



Humboldt Transit Authority

133 V Street

Eureka, CA 95501

(707)-433-0826

hta.org

REQUEST FOR PROPOSALS (RFP)

FOR

HUMBOLDT TRANSIT AUTHORITY'S

HYDROGEN REFUELING STATION PROJECT 23-01

FOR DESIGN-BUILD ENTITIES TO DESIGN AND BUILD A HYDROGEN REFUELING STATION

Request for Proposals Issued

February 15, 2024

Mandatory Site Walk

9:00 AM PST February 27, 2024

Questions Due

5:00PM PDT on March 14, 2024

Proposals Due

3:00PM PDT on April 3, 2024

Procurement Coordinator

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PART 1 INSTRUCTIONS TO PROPOSERS

Notice is hereby given that Humboldt Transit Authority (HTA) is soliciting Proposals from Design-Build (DB) Entities for Humboldt Transit Authority's Hydrogen Refueling Station Project 23-01 for the Design and Construction of a Hydrogen Fueling Station (HFS) in accordance with the content and format requirements set forth in this Request for Proposals. The HFS will utilize liquefied hydrogen (LH2) as delivered supply. Eligible Proposers are limited to those included on the Qualified Bidders List¹ established in response to Request for Qualifications No. 23-01 issued by HTA on September 11, 2023 (RFQ). HTA intends to award a single contract to the DB Entity whose proposal HTA has determined provides the best value.

Humboldt Transit Authority (HTA) is a local public agency organized under California Law as a joint powers authority to operate local and regional public transit service. HTA provides public fixed-route and paratransit service in the cities of Arcata, Eureka, Fortuna, Rio Dell, Trinidad, Willits, and Ukiah, and the unincorporated areas of Humboldt County and Mendocino County along California's northern coast. HTA provides 0.9 million passenger trips each year on 13 directly operated routes. HTA's routes currently serve one transit center and connect passengers to four other regional transit providers.

HTA is currently engaged in a project funded by the California State Transportation Agency's (CalSTA's) Transit and Intercity Rail Capital Program (TIRCP). The goals of this project are: 1) to meet California's Innovative Clean Transit (ICT) Regulation, which requires transit agencies to purchase only zero emission buses starting in 2029; 2) to directly mitigate climate change impacts; and 3) to benefit HTA's community by replacing diesel buses with zero emission fuel cell electric buses (FCEBs). As part of this project, HTA will be acquiring 11 new FCEBs. To fuel these buses, HTA is issuing this Request for Proposals No. 23-01 (RFP) seeking Proposals to design and build a hydrogen fueling station utilizing liquefied hydrogen (LH2) as delivered supply. The anticipated budget for the Work is expected to be \$8,000,000 to \$10,000,000.

This procurement complies with the requirements of California Public Contract Code §§ 22160 et seq, and Public Contracts Cod § 20209.5 which authorizes use of a design-build process by transit districts such as HTA. The Project will be subject to all California Labor laws including prevailing wage requirements.

¹ See the notice of Qualified Bidders at https://hta.org/wp-content/uploads/2023/10/HTA_Project_23-01_RFQ_Qualified-Bidders-List-Announcement.pdf

1.1 DEFINITIONS

The following definitions supplement those found in the General Conditions included as Attachment 4.2. Note that “Hydrogen Refueling Station” and “Hydrogen Fueling Station” are used synonymously in this RFP and refer to the same Project.

Addenda. The term “Addenda” means written or graphic instruments issued prior to the opening of Proposals which clarify, correct, or change the RFP requirements or the proposed Contract Documents.

Commissioning Plan. The Commissioning Plan is a plan developed by the Design-Builder as defined in Section 2.8 of this RFP.

Design-Builder. The term “Design-Builder” shall refer to the successful Proposer selected pursuant to the RFP and with whom HTA has entered into the Agreement to complete the Work.

Interested Party. The term “Interested Party” means any person (1) who is an actual or prospective contractor in this procurement; and (2) whose direct economic interest would be affected by the award of the Contract or by a failure to award the Contract.

Notice of Award. The written notice by HTA to a Proposer of HTA’s acceptance of their Proposal.

H70 Fueling Readiness Plan. The H70 Fueling Readiness Plan shall identify "make-ready" provisions included in the station's design, engineering and construction that allow for the seamless integration of a future H70 MD/HD fueling system and the H70 LD fueling system add-alternate in the event HTA does not elect to pursue the alternate at this time.

Price Proposal or PP. The terms “Price Proposal” or “PP” refer to the required Price Proposal element of this RFP as defined in Section 1.9(D).

Procurement Website. The term “Procurement Website” means the following URL:
<https://hta.org/procurement-opportunities/project-23-01/>.

Proposer or Respondent. An individual, partnership, association, joint venture or entity that submits a Proposal to HTA pursuant to the RFP.

Qualified Bidders List. The term “Qualified Bidders List” refers to the list of individuals or entities procured through RFQ 23-01 that are allowed to bid on this RFP as published at <https://hta.org/procurement-opportunities/rfq-23-01/>.

O&M Equipment. “O&M Equipment” means the materials, supplies, equipment, systems, and related items purchased or leased by the Design-Builder and used to operate and maintain the hydrogen fueling station.

RFQ. The terms “RFQ” or “RFQ 23-01” mean the Request for Qualifications for this Project that was used to establish the Qualified Bidders List. RFQ materials can be obtained at <https://hta.org/procurement-opportunities/rfq-23-01/>

Services. The term “Services” means the work, activities, and tasks to be performed by the Contractor as more fully described in the Scope of Services of this RFP.

State-of-Charge (SOC). The extent to which the bus has been fueled, whereby 100% is defined as 350 bar of pressure at 15 degrees Celsius in the onboard fuel storage manifold. SOC is defined as the proportional mass attained, as a percentage of mass possible at 100% SOC.

Technical Proposal or TP. The terms “Technical Proposal” or “TP” refer to the required Technical Proposal element of this RFP as defined in Section 1.9(C).

Temporary Fueling or Temporary Fueler. The terms “Temporary Fueling” or “Temporary Fueler” refer to the temporary installation of a fueling solution that will meet the expected fuel demand of HTA’s fuel cell electric buses from delivery of the first pilot bus through Final Acceptance of Construction Work.

1.2 SCHEDULE OF EVENTS

Humboldt Transit Authority reserves the right to alter the dates shown below by written notice.

Table 1: Schedule of Events

Procurement Activity	Date and Time (Pacific Time)
RFP Distributed to Qualified Bidders List	February 15, 2024
RFP Mandatory Sitewalk	9:00 AM February 27, 2024
RFP Questions Due	5:00 PM March 14, 2024
HTA Responses to RFP Questions and Addenda (if any)	5:00 PM March 21, 2024
RFP Proposals Due and Opening of Proposals	3:00 PM April 3, 2024
RFP Interviews	April 17, 2024
Notice of Determination	April 24, 2024
Notice of Award	May 1, 2024
Delivery of first fuel cell electric bus to be fueled with Temporary Fueler	December 15, 2024
Delivery of 10 fuel cell electric buses	Two per month from June, 2026 through October, 2026

HTA reserves the right to modify any of the dates in the above schedule in its sole discretion. Any such modification will be provided to all Proposers by written Addenda.

1.3 GENERAL PROPOSAL CONDITIONS

A. Notice of Informal Solicitation

Notwithstanding any other provision of this RFP, all Proposers are hereby specifically advised that this RFP is an informal solicitation only and is not intended and is not to be construed as an offer to enter into an agreement or engage in any formal competitive bidding or negotiation pursuant to any statute, ordinance, rule, or regulation.

B. Method of Response

Responses to the RFP shall be made according to the instructions contained herein. Failure to adhere to all instructions may be cause for rejection of any Proposal.

C. Acceptance of Terms and Conditions

All Proposers understand and agree that responding to this RFP will constitute acknowledgment, acceptance of, and a willingness to comply with, all the terms, conditions, and criteria contained in this RFP, except as otherwise specified in the Proposal. Any and all parts of the Proposal may become part of any subsequent Contract between the selected Contractor and Humboldt Transit Authority.

D. False, Incomplete, or Non-responsive Statements

False, misleading, incomplete, or non-responsive statements in connection with a Proposal may be sufficient cause for rejection of the Proposal. The evaluation and determination of whether statements are false, incomplete, or non-responsive will be Humboldt Transit Authority's responsibility. HTA's determination shall be final.

E. Clear and Concise Proposal

Proposals shall provide a straightforward, concise delineation of the Proposer's capability to satisfy the requirements of this RFP. Each Proposal shall be submitted in the requested format and provide all pertinent information as specified in Section 8 of this Part and otherwise required in this RFP. Each Proposal shall be signed by a duly authorized officer of the Proposer. Electronic or wet signatures will be accepted.

F. Proposal Communications

All questions and communication concerning this solicitation must be directed to the Procurement Coordinator listed below.

Procurement Coordinator: Jerome Qiriaz
Phone: +1-707-443-0826 x112
Email: jerome@hta.org
Address: 133 V St.
Eureka, CA 95501

The complete RFP, all communications related to this RFP process, and any Addenda may be obtained by visiting the Procurement Website:

- Procurement Website: <https://hta.org/procurement-opportunities/project-23-01/>

The Procurement Coordinator will post Project clarifications or Addenda, if any, on the Procurement Website. Proposers are solely responsible for checking the Procurement Website for updates and obtaining any Addenda and changes related to this solicitation. Failure to do so may result in the submission of a Proposal that is inconsistent with the most current information and may result in disqualification.

1.4 PROCUREMENT METHOD AND BASIS OF AWARD

This procurement is being carried out as a design-build project delivery process in which both the design and construction of the Project will be procured from a single entity. The Contract will be awarded by Humboldt Transit Authority using a best value selection method, with the respective weights for the established evaluation factors as set forth herein. Award will be to the Proposer whose Proposal is determined to be the most advantageous and greatest value to Humboldt Transit Authority based on the evaluation criteria set forth in Section 1.18.

1.5 PRE-PROPOSAL CONFERENCE AND SITE WALK

A MANDATORY Pre-Proposal Conference and Site Walk will be held at 133 V Street, Eureka, CA 95501 on the date and time shown in Section 1.2. Each and every Proposer must attend the Pre-Proposal Conference and Site Walk. Proposals will NOT be accepted from any Proposer who does not attend the Pre-Proposal Conference and Site Walk. Humboldt Transit Authority will provide all Proposers with a transcript of the conference portion. Humboldt Transit Authority is not bound by any information provided in the verbal responses to questions that may be posed during the Pre-Proposal Conference and Site Walk.

Proposers must notify the Procurement Coordinator one week in advance with the number of attendees.

Given the remoteness of the Project site, HTA suggests that Proposers travel the day prior to the Pre-Proposal Conference and Site Walk. Proposers should note there are extremely limited transportation options from the airport after 9:00PM so should plan accordingly.

1.6 SUBMISSION OF PROPOSALS

HTA will receive Proposals for the Project. Proposals must be mailed or delivered in a sealed envelope addressed to HTA as indicated below.

Humboldt Transit Authority
Response to RFP for Project 23-01
Attn: Jerome Qiriazhi
133 V St.
Eureka, CA 95501

Modifications to or withdrawal of Proposals may be made by the Proposer prior to the RFP closing deadline listed in Section 1.2. Any modifications must be mailed in a sealed envelope to HTA as indicated above. Proposals shall be valid for 60 calendar days after the Proposal opening date.

Proposals must be submitted on the Proposal Forms contained in this RFP.

Proposals must be accompanied by cash, a certified or cashier's check, or a Proposal Bond in favor of HTA in an amount not less than five percent (5%) of the sum of Cost Proposal #1 and Cost Proposal #2 submitted in Form Q.

A. Proposal Receipt Deadline

Proposals must be received by HTA no later than the RFP closing deadline listed in Section 1.2. Proposals received after this specified date and time shall be considered late and will not be considered for evaluation.

B. Proposal Format

Proposals shall consist of:

- One (1) unbound two-sided original signed Proposal
- Five (5) bound copied sets of the Proposal. Each copy must be bound in a three-ring binder and tab separated by the elements described in Section 1.7.
- One (1) USB flash drive, containing either native file(s) or published PDF(s) files of the Proposal. Documents provided in electronic copy must contain identical information and formatting as what is submitted in hard copy.

1.7 REQUIRED ELEMENTS OF PROPOSALS

A Proposal by a corporation shall be executed in the corporate name by the president or the vice-president or by another corporate officer. Such Proposal shall be accompanied by a certificate indicating the authority to sign, attested by the secretary or assistant secretary, and with the corporate seal affixed. The corporate address and state of incorporation must appear below the signature. A Proposal by a partnership shall be executed in the partnership name and signed by a managing partner, accompanied by a certificate indicating the authority to sign, and his/her title must appear under the signature and the official address of the partnership must appear below the signature. A Proposal by a joint venture shall be executed in the joint venture name and be signed by a joint venture managing partner, accompanied by a certificate indicating the authority to sign, and his/her title must appear under the signature and the official address of the joint venture must appear below the signature. A Proposal by an individual shall show the Proposer's name. The names of all persons signing shall be legibly printed below their signatures. A Proposal by a person who affixes to its signature the word "president", "secretary", "agent", or other designation without disclosing its principal may be held to be the Proposal of the individual signing. When requested by HTA, evidence of the authority of the person signing shall be furnished.

All Proposals shall give the prices proposed in the space provided, shall give all other information requested therein, and shall be signed by the Proposer or an authorized representative, with their address. Proposers must prepare and submit all required documents. Electronic or wet signatures will be accepted where applicable.

Each Contractor shall provide a written Proposal that includes the following required elements:

- Proposal Letter and Required Forms,
- Organizational Management Structure and Key Personnel,
- Technical Proposal, and
- Price Proposal.

The required elements, both in content and sequence, for each of these proposals are set forth in this Section. A Proposal may be rejected and not reviewed by HTA if it modifies or fails to conform to each of the requirements set forth in this Section.

A. Proposal Letter and Required Forms

Each Proposer shall submit a Proposal Letter and all Required Forms that includes all information set forth below. Each item of the Proposal Letter and Required Forms as described below shall be segregated and labeled to identify the item being addressed.

