

BOARD MEETING DATE: August 4, 2023

AGENDA NO. 5

PROPOSAL: Issue Program Announcement and Execute Contracts for Paving Project Plan Within Assembly Bill 617 Community of Eastern Coachella Valley

SYNOPSIS: Through community-led incentives budgeting workshops in early 2021, the Assembly Bill 617 Eastern Coachella Valley (ECV) Community Steering Committee prioritized \$4.57 million in Community Air Protection Program incentive funding for Paving Projects within the ECV community. These actions are to: 1) issue a Program Announcement in an amount up to \$4.57 million from the Community Air Protection AB 134 Fund (77) to solicit paving project applications from applicants for the Paving Project Program and to execute contracts to implement paving projects in the ECV Community through the Paving Project Program; 2) reimburse the General Fund for administrative costs of up to \$279,667 from the Community Air Protection AB 134 Fund (77); and 3) transfer and appropriate up to \$25,000 from the Community Air Protection AB 134 Fund (77) into the Diversity, Equity and Inclusion with Community Air Programs Office's FYs 2023-24 and/or 2024-25 Budgets, Services and Supplies Major Object, Public Notice and Advertisement account for administrative costs to implement the Paving Project Plan.

COMMITTEE: Stationary Source, June 16, 2023; Recommended for Approval

RECOMMENDED ACTIONS:

1. Upon finalization of Prioritized List of Properties to be Paved, authorize the Procurement Manager, in accordance with South Coast AQMD Procurement Policy and Procedure, to issue Program Announcement (PA) in an amount up to \$4.57 million from the Community Air Protection AB 134 Fund (77) to solicit paving project applications from applicants interested in implementing paving projects within the Eastern Coachella Valley (ECV) Community, and based on the results of the PA, authorize the Chair (or by the Chair's designation, the Executive Officer) to execute subsequent contracts with the selected applicant(s) to implement the paving projects within the ECV Community;

2. Reimburse the General Fund up to \$279,667 from the Community Air Protection AB 134 Fund (77) for administrative costs to implement the Paving Project Program; and
3. Transfer and appropriate up to \$25,000 from the Community Air Protection AB 134 Fund (77) into the Diversity, Equity, and Inclusion with Community Air Programs Office's FYs 2023-24 and/or 2024-25 Budgets, Services and Supplies Major Object, Public Notice and Advertisement account for administrative costs to implement the Paving Project Plan.

Wayne Natri
Executive Officer

AHJ:KH:UTV:PP:PM:RD

Background

Assembly Bill 617 (AB 617) was signed into state law in July 2017 and focuses on improving air quality and reducing exposure to criteria air pollutants and toxic air contaminants in communities most impacted by air pollution. AB 617 recognizes the disproportionate impacts environmental justice (EJ) communities experience from sources of air pollution near residences and seeks to address these impacts through community-driven actions focused on developing and implementing community emissions reduction plans (CERPs) and community air monitoring plans (CAMPs).

In early 2021, through a community-led incentive budgeting process, the Eastern Coachella Valley (ECV) Community Steering Committee (CSC) prioritized \$4.57 million in Community Air Protection Program (CAPP) incentive funding for implementing paving projects within the ECV community. The CSC is comprised of stakeholders (e.g., residents, businesses, community-based organizations, tribal communities, public agencies, elected officials, schools) with community knowledge that provide input, guidance, and recommendations for development and implementation of the CERP¹ and CAMP². The ECV CERP includes implementing paving projects within the ECV community as an action to reduce emissions from fugitive road dust and off-roading. Since the beginning of engagement with the ECV community, health impacts from unpaved roadways and mobile home and Polanco parks have been a top priority for the community. CSC members expressed that roadway paving projects implemented in the past have improved PM10 levels for residents in the immediate area, but dust impacts from the surrounding desert areas continue to have an impact on their overall PM10 exposures.

¹ <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/eastern-coachella-valley/final-cerp/final-cerp-july-2021.pdf?sfvrsn=9>

² https://www.aqmd.gov/docs/default-source/ab-617-ab-134/camps/ecv/ecv-camp_11-13-2020_draft.pdf?sfvrsn=4

In October 2022, the CARB approved the Paving Project Plan which allows South Coast AQMD to distribute the CAPP incentive funds to implement selected paving projects within the ECV community. South Coast AQMD submitted amendments to the Paving Project Plan in June 2023.

