

# Access Clean California

## Grant Solicitation

### Low Carbon Transportation Investments Fiscal Year 2023-24 California Climate Investments



**Note:**

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March 8, 2024

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# Overview

## I. Summary

Through this Solicitation, the California Air Resources Board (CARB or the Board) is soliciting a Grantee to serve as the Access Clean California Administrator (the Grantee). The overarching purpose of this program is to increase consumer awareness of the State's clean transportation and related clean energy incentive programs through coordinated outreach and technical assistance provided by community-based organizations in the State's most impacted and underinvested communities.

Access Clean California is an existing, multi-faceted outreach effort that helps streamline access to California Climate Investments' consumer-facing, equity-focused clean transportation and clean energy incentive programs for low-income and disadvantaged communities. Access Clean California provides resources to nonprofits, community-based organizations (CBO), and similar grassroots organizations to help families in low-income and disadvantaged communities learn about, apply for, and participate in clean transportation and clean energy incentive programs.

Through the Low-Carbon Transportation Investments Fiscal Year (FY) 2023-24 Funding Plan,<sup>1</sup> CARB made \$5 million available for a Grantee to continue implementing Access Clean California. One applicant will be selected from this open, competitive process and awarded the grant. CARB must receive complete applications by **11:59 pm (Pacific Time) on April 8, 2024** (the Application Deadline).

Access Clean California is part of California Climate Investments, a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas (GHG) emissions, strengthening the economy, and improving public health and the environment – particularly in disadvantaged and historically underrepresented communities.

## II. Background

Access Clean California first began as a priority recommendation in CARB's *Low-income Barriers Study, Part B: Overcoming Barriers to Clean Transportation Access for Low-income Residents* (Senate Bill (SB) 350 Guidance Document)<sup>2</sup>. Specifically,

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<sup>1</sup> <https://ww2.arb.ca.gov/sites/default/files/2023-10/Proposed%20Funding%20Plan%20Fiscal%20Year%202023-24.pdf>

<sup>2</sup> <https://ww2.arb.ca.gov/our-work/programs/accessible-clean-transportation-options-sb-350>

the third priority recommendation from the SB 350 Guidance Document is to develop regional “One-Stop-Shops” to increase consumer awareness and provide technical assistance. The goal of this recommendation is to:

- Increase consumer awareness of State’s clean transportation and related clean energy incentive programs;
- Provide consumers technical assistance to apply for and participate in CARB clean transportation programs; and
- Focus on providing coordinated community-based outreach and education to maximize program participation and promote advanced technology vehicle adoption among low-income residents.

CARB first funded Access Clean California in FY 2017-18 with an allocation of \$5 million from the Volkswagen Settlement Fund. Under the initial name, The One-Stop-Shop Pilot Project, CARB awarded this funding via a competitive solicitation to GRID Alternatives to administer the project. CARB allocated additional funding in FY 2019-20 (\$5 million), FY 2021-22 (\$4 million), and FY 2022-2023 (\$1 million), which brought the total funding awarded under the initial solicitation to \$15 million. To implement a capacity building grant pilot project, CARB allocated an additional \$2 million to Access Clean California.

Working with CARB, GRID Alternatives used this funding to successfully initiate and complete the pilot phase of the project, and transition to a fully functioning project ready to scale up implementation. This work focused on two main components of the projects: Building and supporting a statewide network of outreach partners (OP Network), and creating a streamlined, centralized application web tool called the Benefits Finder with supporting case management. These components were designed to function together, with the OP Network leveraging their community knowledge and trust to conduct outreach, and the Benefits Finder helping the community residents identify and apply to all suitable clean transportation incentive programs.

The Access Clean California OP Network currently consists of 27 non-profit organizations representing priority populations across the state, ranging from the state’s largest labor union, Service Employees International Union, to small grassroots CBOs. Building this network required, among other efforts, long periods of capacity building and relationship building with each organization to get them to a point where they have the knowledge, resources and capability to conduct outreach. In support of the OP Network, Access Clean California created a Resource Hub to make it easier for outreach partners to access necessary outreach materials. The Resource Hub collects and centralizes the various outreach collateral created by each incentive program, as well as training videos and other education material in a user-friendly and searchable format. Access Clean California also created a platform for outreach partners to regularly convene, share lessons learned and exchange best practices,

provide programmatic updates and facilitate communication.

The Benefits Finder and Resource Hub are hosted on the project's web platform [Home | Access Clean California](#).