- **Proposal Letter.** Provide all information requested on Form A (in Part IV of this RFP), including the business name of the Proposer and the Proposer 's contact person who is authorized to act for and bind the Proposer on all matters relating to this procurement, and his or her address, email, and telephone number. Form A must be submitted without alteration (except to complete the necessary information) and signed by hand in ink by an official of the Proposer.
- **Required Forms.** All blanks in the Proposal Forms shall be filled. A Proposal price shall be indicated for each Proposal item listed therein, or the words "Included," "No Proposal," "No Change," or other appropriate phrase shall be entered. Provide the following completed forms (included in Part 3 of this RFP) with electronic or wet signatures:
 - Form A - Proposal Letter;
 - Form B - Exceptions and Deviations Form;
 - **Exceptions.** Identify all contractual exceptions taken to the provisions of the RFP, including the General Conditions (RFP Attachment 4.1) and RFP Agreement Attachment 4.2). HTA will not consider contractual exceptions or changes unless the Proposer raises such exceptions or changes via Form B. If no exceptions are stated, it is understood and agreed that the Proposer, if selected, is deemed to have accepted all contractual terms and conditions set forth in this RFP without change. Requests to modify the Scope of Work set forth in this RFP may only be addressed through the clarification and Addenda process outlined in Section 1.10 of this Part.

- Form C - Statement Acknowledging Penal and Civil Penalties Concerning the Design-Builder's Licensing Laws;
- Form D - Non-Collusion Declaration;
- Form E - Declaration of Eligibility to Contract;
- Form F - Certificate of OSHA Compliance;
- Form G - Organizational Conflict of Interest Certification;
- Form H - Certification of Restrictions on Lobbying;
- Form I - Certification Regarding Suspension and Debarment;
- Form J - Labor Certification;
- Form K - Industrial Safety Record;
- Form L - Proposal Bond;
- Form M - Performance Bond;
 - Performance Bond and Performance Bond Form to be submitted upon Notice of Award per the requirements of the Agreement and General Conditions
- Form N - Payment Bond (Labor and Materials);
 - Payment Bond and Payment Bond Form to be submitted upon Notice of Award per the requirements of the Agreement and General Conditions
- Form O - Statutory Provisions for Payments and Assignments;
 - Form O to be submitted upon Notice of Award per the requirements of the Agreement and General Conditions
- Form P - Statutory Provisions for Construction Contract Claims and Payments;
 - Form P to be submitted upon Notice of Award per the requirements of the Agreement and General Conditions
- Form Q - Cost and Price Proposal;
- Form R - H35 Hydrogen Fueling System Technical Specifications;
- Form S - H70 Light Duty Hydrogen Fueling System Technical Specifications; and
- Form T - Subcontractor Designation Form;

B. Organizational and Management Structure and Key Personnel

The Proposer must provide an organizational chart showing the responsibility(ies) and working relationships of and between the Proposed team members, including Key Personnel, and, if applicable, the Subcontractor(s). The organizational chart must contain: (1) lines of authority, responsibility, and communication; (2) office organization, if any, and (3) names, titles, and functions of all the Proposer's Key Personnel. In addition, the Proposer must include a Preliminary Subcontractor Plan meeting the requirements in the General Conditions Section 9.01 (Attachment 4.2). The Proposer may not change the team members, Key Personnel, or subcontractors submitted in response to the RFQ without Approval from HTA. This element will not be scored.

C. Technical Proposal

Each Proposer must submit a Technical Proposal (“TP”) containing all information set forth below. Each item of the Technical Proposal as described below shall be segregated and labeled to identify the item being addressed in the TP.

- **Project Understanding.** Describe the Proposer’s understanding of HTA and the Work to be provided by the Proposer in response to this RFP. The narrative must identify how this project is unique, what the challenges and opportunities are regarding this project, and must specifically acknowledge the remoteness of the Project location. The narrative must describe what was learned during the site visit and describe how the proposed solution addresses the identified challenges and opportunities.
- **Technology Solution and Performance.** Describe the proposed technology solution to achieve HTA’s performance objectives. Identify at a minimum the following necessary to support the technology solution:
 - specific equipment to be utilized,
 - site layout,
 - utility requirements and upgrades,
 - site improvements,
 - performance specifications, and
 - strategies for minimizing losses during fuel deliveries, boil off, and dispensing.

Provide the basis for why the proposed solution is of highest benefit to HTA considering the initial deployment of fuel cell electric buses and anticipated future expansion. Specific detail on how the proposed solution will minimize operating, maintenance, and fuel costs is of vital interest. The description must also recognize the remoteness of HTA’s facility² and discuss how the proposed solution will minimize fuel supply interruptions, minimize maintenance response times, and maximize station uptime.

- **Work Plan and Approach.** Provide a narrative explanation of how the Proposer intends to perform the Work. The description must recognize the remoteness of HTA’s facility, and discuss how the proposed work plan and project approach will minimize construction delays, minimize fuel supply interruptions, minimize maintenance response times, and maximize station uptime. Include and reference the following required plans and schedules:
 - Subcontracting Plan that meets the requirements of Article IX in the General Conditions;
 - Preliminary Critical Path Schedule that meets the requirements in the General Conditions; and
 - Preliminary Schedule of Values that meets the requirements in the General Conditions.

² The two main access highways, CA 299 and US 101, experience road closures from landslides and erosion, particularly during winter months.

D. Price Proposal

Each Proposer must submit a Price Proposal ("PP") containing the information and complying with the submission requirements set forth below:

- Provide the Proposer's price for each item on Form Q. The PP as reflected on Form Q will be used by HTA to evaluate the Proposer's PP in accordance with Section 1.18 of this Part.
- Proposers shall not alter Form Q in any way except to provide the requested information described herein.

1.8 SUBSTITUTE AND "OR-EQUAL" ITEMS

The Contract, if awarded, will require Materials and equipment specified or described in the Contract Documents without consideration of possible substitute or "or-equal" items. Application for review of substitute or "or-equal" Materials or equipment will not be considered by HTA until after the Effective Date of the Contract.

The term "without exception," when used in the Contract Documents following the name of a Supplier or a proprietary item of equipment, product, or Material, shall mean that the sources of the product are limited to the listed Suppliers or products and that no like, equivalent, or "or-equal" item and no substitution will be permitted.

If a Proposal for an "or equal" item is not approved, the Proposer shall furnish the specified item(s) without a change in the Contract Price or the Contract Time.

Any Proposal conditioned upon furnishing equipment or materials different from those specified in the Contract Documents will be rejected.

1.9 EXERCISE OF ADD-ALTERNATE OPTIONS

Mandatory add-alternate options are described in PART 2 of this RFP. The Proposer shall include such options in the required elements of the Proposal. HTA reserves the right to include these add-alternate options in the final Contract at HTA's sole discretion.

1.10 CLARIFICATION AND ADDENDA PROCESS

Proposer may submit to the Procurement Coordinator a written request for an interpretation or clarification of, or an addendum to, this RFP. Any such request must be received by the date and time described in Section 1.2 of this RFP. The request must be submitted as described in Section 1.3(F) of this RFP. HTA is not bound by any oral interpretations, clarifications, or changes made to this RFP by any HTA representative, employees, or consultant. Any clarification or change to the RFP must be provided in writing pursuant to Section 1.3(F) of this RFP.

HTA will review and prepare a written response to each written request made by a Proposer pursuant to Section 1.3(F) of this RFP. HTA's written response(s) will be posted as described in Section 1.3(F) of this RFP by the date and time described in Section 1.2 of this RFP.

HTA reserves the right to make modifications or Addenda to this RFP. If HTA determines it is appropriate to revise any portion of this RFP, either at the request of a Proposer or upon HTA's own initiative, HTA will issue, and make available to all Proposers as described in Section 1.3(F) of this RFP, a written addendum setting forth this revision. Proposers shall acknowledge receipt of Addenda where indicated on Form A (included in Part 3 of this RFP) as part of their Proposal. Where Addenda require changes in the Work to be performed under the Contract, the date set for receipt of Proposals may be postponed by such number of days as HTA determines are appropriate in order to enable Proposers to revise Proposals.

1.11 COST OF PROPOSAL

Any costs incurred by Proposers in responding to this RFP shall be at the Proposer's sole expense and will not be reimbursed by HTA.

1.12 CANCELLATION OF REQUEST FOR PROPOSALS

HTA reserves the right in its discretion to cancel this RFP in whole or in part.

1.13 PROPOSAL REJECTION

HTA reserves the right in its discretion to accept or reject any and all Proposals submitted in response to the RFP or refuse to enter into any contract resulting from any Proposal submitted, without expense to HTA.

1.14 PROPOSAL WITHDRAWAL

The Proposer's authorized representative may, prior to the date and time set as the deadline for receipt of Proposals described in Section 1.2 of this RFP, modify or withdraw a Proposal by submitting the request in writing to the Procurement Coordinator. Proposals may not be withdrawn after the date and time set as the deadline for receipt of Proposals described in Section 1.2 of this RFP. Failure of HTA to open Proposals for this Project exactly at the time fixed in Section 1.2 of this RFP shall not extend the time within which Proposals may be withdrawn. After the Proposal receipt deadline, Proposals may not be withdrawn for one hundred and twenty (120) days.

Attention is directed to the provisions of Public Contract Code §§ 5100 to 5107, inclusive, concerning relief of Proposers and in particular to the requirement that if the Proposer claims a mistake was made in its Proposal, the Proposers shall give HTA written Notice within five (5) days after the Proposal opening of the alleged mistake, specifying in the notice in detail how the mistake occurred.

1.15 MODIFICATIONS AND UNAUTHORIZED ALTERNATIVE PROPOSALS

Conditions, limitations, or provisions attached to the Proposal shall render it non-responsive. The completed Proposal Forms shall be without interlineations, alterations, or erasures in the printed text. Proposals may be rejected if they show any alterations of form, additions not called for, conditional Proposals, incomplete Proposals, erasures, or irregularities of any kind. If the Proposal amount is changed after the amount has been once inserted, the change should be initialed. Alternative Proposals will not be considered unless called for.

1.16 DISCREPANCIES IN PROPOSALS

The Proposer shall furnish a price for all Proposal items in Form Q: Cost and Price Proposal, and failure to do so will render the Proposal non-responsive and may cause its rejection.

In the event there are unit price Proposal items in Form Q and the amount indicated for a unit price Proposal item does not equal the product of the unit price and the estimated quantity, the unit price shall govern and the amount will be corrected accordingly, and the Proposer shall be bound by said correction. However, if the amount set forth as a unit price is ambiguous, unintelligible or uncertain for any reason, or is omitted, or is the same amount as the entry in the "Total" column, then the amount set forth in the "Total" column for the item shall prevail and shall be divided by the estimated quantity for the item to obtain a unit price.

In the event that the total indicated in Form Q does not agree with the corrected dollar sum of the prices submitted on the individual items, the prices submitted on the individual items shall govern and the total in Form Q will be corrected accordingly, and the Proposer shall be bound by said correction.

1.17 EVALUATION PROCESS

HTA reserves the sole right to evaluate and select the successful Proposal. Evaluations will proceed in the manner set forth in this Section.

A. Determination of Responsiveness

HTA's Procurement Coordinator and legal counsel will review the Proposal of each Proposer to determine whether the Proposer has satisfied the requirements under Section 1.7 and has submitted a responsive Proposal. This review will also examine the TP and PP to determine if the Proposer has provided those Proposals in compliance with the requirements of the RFP, and if the Proposal is otherwise technically acceptable and responsive. HTA may request clarifications from Proposers during this review. Minor informalities, irregularities, and apparent clerical mistakes, which are unrelated to the technical content of the Proposal, shall not be the basis for finding a Proposal to be non-responsive. Each Proposal deemed responsive will be evaluated and scored by an Evaluation Committee in

accordance with the process set forth herein and according to the criteria set forth in Section 1.18 of this Part.

B. Initial Evaluation and Scoring of Proposals

The Evaluation Committee will evaluate and score the Technical Proposal (TP) and Price Proposal (PP) of each responsive Proposal. Evaluations and scoring will be in accordance with Section 1.18 of this Part. Following the initial evaluation and scoring, the Evaluation Committee will develop a ranking of Proposals. Based on the initial ranking, the Procurement Coordinator may either (1) provide the General Manager with a recommendation of Contract award to the highest ranked Proposer; or (2) recommend solicitation of Proposal Revisions. If a recommendation of Contract award is provided to the General Manager, they may either (1) submit that recommendation to the HTA Board of Directors and proceed as described below or (2) direct the Procurement Coordinator to solicit Proposal Revisions from all Proposers.

C. Requests for Proposal Revisions

HTA through its Procurement Coordinator reserves the right to request Proposal revisions by all responsive Proposers after the Proposal submittal deadline, and to hold good faith discussions and negotiations with such Proposers pursuant to the procedures set forth in this Section 1.17(C).

1. **Request for Proposal Revisions.** If the Procurement Coordinator determines that revisions to the Proposals could be made based on Scope of Work refinements or revisions, the Procurement Coordinator will issue a request for proposal revisions (Request for Proposal Revisions) to all Proposers specifying the revisions requested and the basis for such revisions. All revised Proposals shall be submitted in writing and in accordance with the submittal timing and instructions contained in the Request for Proposal Revisions.
2. **Negotiations.** The Evaluation Committee will conduct negotiations on behalf of HTA. Negotiations may be conducted orally and/or in writing, at the discretion of the Procurement Coordinator. Oral negotiations may be held in person, by conference call, or by use of video or web conferencing. Negotiations may include discussions about assumptions and positions, and may apply to price, schedule, requirements, or other terms of the proposed Contract as they would be impacted by the Proposal Revisions. The scope and extent of negotiation exchanges are the matter of HTA's judgment.
3. **Best and Final Offers (BAFOs).** HTA may solicit written Best and Final Offers (BAFOs) from Proposers, to include any modifications to their TP and their final PP. BAFOs should be used to respond fully to all issues, concerns, and questions that were raised during the negotiation sessions and/or in HTA's written request for BAFOs, to enhance their TP, and to submit the most cost-effective PP. If the Proposer's BAFO Price Proposal is higher than its initial Price Proposal, the Proposers must provide a full and detailed explanation of the reasons for the higher price. HTA reserves the right, in its discretion, to require an additional round of BAFOs.

4. **Final Evaluation and Scoring of Proposals.** After negotiations and/or receiving BAFOs Proposals, the Evaluation Committee will evaluate and score the Proposals taking into consideration Proposal revisions, information gleaned from negotiations and/or BAFOs and in accordance with the description above. Following final evaluations, the Evaluation Committee will rank all Proposals and determine the highest ranked Proposer. The Procurement Coordinator will transmit to the General Manager a recommendation for Contract award with the highest ranked Proposer.

D. Notice of Determination, Action by the HTA Board

The General Manager shall submit the recommendation for Contract award (whether based on initial or final evaluations), and all relevant supporting information from the evaluation process, to the HTA Board of Directors. Simultaneously with such submittal by the General Manager, the Procurement Coordinator shall provide written notice to Proposers of the General Manager's recommended determination (Notice of Determination). The HTA Board of Directors, if it concurs with the recommendation, shall authorize negotiation of final contract terms and conditions, if necessary to incorporate changes due to any Proposal Revisions, and execution of the Contract. The HTA Board of Directors is not bound by the recommendation of the Evaluation Committee, but it must base any alternative selection for Contract award on the evaluation criteria set forth in Section 1.18 of this Part. The HTA Board of Directors may not modify the evaluation criteria or their respective weight, or establish or rely on new or additional factors or considerations in making the award.