Proposal

Staff proposes issuing a PA to solicit paving project applications from applicants for paving of unpaved county roadways, parking lots, and mobile home and Polanco parks within the ECV community through the Paving Project Plan. The PA will include a Prioritized List of Properties to be Paved, which is currently under development. The CSC solicitation period to submit properties to be paved closed on July 27, 2023; Attachment 2 includes the ECV CSC Identified List of Properties to be Paved, which will be prioritized to develop the Prioritized List of Properties to be Paved. By mid-August, the Prioritized List of Properties to be Paved will be finalized by a prioritization panel of South Coast AQMD staff members, CSC and/or a subset of CSC members, and may include a subject matter expert from an external agency. The PA will also include Additional Properties Under Consideration, or applicants may submit their own properties to be paved. The scoring criteria in the PA includes preference for conformance to the Prioritized List of Properties to be Paved, as proposed by the Budget Working Team (BWT).

Applicant(s) selected through the PA process will be responsible for implementing the paving projects and maintaining the paved area(s) throughout the Project Life, which is five years after paving completion.

Paving project applications will be due November 17, 2023 at 2:00 pm. Following the results of the PA, staff anticipates the selection of paving project applications and execution of contracts will occur in the first half of 2024. To expedite implementation of the Paving Project Plan, staff is requesting that the Chair (or by the Chair's designation, the Executive Officer) execute contracts with qualified applicant(s) of the PA, based upon recommendations of the selection panel. Staff recommends using \$25,000 from the administrative portions of the Community Air Protection AB 134 Fund (77) for outreach support for implementation of the Paving Project Plan.

Bid Evaluation

Applicant(s) will be selected based on the criteria in the Paving Project Plan and PA, primarily based on their ability to implement paving projects in a cost-effective manner. Multiple applicants may be selected. Paving project applications will be evaluated by a selection panel based on the scoring criteria identified in the Paving Project Plan and PA. The selection panel will be established consisting of two to three South Coast AQMD staff members, two to three CSC and/or subset of CSC members, and potentially one external agency staff member. The selection panel will make recommendations to the Chair (or by the Chair's designation, the Executive Officer) for final selection of applicant(s).

Outreach

In accordance with South Coast AQMD's Procurement Policy and Procedure, a public notice advertising the PA will be published in Riverside County's Press Enterprise and Desert Sun newspapers to leverage the most cost-effective method of outreach to the Coachella Valley. The PA will be available in both English and Spanish and South Coast AQMD will work with the CSC and/or a subset of CSC members to identify the most effective approach to conduct outreach and distribute the PA throughout the ECV community.

Additionally, potential applicants may be notified utilizing South Coast AQMD's own electronic listing of certified minority vendors. Notice of the PA will be emailed to the Black and Latino Legislative Caucuses and various minority chambers of commerce and business associations and placed on South Coast AQMD's website (<http://www.aqmd.gov>) where it can be viewed by making the selection "Grants & Bids."

Benefits to South Coast AQMD

Paving of unpaved roadways will reduce emissions of PM10 from these sources within the ECV community and will improve public health. Wind blowing and vehicular activities on unpaved roadways are major sources of fugitive dust, which primarily consists of PM10. Exposure to elevated levels of PM10 can cause various adverse health problems related to the lungs and heart, including premature death in people with heart or lung disease.

Upon distribution of the \$4.57 million allocated for paving projects, PM10 emission reductions are estimated to be up to 1,186 pounds per day, depending on the existing conditions of the properties selected for paving.

Resource Impacts

Up to \$4.57 million from the Community Air Protection AB 134 Fund (77) Year 3 CAPP incentive funds will be used for implementing paving projects within the ECV community, a reimbursement of administrative costs of up to \$279,667, and a transfer of administrative costs into Diversity, Equity and Inclusion with Community Air Programs Office's FYs 2023-24 and/or 2024-25 Budgets, Services and Supplies Major Object, Public Notice and Advertisement account of up to \$25,000. Any funds not expended after the budget cycles will be returned to the Community Air Protection AB 134 Fund (77). Sufficient funds are available in Community Air Protection AB 134 Fund (77).

Attachments

1. Program Announcement for Implementation of Paving Projects in the Assembly Bill 617 Community of Eastern Coachella Valley
2. ECV CSC Identified List of Properties to be Paved



Implementation of Paving Projects in the Assembly Bill 617 Community of Eastern Coachella Valley

SOUTH COAST AQMD PROGRAM ANNOUNCEMENT PA#2023-XX

The South Coast Air Quality Management District (South Coast AQMD) is seeking paving project applications from eligible applicants that seek funding for projects to pave unpaved roadways (e.g., mobile home and Polanco parks, public county roads). The primary purpose of this Paving Project Program (Program) is to reduce air pollution from inhalable particulate matter of 10 microns or less (PM10) in the Assembly Bill 617 (AB 617) community of Eastern Coachella Valley (ECV). This will implement the AB 617 ECV Paving Project Plan¹ to help fulfill an action in the AB 617 ECV Community Emissions Reduction Plan (CERP)².

SECTION I: OVERVIEW

South Coast AQMD is soliciting paving project applications for the following purpose according to terms and conditions attached. In this Program Announcement (PA), the words “Applicant” and “Contractor” are used interchangeably.