### **III. Project Objectives and Vision**

This Solicitation is focused on identifying a Grantee to continue implementing Access Clean California. By building on the existing achievements and resources, the Grantee shall continue work to achieve the overarching goal of providing coordinated community-based outreach and education to maximize program participation in disadvantaged and historically underserved communities by increasing awareness and streamlining the application process.

A particular goal with this solicitation is to identify and fill outreach gaps by expanding the existing OP Network with an emphasis on partnering with CBOs and similar grassroots non-profits. In doing so, Access Clean California will help outreach partners build capacity and provided the tools and resources needed to conduct coordinated outreach on behalf of CARB's Clean Transportation Equity Projects (Equity Projects) in traditionally underserved communities and those with historically low participation rates. In addition to expanding and supporting the OP Network, the Grantee shall work closely with CARB staff and the Equity Project program administrators to ensure outreach and education efforts are coordinated, accurate and effective. Additionally, the Grantee shall continue to streamline and centralize the application process to all CARB Equity Projects and other relevant climate equity incentive projects, where possible, via the Benefits Finder application webtool.

### **IV. Available Funding**

Each FY, CARB staff submits a proposed Funding Plan to the Board for approval that serves as the blueprint for expending Greenhouse Gas Reduction Funds, Air Quality Improvement Program (AQIP), and other funds appropriated to CARB in the State budget for Low Carbon Transportation and related investments. The annual Funding Plan establishes CARB's priorities for the funding cycle, describes the projects CARB intends to fund, and sets funding targets for each project. Funding is provided for projects that support evolution through three phases of technology advancement: demonstration, commercialization, and transition to widespread deployment.

The Budget Act of 2023 and associated budget trailer bills includes \$140 million for clean transportation equity investments to help increase access to clean transportation and mobility options benefiting low-income and disadvantaged communities and low-income households consistent with the direction provided by SB 1275 and SB 350. In the Low Carbon Transportation Investments FY 2023-24

Funding Plan<sup>3</sup>, CARB approved \$5 million be made available for the Access Clean California Grantee. A single Grantee will be selected through this competitive Solicitation. The selected Grantee shall adhere to the 2018 Funding Guidelines of California Climate Investments (Funding Guidelines)<sup>4</sup>, and any updates provided to the Funding Guidelines in future years. The solicitation includes the option at CARB’s discretion for new Grant Agreements for up to two additional allocations made to this project in future Funding Plans.

The Grant Term for the Grant Agreement (Grant or Grant Agreement) between CARB and the Grantee will begin from the date of full grant execution through **March 15, 2027**. CARB retains the option to extend the Grant Agreement term and funding if future funding becomes available. The Grantee understands and agrees that there is no guarantee that additional CARB Funds will be awarded or that the Grant Agreement will be extended.

## V. Timeline

During the Solicitation, CARB will host a Question and Answer (Q&A) session to answer questions about the Solicitation (see [Q&A Sessions](#)) and will provide an opportunity to email questions to CARB before each session. CARB must receive complete applications by **11:59 pm (Pacific Time) on April 8, 2024**.

Grant Agreements must be fully executed by the Grantee and CARB no later than August 1, 2024. The Grantee must plan all work to be completed (including a Final Report) and all final disbursement requests for reimbursement must be received by CARB no later than March 15, 2027, to ensure adequate time for processing prior to the end of the fiscal year. All grant funds must be expended within the Grant Term.

Timelines are subject to change at CARB’s sole discretion.

**Table 1. Solicitation Timeline**

<b>Milestone</b>	<b>Date</b>	<b>Time (Pacific Time)</b>
Release of Solicitation	March 8, 2024	N/A
Q&A Session Question Submission Deadline	Submit by March 18, 2024	No later than 2:00 pm
Applicant Q&A Session	March 21, 2024	10:00 - 11:00 am
<b>Application Deadline</b>	<b>April 8, 2024</b>	<b>11:59 pm</b>
Notification of Missing Proof of Eligibility	April 12, 2024	N/A

<sup>3</sup> <https://ww2.arb.ca.gov/our-work/programs/low-carbon-transportation-investments-and-air-quality-improvement-program/funding>

<sup>4</sup> <https://ww2.arb.ca.gov/resources/documents/cci-funding-guidelines-administering-agencies>

Milestone	Date	Time (Pacific Time)
Deadline to Update Proof of Eligibility	April 15, 2024	11:59 pm

**Table 2. Grant Timeline**

Milestone	Date
Preliminary Grantee Selection	June 3, 2024
Draft Grant Agreement to Grantee	June 24, 2024
Draft Grant Agreement returned to CARB	July 22, 2024
Grant Agreement Ready for CARB Final Review	September 23, 2024
Grant Agreement Executed & Grant Term Starts	December 23, 2024
Draft Final Report to CARB	December 31, 2026
Grant Term Ends & Final Report and Final Disbursement Request Deadline	March 15, 2027

**VI. Terms and Definitions**

The terms defined below will be bold the first time they are used in the remainder of the document.