E. Contract Finalization

After authorization by the HTA Board, the highest ranked Proposer will be invited to finalize Contract terms and conditions with HTA. The written Contract shall bind the Proposer to furnish and deliver the requested Work at the negotiated prices and in accordance with conditions of this RFP, the RFQ, any Addenda hereto, and the successful Proposer's Proposal, including any Proposal Revisions. If an agreement cannot be reached with the highest ranked Proposer, HTA reserves the right to negotiate an agreement with the next highest ranked Proposer.

F. Single Proposal

If only one Proposal is received in response to this RFP, information may be requested from the Proposer to enable HTA to perform a cost/price analysis and evaluation and audit in order to determine if the proposed price is fair and reasonable. Award may be made to a single Proposer if HTA determines that the Proposal meets the requirements of this RFP and the price is fair and reasonable.

G. Authority of Procurement Coordinator

The Procurement Coordinator shall have the authority to negotiate over price and technical matters; conduct a cost/price analysis; assess the price realism of proposed fees; review and audit all business

records and related documents of any Proposer (including any affiliate or parent company, partner, or joint venture member); contact any client references; and conduct site visits and investigations.

1.18 EVALUATION CRITERIA

HTA will, through its Evaluation Committee, evaluate and rank Proposals (and if applicable, the results of interviews, discussions and BAFOs) based on the criteria set forth in this Section and make its determination as to which Proposal offers the best value.

A template of the score sheet to be used by the Evaluation Committee is provided in Attachment 4.4.

A. Scoring

Proposals will be evaluated and scored as follows:

- TPs will be evaluated and scored on the basis of the Technical Factors described in Section 1.18(B) below.
- PPs will be scored on the basis of the Price Evaluation described in Section 1.18(C) below.

To determine the overall score and the Proposal offering the best value, the Technical score will count as 60 percent and the Price score will count as 40 percent.

B. Technical Factors

The TPs will be evaluated on the basis of the following items, each having the weighted value set forth herein.

Technical Proposal (TP) Item	Maximum Points
Project Understanding	10
Technology Solution and Performance	30
Work Plan and Schedule	20
Total TP Points	60

C. Price Evaluation

The Price Proposals (PPs) will be evaluated on the basis of the following items as detailed in Form Q, each having the weighted value set forth herein.

Each Price Proposal item used to evaluate the price is defined in the table below. Each PP item definition references the Excel spreadsheet cells in Form Q.

Price Proposal (PP) Item <i>PP Item: description = Form Q spreadsheet cells</i>	Relative Score (RS)	Maximum Points (MP)	Awarded Points
1. BC: Base Bid Charges, Less O&M Services Line Item = C23 - C15	$\frac{\text{Lowest BC}}{\text{Proposer's BC}}$	12	$\sum_{i=PP\ Item\ 1}^{PP\ Item\ 4} RS_i \cdot MP_i$
2. AC: Sum of Add Alternate Charges and Total Add-Alternate Annual Fees for all Option Term years = D23 + E39 + F39 + G39	$\frac{\text{Lowest AC}}{\text{Proposer's AC}}$	4	
3. WC: Sum of Base Bid Charges O&M Services Line Item and Total Base Bid Annual Fees for all Option Term years = C15 + E32 + F32 + G32	$\frac{\text{Lowest WC}}{\text{Proposer's WC}}$	12	
4. FC: Sum of Total Annual Fuel Charges over the Initial Term and all Option Term years = C50 + D50 + E50 + F50 + G50	$\frac{\text{Lowest FC}}{\text{Proposer's FC}}$	12	
Total PP Points	--	40	

HTA reserves the right to conduct a price reasonableness and/or price realism analysis of PPs, and reserves the right to reject as non-responsive any PP determined to be unrealistic.

1.19 COST OR PRICE ANALYSIS

HTA reserves the right to conduct a cost or price analysis on any Proposal received in response to the RFP and to review and audit the business records of any Proposer to determine the fairness and reasonableness of the proposed fees.

1.20 AMBIGUITIES AND INCOMPLETE INFORMATION

Before making an award, HTA reserves the right to request additional information and/or clarification from Proposers about any statement or information in a Proposal that HTA finds ambiguous, unclear or incomplete.

1.21 RESTRICTIONS ON LOBBYING AND CONTACTS

- A. During the period beginning on the date of the issuance of this RFP and ending on the date of the Notice of Award, no person (or entity) submitting a Proposal in response to this RFP, or any officer, employee, representative, agent, or consultant representing such a person (or entity) shall contact through any means or engage in any discussion regarding this RFP, the evaluation or selection process, or the award of the contract with any member of the HTA Board of

Directors or their personal staff. Any such contact shall be grounds for the disqualification of the Proposer.

- B. During the period beginning on the date of the issuance of this RFP and ending on the date of the Notice of Determination, each Proposer shall limit their communication with HTA employees to the written clarification and amendment process described in Section 1.3(F), and Request for Proposal Revisions process described in Section 1.17(C). During such time period, any such person or entity is precluded from having any communications regarding this RFP, the evaluation or selection process, or the award of the contract with any HTA employee other than the Procurement Coordinator and designated staff. Any such unauthorized communication shall be grounds for the disqualification of the Proposer.

1.22 OWNERSHIP OF PROPOSALS/PUBLIC RECORDS ACT

All information submitted to HTA under this RFP process becomes the exclusive property of HTA. All submissions are subject to public disclosure or exemptions therefrom under the California Public Records Act (California Government Code section 7920.000 et seq.). The confidentiality of submissions and other correspondence will be subject to the following requirements:

- The California Public Records Act recognizes an exception to disclosure of records which contain confidential trade secrets (see Government Code Section 7924.510(f) and Civil Code Section 3426.1). If a Proposer believes that any specific portion of its submission is exempt from disclosure under the Public Records Act, the Proposer must mark the portion of the submission as such and state the specific provision in the Act that provides the exemption and the factual basis for claiming the exemption. For example, if a Proposer believes a submission contains trade secret information, the Proposer must plainly mark the information as “Trade Secret” and refer to the appropriate section of the Public Records Act which provides the exemption for such information and the factual basis for claiming the exemption. HTA will evaluate the disclosure exemption and make a determination in its sole discretion.

1.23 CONFLICT OF INTEREST

HTA’s Board of Directors and employees are prohibited from soliciting, demanding, or accepting from any Proposer, Design-Builder, Contractor, potential Contractors, or parties to subcontracts any gifts, gratuities, favors, or anything of a monetary value, except as the receipt and reporting of gifts is permitted by the Political Reform Act (Cal. Gov’t Code Section 81000, et seq.).

Each Proposer is responsible for determining whether its participation or the participation of any prospective Design-Builder-Related Entity constitutes a conflict of interest or a potential conflict of interest pursuant to California Government Code Sections 1090, 87100 et seq., and other applicable law. Each Proposer must investigate and manage any potential conflict of interest as part of considering whether to submit a response and when assembling its project team.

The existence of such a conflict of interest is a basis for HTA to disqualify a Proposer's participation in this RFP process. If HTA determines that a Proposer is disqualified because of the existence of such a conflict of interest, it will provide the Proposer with a written statement of the facts leading to that conclusion.

1.24 ORGANIZATIONAL CONFLICT OF INTEREST

At the time of Proposals, Proposers are required to certify the absence of, or disclose to HTA, any real or apparent organizational conflict of interest ("Organizational Conflict"). An Organizational Conflict exists when (a) the Proposer is unable, or potentially unable, to provide impartial and objective assistance or advice to HTA due to other activities, relationships, contracts, or circumstances; (b) the Proposer has an unfair competitive advantage through receipt of or obtaining access to nonpublic information; or (c) during the performance of an earlier contract or the conduct of a procurement, the Proposer has established the ground rules for the solicitation or selection of the services or goods acquired under this RFP by developing specifications, evaluation factors, or similar documents. The disclosure of any real or apparent Organizational Conflict shall include all relevant facts concerning any past, present, or currently planned interests that may present an Organizational Conflict.

The refusal to provide the certification (or disclosure) required under this Section or any additional information relevant to such certification or disclosure may result in HTA determining that the Proposal is nonresponsive.

HTA retains the right in its sole discretion to refuse to enter into a Contract based on the existence of an Organizational Conflict or to include provisions in the Contract to mitigate or avoid such Organizational Conflict.

1.25 PROTEST PROCEDURES

The following procedures shall apply whenever any interested party desires to dispute the Notice of Determination or any other aspect of the RFP process.

- A Proposer has no right to dispute a determination that it is not qualified based upon a late or incomplete submittal. There is no right to dispute the RFP process requirements and/or specifications if any objection thereto could have been addressed by submitting a question and/or objection in accordance with this RFP. The protest by the Interested Party shall be undertaken at the Interested Party's expense.
- The Interested Party initiates a protest by delivering to HTA a written notice requesting a hearing and setting forth the grounds for the protest as well as all facts relevant to the protest. The protesting party must deliver the written notice to the same location that the proposal was required to be delivered. The protesting party must deliver such written notice within seven (7) calendar days following the date of HTA's written Notice of Determination. The protesting party waives its right to dispute HTA's decision or any other aspect of the RFP process if it fails to

deliver the notice within seven (7) calendar days following the date of HTA's written Notice of Determination.

1.26 EXECUTION OF AGREEMENT

The Proposer will sign and deliver to HTA the written Agreement together with all certificates, evidence of insurance and Bonds required by the Contract Documents within seven (7) Business Days after receipt of the Notice of Award. Failure or refusal to enter into an Agreement as herein provided or to conform to any of the stipulated requirements in connection therewith shall be just cause for annulment of the award and forfeiture of the Proposal Bond. On the failure or refusal of such second or third lowest Proposer to execute the Agreement, each such Proposer's Proposal Bonds shall be likewise forfeited to HTA.

1.27 PUBLIC WORKS CONTRACTOR REGISTRATION CERTIFICATION

Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to submit a Proposal, be listed in a Proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. No Proposal will be accepted nor any contract entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work. If awarded a Contract, the Design-Builder and its subcontractors, of any tier, shall maintain active registration with the Department of Industrial Relations for the duration of the Project.

1.28 LIST OF SUBCONTRACTORS

As required by Public Contract Code § 4104, Proposers shall complete and submit Form V: Subcontractor Designation Form for all Subcontractors identified in the Proposal who will 1) perform Work, labor, or services on the Project, or 2) who will specially fabricate and install a portion of the Work or improvement according to detailed drawings in the RFP, in excess of one-half of 1 percent of the total Contract Price allocable to Construction Work.

PART 2 SCOPE OF WORK

The following Scope of Work, combined with the tasks defined in the Agreement (Attachment 4.1) and General Conditions (Attachment 4.2), comprises the Work expected to be provided under the Contract.

2.1 PROJECT OVERVIEW AND GENERAL REQUIREMENTS

Humboldt Transit Authority (HTA) is soliciting proposals for the design and construction of a permanent hydrogen fueling station located on HTA's Operations and Maintenance Facility (corporation yard). The fueling station shall consist of a liquid hydrogen storage tank and compression & storage gas system capable of providing hydrogen fuel to various types of vehicles at different fueling pressures. The station shall be designed to meet the estimated fuel demand for HTA's near-term and future plans, which include:

- HTA fuel-cell electric buses already under contract:
 - 1 New Flyer XHE40 FCEB to be delivered December 2024;
 - 10 New Flyer XHE40 FCEBs to be delivered two per month between June, 2026 through October, 2026;
- HTA medium-duty (MD) and heavy-duty (HD) fuel-cell vehicles:
 - Fully funded prototype over-the-road coaches is planned for delivery in 2027 and expected to utilize H70 fueling;
 - Proposed funding for medium duty 26,000 GVWR cutaway buses planned for delivery in 2027 and expected to utilize H70 fueling;
- H70 light duty (LD) vehicles using a public access H70 dispenser, including HTA-owned light duty FCEVs;
- Future non-HTA fleet vehicles (e.g., refuse trucks, box trucks, public LDVs) who may use the HFS as a secondary fuel source for resiliency and reliability purposes; and
- HTA's transition to a 100% hydrogen fleet, as outlined in its Zero Emission Bus Rollout Plan (by 2040)³

A. Proposal Components

The Proposal submitted in response to this RFP shall include the following four components:

1. H35 hydrogen fueling station base bid, which includes a H70 “make-ready” provision,
2. H70 LD fueling system mandatory add-alternate bid,
3. Operations and Maintenance (O&M) Services over a 2-year initial term with three one-year options to extend, and

³ HTA's Zero Emission Rollout Plan can be downloaded at https://hcaog.net/sites/default/files/hta_zero_emission_bus_rollout_plan_v1.0.pdf

4. Fuel Supply Services over a 2-year initial term with three one-year options to extend.

HTA anticipates that both the O&M Services and the Fuel Supply Services (collectively Transitional Services) will commence upon

Proposers should recognize that HTA is a relatively small transit agency located in a remote region of northwestern California. Proposers should take into consideration the following as they prepare their Proposals:

- Keeping operational costs low is crucial. Fuel costs and operation and maintenance costs must both be kept to a minimum.
- Fuel security and reliability are also crucial. Humboldt County is served by only two major highways - US101 and CA299 - and closures of these arteries due to landslides, fires, and floods occur with some frequency. The county is also located in a seismically active area.

H35 Hydrogen Fueling Station Base Bid

The base bid component includes obtaining new electrical service to the site, building demolition and site preparation, and the construction of a turnkey hydrogen fueling station for H35 fueling of HTA's FCEB fleet as described throughout this Part. The Proposal shall also include the means and cost of providing a Temporary Fueling solution during the bus delivery phase that will occur prior to Final Acceptance of Construction Work.

The base bid shall also include an H70 Fueling Readiness Plan. The plan shall identify "make-ready" provisions included in the station's design that will allow for the seamless integration of a future H70 MD/HD fueling system, and the H70 LD fueling system add-alternate in the event HTA does not elect to pursue the alternate at this time.

Additional details and requirements are provided in Section 2.1(C).

H70 LD Fueling System Mandatory Add-Alternate Bid

The mandatory add-alternate bid is for a public "over-the-fence" H70 LD fueling system for light-duty vehicles. The add-alternate should be included in the Proposal. HTA reserves the right to include this option in the design-build contract at their discretion.

Additional details and requirements are provided in Section 2.1(D).

Operation and Maintenance Services

The Design-Builder agrees to provide operations and maintenance services for the Hydrogen Fueling Station, including necessary O&M Equipment and supplies, in accordance with the Agreement, General Conditions, and Contract Documents.

Additional details and requirements are provided in Section 2.1(C).

