



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: K-1415-117 AMD1**

**File ID:** K-1415-117 AMD1      **Type:** Contract      **Status:** Consent Item

**Version:** 1      **Reference:** Item 14      **In Control:** City Council

**Department:** Public Works Department      **Cost:**      **File Created:** 02/25/2020

**File Name:** Amending ACOG Grant      **Final Action:**

**Title:** AMENDMENT NO. ONE TO CONTRACT K-1415-117: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TO MODIFY THE ORIGINAL AGREEMENT TO ALLOW ACOG TO PROCEED WITH THE REMAINING REIMBURSEMENT OF \$108,620 OF THE ORIGINAL GRANT FUNDING OF \$209,484 IN PUBLIC FLEET CONVERSION GRANT FUNDING RECEIVED IN FYE 2015.

**Notes:** ACTION NEEDED: Motion to approve or reject Amendment No. One to Contract K-1415-117 with ACOG modifying the agreement to allow ACOG to proceed with the remaining reimbursement of \$108,620; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 03/10/2020

**Agenda Number:** 14

**Attachments:** FY15-R1-NORMAN Contract Modification.pdf, Letter re FY15-NORMAN Contract Modification\_SIGNED.pdf

**Project Manager:** Mike White, Fleet Supt

**Entered by:** sharon.hamilton@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File K-1415-117 AMD1

Body

**BACKGROUND:** On July 7, 2014, the Association of Central Oklahoma Governments (ACOG) announced round two for the sixth year of an ACOG-administered public fleet conversion grant program using Federal Fiscal Year (FFY) 2015 Congestion Mitigation and Air

Quality (CMAQ) funds that were left over from the original grant funds issued in January 2014. CMAQ funds support transportation projects that reduce mobile source emissions. This grant program will allow public sector fleets to access CMAQ funds for fleet conversions to clean fuel technologies which include alternative fuel vehicles such as compressed natural gas (CNG), hybrid vehicles and alternative fuel vehicle refueling infrastructure. The grants will be provided as a reimbursement of City funds when the vehicles are placed into service.

On August 26, 2014, Council authorized the grant application to be submitted to the Association of Central Oklahoma Governments (ACOG) requesting assistance with the purchase of six (6) new light duty CNG trucks and four (4) heavy duty CNG trucks for the City of Norman.

On March 24, 2015, City Council approved Contract K-1415-117 accepting CMAQ grant funding from ACOG in the amount of \$209,484 for ten (10) dedicated CNG vehicles: one (1) light duty CNG truck for the Public Works Fleet Division; two (2) light duty CNG trucks for the Public Works Streets Division; one (1) light duty CNG truck for the City Clerk Facility Maintenance Division; two (2) light duty CNG trucks for the Police Animal Welfare Division; one (1) heavy duty CNG truck for the Parks and Recreation Park Maintenance Division; and three (3) heavy duty CNG trucks for the Utilities Sanitation Division. Grant funding is provided by ACOG following the submission of a paid invoice. The grant provides funding for the conversion of the vehicles from conventional fuel to compressed natural gas.

**DISCUSSION:** When reviewing ACOG and the City of Norman's 2015-R1-Norman contract for the ACOG Clean Air for Public Sector Fleet Grant, Fleet staff found the verbiage was made too specific and limited the purchases to an unreasonable requirement. ACOG is correcting this by proposing a more flexible Contract. For instance, Fleet staff found that the vehicles stated for purchase in section A.2.b. , reads "Funds are intended to defray costs related to the purchase of ten (10) new model year 2015, dedicated CNG vehicles." This verbiage holds the City of Norman to purchasing only model year 2015 vehicles. ACOG is requesting a contract modification that would allow the City of Norman to purchase model year 2015 vehicles or newer. This provides greater flexibility under the grant while maintaining grant requirements that only new vehicles be purchased by awardee. The other issue that ACOG identified is in section A.3.a that reads, "The grantee will remove from the fleet ten (10) conventional fuel vehicles further described as below and will provide ACOG proof of removal/scrappage." The year, make, and model of the vehicles listed in the contract for scrappage, due to model year in our accounting system differing from the year listed on the actual vehicle title, did not match. The contract amendment removes the year, make and model of vehicles being scrapped and just lists VIN numbers to help alleviate some of the restrictions while maintaining the integrity of the contract (see attachment from ACOG).

The ten (10) new CNG vehicles were purchased by the City between April 2015 and February 2016. ACOG staff identified this contract discrepancy during the grant reimbursement process. City staff have worked closely with ACOG staff to develop this remedy.

**RECOMMENDATION:** It is recommended that City Council approve and the Mayor be authorized to sign Amendment No. One to Contract K-1415-117. If approved, this amendment

will allow ACOG to proceed with the remaining reimbursement of the grant funds totaling \$108,620 of the original \$209,484.