- WHO:** Eligible applicants that have previous experience implementing road paving projects, and are knowledgeable about federal, state, and local laws and regulations, California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) requirements, and permit requirements relating to implementation of paving projects. The eligible applicants can be the primary applicant or can be hired by public or private entities to implement paving projects. The primary applicant may decide to hire multiple subcontractors to implement paving projects.
- WHAT:** Paving of unpaved roadways (e.g., mobile home and Polanco parks, public county roads) in the AB 617 ECV community boundary.
- HOW:** Submit four (4) complete copies of the paving project application in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the applicant and the words "Program Announcement PA#2023-XX." In addition, submit one (1) electronic copy of the paving project application on a flash drive inside an envelope. All paving project applications must be submitted to:

**Procurement Unit
South Coast Air Quality Management District
21865 Copley Dr.
Diamond Bar, CA 91765-4178**

¹ Paving Project Plan: <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/eastern-coachella-valley/final-ecv-paving-project-plan.pdf?sfvrsn=8>.

² AB 617 ECV Community Emissions Reduction Plan: <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steeringcommittees/eastern-coachella-valley/final-cerp/final-cerp-july-2021.pdf?sfvrsn=9>

All paving project applications must be submitted following the requirements in Section III – Paving Project Application Submittal Requirements. Failure to adhere to these requirements may be cause for rejection of the paving project application without evaluation.

WHEN: Solicitation opens mid-August upon finalization of the Prioritized List of Properties to be Paved and closes on November 17, 2023 at 2:00 pm.

GENERAL PROGRAM INFORMATION

Signed into law on July 26, 2017, AB 617³ (Health and Safety Code §44391.2) is a California law that addresses the disproportionate impacts of air pollution in environmental justice (EJ) communities. Since 2018, California Air Resources Board (CARB) has designated six (6) AB 617 communities within South Coast AQMD’s jurisdiction. As directed by the bill, South Coast AQMD worked with each community to develop a CERP under the guidance of their respective Community Steering Committee (CSC). Each CSC is comprised of residents, community-based organizations, schools, public agencies, businesses, and other relevant community stakeholders. Each CSC identifies their top air quality concerns and actions to address them in their respective CERPs.

ECV was designated as a South Coast AQMD AB 617 community in 2019. During the CERP development process, one of the concerns expressed by CSC members was PM10 emitted from unpaved roadways. Wind blowing over and vehicular activities on unpaved roadways are major sources of fugitive dust, which primarily consists of PM10. Exposure to elevated levels of PM10 can cause various adverse health problems related to the lungs and heart, including premature death in people with heart or lung disease.

To address this concern, the ECV CSC identified an action in their CERP to pave unpaved roadways in the AB 617 ECV community. The action, specific to Paving Projects, is outlined below and can be found in Chapter 5d, Table 2, Action A of the ECV CERP:

“Pursue a collaborative partnership with appropriate entities (e.g., homeowners’ associations, mobile home park owners) and the County of Riverside to implement paving projects (e.g., unpaved roads and mobile home parks such as Polanco Parks) by:

- *Working with the CSC to specify a plan, including locations and timelines, for paving projects to reduce fugitive dust*
- *Evaluating the addition of a landscaping component to paving projects, where feasible*
- *Identifying funding opportunities to implement paving projects”*

As part of CERP implementation and to allocate Year 3 Community Air Protection Program (CAPP) Incentive funds, South Coast AQMD conducted community-led incentives budgeting workshops. The ECV CSC allocated \$5.57 million, of which \$4.57 million were prioritized to implement paving projects. The AB 617 ECV Paving Project Plan was developed by South Coast AQMD and the Budget Working Team (BWT), a subset of ECV CSC members, and serves as the mechanism to distribute these CAPP Incentive funds for paving projects in the ECV community. The original AB 617 ECV Paving Project Plan was approved by CARB in October 2022. South Coast AQMD submitted amendments to the Paving Project Plan in July 2023.

³ Assembly Bill 617: https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB617

This PA seeks paving project applicants that propose implementing paving projects at property(ies) listed in Attachment A – Prioritized List of Properties to be Paved. The process used to develop this list is outlined in the AB 617 ECV Paving Project Plan. Attachment B – Additional Properties Under Consideration includes a list of properties that were not prioritized but have been identified by County of Riverside Housing and Workforce Solutions for potential paving. Additional properties will be considered, but priority will be given to applicants that apply to implement paving projects on and follow the order of the Prioritized List of Properties to be Paved.

The following projects are not eligible for funding:

- Routine maintenance and rehabilitation projects;
- paving activities as part of new development projects; and
- paving at private schools⁴.