Fuel Supply

Temporary Fueling will be provided during construction of the Hydrogen Fueling Station as described in Section 2.1(E) of this Part. Fuel supply over a 2-year initial term with three one-year options to extend will be provided after Final Acceptance of Construction Work as described in Section 2.11 of this Part.

Additional details and requirements are provided in Section 2.1(C).

B. Project Site and Existing Conditions

The HTA corporation yard is located at 133 V Street, Eureka, California 95501 and is bordered by 1st and 2nd Streets on the north and south sides and V and X Streets on the west and east sides. W St. is part of the HTA property (see Figure 1 and Figure 2). An initial design survey has been completed and provided as Attachment 4.6. A final design survey is expected to be completed March 13th, 2024 and will be included as an addenda to this RFP.



Figure 1: Project location.



Figure 2: HTA corporation yard.

The Project site is located in the northwest area of the property adjacent to the existing diesel and gasoline bus fueling systems (Figure 3). The existing infrastructure and equipment in the vicinity of the site includes:

- a bus entrance security gate,
- a horizontal diesel tank and piping system,
- two unleaded gasoline tanks and piping system,
- dispensing canopy with two diesel dispensers and one gasoline dispenser fed by underground piping from the nearby fuel storage tanks,
- two temporary sheds, and
- a two-story office building (a converted wood-frame house) that is served with electricity, natural gas, water, sewer, and communication utilities.

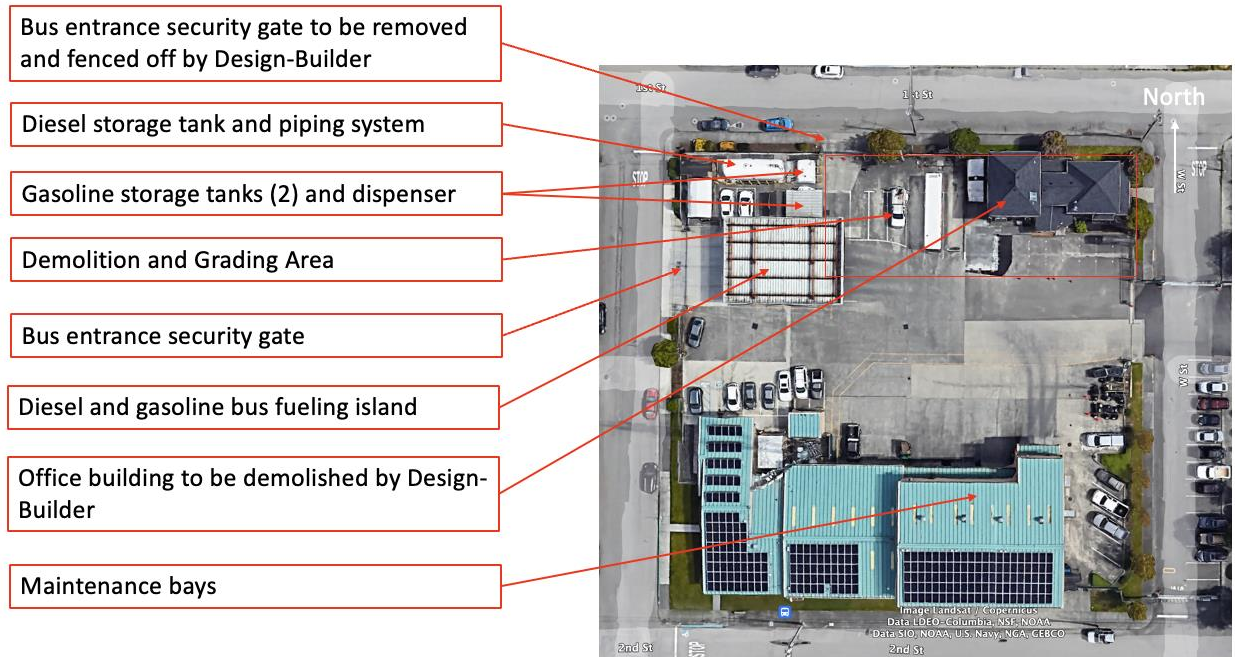


Figure 3: Existing infrastructure and equipment adjacent to the Project site.

When buses return to the yard at the end of daily operations, each bus enters the property through the security gate on V St and enters the fuel island. The total current dwell time of existing buses at the fueling island is 5 minutes. The target total dwell time for the FCEBs at the fueling island is no more than 10 minutes. After fueling, evening service workers drive the buses to the east area of the yard where the buses are cleaned and detailed. Each bus is washed two times a week in the bus wash located at the end of the maintenance service bays to the east.

Utility Power

There are two separate Pacific Gas & Electric (PG&E) feeders that border the HTA corporation yard. The Eureka A 1103 feeder runs along 1st Street on the north side and the Harris 1109 feeder runs along 2nd Street on the south side (Figure 4). The Design-Builder is to engage with PG&E early in the design process to ensure the service power circuit is identified and capable of supplying the necessary power estimated by the Design-Builder. This will ensure that the utility can complete any utility grid upgrades and service power work prior to or early in the construction phase of the project.

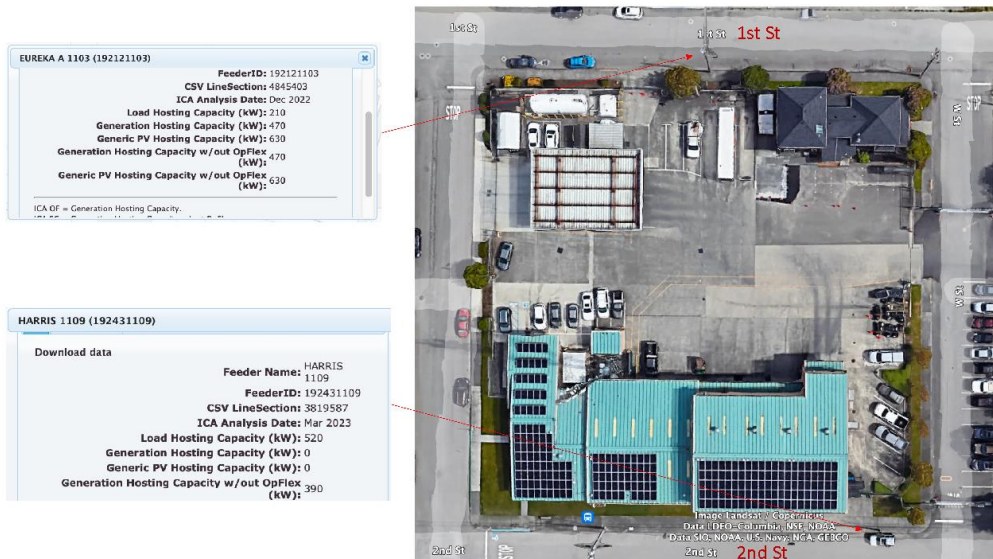


Figure 4: HTA corporation yard utility power distribution feeders.

Proposed Construction Staging Areas

Two locations have been identified as potential construction staging areas. One 0.15-acre site is located on the north side of 1st Street and the other is a 0.1-acre area located in the southeast corner of the HTA corp yard. See Attachment 4.10 for a plan view of the proposed staging areas.

C. H35 Hydrogen Fueling Station Base Bid

The scope of work for the H35 Hydrogen Fueling Station base bid is comprised of the following major work tasks:

- Utility upgrades and electrical service power,
- Building demolition & site preparation,
- Temporary Fueling solution,
- Hydrogen Fueling Station design, engineering, and construction,
- O&M services over an initial 2-year term with three one-year options to extend, and
- Fuel supply over an initial 2-year term with three one-year options to extend.

The base bid shall include a liquid hydrogen supply storage tank, a compression & gaseous storage system, balance of plant systems, and a H35 fueling system comprising a cooling system and two industrial in-yard H35 gaseous dispensers for fueling of HTA's fleet of New Flyer XHE40 FCEBs.

The base bid shall also include an H70 Fueling Readiness Plan. The H70 Fueling Readiness Plan shall identify "make-ready" provisions included in the station's design, engineering and construction that allow for the seamless integration of a future H70 MD/HD fueling system and the H70 LD fueling system add-alternate in the event HTA does not elect to pursue the alternate at this time.

Background information and design requirements for each major work task for the base bid is provided below.

Electrical System, Utility Upgrades, and Electrical Service Power

The new electrical service and distribution system, including the main switchgear, distribution panels, backup generator, etc., shall be sized and designed to serve the full electrical load of the H35 fueling station, the H70 LD fueling system, and a future H70 MD/HD fueling system. A dedicated backup generator for the Hydrogen Fueling Station shall be included and shall be a diesel fueled unit sized to carry the entire Hydrogen Fueling Station load. Diesel fuel for the backup generator shall be sourced from the existing on-site diesel storage.

The Hydrogen Fueling Station may require upgrades to HTA's utility infrastructure, including communications, stormwater drains, and electrical power. The selected Design-Builder will be responsible for making any necessary modifications to HTA's utilities. Proposers will be required to determine the extent of upgrades and describe and price this work in the Proposal.

For Hydrogen Fueling Station communications, there are two internet access points to the existing HTA network currently located at 1) the southeast corner of the office building planned for demolition, and 2) in the farebox shed immediately adjacent to the west of the existing gasoline dispensers. The Design-Builder shall make a hardwired connection and may make use of existing underground conduit to route station communications to the HTA maintenance building network demarcation point. The Design-Builder shall be responsible for any upgrade or replacement of the underground ethernet cables.

The Design-Builder shall review the site design survey (Attachment 4.6) and inspect the project area during the walkthrough to assess the current storm drain system. The Design-Builder shall be responsible for upgrading or installing new storm drains in the project area to ensure proper drainage of the site.

The Design-Builder shall include all works necessary for the delivery of new electrical service within their scope. The Design-Builder must coordinate with the local electrical power utility—Pacific Gas & Electric Company (PG&E)—to determine the most cost effective and practical means of supplying new service to the new proposed development.

The new service shall be sized to serve the full electrical load of the H35 fueling system, the H70 LD fueling system, and a future H70 MD/HD fueling system.

Building Demolition and Site Preparation

To ameliorate space constraints and improve station safety, the Design-Builder shall include the following tasks in their Work:

- Move and integrate the existing gasoline dispenser into the existing fueling island.

- A quote for this work is included in Attachment 4.9. The Design-Builder should assume the scope of this task is equal to what is reflected in Attachment 4.9. The Design-Builder can elect whether or not to use Attachment 4.9 to reflect the cost of this task.
- As-built engineering drawings of the existing fueling island can be found in Attachment 4.11.
- Remove and fence off the north entrance gate.
- Demolish the office building (a wood-frame house constructed before 1960).
 - The Design-Builder shall be responsible for all tasks required to demolish the office building, remove all debris, terminate existing utilities that are no longer needed if any, and grade the site for development. The general area for site demolition and grading is outlined in Figure 3.
 - As mentioned in the previous section, the Design-Builder may choose to use the existing communications conduit for establishing hardwired communication for the Hydrogen Fueling Station systems.
 - The existing office building contains asbestos and lead. The Design-Builder shall reference Attachment 4.7 to determine the demolition specifications required to properly demolish and dispose of these hazardous materials.

In order to minimize disruption to existing operations, the Design-Builder must complete the first two tasks listed above (move and integrate the existing gasoline dispenser into the existing fueling island and remove and fence off the north gate entrance) as early as possible. This will ensure gasoline fueling can continue without disruption during the Project.

Figure 5 shows an outline of the station footprint and the general locations for the H35 equipment and H70 equipment, H35 and H70 dispensers, and the H70 public fueling island. The footprint is approximately 50' x 170' and includes the area outside the fence up to the sidewalks. Two (2) H35 hydrogen dispensers and one (1) future-project H70 MD/HD dispenser shall be located under the east end of the existing fueling island canopy and one (1) H70 LD public fueling island shall be located along 1st St. The Design-Builder shall provide a site layout of the entire installation for the H35 station equipment, the H70 LD fueling system equipment, and assumed locations for the future H70 MD/HD equipment. The layout shall be designed to allow for easy installation of the future H70 MD/HD equipment in order to minimize site disturbances and keep future installation costs low. The Design-Builder is responsible for identifying any issues concerning these placements during review of the site survey and/or during the site walk.

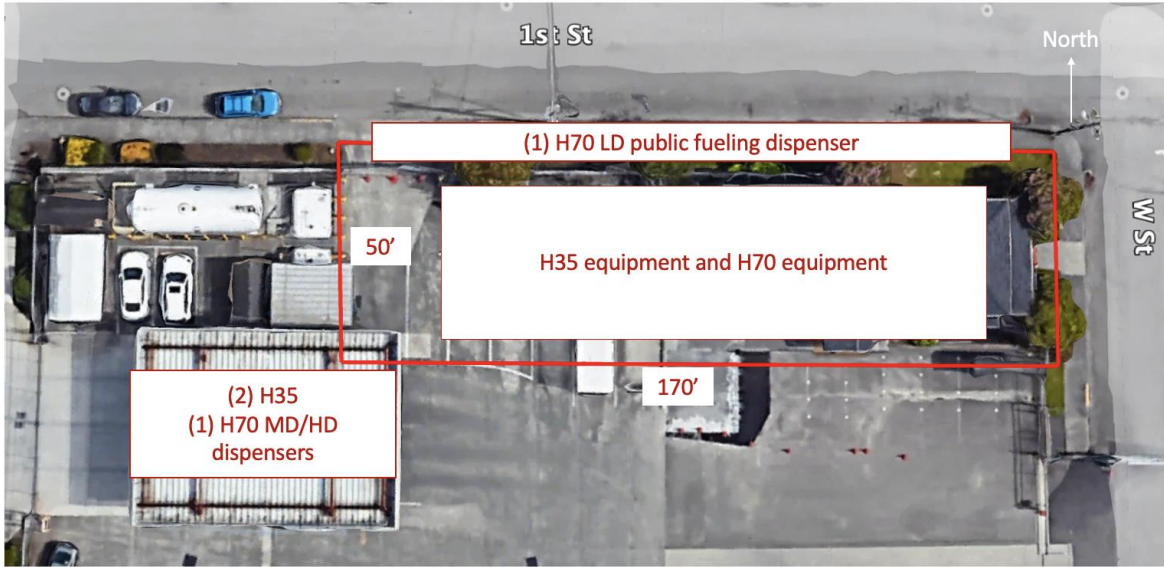


Figure 5: Project site and general equipment locations.

During the preliminary design phase, the Design-BUILDER shall coordinate with HTA for approval of the final location of the Hydrogen Fueling Station equipment, dispensers, and electrical equipment. Additional information will be provided to Design-BUILDERS during the mandatory pre-proposal conference and site walk.

Some of the preliminary code-regulated exposures that will need to be addressed by construction of fire walls and/or equipment layout within the footprint are listed below and also shown in Figure 6.