**Applicants:** Term used to refer to the Applicant and all Sub-applicants.

**Capacity building:** In general, this term refers to the process of strengthening local coordination, leadership, knowledge, skills, expertise, and access to resources. At an organizational level, this term refers to efforts to strengthen an organization’s effectiveness at accomplishing their mission and ability to initiate and sustain change. Opportunity areas of growth may be related to governance and administration (i.e., staff hiring and retention), resource development including financial and grant management, community connections by strengthening relationships, leadership skills, influence in community, and learning from practice, etc.

**Climate Equity Incentives:** In the context of this solicitation this term refers generally to all consumer-facing and equity-focused incentive programs aimed at helping California residents access clean transportation, clean energy, energy efficiency, etc.

**Community-based organization:** A grassroots-level, nonprofit organization (as defined below) that is place-based and representative of a community or significant segments of a community and provides educational or related services to individuals or other organizations in the community.

**Direct costs:** Actual costs incurred that are directly tied to the implementation of the project, including, but not limited to, personnel costs (i.e., hourly wage), subcontracts, equipment costs, and travel expenses. Profits, profit sharing, shareholder interest,



and taxes (real and personal) are NOT reimbursable as direct or indirect costs. Allowable costs are paid on a reimbursement basis only except where all advance pay requirements have been satisfied as set out in this Solicitation.

**Disadvantaged community:** Areas that experience disproportionate amounts of pollution, environmental degradation, and socioeconomic and public health conditions, identified as disadvantaged by the California Environmental Protection Agency per SBI 535. Disadvantaged communities include the top 25 percent of census tracts in CalEnviroScreen 4.0, census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps but receiving the highest five percent of CalEnviroScreen 4.0 Pollution Burden composite scores, census tracts identified in 2017 as disadvantaged regardless of their scores in CalEnviroScreen 4.0, and lands under the control of federally recognized tribes.<sup>5</sup>

**Grant Term:** The time period identified in the fully executed Grant Agreement, in which all CARB Grant Funds must be spent, and all project activities completed.

**Indirect costs:** Indirect costs are actual costs incurred for services or activities that are not directly tied to a specific project objective but support a common or joint purpose. Allowable indirect costs are a pro rata share of general management (overhead) costs for operations that support the work performed under the Grant Agreement, such as accounting, budgeting, payroll preparation, personnel services, utility costs, rent and centralized data processing not already identified or reimbursed as a direct cost. Profits, profit sharing, shareholder interest, and taxes (real and personal) are NOT reimbursable as direct or indirect costs. Indirect costs shall NOT exceed five (5) percent of the total CARB Grant Funds awarded. Allowable costs are paid on a reimbursement basis except where all advance pay requirements have been satisfied as set out in this Solicitation.

**Applicant:** The local government, public institution of higher education, tribal government, or nonprofit organization that is responsible for leading the development of the application under this Solicitation. The applicant becomes the Grantee if their application is selected for funding under this Solicitation. Within this Solicitation the titles Applicant and Grantee are interchangeable.

**Low-income community:** Census tracts with median household incomes at or below 80 percent of the statewide median income or below the threshold designated as low-income by the Department of Housing and Community Development.<sup>6</sup>

**Nonprofit organizations:** Any nonprofit corporation qualified to do business in California, registered with the California Secretary of State, qualified pursuant to

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<sup>5</sup> <https://www.caclimateinvestments.ca.gov/priority-populations>

<sup>6</sup> <https://www.caclimateinvestments.ca.gov/priority-populations>

subdivision (c)(3) under Section 501 of the Internal Revenue Code, and tax exempt under California state law. For the purposes of this Solicitation, nonprofit organizations must have at least one year of incorporation as a nonprofit organization under Section 501 of the Internal Revenue Code, be in active/good standing with the California Secretary of State and have an office or at least one full-time staff person based in California. Certain nonprofits that are tribally chartered corporations under tribally enacted laws may be exempt from registration with the California Secretary of State.

**Public institution of higher education:** Includes the three public segments of California's higher education system - the University of California, the California State University, and the California Community Colleges.

**Resource contributions:** Cash match, in-kind services, and leveraged funding from other public or private sources to contribute to funded projects and support their quality, breadth, and longevity within and beyond the Grant Term.