All paving project applications will be evaluated based on the criteria set forth in Section IV – Paving Project Application Evaluation/Contractor Selection Criteria of this PA. South Coast AQMD will evaluate and verify information submitted by the applicant. Multiple awards may be granted under this PA, subject to the approval of the CSC and/or a subset of the CSC and the South Coast AQMD Governing Board Chair (or by the Chair’s designation, the Executive Officer).

PARTICIPANT ELIGIBILITY

Public and private entities, except private schools, are eligible to apply for and receive funding for paving projects within the ECV community⁵. The applicant(s) shall be able to demonstrate knowledge and experience from past paving projects and be knowledgeable about federal, state, and local laws and regulations, California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) requirements, and permit requirements relating to implementation of paving projects. The eligible applicant(s) can be the primary applicant or can be hired by public or private entities to implement paving projects. The primary applicant may decide to hire multiple subcontractors to implement paving projects. Requirements for applicant(s) are outlined in Section III – Paving Project Application Submittal Requirements.

SECTION II: WORK STATEMENT/SCHEDULE OF DELIVERABLES

WORK STATEMENT

Implementation of paving projects will be conducted in two phases. The selected applicant(s) shall

⁴ Private schools are not eligible for funding. No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive control of the officers of the public schools; nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State (California Constitution Article 9 § 8). Further, Neither the Legislature, nor any county, city and county, township, school district, or other municipal corporation, shall ever make an appropriation, or pay from any public fund whatever, or grant anything to or in aid of any religious sect, church, creed, or sectarian purpose, or help to support or sustain any school, college, university, hospital, or other institution controlled by any religious creed, church, or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any city, city and county, town, or other municipal corporation for any religious creed, church, or sectarian purpose whatever; provided, that nothing in this section shall prevent the Legislature granting aid pursuant to Section 3 of Article XVI (California Constitution Article 16 § 5).

⁵ South Coast AQMD, ECV Community Boundary: <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/eastern-coachella-valley/community-map-feb-20-2020.pdf?sfvrsn=14>.

perform the work detailed in Phase 1 and Phase 2 and comply with each of the Schedules of Deliverables. Should the selected applicant(s) need a timeline extension for any of the listed deliverables, a written request for extension of the deliverables, including justification for the extension, must be received at least fifteen (15) days prior to the Submission Deadline. Failure to complete deliverables will result in non-payment. The selected applicant(s) will be compensated in accordance with the payment terms outlined in the applicant's Payment Schedule. For each paving project application, a detailed description of major tasks in Phase 1 and Phase 2 and a Schedule of Deliverables for both are outlined below.

PHASE 1 – GATHERING OF DOCUMENTATION

Phase 1 of the paving project will consist of the selected applicant(s) gathering required documentation for each of the properties to be paved. Upon contract execution, the selected applicant(s) will have eighteen (18) weeks to gather the required documentation for each property prior to the commencement of any paving activities. The selected applicant(s) may proceed to Phase 2 after all Phase 1 deliverables (i.e., property documentation) have been approved by South Coast AQMD. Should any property(ies) be deemed ineligible due to failure to provide any of the required documentation, that property will be deprioritized and no longer eligible for funding under this PA. The selected applicant(s) will then have the opportunity to select additional property(ies) on the Prioritized List of Properties to be Paved, as approved by South Coast AQMD. The additional property(ies) will be given additional time to complete Phase 1. For each property to be paved, a detailed description of major tasks and a Schedule of Deliverables are outlined below.

Task 1 — Gathering Required Documentation for Each Property to be Paved

The selected applicant(s), in coordination with South Coast AQMD and relevant land use agencies, will work with each property owner listed in the paving project application to gather required documentation relating to: 1) status of property taxes and compliance with federal, state, and local requirements, 2) obtention of permits to conduct paving activities and status of existing permits for the project site, 3) compliance with California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA), and 4) authority to pave the property from the property owner(s).

PHASE 1 SCHEDULE OF DELIVERABLES:

Actions	Submission Deadline
<ul style="list-style-type: none"> • For each property: <ul style="list-style-type: none"> • Provide documentation demonstrating that property taxes are current and that the property is in compliance with all federal, state, and local requirements (Task 1) • Provide copies of all permits required to complete the paving project and copies of existing permits for the project site, or proof of exemption from permitting requirements (Task 1) • Provide documentation demonstrating compliance with the California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA), or proof of exemption (Task 1) • Provide documentation from the property owner that authorizes applicant to pave the project area (Task 1) 	<p>Within 18 weeks of contract execution</p>
<ul style="list-style-type: none"> • Provide the documentation listed above for each additional property as approved by South Coast AQMD 	<p>Within 12 weeks of South Coast AQMD approval of additional property(ies)</p>

PHASE 2 – PROJECT IMPLEMENTATION

Phase 2 is contingent upon Phase 1 and will consist of paving and maintaining each of the properties identified in the executed contract and any additional property(ies) as approved by South Coast AQMD. Phase 2 includes requirements to meet with South Coast AQMD on a biannual basis and provide biannual status reports.

