start and end date and a timeline.

7. General Instructions

A. In pdf format, please provide the completed cover sheet of this PON followed by:

- A description of your fleet and the basis of your expertise in offering a response to this PON.
- Include in your description of your fleet listing what other alternative fuel vehicles are in the fleet along with a reason for moving to this technology.

Please submit (a) three bound hard copies of the application <u>and</u> (b) an electronic copy, in the specified format above, to the contact person listed below.

B. All questions must be submitted to MassDOER, care of Michelle Broussard by email at michelle.broussard@state.ma.us

C. Questions and answers will be periodically posted on the Massachusetts DOER website and finalized on August 15, 2014.

D. Response Submissions. All responses to this PON are due no later than 4:00 p.m. (EST) on August 22, 2014.

E. Additional Information. DOER retains the right to request additional information from respondents, either individually or from all submitting vendors. DOER may, at its sole discretion, elect to request formal presentations from certain vendors of the products or services detailed in their response submissions

F. Contact Information: Please direct all communications, questions, and responses, in writing, to the following contact:

Contact:	Michelle Broussard Department of Energy Resources 100 Cambridge Street, Suite 1020 Boston, MA 02114
Telephone:	(617) 626-7377
E-mail:	michelle.broussard@state.ma.us
PON Name:	MA Grants: CNG or Propane (Autogas) Conversion for Medium Duty Vehicles
PON File Number:	PON-ENE-2015-002

APPENDIX

- **Title 23**. http://www.fhwa.dot.gov/legsregs/title23.pdf
- All awards are subject to strict adherence to **Title 23**, including but not limited to:
- **Title 23 Sec. 313:**

  (a) Notwithstanding any other provision of law, the Secretary of Transportation shall not obligate any funds authorized to be appropriated to carry out the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or this title and administered by the Department of Transportation, unless steel, iron, and manufactured products used in such project are produced in the United States.
  (b) The provisions of subsection (a) of this section shall not apply where the Secretary finds - (1) that their application would be inconsistent with the public interest;
  (2) that such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
  (3) that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.
  (c) For purposes of this section, in calculating components' costs, labor costs involved in final assembly shall not be included in the calculation.
  (d) The Secretary of Transportation shall not impose any limitation or condition on assistance provided under the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or this title that restricts any State from imposing more stringent requirements than this section on the use of articles, materials, and supplies mined, produced, or manufactured in foreign countries in projects carried out with such assistance or restricts any recipient of such assistance from complying with such State imposed requirements.
  (e) Intentional Violations. - If it has been determined by a court or Federal agency that any person intentionally -
  (1) affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product used in projects to which this section applies, sold in or shipped to the United States that was not made in the United States; or (2) represented that any product used in projects to which this section applies, sold in or shipped to the United States that was not produced in the United States, was produced in the United States; that person shall be ineligible to receive any contract or subcontract made with funds authorized under the

Intermodal Surface Transportation Efficiency Act of 1991 pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.
(f) Limitation on Applicability of Waivers to Products Produced in Certain Foreign Countries. - If the Secretary, in consultation with the United States Trade Representative, determines that -
(1) a foreign country is a party to an agreement with the United States and pursuant to that agreement the head of an agency of the United States has waived the requirements of this section, and
(2) the foreign country has violated the terms of the agreement by discriminating against products covered by this section that are produced in the United States and are covered by the agreement,
the provisions of subsection (b) shall not apply to products produced in that foreign country.
(g) Application to Highway Programs. - The requirements under this section shall apply to all contracts eligible for assistance under this chapter for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this title.

- **Title 23 Sec. 113**. Prevailing rate of wage:

  (a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the construction work performed on highway projects on the Federal-aid highways authorized under the highway laws providing for the expenditure of Federal funds upon Federal- aid highways, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with sections 3141-3144, 3146, and 3147 of title 40.

  (b) In carrying out the duties of subsection (a) of this section, the Secretary of Labor shall consult with the highway department of the State in which a project on any Federal-aid highway is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

  (c) The provisions of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the

Secretary of Transportation as promoting equal employment opportunity in connection with Federal- aid highway construction programs.