- electrical overhead lines,
- flammable and hazardous fuel storage tanks and piping (i.e., diesel and gasoline),
- lot lines, and
- parked cars.



Figure 6: Exposures near and within the Project site.

The demolition of the office building will remove many potential hazards and greatly expand the available space for the Project. The construction of firewalls on select sides of the site could reduce the separation distances from code exposures. However, compliance with all applicable codes and standards and the means to achieve compliance are entirely the responsibility of the Design-Builder.

It is the responsibility of the Design-Builder to ensure that any proposed improvements will accommodate all existing operations at the site. Verification of on-site conditions and traffic flow shall be conducted by the Design-Builder at the mandatory pre-proposal conference and site walk.

Design-Builder is responsible for the evaluation, inspection, and detailed scoping of the required office building demolition. Failure to effectively determine, evaluate, and develop cost and scope of the demolition of the office building is to be considered Design-Builder's risk. Design-Builder shall consider Attachment 4.7, the mandatory pre-proposal conference and site walk, and any and all publicly available information, as a means for determining such scope and cost.

Site Layout

The site layout shall be designed for easy access to all H35 equipment and allow for installation of and easy access to all future H70 fueling equipment and balance of plant systems that minimize site disturbances within the operating station and keep future installation costs low.

Liquid Hydrogen Storage Tank

- Given the significant seismic activity in the region, a horizontal storage tank is preferred. The tank structural support system must be designed and rated for the local seismic zone.
- The Design-Builder shall specify an 18,000 gallon storage tank.
- Usable tank capacity must be sufficient to offload the complete liquid contents of a commercially available cryogenic hydrogen delivery trailer.
- The connection interface between the storage tank and the delivery trailer must be adaptable to accept fuel supply from multiple fuel suppliers.

Fugitive Emissions Mitigation

To keep operational costs low, HTA desires to incorporate fugitive emission mitigation measures to reduce hydrogen losses as much as possible during delivery, storage, and dispensing. Design-Builders shall propose measures with two main goals:

- Minimize fugitive emissions of hydrogen gas and/or,
- Recover the maximum amount of potentially vented hydrogen, to be stored and dispensed as fuel.

Design-Builders must describe strategies (e.g., pump cool down and tanker off-loading procedures), equipment (such as an in-tank refrigeration system), materials, and methods they intend to employ to accomplish one or both of these goals. When doing so, Design-Builders should consider the main situations where fugitive emissions occur and any others they deem significant. These include:

- Continuous venting of hydrogen gas due to the pressure of the bulk cryogenic storage tank reaching the maximum operational pressure (regulator setpoint). Such venting is typically a product of heat intrusion into the storage tank from the environment, and heat contributions from the process piping, pumps, and other hydrogen wetted components.
- Gas vented during and after the off-loading of fuel. Venting of the station's storage tank or increasing pressure of the delivery tank may be necessary to facilitate and accelerate liquid hydrogen transfer from the delivery trailer.
- Tank venting due to pump cooling recirculation prior to the initial vehicle fueling operations.

The venting of small amounts of gas from the depressurization of the fuel dispensing hose may be excluded from this consideration.

H35 Fueling System Protocols

The H35 dispensers will be equipped with a WEH TK16-HF (High Flow) nozzle and be rated at pressure class H35 (35 MPa NWP) with a maximum operating pressure of 43.8 MPa. The H35 dispensers will fuel buses in accordance with the most up-to-date fueling protocol (or applicable portion thereof) pertinent to heavy-duty H35 dispensing. This protocol guideline establishes key safety and performance standards.

H35 dispenser(s) and fueling nozzle(s) shall provide infrared data association (IrDA) communication and grounding interfaces with the TN1 HF receptacle on the FCEBs. Buses supplied to HTA will be equipped with companion IrDA communication capabilities and will provide real-time metrics of onboard fuel storage parameters. Respondents must utilize said data to optimize fueling speed, efficiency, and SOC. The dispenser must also be capable of filling vehicles that are not equipped with integrated IrDA communication (including those that are equipped, but not functioning), also referred to as a “non-comm fill.” Dispensing control system must discern whether a vehicle will be filled utilizing IrDA communications when available or revert to a fueling protocol better suited to a non-comm fill.

HTA uses an industry standard system (FuelMaster, see Attachment 4.8) to collect fueling data on each vehicle in its fleet as the vehicles are fueled and serviced. The Design-Builder will be required to integrate the hydrogen fueling dispensers and control systems with the FuelMaster system. The integration requirements for the FuelMaster system are included in Attachment 4.8. The Design-Builder shall be responsible for conducting the work described in the quote included in Attachment 4.8, installation of that equipment, and integration of the system using a hardwired connection. The Design-Builder must use the vendor and quote for work included in Attachment 4.8 and will be responsible for completing that work.

Design-Builders should note that it is critical that H35 fueling and light duty (LD) H70 fueling be separately metered; the design must provide this capability to comply with LCFS requirements for receiving capacity credits.

Control and Monitoring

The Hydrogen Fueling Station shall be fully automated for unattended and safe operation using an advanced and reliable supervisory control and data acquisition (SCADA) system. The SCADA system shall be designed to monitor the necessary parameters to evaluate station performance for the H35 fueling system, the H70 LD fueling system, and future H70 MD/HD fueling system.

The SCADA system's program and hardware must be sized and configured to allow for the integration of additional controls and monitoring capabilities for a future H70 MD/HD fueling system without jeopardizing the integrity of the H35 station operations.

The station shall be designed for high reliability and include all code-compliant safety design features including but not limited to:

- automated fail-safe positions and alarms for all equipment and components upon power loss,
- automatic shutdown and alarms for system overpressure or leak detection, and
- local and remote emergency stop switches.

Design-Builder shall include data-logging of all control systems. Data logging must include at a minimum information on fueling activity, station incidents, and status. At a minimum, data logging must be a trailing log of the past thirty (30) calendar days. Data logs must be stored in a non-proprietary format and easily accessible by HTA staff. Data logs must also be accessible through an application programming interface (API) to allow access to the data by third parties at the discretion of HTA. Access to the data logs and the API shall continue indefinitely beyond the end of the Contract.

H70 Fueling Readiness Plan

The Design-Builder shall provide a H70 Readiness Plan. The plan shall describe the "make-ready" provisions that will be included in the proposed design to ensure that H70 fueling systems can be seamlessly integrated into the Hydrogen Fueling Station. The provisions shall be for the H70 LD Fueling System in the event the add-alternate is not pursued at this time, and for a future H70 MD/HD fueling system.

The Design-Builder shall include a conceptual design for a H70 MD/HD fueling system that includes a general schematic of the major equipment and briefly describes the system's operation. The system shall include one (1) in-yard H70 MD/HD dispenser located near the H35 dispensers. The Design-Builder is not required to provide detailed technical specifications or costs for the equipment, only the specifications necessary to estimate the electrical load and approximate space requirements for the equipment. In the future, HTA will install dispensing equipment capable of meeting dispensing performance standards set forth in SAE J2601/5. To the extent necessary, the conceptual design should comply with SAE J2601/5 standards.

Make-ready provisions may include, but are not limited to:

- creating a site layout that allows for installation of future H70 fueling systems,

- identifying the general area for H70 equipment and consider pouring oversized concrete pads for future pumps, compressors, storage skids, and gas cooling units,
- installing utility or process equipment vaults at key locations throughout the site,
- installing adjustable structural supports and piping brackets at the liquid pumping location and the compression & storage skid for ease of mounting future H70 equipment and/or H70 piping,
- routing appropriately-sized spare conduits from the electrical distribution and/or generator panels to ground vaults or stubbed out in the vicinity of the future H70 equipment locations,
- installing additional mounting and/or rack space for H70 equipment electrical operating panels,
- sizing electrical panels with a sufficient number of spare circuits,
- providing the means to ground future equipment to the station's grounding grid,
- routing appropriately-sized spare conduits to the vicinity of the H70 equipment locations for station communications, process instrumentation, and safety devices, and
- installing process systems piping and tubing system designs that include the installation of tees, branch valves, and blank flanges or plugs to allow for an easy and safe means of tapping into the existing process systems without the need to shutdown and/or evacuate the operating process piping systems.

Station Technical Specifications

The Design-Builder shall provide their technical performance specifications for the proposed Hydrogen Fueling Station in Form R: H35 Hydrogen Fueling System Technical Specifications. Design-Builder shall consider all responses herein as binding. Responses provided shall be utilized as the basis for Operational Performance Testing.

Operations and Maintenance Services

The Design-Builder agrees to provide operations and maintenance services for the Hydrogen Fueling Station, including necessary O&M Equipment and supplies, in accordance with the Agreement, General Conditions, and Contract Documents.

Operations and maintenance services are described in Section 2.10 of this Part.

Projected Fuel Demand

The projected fuel demand of HTA's fleet is described in Section 2.11 in this Part.

In the event of any delays which result in HTA requiring fuel for the buses prior to Final Acceptance of Construction Work, Design-Builder will be responsible for providing any additional interim fueling solutions above that required by the Temporary Fueling requirement (described below) until the permanent Hydrogen Fueling Station is accepted.

Temporary Fueler

A temporary fueling solution is needed to support the pilot bus testing and production bus delivery phases prior to Final Acceptance of Construction Work. It is anticipated that the pilot bus will run a service route that requires a 50kg fill once per week and the production buses will conduct short weekly trips for testing and to maintain a satisfactory battery system state of charge throughout the delivery period until Final Acceptance of Construction Work.

Design-Builder must supply HTA with a cost-effective means of temporary fueling of bus(s) prior to Final Acceptance of Construction Work. The arrival of buses to HTA's possession is the basis for the requirement for temporary fueling. Design-Builder must provide a means to fuel said bus(es) on-site to a minimum quantity of 75kg/week by no later than December 15, 2024. The temporary fueler should be sized with a usable capacity to complete at least two full-fills (per the onboard storage specification provided in Section 2.11 in this Part) in order to minimize delivery frequency.

It is the sole discretion of HTA to waive these requirements under any circumstances, including the late arrival of buses. Design-Builder is relieved of their responsibility to provide a means of Temporary Fueling upon Final Acceptance of Construction Work by HTA, in accordance with the provisions of the executed Agreement. The proposed means of Temporary Fueling must not require any permanent improvements on-site. However, the placement of temporary materials/equipment is acceptable. Examples of such include crash protection, electrical power generation, and emergency shut-down appliances.

D. H70 Light Duty Fueling System Mandatory Add-Alternate

The Design-Builder shall consider the H70 Light Duty (LD) fueling system a mandatory add-alternate to the HFS proposal and provide a design and cost proposal for this system. The costs of this mandatory add-alternate must be the incremental costs above the base bid.

This system shall be publicly available for retail fuel sales. A point-of-sale (POS) system shall be included. The full cost of meeting all regulatory requirements that allow the H70 LD dispenser to legally sell fuel to the public shall be included in the Design-Builders' scope. Management of fuel sales will be included in the Design-Builders incremental cost of O&M services for this add-alternate. The POS system shall not be vendor-locked to the Design-Builder and must be easily accessible and manageable by HTA staff should HTA decide to manage fuel sales internally in the future.

The LD station add-alternate design shall comply with all requirements listed in this RFP and shall include:

- all civil (concrete and pavement) and structural infrastructure for trenching and routing of the gas lines, electrical lines, control and communications equipment, and installation of one (1) H70 LD commercial dispenser in the area indicated in Figure 5 above,
- all H70 hydrogen equipment (gas compressor, piping, buffer storage, and cooling unit as needed, etc.) including the LD dispenser,

- all necessary communications for monitoring, control, and safe operation of the public fueling station,
- an aesthetically pleasing canopy to provide weather protection at the public dispensing island,
- any other balance of plant systems or components required for fueling LD vehicles, and
- Additional incremental O&M services as needed over an initial 2-year term with three one-year options to extend

The H70 LD Fueling System should be designed to applicable standards to fill both light duty and medium duty vehicles, and should be capable of fueling up to 30 kilograms in a single fill according to SAE J2601 Category D.

The H70 LD dispenser and associated equipment must comply with SAE J2601 standards, including dispensing performance. The Hydrogen Station Equipment Performance (HyStEP) Device shall be used to qualify the H70 LD dispenser to SAE standards as part of the Operational Performance Testing. For more details on testing procedure, equipment, and criteria, please see <https://h2tools.org/hystep-hydrogen-station-equipment-performance-device>. HyStEP "2.0" shall be utilized, if available.

Design-Builders should note that it is critical that H35 fueling, H70 LD fueling and the future H70 MD/HD fueling all be separately metered; the design must provide this capability in order to comply with LCFS requirements for receiving capacity credits. In addition, the future H70 MD/HD fueling cannot impact the capacity and availability of the H70 LD system, in order to maintain compliance with LCFS capacity credit requirements.

Station Technical Specifications

The Design-Builder shall provide their technical performance specifications for the proposed H70 Light Duty Fueling System Mandatory Add-Alternate in Form U: H70 Light Duty Hydrogen Fueling System Technical Specifications. Design-Builder shall consider all responses herein as binding. Responses provided shall be utilized as the basis for Operational Performance Testing.

Additional O&M Services

The Design-Builder shall extend the requirements for operations and maintenance, as detailed in the RFP, Agreement, General Conditions, and Contract Documents, to the H70 Light Duty Fueling System should HTA choose to include the scope of the add-alternate into the Contract. Design-Builder shall modify the Operations and Maintenance Plan and Training as needed to include the add-alternate.

E. Suggested Division of Responsibilities of the Work

The Detailed Division of Responsibilities included as Attachment 4.3 offers a comprehensive suggested division of responsibilities. The suggested division of responsibilities is solely intended to assist the Design-Builder in completing a Proposal and does not exactly replicate nor replace the Work defined in the Contract Documents.

2.2 DESIGN AND PERMITTING

The Design-Builder, working with HTA, will finalize and prepare architectural and engineering plans and drawings. This process will go through three phases of review - preliminary, critical, and final design. Mechanical, civil, and electrical (and other disciplines as needed) layouts will be properly established along with all necessary reports/studies and construction scheduling. Design-Builder, with support from HTA, will apply for Plan Check to the appropriate jurisdictions and obtain the required permits to begin station installation. In accordance with California Senate Bill No. 288, this project is categorically exempt from CEQA statutes. The Agency Holding Jurisdiction is the City of Eureka. The project is Principally Permitted and will require a Coastal Development Permit.

All drawing sheets and engineering scopes necessary for the successful permitting and construction of the resulting improvements, are to be considered in scope. This includes any special studies requested by regulatory agencies or the local Authority Having Jurisdiction (AHJ).