Task 2 — Initial Meeting with South Coast AQMD and Project Implementation Plan

The selected applicant(s) shall meet with South Coast AQMD at the beginning of Phase 2 to discuss and outline project details. Selected applicant(s) are required to submit in writing a Project Implementation Plan, organized by property, which includes: 1) a step-by-step project completion schedule and project management contacts, 2) an itemized budget of materials and costs, 3) photos of each property prior to paving, and 4) other logistics.

Task 3 — Biannual Meetings and Biannual Status Report

Throughout the Project Completion period, the selected applicant(s) shall hold biannual meetings with South Coast AQMD to discuss progress of project implementation. Selected applicant(s) are required to submit in writing a Biannual Status Report, organized by property, which includes: 1) recent photographs, 2) a discussion on any matters impacting project implementation (e.g., challenges, logistical issues), and 3) records of all quotes and invoices for materials and subcontractors (if applicable).

Task 4 — Maintenance Plan and Project Life

At the end of Project Completion, the selected applicant(s) shall provide pictures of completed paving for each property and submit in writing a Maintenance Plan, which includes: 1) schedule of regular maintenance (e.g., street cleaning) and 2) protocol for as-needed

maintenance (e.g., fixing potholes, lane re-striping). Throughout the Project Life period, the selected applicant(s) shall provide pictures and a description of each property to demonstrate adherence to the Maintenance Plan.

PHASE 2 SCHEDULE OF DELIVERABLES:

Actions	Submission Deadline
<ul style="list-style-type: none"> • Hold initial meeting with South Coast AQMD (Task 2) • Submit Project Implementation Plan to South Coast AQMD (Task 2) 	Within 12 weeks of Phase 1 completion
<ul style="list-style-type: none"> • Hold biannual meetings with South Coast AQMD (Task 3) • Submit Biannual Status Reports to South Coast AQMD (Task 3) 	Biannually throughout the Project Completion period, beginning within 26 weeks of initial meeting per Task 2
<ul style="list-style-type: none"> • Submit pictures of completed paving for each property to South Coast AQMD (Task 4) • Submit Maintenance Plan to South Coast AQMD (Task 4) 	Within 4 weeks of Project Completion
<ul style="list-style-type: none"> • Submit pictures and a description demonstrating adherence to the Maintenance Plan to South Coast AQMD (Task 4) 	Annually throughout the Project Life

SECTION III: PAVING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

The following information is required as part of the paving project application:

- list of properties to be paved, paving cost for each property, and total cost of the project, including a breakdown of all eligible costs, anticipated expenses, and vendor quotes;
- a commitment to provide documentation from the property owner that authorizes applicant to pave the project area;
- a Community Narrative and Support describing the community and population demographics, challenges and impacts living near unpaved roads, how the project will benefit the community, applicant's cultural competency, understanding of the ECV community, and fluency in English and Spanish;
- a commitment to comply with the most current versions of any applicable South Coast AQMD rules, including but not limited to, Rule 402 – Public Nuisance, Rule 403 – Fugitive Dust, and Rule 403.1 – Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources;
- a commitment detailing that all paving activities be conducted and all work performed in conformance with the California Uniform Building Code, CalTrans 2018 Standard Specifications for asphalt and aggregate mixes, and all other applicable federal, state, and local statutes, rules, regulations, and ordinances;
- a commitment to provide documentation demonstrating that all property taxes are current before paving and that the property(ies) is(are) in compliance with all federal, state, and local requirements;
- a commitment to provide copies of all permits required to complete the paving project and

- copies of existing permits for the project site, permit application for property(ies) in the process of obtaining permits, or proof of exemption from permitting requirements;
- a commitment to provide documentation that demonstrates compliance with the California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA), or proof of exemption;
 - a commitment to ensure regular and as-needed maintenance of the paved project area is conducted throughout the Project Life, and to submit and adhere to a Maintenance Plan;
 - a commitment to making all paving project(s) available for inspection, if requested by South Coast AQMD and/or CARB during the Project Life;
 - a Payment Schedule outlining the payment terms in accordance with the Schedules of Deliverables in Section II – Work Statement/Schedule of Deliverables;
 - a narrative describing applicant’s paving experience, including a minimum of two examples for each applicant and/or subcontractor(s) demonstrating successfully implemented paving projects (e.g., photos and past completion reports); examples of paving projects in mobile home and Polanco parks are preferred;
 - a list of personnel (e.g., project manager) who will be implementing the paving project(s) and their contact details;
 - physical address of the applicant’s and/or subcontractor’s office location;
 - document(s) demonstrating conflicts of interest, if any; and
 - additional documents, if needed.

