



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: K-1819-109 AMD#2

File ID: K-1819-109 AMD#2

Type: Contract

Status: Consent Item

Version: 1

Reference: Item 33

In Control: City Council

Department: Public Works
Department

Cost:

File Created: 08/12/2019

File Name: Amendment to EV CHARGING STATIONS

Final Action:

Title: AMENDMENT NO. TWO TO CONTRACT K-1819-109: A PARKING LOT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FRANCIS SOLAR, L.L.C. ADDING A SECOND FIFTEEN YEAR PARKING SPACE LEASE AGREEMENT LOCATED AT GODDARD AVENUE COMPRESSED NATURAL GAS (CNG) FUELING FACILITY SITE IN ORDER TO INSTALL AN ELECTRIC VEHICLE CHARGING STATION.

Notes: ACTION NEEDED: Motion to approve or reject Amendment No. Two to Contract K-1819-109, a parking lot agreement with Francis Solar, L.L.C.; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 08/27/2019

Agenda Number: 33

Attachments: Amendment, Location map, Francis Solar Letter, Robinson Crossing, Robinson Crossing Lease, Downtown Lease, Goddard Executed, Site plan

Project Manager: Mike White, Fleet Supt

Entered by: sharon.hamilton@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1819-109 AMD#2

Body

BACKGROUND: The State of Oklahoma has been allocated approximately \$21 million from the Volkswagen Environmental Mitigation Trust Agreement to reduce nitrogen oxide emissions. The Oklahoma Department of Environmental Quality (ODEQ) has been designated as the lead agency with oversight from the Oklahoma Secretary of Energy and Environment. ODEQ has prepared and implemented the Beneficiary Mitigation Plan (BMP) with the State's intention for utilizing these funds. On November 29, 2018, DEQ released a Request for Proposal (RFP) for

\$3.1 million to build out Oklahoma's light-duty electric vehicle charging network with eighty percent (80%) eligible for reimbursement when the project is completed. These grant funds are further divided into two (2) categories with 75% of funds allocated towards Transportation Corridor projects (\$2.325mil) and 25% of funds towards Single Point Location projects (\$775k).

On January 15, 2019, City Council approved Resolution R-1819-70 for services with the City's original CNG station design and engineering firm, Small Arrow Engineering, LLC, of Joplin, MO (SAE). For this project, SAE has teamed with an Oklahoma based electric vehicles (EV) systems provider to assure that charging stations installed in the City of Norman are consistent with other stations in the State and use compatible Charging Station Networking Software. SAE will also assure that the EV station equipment will meet the 5-year warranty performance period as per the ODEQ Grant requirements.

On February 26, 2019, City Council approved Contract K-1819-109 appropriating funds allowing Francis Solar of Tulsa, OK to submit a Grant Application to the Department of Environmental Quality for Electric Vehicle Charging Stations on the City's behalf on or before March 1, 2019. Francis Solar submitted the Grant Application package to ODEQ and was awarded funding for installation of two (2) of the four (4) sites applied for. The funded sites include Oncue Express #111 at 3601 North Flood Avenue and Rudy's Country Store & BBQ at 2450 Chautauqua Avenue. The two (sites) not awarded as part of the ODEQ grant with Francis Solar are Mathis Sleep Center in the University North Park Commercial District near I-35 and Robinson Street and Longhorn Steakhouse in the out lot of Sooner Mall near I-35 and Main Street.

SAE and City staff reviewed a status letter received from Francis Solar updating the City on the outcome of the "ChargeOK" RFP submitted to the Department of Environmental Quality on March 1, 2019 (see attached letter) as well as the Memorandum of Understanding (MOU) between Francis Solar and ODEQ. As summarized in the letter and MOU, Francis Solar was awarded two (2) of the four (4) sites submitted for grant funds. Francis Solar has concurred in the grant award. Francis Solar determined due to the 75% Oklahoma tax rebate available until December 31, 2019, they were in a position to offer the City the ability to still have the four (4) original EV sites installed, along with a fifth site at the City's Downtown Municipal Parking Lot at 223 East Gray Street.

On May 28, 2019, City Council approved Contract K-1819-147 to allow Francis Solar to proceed with the installation of five (5) EV charging stations in Norman by December 31, 2019. Francis Solar also agreed to amend the original marketing fee to the City from \$40,000 to a \$9,000 lump sum payment per site for a total City obligation of \$45,000; this amount is \$5,000 above the original lump sum payment expected for the original four locations. In addition, the City will receive a 10% discount on retail charging rates for all City EV fleet vehicles that utilize these stations for the next 15 years. Please see attached EV Charger Marketing Letter Agreement that outlined the terms and conditions for the amended contract.

Finally, Francis Solar agreed to add a fifth EV charging station to this program at the City Municipal Parking Lot located at 223 East Gray Street. In the original grant package submittal

to ODEQ, the primary focus was the installation of EV stations along ODOT Highway corridors, which include I-35, Hwy 77, and Hwy 9. In further discussions, it was determined that a fifth EV station in the Downtown area would be very beneficial to Norman residents. Attached is Contract K-1819-147 Parking Space Lease Agreement that allowed Francis to install and operate this EV station on City property for the 15-year term.

DISCUSSION: As Francis Solar continued to work to obtain Parking Space Lease Agreements for the EV station sites at Sooner Mall and OnCue Express, it was found that they would be unable to secure suitable lease terms at these respective properties. Alternate sites for both of these EV stations have been located that still fall within the same geographical area of Norman. Francis Solar has obtained a Parking Space Lease Agreement with the Robinson Crossing Shopping Plaza at 1300 North Interstate Drive. This site falls along the west side of I-35, just like Sooner Mall. Please see attached executed Lease Agreement with an exhibit B of where the 50kW Level 3 EV station will be situated.

As mentioned above, Francis Solar was also unable to secure acceptable lease terms with OnCue Express for the EV station at Flood Avenue and Tecumseh Avenue. After discussion with Small Arrow Engineering and City staff, it was determined that the most benefit for future City of Norman EV fleet would be to relocate the EV station to the City Public Access CNG Fueling Facility located at 2351 Goddard Avenue. The City's CNG Fueling Facility has ample space to allow for co-location of recharging EV vehicles along with the present CNG fast-fill operations. This site also maintains an EV station along the Flood Avenue (Highway 77) corridor as depicted in the original application to ODEQ. Please refer to attached exhibit for a detail of how the EV dispensers would be arranged in relation to the CNG dispensers. With both of these relocated EV station sites, there will be no cost change to the City of Norman marketing fee. This Council action will allow a second Parking Space Lease Agreement to be executed between the City of Norman and Francis Solar.

RECOMMENDATION: It is recommended that the City Council approve Amendment No. Two to Contract K-1819-109 for a second Parking Space Lease Agreement with Francis Solar and the City of Norman for a 15-year Term for a Level 3 vehicle charging area to be located at the City Public Access CNG Station at 2351 Goddard Avenue.