A. Requirements

- Design-Builder shall provide HTA with design documents at the 30% (conceptual design), 60%, and 90% complete stages with engineering drawings & calculations confirming the design, as well as final design documents.
- All permitting fees for the purpose of constructing in-scope improvements are reimbursable by HTA, at cost. Licensing fees, business licenses, or any other fees which are not project-specific are to be considered within Design-Builders' scope. Permit fee reimbursements require a clear receipt documenting payment to the relevant regulatory body.
- Issue for Permit, Plan Check, and Construction drawings must include the following sheets as a minimum. Additional sheets must be added per regulatory requirements of the AHJ, or consistent with the overall scope of work.
 - Site Plan
 - Demolition plan, including equipment staging area, spoils sequestration, and Stormwater Pollution Prevention Plan (SWPPP).
 - Equipment Plan
 - Grading Plan, including new proposed or modified stormwater improvements
 - Elevation drawings
 - Site survey
 - Structural drawings, including foundation plan and anchoring callouts
 - Single Line Diagram, including load list
 - Panel schedule
 - Conduit and conductor list
 - Conduit and conductor routing plan
 - Electrical site plan, identifying new proposed electrical power improvements
 - Lighting plan
 - Title 24 compliance forms

- Grounding plan
- Hazardous electrical location plan, in plan-view and elevations.
- Piping plan
- Line list - Must include pipe/tube service/fluid type, material, wall thickness, maximum allowable working pressure (MAWP), termination/connection type, and service state (liquid/gas, temperature, pressure)
- Process & Instrumentation Diagram (P&ID)
- Architectural drawings as necessary
- Mechanical, electrical, structural, civil, and architectural details
- Plans submitted to the local AHJ for permit review must be complete and intended for construction. Additional details may be added to plans upon permit issuance only if consistent with permitted drawings, and not within the scope of review of the AHJ.
- The project-specific design of asset deployment must include (but is not limited to) provisions for the following considerations, and must be outlined and included on all applicable published drawings and documents:
 - Vehicle path-of-travel, including vehicles receiving and delivering fuel. This includes path-of-travel necessary for existing on-site operations. This may include life-safety first responder vehicles when requested by, or required by the local AHJ, and applicable codes and standards.
 - Prescriptive or performance-based compliance with setbacks and proximity concerns, outlined by applicable codes and standards.
 - Identification of any new on-site improvements.
 - Identification of demolition, relocation, or abandonment of existing improvements.
 - Exhibit all necessary details as requested by the local AHJ or required by applicable codes and standards.
- The station construction and installation of all equipment shall be designed for the seismic zone for Eureka, California. Eureka is located near the coast adjacent to Humboldt Bay. As shown in Figure 7, this region has a high level of seismic activity.
- The system shall be designed to be fully functional for any ambient weather conditions expected in the Eureka, CA region. Figure 8 shows the average monthly temperatures for the region.

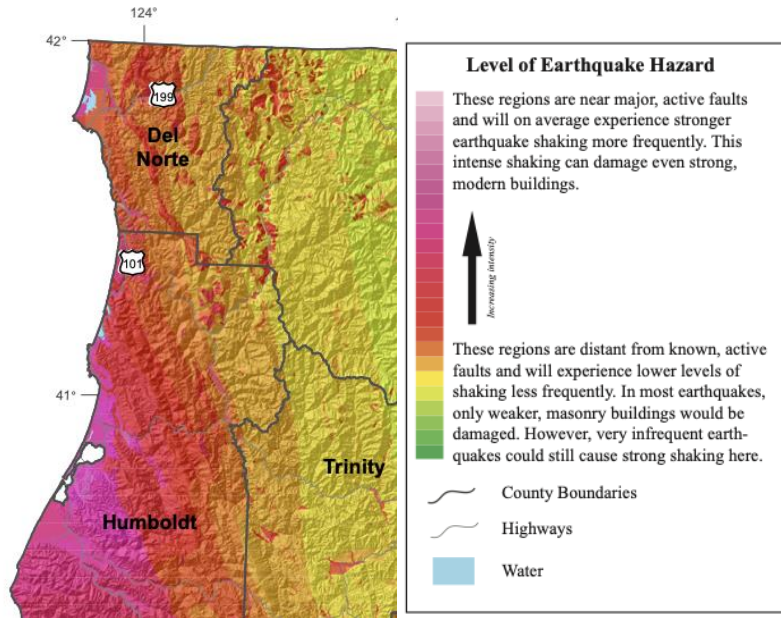


Figure 7: Humboldt County, CA level of earthquake hazard. (Source: https://www.conservation.ca.gov/cgs/documents/publications/map-sheets/MS_048.pdf)

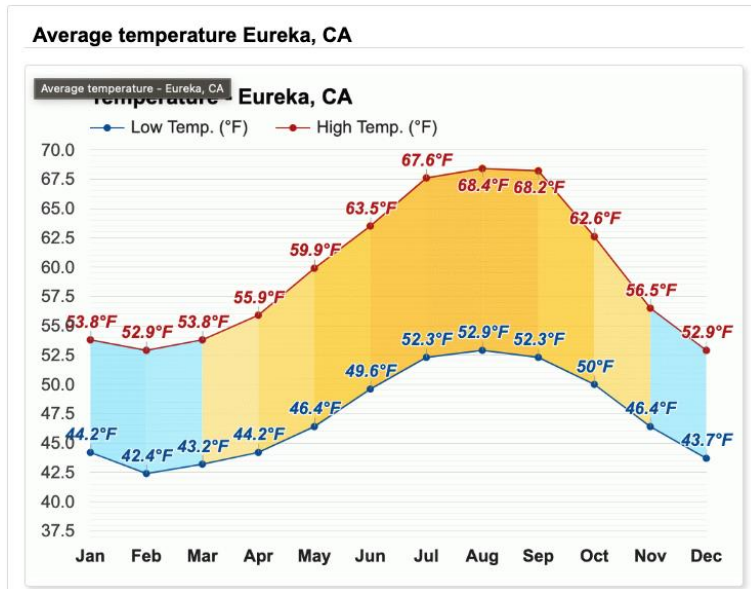


Figure 8: Eureka, CA average monthly temperatures.

B. Codes and Standards

The codes, regulations and standards adopted by HTA and city, state, and federal agencies having jurisdiction shall govern minimum requirements for this project. Where codes, regulations, and standards conflict with the contract documents, these conflicts shall be brought to the immediate attention of the HTA Project Manager.

The station must be designed and built to the following codes and standards, as a minimum. Versions must be most up-to-date as published by the issuing organization at time of contract award.

- California Building Code (CBC)
- California Electrical Code (CEC)
- California Mechanical Code (CMC)
- California Fire Code (CFC)
- NFPA 2 v.2023
- NFPA 30A, 55, 52, 70
- ASME
- ANSI
- CGA 5.5
- SAE J2601 Hydrogen Fueling Protocol for Light Duty Gaseous Hydrogen Surface Vehicles
- SAE J2601/2 Hydrogen Fueling Protocol for Gaseous Hydrogen Powered Heavy Duty Vehicles
- SAE J2601/5 High-Flow Prescriptive Fueling Protocols for Gaseous Hydrogen Powered Medium and Heavy-Duty Vehicles
- SAE J2799 FCEV to Station communications
- SAE J2719 Hydrogen Fuel Quality Standards

C. Design Review and Special Studies

The Design-Builder must conduct the following design review studies to ensure the safety of personnel and equipment during operation and maintenance of the fueling station.

- A Hazard Analysis per NFPA 2. The extent, detail, and effort of the Hazard Analysis must at a minimum be consistent with industry specific HAZOP or HAZID best practices. Format shall consist of initial meeting(s), followed by a formal report and recommendations. Design-Builder shall seek a qualified third-party facilitator to manage and conduct the Hazard Analysis. Design-Builder shall ensure all recommendations are acted upon and concluded, as a prerequisite to commissioning and start-up. Attendees of the Hazard Analysis workshop must include process designers, operations staff, HTA, and facility design/engineering Subject Matter Experts (SMEs) and may also include local life-safety officials.
- An Emergency Response Plan (ERP) must be prepared by the Design-Builder and submitted to HTA for approval, prior to the introduction of hydrogen gas. The Design-Builder submitted ERP will be utilized for inclusion into HTA's facility-wide ERP.

- A noise measurement report at a distance of 5' from the equipment compound enclosure and fueling island. Compliance with all applicable noise regulations must be ensured. Measurements must be provided in decibels. A maximum noise level, as well as average noise and duty cycle must be provided as a minimum. Data must be empirically derived using calibrated instruments. Equipment noise in excess of disclosed data must be mitigated at Design-Builder's expense.
- An NFPA -70E Arc Flash Study and electrical equipment labeling must be performed.
- The existing dispensing canopy that will cover the new dispensers shall be evaluated for the potential of trapping hydrogen fugitive emissions. Any code-required ventilation of potential gas entrapment must be included as part of Design-Builder's design.

D. Hydrogen Safety Plan Review

The Design-Builder shall commit to developing a Hydrogen Safety Plan for the proposed project that addresses the hydrogen fueling infrastructure. HTA plans to engage the Pacific Northwest National Lab's Hydrogen Safety Panel (HSP) to assist in reviewing the facility designs and safety plans to provide recommendations for ensuring safe operations of the hydrogen station. The cost of the HSP's engagement will be paid separately by HTA, not the Design-Builder.

- The Design-Builder must prepare a preliminary Hydrogen Safety Plan, which HTA will submit to the HSP to review. If the Design-Builder wishes the plan to be kept confidential by the HSP, it is up to the Design-Builder to work with HTA and HSP to achieve that confidentiality. The safety plan shall describe the Design-Builder's work and activities to ensure safety, the technologies being demonstrated, and the evaluation results of any hazard analysis performed. The Design-Builder shall also include the following in the Hydrogen Safety Plan:
 - A detailed description about how the Design-Builder will conform to the National Fire Protection Association (NFPA) 2, Hydrogen Technologies Code 2023 edition. The current edition of NFPA 2 should be used unless another edition is specifically required by the AHJ. If the AHJ is using an older edition, the Contractor is recommended to work with the AHJ to consider using the latest edition as it has been updated to better address fueling infrastructure safety.
 - A detailed description about how the Design-Builder will provide safety training for the hydrogen fueling infrastructure's initial operation and safety training for all operators and first responders.
- The Design-Builder shall commit to participating in a kickoff meeting, safety plan review, preliminary design review, 30% design review, and 60% design review with HTA and the HSP. The Design-Builder shall also be prepared to modify the facility design and hazard analysis subject to the recommendations provided by HSP to HTA.
- The Design-Builder shall work with HTA and HSP to determine the timing and scope of the design review participation, including options for remote or in-person reviews. Participating in HSP design reviews will be a mandatory technical task and shall be completed by the dates

specified in the Design-Builder's Work Plan. Design-Builders should assume a 6-8 week duration for safety plan review.

- Design-Builders should use this document as guidance for the safety plan:
https://h2tools.org/sites/default/files/Safety_Planning_for_Hydrogen_and_Fuel_Cell_Projects.pdf
- The Design-Builder will prepare a revised Hydrogen Safety Plan following the HSP assessment. As with the preliminary Hydrogen Safety Plan, it is up to the Design-Builder to work directly with the HTA to submit the revised Hydrogen Safety Plan to the HSP and submit the final document to HTA.

2.3 STATION CONSTRUCTION AND INSTALLATION

The Design-Builder shall be responsible for all work associated with construction, including the design, permitting, approvals, equipment and material sourcing, construction and installation, and commissioning necessary to install the hydrogen fueling station to support the FCEBs, the H70 LD fueling system add-alternate, and the H70 MD/HD "readiness" equipment.

This requirement includes ensuring that all parties on the Design-Builder's team are properly qualified and licensed in the necessary professions and jurisdictions. Specifically, Final Design documents and calculations require the seal of a Professional Engineer registered in the State of California and designs must conform to all applicable standards.

The Design-Builder is responsible for the following scope of work items listed below and also included in the Detailed Division of Responsibilities provided in Attachment 4.3.

A. General Scope

- Design-Builder shall staff the project site with full-time supervision, often referred to as a construction superintendent, at all times between initial mobilization and demobilization. This requirement excludes times/dates outside of normal working hours such as company holidays and weekends. Design-Builder must seek written approval from HTA to de-staff on-site superintendent during normal working hours.
- Construction and installation work is expected to be performed Monday through Friday, 5:00 am - 5:00 pm. Hours outside this time will need to be approved by the HTA Project Manager and Director of Maintenance. Delivery of gaseous or liquid supply may occur Monday - Friday between the hours of 7:00 am - 5:00 pm.
- Design-Builder must follow a formal change management process as detailed in the General Conditions for all proposed changes to equipment or facility design beyond approved "Issue for Construction" plans, or final vendor documents. Detail clarifications that do not constitute a change in design or engineering do not require change management.
- Design-Builder shall provide all necessary submittals, shop drawings, and construction schedules to HTA required for the completion of the project. Design-Builder must also provide and

maintain a Submittal Log to track submittal versions, submittal and return dates, approval status, comments, and similar.

- Design-Builder is responsible for ensuring compliance with the Cal/OSHA §5189, Process Safety Management of Acutely Hazardous Materials standards. All compliance activities shall be documented as required by the regulations.
 - The Process Safety Information, Process Hazard Analysis, Pre-startup Safety Review, Safe Operating Procedures, and the Mechanical Integrity procedures shall be provided to HTA via hard copy and electronically in advance of the system being fully commissioned and made ready for fueling buses.
 - Design-Builder is to serve as the system expert and through the system turn-over process, shall provide training and certification to HTA staff in compliance with §5189(g) <https://www.dir.ca.gov/title8/5189.html>.
 - Design-Builder is responsible for providing gas and fire detection safety devices for the dispenser(s) and the station equipment, including any upgrades to ventilation, electrical, heating, and fire control panels and systems that serve the immediate area where the station and dispenser(s) will be placed. All gas and fire detection sensors and related equipment shall have backup battery power to ensure continued operation should there be a loss of grid power.

B. Management Scope

In accomplishing this Work, Design-Builder will complete the following management tasks:

- Examine the project site structures, the existing utilities lines, the roads approaching the Site, and all other existing conditions. All facilities indicated on the site plan drawings and that exist at time of Notice to Proceed are to remain. Facilities not shown on the plans or specified to be removed, replaced, or altered and not in conflict with the new construction shall remain. Design-Builder will be responsible for determining if there are any underground equipment and/or improvements in the Project Area and removing or relocating all underground improvements.
- Comply with HTA's requirements for specified critical operating areas (e.g., pedestrian and vehicular access routes, maintenance access, loading areas) that must be maintained during the construction. The Design-Builder shall indicate how access to sites will be maintained without impacting transit operation or maintenance. All critical operating areas will be reviewed during the Pre-Proposal Conference and Site Walk. Availability of other areas can be discussed during contract execution, if Design-Builder is able to show that those areas can be utilized without impacting HTA's ability to maintain operations.
- Provide all material and equipment, supplies, labor, expertise, services, supervision, tools, plant, apparatus, conveyances, construction equipment, temporary buildings, safety equipment, transportation, and incidental expenses for accomplishing the Work covered by this solicitation,

except the materials and services specifically named elsewhere to be provided by HTA or another project partner (e.g., PG&E).