It is the responsibility of the applicant(s) to ensure that all information submitted is accurate and complete. If the applicant(s) hire(s) a subcontractor(s) to implement the paving project, it is the responsibility of the applicant(s) to submit all required information on behalf of the subcontractor(s) and ensure that all information submitted is accurate and complete. Applicant(s) will submit paving project applications based on the requirements laid out in this section.

PROJECT FUNDING PARAMETERS

The funding amount available for the implementation of paving project(s) in the AB 617 ECV community is \$4.57 million in Year 3 CAPP Incentive funds. Multiple paving project applications may be awarded as agreed upon by South Coast AQMD and the CSC and/or a subset of the CSC, depending on the paving project application(s) received, estimated paving project(s) cost(s), and various factors in the selection process.

The timeline to complete a paving project is twelve (12) months; extension of the project completion period is contingent upon South Coast AQMD approval. If the applicant(s) need(s) additional time to complete the paving project, a request for extension shall be submitted along with the paving project application justifying the extension of the project completion period. The applicant(s) need(s) to inform vendors of the time frame of the award process so that they can accurately quote costs based on the anticipated order/purchase date.

Up to 100 percent of eligible project costs will be provided. Additionally, up to ten (10) percent of the awarded grant may be budgeted for non-construction costs, including mobilization, traffic control, and administration. Another five (5) percent may be budgeted for contingency costs (i.e., unforeseen costs such as permitting delays, material acquisition, inflation).

The following costs are eligible for funding:

- Labor and construction (including contracted services);
- Materials, including materials required to comply with South Coast AQMD rules and regulations related to paving projects (e.g., water, shaker/wheel spreading device, cover, etc.); and
- Signs and interpretive aids communicating information about the paving project.

The following costs are ineligible to receive funding:

- All other permits not related solely to paving projects;
- Paving design; and
- Maintenance activities (e.g., pothole repair, lane re-striping, street sweeping).

No purchase orders may be placed, or work performed under this PA until after the date of award approval by the South Coast AQMD Governing Board Chair (or by the Chair's designation, the Executive Officer). Any orders placed or payments made in advance of an executed contract with the South Coast AQMD are done at the risk of the applicant. The South Coast AQMD has no obligation to fund the project until a contract is fully executed by both parties. All project costs shall be clearly indicated in the paving project application. In addition, the applicant(s) shall include any sources of co-funding and the amount of each co-funding source in the paving project application.

PAVING PROJECT APPLICATION SUBMISSION

All paving project applications must be submitted according to specifications set forth herein. Failure to adhere to these specifications may be cause for rejection of the paving project application without evaluation.

Grounds for Rejection:

A paving project application may be immediately rejected if the paving project application:

- does not include correct documentation and other forms required; or
- is not signed by an individual authorized to represent the contractor.

Certifications and Representations

Contained in this PA are six business forms, which must also be completed and submitted with the paving project application.

Methods of Delivery:

All paving project applications are due no later than 2:00 p.m., November 17, 2023, and should be directed to:

Procurement Unit
 South Coast Air Quality Management District
 21865 Copley Drive
 Diamond Bar, CA 91765-4178
 (909) 396-3520

Submittal - Submit four (4) complete copies of the paving project application in a sealed envelope, plainly marked in the upper left-hand corner with the name and address of the applicant and the words "Program Announcement PA#2023-XX." In addition, include one electronic version of the paving project application on a flash drive at the time of submittal.

Late paving project applications will not be accepted under any circumstances.

Disposition of Paving Project Applications

The South Coast AQMD reserves the right to reject any or all paving project applications. All responses become the property of the South Coast AQMD. One copy of the paving project application shall be retained for South Coast AQMD files. Additional copies and materials will be returned only if requested and at the applicant's expense.

Modification or Withdrawal

Once submitted, paving project applications cannot be altered without the prior written consent of South Coast AQMD.

SECTION IV: PAVING PROJECT APPLICATION EVALUATION/CONTRACTOR SELECTION CRITERIA

- A. Paving project applications received during the PA solicitation period will be reviewed and scored by a selection panel of two (2) to three (3) South Coast AQMD staff members, and two (2) to three (3) CSC members. Additionally, a subject matter expert from an external agency may be included on the selection panel. Paving project applications received during the PA solicitation period will be scored according to the criteria detailed below, which was informed by input from the BWT. For some criteria, points will be scored on a relative basis. For example, the paving project application that is most cost-effective will receive the highest points available (i.e., 40 points for cost-effectiveness) and all other projects will receive a point value to scale (i.e., less than 40 points).
- B. After all paving project applications received have been reviewed, scored, and ranked by the selection panel, the resulting list of paving project applications will be provided to the CSC and/or a subset of the CSC for their consideration and final approval. The selection panel will provide their recommendation informed by the CSC and/or a subset of the CSC input to the South Coast AQMD Governing Board Chair (or by the Chair's designation, the Executive Officer), for final selection of the paving project application(s) and execution of contract(s).
- C. Each member of the selection panel shall be accorded equal weight in his or her rating of paving project applications. The selection panel members shall evaluate the paving project applications according to the specified criteria and numerical weightings set forth below.

