

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

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**MEETING DATE:** 6/28/2023

**Staff Report No.** 23-333

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**TO:** AC Transit Board of Directors  
**FROM:** Michael A. Hursh, General Manager/Chief Executive Officer  
**SUBJECT:** East Bay Paratransit Consortium (EBPC) Zero-Emission Vehicle Rollout Plan

### ACTION ITEM

**AGENDA PLANNING REQUEST:**

**RECOMMENDED ACTION(S):**

Consider adopting Resolution 23-029 approving the East Bay Paratransit Consortium (EBPC) Zero-Emission Vehicle (ZEV) Rollout Plan.

Staff Contact:  
Ramakrishna Pochiraju, Executive Director of Planning & Engineering

**STRATEGIC IMPORTANCE:**

Goal - Environmental Improvement  
Initiative - Zero Emission Programs

The EBPC's Zero-Emissions Vehicle (ZEV) Rollout Plan provides a path to achieve the goal of transitioning the East Bay Paratransit (EBP) fleet to 100 percent zero-emissions by 2040. This plan directly supports the District's Environmental Improvement Goal along with the following initiatives: Zero-Emission Programs, Infrastructure Modernization and Service Quality.

**BUDGETARY/FISCAL IMPACT:**

There are no budgetary or fiscal impacts directly related to this report. However, each phase of ZEV deployment will have associated costs that will be presented to the Board for review and approval.

With the submission of this plan, both AC Transit and BART, as the "Consortium", will pursue local, regional, state and federal funding sources and programs in order to finance the implementation.

**BACKGROUND/RATIONALE:**

The Innovative Clean Transit (ICT) regulation was adopted by the California Air Resources Board (CARB) in December of 2018 and became effective October 1, 2019. Title 13 California Code of Regulations §2023 (13 CCR § 2023.1 through 2023.11) requires all public agencies to gradually transition their fleet to zero-emission technologies. The ICT regulation applies to all transit agencies that own, operate or lease vehicles with a gross vehicle weight rating (GVWR) greater than 14,000 pounds. This includes the van cutaway vehicles operated in the provision of East Bay Paratransit (EBP) service.

The ICT regulation requires a percentage of new vehicle purchases to be zero-emission vehicles (ZEVs). The ZEV percentage increases gradually with time. The ZEV purchase requirements begin in 2026 for small transit agencies, including EBPC. Starting in 2029, all transit agencies can only purchase ZEVs to replace end of useful life vehicles, with a goal of complete transition to ZEVs by 2040.

The Alameda-Contra Costa Transit District (AC Transit) and the Bay Area Rapid Transit District (BART) formed the EBPC in 1994, via a Joint Powers Agreement (JPA). EBPC provides Americans with Disability Act (ADA) complimentary paratransit in the agency's overlapping service area. This service is provided to individuals with a physical or cognitive disability that prevents them from utilizing the fixed-route bus or rail system independently.

EBPC contracts with a Broker, currently Transdev, who in turn contracts with Service Providers (SP's). The Broker is responsible for, among other things, paratransit eligibility determinations, reservations, scheduling, dispatching, customer service, reporting and monitoring of the SP's.

The SP's, currently First Transit, MV Transportation and Rydetrans, are responsible for the operation and maintenance of the drivers and vehicles in East Bay Paratransit (EBP) service. Overall, EBP operates 167 vehicles and maintains a regular replacement schedule. By 2026, 25% of replacements for that year will be zero-emission and will gradually increase to 100% ZEV replacements by 2029.

In May, 2023 both the AC Transit and BART Board of Directors approved a one (1) year contract extension with the Broker and the SP's for a contract term beginning July 1, 2023 through June 30, 2024.

A Request for Proposal (RFP) for the Broker/Service Providers to the EBPC will be released in the first quarter of fiscal year (FY) 23/24. An award is expected by January 1, 2024. The ZEV Rollout Plan, attachment 2, will be included in the RFP in order for all prospective bidders to understand the direction that EBPC is taking with regard to ZEV transition/rollout.

EBPC's ZEV Rollout Plan serves as a blueprint for how the Consortium is planning to achieve a full transition to zero-emission technologies by 2040, considering the minimum useful life of the vehicles. While the burden of the mandate will fall on the EBPC Broker and Service Providers, it will be in the best interest of the EBPC to play an active role in the replacement of the EBP fleet to ZEVs. BART and AC Transit are more eligible for grants to purchase vehicles as a capital expenditure, which would keep the operating costs associated with the Broker contract lower.

As the requirement to purchase ZEVs to replace the consortium's fleet comes closer, staff will return to the Board with more specific details on funding, ownership and maintenance of the ZEVs.

#### **ADVANTAGES/DISADVANTAGES:**

The advantage of adopting the EBPC Zero-Emissions Vehicle Plan is it will bring EBPC into compliance with the California Air Resources Board (CARB) Innovative Clean Transit (ICT) regulation.

The disadvantage is the cost to purchase ZEVs, which is more expensive than traditional gasoline fleets. There

is also the requirement of associated charging infrastructure, which is not as costly and challenging as the infrastructure required for fixed-route vehicles, but still new infrastructure nonetheless.

**ALTERNATIVES ANALYSIS:**

Staff found no practical alternatives to the course of action recommended in this report as the plan is mandated by the State of California.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

None.

**ATTACHMENTS:**

1. Resolution 23-029
2. The East Bay Paratransit Consortium (EBPC) Zero-Emission Vehicle (ZEV) Rollout Plan

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