- Provide and update a Critical Path Schedule per the requirements in the General Conditions.
- Ensure a full-time, qualified Health, Safety, Security, and Environment (HSSE) representative is on-site at all times work is being conducted. This includes work performed by either direct labor, or subcontractors. The HSSE personnel may also serve as construction superintendent.
- Engage with and bear the costs of a Tribal cultural monitor as required.
- Participate in on-site meetings with HTA to review the Critical Path Schedule, budget, completion of scope, project risks, and other tasks as stipulated in the General Conditions.

C. Mechanical Scope

In accomplishing this Work, Design-Builder will complete the following mechanical tasks:

- Procure and install all proposed hydrogen station equipment including controls and safety instrumentation as described in this Part of the RFP.
- Procure and install instrument air and/or nitrogen systems required for the operation of station control valves.
- Procure and install all necessary balance of plant systems.
- Securely support all piping, tubing, and instrumentation. Supports must be installed in sufficient quantity and dampened such that force inputs (wind, operation, vibration, etc.) do not result in observable oscillation.
- Provide a permanent means of access by operations staff to all hand-operated instrumentation. The means by which access is provided must be consistent with all local OSHA regulations, and consist of flat level surfaces; ladder access is not acceptable.
- Ensure all mechanical equipment and components are painted and/or corrosion resistant and designed to handle the extremely wet and salty ambient air conditions that exist along the coast in Humboldt County.

D. Electrical Scope

In accomplishing this Work, Design-Builder will complete the following electrical tasks:

- Perform all work necessary for the delivery of a new electrical service to the hydrogen station. The Design-Builder must coordinate with the local electrical power utility - PG&E - to determine the most cost effective and practical means of supplying new service to the proposed development.
- Provide permanent backup power generation to perform fueling operations during utility power outages that can serve all three (H35, H70 LD, and future H70 MD/HD) fueling systems.
- Provide electrical switchgear designed and sized to meet the electrical load of the hydrogen station and all three (H35, H70 LD, and future H70 MD/HD) fueling systems.

- Design the electrical system to minimize the cost of demand charges associated with peak power consumption and utility rates, minimizing the cost of hydrogen dispensed at the nozzle, and ensuring the overall reliability and durability of the station.
- Assume the existing local internet/data demark is available at the and consider and include cost of trenching, conduit, and conductor for facilitating new data/internet service at proposed hydrogen station.
- Provide new outdoor lighting within the equipment area, as well as fueling positions (if existing lighting is insufficient).
- Supply grounding lugs for the purpose of temporary grounding for vehicles, tools, and devices with a dedicated copper ground; bonding to adjacent structures and surfaces is not permitted when applicable codes and standards require grounding.
- Ensure all electrical equipment and components are painted and/or corrosion resistant and designed to handle the extremely wet and salty ambient air conditions that exist along the coast in Humboldt County.

E. Civil Scope

In accomplishing this Work, Design-Builder will complete the following civil tasks:

- Demolish and dispose of the two-story office building located within the project area.
- Demolish the existing pavement, partial concrete walls, and concrete loading ramp located within the project area and clear the site of all debris in preparation of site construction.
- Construct necessary firewalls, as needed, to reduce the code separation distances to ensure the station can be installed in the project site area.
- Replace north bus entrance gate with matching perimeter fencing.
- Install protective bollards and security fencing, as needed. At minimum, Design-Builder will provide two man-gates and one equipment swing gate with a total opening of 10 feet. Design-Builder will provide additional security recommendations based on equipment manufacturer access, maintenance, and utility company access.
- Account for existing improvements witnessed during site walk and consider how these existing improvements will impact design, engineering, and construction. Relocation, demolition, or modification of existing improvements which can be identified visually (at or above grade) are to be considered within scope.
- Consider modification of, or addition to, existing stormwater management design and improvements, accounting for the inclusion of new proposed improvements under this scope.
- Ensure pavement, pads, and foundations are designed and installed in a manner to ensure no pooling or trapping of stormwater or condensation will occur. Correction of such improvements is to be considered within scope.
- Ensure patching of trenches and holes in pavement are integrally tied to the surrounding pavement with engineered reinforcement to minimize settling. Patches which extend beyond

the existing base material must be patched with engineered concrete and suitable reinforcement. All visible settling of patched pavement shall be subject to warranty.

- Install protective weather-proof awnings to areas specified by the Design-Builder to protect sensitive equipment or operating stations, such as control valve manifolds, from the extremely wet and salty ambient air conditions that exist along the coast in Humboldt County.

2.4 MECHANICAL COMPLETION

The project will achieve mechanical completion when the following have been completed and inspected by HTA staff or their representatives:

- All equipment has been set, anchored, and is in its complete and finished state.
- All mechanical materials, including fluid conveyance (piping, tubing), instruments, utilities, and appliances have been installed and ready for commissioning.
- All electrical conductors, including power and data, have been routed and terminated in their respective lugs/terminals.
- All civil/structural scopes have been completed, including pavement, earthwork, structural foundations, concrete, and crash protection.

2.5 COMMISSIONING

Commissioning of the station includes introduction of hydrogen fuel, successfully achieving a fueling event, and demonstrating all subsystems function properly. Commissioning occurs prior to Performance Testing, and is a necessary condition for achieving Substantial Completion as described in the General Conditions.

Design-Builder will be responsible for providing HTA a detailed station Commissioning Plan, identifying the steps, tasks, responsibilities and schedule to start and complete commissioning of the station. The Commissioning Plan shall be provided no less than 60 days in advance of the start of the commissioning process. The Design-Builder shall include in the Commissioning Plan a list of activities to be performed by a third-party vendor during installation that would require technical support, and provide details on how the Design-Builder plans to provide technical support for these activities. The Design-Builder shall coordinate the scheduling of commissioning activities to minimize disruptions to normal transit service.

The commissioning process shall include the following requirements:

- Design-Builder must conduct a Pre-Start-up Safety Review (PSSR) prior to introducing hazardous materials on-site (i.e., hydrogen gas and/or liquid). HTA will provide the facilities for the safety review meeting. The PSSR will include two distinct phases:
 - Field verification of critical process documentation against as-built conditions.
 - Bench review of critical safety documentation.

- At the time of commissioning, Design-Builder shall submit a written Commissioning Report to HTA listing all incidents and unusual system performance issues, as well as documenting correct function per the approved Commissioning Plan.
- Commissioning involves ensuring that the hydrogen fueling station solution integrates with and properly fuels one FCEB.
- Design-Builder must demonstrate the successful operation of any data monitoring services and emergency shutdown systems. HTA personnel may observe any testing in progress.
- In addition to temporary fueling provided for the pilot bus during construction, Design-Builder must provide a means of temporary fueling in case of any station construction or commissioning delays. The deployment of such must be maintained while agency buses are available to fuel, and the station has exceeded the contracted commissioning date. Means of temporary fueling shall not require any permanent improvements at the subject location and must be entirely self-contained within a transportable skid or trailer. (Exceptions include: on-site requirements for electrical grounding, temporary crash protection, and erection of safety-related appliances).

2.6 OPERATIONAL PERFORMANCE TESTING

Upon completion of station commissioning, the Design-Builder will coordinate with HTA to conduct performance testing of the Hydrogen Fueling Station. HTA will work with the Design-Builder to develop an Operational Performance Test Plan as follows:

- Both H35 dispensers will be operated simultaneously to perform back-to-back fueling of eleven (11) buses.
 - Each dispenser shall complete a fill within the period of time dictated by the Design-Builder in the technical performance specifications included in the Proposal. Time for each dispensing event shall be defined as the moment the dispenser has been authorized to dispense (via external fleet management software), to the moment the nozzle can be safely disconnected.
 - All 11 buses must be filled within a three-hour time period, utilizing both dispensers. Design-Builder may account for up to three minutes between each bus for movement of buses and authorization of the dispenser via fleet-management interface (included in the two-hour time period). HTA staff will be responsible for the movement of buses and activation of the dispenser. Dispenser faults, partial fills (less than 95% SOC), or any other errors or delays within the scope of the Design-Builder shall be considered a failure of the operational performance test. Time between dispensing events not within the control of the Design-Builder shall be considered as additional time for the purpose of the three-hour time period.
 - HTA will prepare the buses to adequately simulate typical operations, with two buses requiring at least 50 kg and the remaining nine buses requiring at least 40 kg to reach the target SOC level of at least 95%.

- SOC shall be verified by two acceptable means (below). It is not acceptable to assume SOC solely on initial conditions prior to filling, and dispensing data available from the station control system. H2 temperature vs. density correlation will be determined using tables available from National Institute of Standards and Technology (NIST) .
 - Evaluation of FCEB onboard tank temperature and pressure data at the conclusion of the fill, utilizing IrDA communication.
 - Verification of pressure onboard the bus via gauge, with an assumed gas temperature based on several hours of temperature equalization in consistent ambient conditions.
- The H70 LD dispenser and associated equipment must comply with SAE J2601 standards, including dispensing performance. The Hydrogen Station Equipment Performance (HyStEP) Device shall be used to qualify the H70 LD dispenser to SAE standards as part of the operational performance testing. For more details on testing procedure, equipment, and criteria, <https://h2tools.org/hystep-hydrogen-station-equipment-performance-device>. HyStEP "2.0" shall be utilized, if available.

The Design-Builder shall submit to HTA an Operational Performance Test Plan for review and Approval prior to the start of operational performance testing.

As a condition of Substantial Completion, the Design-Builder shall submit a Operational Performance Testing Report that will detail the results of the operational performance test.

2.7 SUBSTANTIAL COMPLETION

The Design-Builder shall complete all tasks necessary to reach Substantial Completion as stipulated in the General Conditions.

2.8 TRAINING

Prior to, and as a condition of, Final Acceptance of Construction Work, the Design-Builder shall provide 40 hours of training for HTA personnel in the operation of the station. The training shall consist of three courses as follows:

- Operations training
- Safety training
- First Responder training

Prior to delivering the training, the Design-Builder will develop a Training Plan ,which includes the training syllabus, all training material, suggested attendees, course length, and suggested timing. The Training Plan shall be submitted for review and approval by the HTA Project Manager prior to commencement of training. Design-Builder shall provide all necessary equipment to facilitate the training. The instructor of the training courses must be capable of training up to 10 HTA personnel simultaneously in each course. HTA will specify the time and location for delivery for the on-site training

courses (listed above) after consulting with the Design-Builder for availability. HTA reserves the right to modify the proposed Training Plan to meet the needs of the Agency.

The Design-Builder must provide a one hour bi-annual webinar for new HTA employees and a refresher course within 60 days before expiration of the warranty.

The Design-Builder shall prepare a quick reference Emergency Response Guide that can be distributed to first responders to place in their trucks and engines. The guide shall provide a map showing the location of all station equipment and dispensers and ESD devices, as well as the distances to this equipment from the entry driveway and nearby structures.

2.9 FINAL ACCEPTANCE OF CONSTRUCTION WORK

In addition to the requirements for Final Acceptance of Construction Work stipulated in the General Conditions, the Design-Builder shall provide HTA with a complete Station Documentation Package at completion of facility commissioning. Contents of the Package must be precise and accurate to the final installed state (as-built and final). The Station Documentation Package will be reviewed for completeness, consistency and content by HTA prior to acceptance. The Package must include as a minimum:

- Equipment data sheets;
- General arrangement drawings;
- Foundation, anchoring, and lifting plans/procedures;
- Mechanical and electrical termination list and diagrams;
- Operations and maintenance manuals;
- Single Line Diagram, load list, and panel schedules ;
- Process Flow Diagram (PFD) & P&ID;
- Complete as-built drawings package, updated in CAD format;
- QA/QC documentation;
- Welding scoped (if applicable);
- Welding Procedure Spec (WPS) & Procedure Qualification Records (PQRs);
- Welder certifications;
- Non-destructive testing including X-rays;
- Documentation of all AHJ, deputy, and periodic inspections;
- Concrete batch and mix documents; and
- Unconditional lien release, as well as releases from all subcontractor materials, services, and direct labor.

For a period of 10 years following Final Acceptance of Construction Work, Design-Builder shall provide HTA with all updates to maintenance manuals, parts lists, and procedures for all systems, equipment, or components of the hydrogen fueling system as issued by the Design-Builder and/or supplier to the Design-Builder.

2.10 OPERATION AND MAINTENANCE SERVICES

The Design-Builder agrees to provide operations and maintenance services for the Hydrogen Fueling Station, including necessary O&M Equipment and supplies, in accordance with this RFP, the Agreement, General Conditions, and Contract Documents. The Design-Builder shall provide a minimum two-year warranty on all major components (such as, but not limited to, liquid tanks, gaseous buffer storage, compressors/pumps, dispensers, and precooling system) of the station equipment.

The Design-Builder shall include in the required Operations and Maintenance Plan a maintenance and service procedures schedule similar to that provided in Attachment 4.12.

A. General Responsibilities

The Design-Builder shall be responsible for Operation and Maintenance (O&M) services for a minimum period of two years, plus three one-year options to extend. Design-Builder shall describe in detail their service plan, including response times, to minimize the downtime of the station related to both scheduled and unscheduled maintenance and repairs.

- The Design-Builder shall be expected to be available to receive reports of malfunction 24 hours a day, every day of the year.
- A representative of the Design-Builder must be on-site at HTA's property within 24 hours of receiving notice of a fueling station issue or malfunction from HTA. The malfunctioning system or component must be properly functioning within 48 hours of receiving notice of an issue from HTA.
- If during the warranty period, any replacement, repair, or modification on a fueling station component, made necessary by defective design, materials, or workmanship is not completed within 48 hours, the warranty period for the entire system shall be extended by the number of days equal to the delay period.
- Scheduled or preventive maintenance of the station may not be performed during HTA's daily fueling period, from 6:00PM to 12:00AM. Unscheduled or corrective maintenance should be avoided between the hours of 6:00PM to 12:00AM, if possible. These hours may change.
- The station may not be taken offline for more than 72 hours without the Design-Builder providing an alternate fueling solution.
- Any scheduled preventative maintenance shall not disrupt fueling activity during the fueling period.
- The proposal shall identify and list both preventive and corrective maintenance tasks and parts and/or equipment that are expected to be replaced under the service plan.
- Design-Builder shall provide HTA with an Operating and Maintenance Plan and 3 hard copies of associated manuals prior to the start of station commissioning. An electronic copy shall also be provided at this same time.