Scoring Criteria for Paving Project Applications

Scoring Criteria	Points Available
Cost-Effectiveness <ul style="list-style-type: none"> • Cost of paving per square feet of area (4 inch asphalt (3/4 inch aggregate) over 6 inch class 2 aggregate base*) • Cost sharing and other available funding 	0 – 40
Applicant’s Qualifications <ul style="list-style-type: none"> • Applicant’s previous experience in paving projects (experience paving mobile home or Polanco parks in ECV is preferred) 	0 – 25
Project Readiness <ul style="list-style-type: none"> • Timeliness and robustness of paving project application⁶ • Community Narrative and Support 	0 – 20
Other Benefits <ul style="list-style-type: none"> • Pre-paving property preparation design (e.g., land compaction) • Flood prevention elements (e.g., retention basin) • Accessibility improvements (e.g., wheelchair ramps, roundabout/hammerhead turnarounds, speed bumps)⁷ • Addition of a landscaping component, “cool pavement,” or other climate resistance measure • Conformance to Prioritized List of Properties to be Paved 	0 – 15
Total Points Available:	100

*Paving project applications must comply with CalTrans 2018 Standard Specifications for asphalt and aggregate mix standards. <https://dot.ca.gov/-/media/dot-media/programs/design/documents/f00203402018stdspecs-a11y.pdf>.

SECTION V: PAYMENT TERMS

For all paving projects, payment will be made in accordance with the payment terms outlined in the applicant’s Payment Schedule in the executed contract.

⁶ Timeliness and robustness of the paving project application refers to the extent the paving project application is developed and ready for implementation. Applications that are complete and include all necessary permissions, documentation, details of paving activities (e.g., timelines, contracting entity), etc. will likely receive full points. South Coast AQMD will work with the CSC and/or a subset of the CSC during the paving project application review period to further define how these criteria will be scored.

⁷ Accessibility may refer to several features that increase the project’s accessibility to community members with disabilities (e.g., wheelchair ramps, designated parking spots, clear signage, detectable warning for visually impaired), school buses (e.g., roundabouts, hammerhead turnarounds), and other benefits that provide improved accessibility to community members. South Coast AQMD will work with the CSC and/or a subset of the CSC during paving project application review period to further define how these criteria will be scored.

SECTION VI: LEGAL UPDATES AND DEFINITIONS

STATEMENT OF COMPLIANCE

Government Code Section 12990 and California Administrative Code, Title II, Division 4, Chapter 5, require employers to agree not to unlawfully discriminate against any employee or applicant because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age. A statement of compliance with this clause is included in all South Coast AQMD contracts.

COMPLIANCE WITH APPLICABLE LAWS

Applicants shall comply with all federal, state, and local laws, ordinances, codes and regulations. If the paving project application is eligible for funding, all grant-funded pavement shall be compliant with all applicable federal, state, and local air quality rules and regulations, and will maintain compliance for the full Contract term.

CONFLICT OF INTEREST

Applicant(s) shall address any potential conflicts of interest with other clients affected by actions performed by the contractor on behalf of the South Coast AQMD. Although the applicant will not be automatically disqualified by reason of work performed for such contractors, the South Coast AQMD reserves the right to consider the nature and extent of such work in evaluating the paving project application. Conflicts of interest will be screened on a case-by-case basis by the South Coast AQMD General Counsel's Office. Conflict of interest provisions of the state law, including the Political Reform Act, may apply to work performed pursuant to this contract.

ECONOMIC SANCTIONS (RUSSIA/UKRAINE)

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (EO) regarding sanctions in response to Russian aggression in Ukraine. Applicants who are considered eligible for Community Air Protection Program funds under this Program Announcement and received executed contracts from South Coast AQMD, are obligated to comply with existing economic sanctions imposed by the U.S. government in response to Russia's actions in Ukraine.

DEFINITIONS

1. **Budget Working Team:** Budget Working Team (BWT) is a subset of the AB 617 ECV Community Steering Committee (CSC).
2. **California Environmental Quality Act:** The California Environmental Quality Act (CEQA) was adopted in 1970 and incorporated in the Public Resources Code §21000-21177. Its basic purposes are to: inform governmental decision makers and the public about the potential significant environmental effects of proposed activities; identify ways that environmental damage can be avoided or significantly reduced; require changes in projects using alternatives or mitigation measures when feasible; and disclose to the public the reasons why a project was approved if significant environmental effects are involved. CEQA applies to projects undertaken, funded or requiring an issuance of a permit by a public agency (Additional details

are available at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/frequently-asked-questions>).

