

**REVI Special Meeting September 26, 2012: Focus on EV Project Contracting**  
**MEETING SUMMARY**

Present:

Mike Grim, City of Carlsbad  
David Houser, City of Carlsbad  
Susan Freedman, SANDAG  
Allison King, SANDAG  
Brendan Reed, City of Chula Vista  
Brett Caldwell, San Diego County Regional Airport Authority  
Peter Livingston, County of San Diego  
Chris Schmidt, CalTrans  
Tony Williams, Quick Charge Power  
Joel Pointon, SDG&E  
Randy Schmika, SDG&E  
Mark Delin, City of Del Mar  
Andy Hoskinson, ECotality  
Randy Walsh, Meissner Jacquet  
Kathy Valverde, City of Santee  
Andrew McGuire, City of Chula Vista  
David Almeida, CCSE  
Tyler Petersen, CCSE

**ITEM #1: Structure of meeting and Overview of overarching issues/common concerns from public agencies**

David Almeida, California Center for Sustainable Energy (CCSE), welcomed everyone to the meeting and explained that this special meeting was requested by public agency REVI members. He described the focus of the meeting on the common issues municipalities and agencies are experiencing in contracting with ECotality to through the EV Project.

Mr. Almeida highlighted the main issues that agencies are trying to address:

- Uncertainty in the contracting language with reference to operating and maintenance costs.
- Lack of understanding in what happens after the contract ends
- Many agencies have budget restrictions and lack of upfront capital for public electric vehicle infrastructure

Mr. Almeida also distributed a blank ECotality Charging Site Host Agreement and the signed Host Agreement between Encinitas and ECotality.

**ITEM #2: Questions and Concerns**

Chris Schmidt, CalTrans, asked for clarification on what amendments agencies are typically making to the Host Agreement with ECotality. He described that some amendments could clarify

the rights and responsibilities of each party and other aspects that are not in the standard agreement. He also expressed his concern surrounding what happens to the assets when the contract with ECOtality ends, and what options local jurisdictions have to operate and maintain the chargers.

Mr. Schmidt commented that CalTrans will need to see if other electric vehicle service providers (EVSP) will want to bid on these assets. Mr. Schmidt further commented that if the existing agreement is modified to continue beyond the life of the EV Project public agencies will need to go through a procurement process, including a formal request for proposals (RFP) to have third party operation and maintenance of the chargers. He commented that having standardized language for both providing this public infrastructure and the ongoing operations and maintenance will allow for competition from all EVSPs.

Mr. Schmidt then brought up another issue concerning a section of the California Public Contract Code (PCC). He explained that *PCC Section 1063.065* includes language that may preclude any person or firm that has been awarded a consulting contract for construction, the possibility of bidding on the operation of future projects. He explained that the Caltrans attorney are unclear if this will preclude ECOtality from bidding on future contracts to operate and maintain charging stations installed on CalTrans property after the end of the EV Project. Both CalTrans and the San Diego County Regional Airport Authority attorneys have looked into this but nothing has been decided.

Brett Caldwell, San Diego County Regional Airport Authority, stated that the Airport Authority has experienced the same issues as CalTrans with respect to the uncertainty as to what happens after the contract and the possible preclusion to contract with ECOtality. Airport General Council will make the final decision on approving particular language.

David Hauser, City of Carlsbad, stated that the City is looking at whether it's better to bid out to ECOtality or other providers. Mr. Hauser stated that the City's main concern is cost effectiveness or continuous service, such as pricing structure and cost recovery. Mr. Hauser also stated that it is difficult to give firm commitment from a jurisdiction standpoint because staff has to go to City Council for confirmation. Furthermore, the City already has electrical contractors on board and a non-prevailing wage contractor.

Brendan Reed, City of Chula Vista, commented that the City has no capital to invest in public EVSE infrastructure and expressed that the city is looking to have a turnkey contract that operates, maintains, and markets the chargers. He explained that the City would be essentially leasing the space and customers would pay for the vehicles to get charged. Mr. Reed commented that the City released an informal request for quotes to EVSPs for the turnkey option that he described. He further explained that the City has always struggled with life after the EV Project and is looking for a longer term contract with an EVSP. The contract would likely start out with a first phase, roughly 6 sites, and then expand if sites are successful with high usage; the City listed 24 sites in the request for quotes. Mr. Reed would also like to incorporate a car-sharing project in the City. The goal is to provide infrastructure to support the Climate Action Plan.

Mark Delin, City of Del Mar, commented that the City has a limited number of possible sites and a larger installation subsidy would help increase EVSE deployment in the City.

Peter Livingston, County of San Diego, commented that the County is looking for EV chargers for fleet use for their employees and then later for the public use. The County is putting out a portfolio of sites and would like to have a 5 year agreement where the County would pay a reasonable price of electricity in a cost sharing agreement. He also explained that under this arrangement, the EVSP would charge the market rate and there would be plans to integrate sites where more chargers are needed. The County would get a nominal fee to host the chargers and the agreement would be similar to the coffee cart model. In this model, the County provides the property and a vendor provides the all necessary investments to install and operate a business.

Mr. Livingston stated that the first phase would be integrated with a solar canopy, and then expanded to a second phase based on assessment of usage. The County is not interested in making money, just covering costs. The agreement would also include a second meter inside the unit.

Mr. Schmidt asked if there is an issue with disclosing installation costs. Andy Hoskinson, ECOtality, responded that there all contracts with the EV Project are public record, so there should be no issue with disclosing that information. Mr. Hoskinson did state, however, that the subsidy amount varies by location depending on when the installation occurred during the term of the EV Project.

Mr. Hoskinson proposed that jurisdictions work to identify ideal charging sites to create a potential pool for EVSE installations. He further explained that he could be able to get buy-in from ECOtality management for a restructuring of the host agreement if he could demonstrate the demand from agencies.

In order to start this process, Mr. Hoskinson asked agency staff to provide the following:

- Potential sites for EVSE installation
- Process of decision-making channels to get installations approved
- Timeframe for getting through the decision-making process

Mr. Hoskinson also stated that each City will need to have their legal counsel involved immediately, so as to expedite the process.

Mr. Hoskinson then noted some of the standard amendments agencies are making to the host agreement.

### **ITEM #3: Action Items**

- Mr. Hoskinson will send out standard amendment language and CCSE will distribute to all REVI members.
- Airport General Council plans to make the final decision on approving particular language in host agreement. CCSE staff will distribute the language to REVI as a best practice.

- CCSE staff will identify jurisdictions that have assembled a site selection plan, and then aggregate the plans into a single San Diego regional siting plan.
- Within the site plans, CCSE staff and municipal staff will select high priority sites and target spaces that are ADA compliant and meet all local zoning and parking ordinances.