- Design-Builder shall provide HTA with standard operating procedures or response protocols that will be incorporated into their Emergency Response Plan for any emergency situations that may occur during the operation or maintenance of the hydrogen fueling station.
- The replacement, removal, or installation of any component, equipment, or material that is not a part of preventative maintenance or a consumable item must be communicated with the facility owner immediately. Such communication shall include the purpose of the change and any data to corroborate an explanation.
- If HTA does not elect to option the O&M after the first two years, the Design-Builder shall provide all documentation and materials associated with the station to allow a third party to safely operate and maintain all hydrogen fueling station equipment. All information or instructions required to safely operate or maintain the station shall be supplied by Design-Builder, and not proprietary to them. All Intellectual Property (IP) necessary to operate the hydrogen station safely and monitor all aspects of the station shall be made available to HTA upon termination of contract. Any IP that is in conflict with this understanding must be disclosed in detail as part of the Design-Builders proposal.
- All information or instructions required to safely operate or maintain the station shall be public sourced and not proprietary. If HTA does not elect to option the O&M after the first two years, a third party should not require any IP to safely operate and maintain the station. All IP necessary to operate the hydrogen station safely and monitor all aspects of the station will be made available to HTA upon termination of contract.

The Design-Builder shall provide the services as described below:

- Design-Builder shall be responsible for providing all labor, parts and consumables to perform all maintenance schedules and any other manufacturer-recommended maintenance and service procedures with the frequency as set forth in the Operations and Maintenance Plan, including any required calibrations and related process control equipment; provided, that Design-Builder shall deviate from and modify such maintenance and service procedures as appropriate in Design-Builder's reasonable judgement.
- Design-Builder shall bear all maintenance and repair costs associated with normal wear and tear of the station, including hydrogen fast-fill hoses and nozzle replacements, as well as any repairs which result from the negligent acts of Design-Builder. Notwithstanding the foregoing or anything to the contrary in this Agreement, fast-fill hoses will only be replaced as-needed and at a reasonable frequency determined by Design-Builder. At minimum the replacement frequency recommended by the equipment manufacturers shall be followed.
- Design-Builder must perform a hydrogen purity test on a bi-annual basis and shall meet SAE J2719 fuel quality standard for hydrogen at all times.
- Design-Builder will inspect any fire extinguishers at the Hydrogen Fueling Station and will notify HTA if Design-Builder notices any have expired. Design-Builder will not be responsible for re-certifying the fire extinguishers but will need to notify HTA if any have expired. Design-Builder may elect to assign HTA Staff responsibility for inspection of fire extinguishers if it deems

appropriate to do so and training is provided. Design-Builder will indicate this in the Operations and Maintenance Plan.

In the performance of all services, Design-Builder will:

- Follow the manufacturer’s recommended maintenance schedules as identified in Operations and Maintenance Plan, as may be amended as needed;
- Review maintenance and service procedures schedule annually;
- Utilize only fully qualified and trained technicians;
- Provide all required standard and specialty tools;
- Utilize only original OEM parts;
- Inspect, record and provide to HTA a monthly report of the overall condition of the equipment and operations as well as a record all maintenance, service and repair work;
- Pass through to HTA all manufacturers’ warranties related to third-party equipment as detailed in the General Conditions; and
- Review performance of the communication interface system (BroadLux or equivalent), between dispensers and fuel control and data logging system.

B. Station Monitoring and Performance Testing

The hydrogen station shall be fully automated for unattended and safe operation using an advanced and reliable supervisory control and data acquisition (SCADA) system. The Design-Builder shall provide HTA with access to an online portal to monitor real-time station performance and equipment status. The SCADA system shall collect the parameters listed in the table below and any additional data required to evaluate system performance.

The Design-Builder will analyze the data and provide aggregate monthly performance reports to HTA throughout the O&M period. The content and format of the reports will be agreed upon between HTA and the Design-Builder to ensure all important information is collected and documented. The parameters shown in the table below will be monitored and reported monthly for the H35 fueling system and the H70 LD fueling system, if selected.

Table 2: Station and dispenser monitoring parameters to be reported monthly.

Parameters	Measurement
Number of offload events	qty.
Total kg of fuel delivered	kg
Avg. bulk storage level	(% of maximum mass)
Number of attempted fills	(Dispenser authorized to dispense)
Number of complete fills	(>=95% State of Charge (SOC))
Number of partial fills	(<95% SOC)
Amount of fuel dispensed for each fueling event	kg
Total amount of fuel dispensed	kg
Avg. time to achieve >=95% SOC	min.

Avg. fueling rate	kgs/min.
% station operational	([hours operational/total hours] *100)
Total energy use	kWh
Specific energy use	kWh/kg
Maximum observed power usage	kW

2.11 FUEL SUPPLY SERVICES

HTA a deployment of fuel cell electric vehicles through 2040 as described in Section 2.1. Both H35 and H70 fueling is expected across the HTA’s full fleet.

The first vehicle is the pilot New Flyer XHE40. This bus is scheduled for delivery in December 2024 and will undergo performance testing for 6 months. Once the performance period is completed, the notice to proceed for the assembly of the remaining 10 production buses will be given. The production buses are scheduled for delivery at the rate of two buses per month from June, 2026 through October, 2026 timeframe. The pilot bus will continue to operate in revenue service after the testing period. A description of the requirements for a Temporary Fueler for this pilot bus during design and construction of the Hydrogen Fueling Station is described in Section 2.1(C). As indicated on Form Q, the cost of the Temporary Fueler is to be included in the One-Time Capital Charges of the H35 base bid, not in the cost of the fuel supply.

The hydrogen storage system onboard capacities for the New Flyer XHE40 FCEBs is provided in Table 3 below.

Table 3: Hydrogen storage capacity of the New Flyer XHE40 FCEBs.

Vehicle	Storage Mass (kg)	Notes
New Flyer XHE40 FCEB	56 kg (total) 53 kg (usable)	NWP @35 MPa and 15 °C, (100% SOC)

A hydrogen demand analysis was conducted to estimate the daily fuel demand for various stages of fuel cell vehicle adoption. The analysis used technical specifications and assumptions combined with in-field performance testing results for the number of vehicles and average fueling amounts for the future light, medium, and heavy-duty vehicles to estimate the daily usage.

One or two heavy-duty fuel cell coaches will be procured through a separately funded state-funded project. It is expected that these coaches will require H70 fueling and will arrive in 2027. HTA also plans to procure one or two medium duty ($\geq 26,000$ GVWR) fuel cell cutaway buses to be delivered in 2027, which are also expected to require H70 fueling.

- The anticipated daily fuel demand for one hydrogen coach (2027-2030) is 50 - 60 kg per day
- The anticipated daily fuel demand for one medium duty hydrogen cutaway is 25 – 30 kg per day

- HTA anticipates expanding to a fleet of 4 – 6 H70 coaches and 6 – 8 H70 medium duty cutaways in the future.

A summary of required fueling solutions and fleet, operational periods, and the daily and weekly estimated fuel demand is presented in Table 4.

Table 4: Estimated hydrogen demand schedule.

Fueling Solution and Fleet	Operational Period	Daily Hydrogen Demand (kg/day)⁴	Weekly Hydrogen Demand (kg/week)⁵
Hydrogen Fueling Station - Initial Fleet (11 FCEBs, H70 coach, H70 MD cutaway)	Final Acceptance of Construction Work - December 2027	280	1,700
Hydrogen Fueling Station - Transitional Fleet (15-20 FCEBs, coaches, and cutaways)	2028 - 2030	340	2,000
Hydrogen Fueling Station - Full Fleet (25-50 FCEBs, coaches, and cutaways)	2031 - 2035	490	2,900

The additional fuel demand from the H70 Light Duty Fueling System mandatory add-alternate is not expected to exceed 10% of the projected fuel demand in Table 4.

A. General Responsibilities

The Design-Builder will furnish to HTA Qualifying Hydrogen Fuel and related materials and supplies in accordance with this RFP, the Agreement, General Conditions, and Contract Documents.

The Design-Builder will submit to HTA for its Approval a Hydrogen Fuel Purchase and Delivery Plan as a condition of Final Acceptance of Construction Work.

Delivery

The Design-Builder will:

- Deliver to the Hydrogen Fueling Station those quantities of Qualifying Hydrogen Fuel that are necessary to supply HTA’s requirements;

⁴ Hydrogen Demand Analysis was performed and estimated values have been rounded off. These values are averages across the indicated time period.

⁵ Weekly fleet operations are currently limited to six days per week, Monday - Saturday. However, HTA anticipates expanding to operating 7-days per week in the future.

- Schedule deliveries in coordination with HTA based upon information generated by an electronic monitor on the storage equipment at the Station, if applicable, Qualifying Hydrogen Fuel inventory readings, and usage and operational patterns communicated by HTA. Design-Builder's delivery of Qualifying Hydrogen Fuel into the storage equipment at the Hydrogen Fueling Station will constitute HTA's purchase of the Qualifying Hydrogen Fuel delivered; and
- Measure the quantities of Qualifying Hydrogen Fuel delivered to the Hydrogen Fueling Station, which shall include only Qualifying Hydrogen Fuel dispensed into the storage equipment and not vented from the trailer during the delivery process.

Product Requirements

Qualifying Hydrogen Fuel shall meet the requirements of SAE J2719 as shown in Table 5. If an update to SAE J2719 has been adopted during the term of the Contract that deviates from the specifications in Table 5, the latest version of SAE J2719 shall supersede Table 5 and Design-Builder will be obligated to satisfy the updated requirements.

The Design-Builder:

- Will supply to HTA an average monthly volume of Qualifying Hydrogen Fuel up to one hundred ten percent (110%) of the estimated volume as set forth in Table 4 in this Section 2.11; and
- May supply Qualifying Hydrogen Fuel to the Station in excess of one hundred ten percent (110%) of the estimated volume as set forth in Table 4 in this Section 2.11 ("Excess Product") if Design-Builder determines that it has Excess Product available, in which case Design-Builder and HTA shall proceed in good faith to determine the pricing to be paid by HTA to Design-Builder for such Excess Product. In the event that HTA and Design-Builder are not able to reach an agreement on the pricing for such Excess Product, HTA may purchase such Excess Product from a different supplier.

Table 5: SAE J-2719 fuel quality specification.

Constituent	Chemical Formula	Limits ^e
Hydrogen fuel index (minimum mole fraction)	H ₂	≥99.97%
Total non-hydrogen gases		300 µmol/mol
Maximum concentration of individual contaminants		
Water	H ₂ O	5 µmol/mol
Total hydrocarbons except methane ^a (C ₁ equivalent)		2 µmol/mol
Oxygen	O ₂	5 µmol/mol
Methane	CH ₄	100 µmol/mol
Helium	He	300 µmol/mol
Nitrogen	N ₂	300 µmol/mol
Argon	Ar	300 µmol/mol
Carbon Dioxide	CO ₂	2 µmol/mol
Carbon Monoxide ^b	CO	0.2 µmol/mol
Total Sulfur Compounds ^c		0.004 µmol/mol
Formaldehyde ^b	HCHO	0.2 µmol/mol
Formic Acid ^b	HCOOH	0.2 µmol/mol
Ammonia	NH ₃	0.1 µmol/mol
Halogenated compounds (halogen ion equivalent) ^d		0.05 µmol/mol
Particulate Concentration		1 mg/kg

- a. Total hydrocarbons except methane include oxygenated organic species. Total hydrocarbons, except methane, shall be measured on a C1 equivalent (µmol/mol).
- b. The sum of measured CO, HCHO, and HCOOH shall not exceed 0.2 µmol/mol.
- c. As a minimum, total sulfur compounds include, for example, hydrogen sulfide (H₂S), carbonyl sulfide (COS), carbon disulfide (CS₂), and mercaptans, which are typically found in natural gas.
- d. All halogenated compounds which could potentially be in the hydrogen gas includes, for example, hydrogen bromide (HBr), hydrogen chloride (HCl), chlorine (Cl₂), and organic halides (R-XCl). Halogenated compounds shall be measured on a halogen ion equivalent (µmol/mol).
- e. Limits are upper limits except for the Hydrogen Fuel Index which is a lower limit.

B. Renewable Hydrogen Sourcing

Design-Builders shall provide renewable hydrogen as prescribed for fueling stations receiving state funds included in the California Code, Health and Safety Code Section 43869. No less than 33.3% of the hydrogen dispensed by the Hydrogen Fueling Station shall be made from eligible renewable energy resources as defined in Section 399.12 of the Public Utilities Code. Design-Builders will be required to report renewable fuel dispensed through CARB's Low Carbon Fuel Standard program (<https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard>).

C. Competitive Fuel Pricing

During the term of the Contract, the price per kilogram (excluding delivery charges) of Qualifying Hydrogen Fuel shall not at any time be higher than the highest price on any active statewide contract for hydrogen fuel held by the California Department of General Services.

PART 3 REQUIRED FORMS

The following Required Forms are included as separate files in an archive zip file named “RFP 23-01 Required Forms.zip” which can be downloaded from the Procurement Website.

Form Letter	Form Name
A	Proposal Letter
B	Exceptions and Deviations
C	Statement Acknowledging Penal and Civil Penalties Concerning the Design-Builder’s Licensing Laws
D	Non-Collusion Declaration
E	Declaration of Eligibility to Contract
F	Certification of OSHA Compliance
G	Organizational Conflict of Interest Certification
H	Certification of Restrictions on Lobbying
I	Certification Regarding Suspension and Debarment
J	Labor Certification
K	Industrial Safety Record
L	Proposal Bond
M	Performance Bond*
N	Payment Bond (Labor and Materials)*
O	Statutory Provisions for Payments and Assignments*
P	Statutory Provisions for Construction Contract Claims and Payments*
Q	Cost and Price Proposal
R	H35 Hydrogen Fueling System Technical Specifications
S	H70 Light Duty Hydrogen Fueling System Technical Specifications
T	Subcontractor Designation Form

* To be submitted upon Notice of Award per the requirements of the Agreement and General Conditions

PART 4 ATTACHMENTS

The following attachments are included in this RFP as separate files in an archive zip file named “RFP 23-01 Attachments.zip” which can be downloaded at the Procurement Website.

Attachment Number	Attachment File Name
4.1	Design-Build Agreement.pdf
4.2	Design-Build General Conditions.pdf
4.3	Detailed Division of Responsibilities.xlsx
4.4	Evaluation Score Sheet.xlsx
4.5	Annual Jobs Reporting Template.xlsx
4.6	Draft Property Design Survey.zip
4.7	Cedar House HazMat Inspection Report and Demolition Specifications.pdf
4.8	FuelMaster Quote and Interface Requirements.zip
4.9	Gasoline Dispenser Quote.pdf
4.10	Proposed Construction Staging Areas.pdf
4.11	Fuel Island As-Built Drawings.pdf
4.12	Example Maintenance and Service Procedures Schedule.docx