3. **Community Emissions Reduction Plan:** Community Emissions Reduction Plan (CERP) is a document that outlines emission and exposure reduction goals and actions identified by the CSC, South Coast AQMD, and CARB to reduce air pollution in Assembly Bill 617 communities and improve public health.
4. **Community Steering Committee:** The Community Steering Committee (CSC) is a diverse group of people who live, work, own businesses, or attend school, within the community. Local public health agencies, regulatory agencies, tribal organizations, and elected officials are represented on the CSC. The CSC guides the development and implementation of the CERP.
5. **National Environmental Policy Act:** The National Environmental Policy Act (NEPA) of 1969 established national policies and goals for the protection of the environment. NEPA directs all federal agencies to give appropriate consideration to the environmental effects of their decision making and to prepare detailed environmental impact statements (EIS) on recommendations or reports on paving project applications for legislation and other major federal actions significantly affecting the quality of the environment. NEPA is divided into two titles. Title I outlines a basic national charter for protection of the environment. Title II establishes the Council of Environmental Quality (CEQ) which monitors the progress made toward achieving NEPA goals, advises the president on environmental issues and provides guidance to other federal agencies on compliance with NEPA (Additional details are available at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/frequently-asked-questions>).
6. **Polanco Park:** A Polanco Park is an establishment of Employee Housing Facilities (mobile home park) on agricultural land use within the unincorporated areas of Riverside County. These facilities may house five (5) to twelve (12) employees and their families, and are considered agricultural (farm) uses in appropriate zones, where they are exempt from “Zoning” Permits. (Health & Safety Code Section 17020-17024).
7. **Project Completion:** Project Completion is the period between contract execution and South Coast AQMD receipt of photo documentation of completed grant-funded paved area. Project Completion must follow the schedule included in the executed contract.
8. **Project Life:** Project Life is the time the applicant(s) is required to maintain the completed grant-funded paved area. The Project Life for this grant is five years from the date of Project Completion, which is consistent with the standard duration of CERP implementation. During this time, entities must conduct regular and as-needed maintenance (e.g., fixing potholes, lane re-stripping, street cleaning). Regular and as-needed maintenance may be conducted through professional services or completed by the property owner(s). Additionally, applicant(s) must provide annual photo documentation of maintained project site and make the project site available for inspection upon request by South Coast AQMD and/or CARB. Entity shall conduct maintenance as required by South Coast AQMD and/or CARB from inspections.

9. **Sensitive Receptor:** Sensitive Receptors are children, elderly, asthmatics and others whose are at a heightened risk of negative health outcomes due to exposure to air pollution. The locations where these sensitive receptors congregate are considered sensitive receptor locations. Sensitive Receptor locations may include hospitals, schools, and day care centers, and such other locations as the air district board or California Air Resources Board may determine (California Health and Safety Code § 42705.5(a)(5)).

CONTACT FOR ADDITIONAL INFORMATION

Questions regarding the content or intent of this PA, procedural matters, and/or sample contract can be addressed to:

Robert Dalbeck
Diversity, Equity and Inclusion with Community Air Programs
South Coast AQMD
21865 Copley Drive
Diamond Bar, CA 91765
Phone: (909) 396-2139
E-Mail: rdalbeck@aqmd.gov

Attachment 2

ECV CSC Identified List of Properties to be Paved

69751 Pierce St., Thermal, CA 92274
66700 Martinez Rd., Thermal, CA 92274
88855 Avenue 70, Thermal, CA 92274
88755 Avuenue 58, Thermal, CA 92274
67959 Lincoln St., Mecca, CA 92254
87842 Avenue 66, Thermal, CA 92274
Main Avenue 69, Thermal, CA 92274
Avenue 63, Thermal, CA 92274
62441 Vargas Rd., Thermal, CA 92274
52742 Filmore St., Thermal, CA 92274
88510 Avenue 69, Lot D, Thermal, CA 92274
88510 Avenue 69, Lot B, Thermal, CA 92274
88510 Avenue 69, Lot A, Thermal, CA 92274
79655 Sabrina Ct., Indio, CA 92203
40275 Galindo Ct., Indio, CA 92203
79625 40th Ave, Indio, CA 92203
84155 Ave 56th, Thermal, CA 92274
53600 Filmore St., Thermal, CA 92274
88351 Avenue 58, Thermal, CA 92274
64975 65th Ave, Thermal, CA 92274
84091 Airport Blvd, Thermal, CA 92274
64545 CA-111, Mecca, CA 92254
88455 57th Ave, Thermal, CA 92274
89200 81st Ave, Thermal, CA 92274
59700 Pierce St, Thermal, CA 92274
88100 57th Ave, Thermal, CA 92274
88456 57th Ave, Thermal, CA 92274
89171 64th Ave, Thermal, CA 92274
85701 Middleton St, Thermal, CA 92274