**Sub-applicant:** An entity that enters into a partnership with the Applicant for the purpose of applying for a CARB grant and that is responsible for implementing components of the project funded through CARB. Sub-applicants become Sub-Grantees if their application is selected for funding.

**Tribal government:** All California Native American Tribes. Either a federally-recognized California tribal government listed on the most recent notice of the Federal Register, or a non-federally recognized California tribal government, including those listed on the California Tribal Consultation List maintained by the California Native American Heritage Commission.<sup>7</sup>

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<sup>7</sup> <http://nahc.ca.gov/>

## Eligibility

***NOTE–PLEASE READ: Members of CARB advisory groups cannot be Applicants, contractors, subcontractors, or consultants; cannot provide letters of support or references; cannot be signatories to the Grant Agreement or any other related contracts; cannot be listed as any of the persons completing tasks in the scope of work; cannot have any role in or influence over this Solicitation or the application review or selection process; and, cannot communicate with CARB regarding CARB’s decision on the applications received. If a CARB advisory group member makes any prohibited appearance or communication subject to Government Code section 87104 as described above, the application will be disqualified and will not be eligible for an award.***

This competitive solicitation is open to federal, State, or local government entities or agencies, and California nonprofit organizations<sup>8</sup> with expertise in building and maintaining key partnerships, effective outreach to underserved communities, and climate equity incentive programs. Specific requirements for the Grantee are described in this solicitation and the Draft Sample Grant Agreement (Sample Grant Agreement) (Appendix B).

Eligible applicants must meet all applicable requirements of State laws and regulations, the AQIP Guidelines, the FY 2023-24 Funding Plan, and this solicitation. To be considered for the grant award, applicants must fully complete the 2023-24 Application (Appendix A) and demonstrate that they meet the Required Elements (see Section V of this solicitation). The applicant must be in good standing with the Franchise Tax Board and Internal Revenue Service. CARB may request clarification regarding application responses during the application review process.

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<sup>8</sup> California-based non-profit organizations must at all times be registered with and in active/good standing with the California Secretary of State.

## Scope of Work

This section describes the expectations and the minimum duties of the Grantee upon Grant Agreement execution and will be incorporated into the Grant Agreement. These activities are not required to be completed as part of the application in response to this Solicitation, but applicants must describe within their application their approach and ability to complete these tasks in the Scope and Timeline Workplan Template (Workplan, or Project Workplan) within Appendix A. The Workplan must include a detailed narrative of proposed activities, including proposed additions to the minimum duties outlined in this Solicitation, approach, milestones/deliverables, and timeline for each task. The Workplan will be evaluated based on content, completeness, and overall implementation strategies.

The Grantee's main responsibilities are outlined below and include four components to ensure the goals of Access Clean California are achieved: (1) Grant management; (2) OP Network Support; (3) Outreach Coordination; and (4) Application Streamlining and Case Management. In the Workplan, Applicants must identify Task 1 as "Grant Management." All other tasks may be structured based on the Applicant's preference but must contain the minimum duties as described below. In addition, all proposed changes are subject to CARB's sole approval, and pending acceptance, the Grant Agreement will reflect these changes.

1. **Grant Management:** This is an administrative task that shall only be used by the Grantee for administration of this project. Costs for grant management activities cannot exceed 5% of the CARB Grant Funds. The Grantee will manage the Grant according to the terms and conditions of the fully executed Grant Agreement and this Solicitation. The Grantee administrative duties include, but are not limited to:
  - a. Kick-Off Meeting with Project Team and relevant CARB staff to clarify roles and responsibilities, discuss timeline, and outline expectations for project deliverables and procedures.
  - b. Regular coordination with CARB. Given the complex nature of coordinating outreach and application processes across multiple projects, it will be important for the Grantee and CARB to meet twice a month. Frequency may be more or less, based on need, and as agreed upon between CARB and the Grantee. This includes meeting preparation materials (such as agendas, presentation materials, etc.) and meeting notes.
  - c. Establish and maintain accurate and detailed project records for each aspect of implementation.
  - d. Prepare project quarterly reports, beginning three months after the Grant Agreement is executed. Reports should contain at minimum: task

progress; relevant updates on OP Network; data on outreach efforts; data on use of centralized application webtool (i.e., Benefits Finder); updates on capacity building efforts; important challenges and barriers with the overall implementation of the project; and lessons learned. Draft quarterly reports must be submitted for review and approval by CARB.

- e. Develop the Draft and Final Report, in coordination with the Project Team, that comprises a user-friendly and comprehensive assessment of the activities conducted as part of the Grant. A draft report must be submitted at least three months before the project end date for CARB review and approval. Recommendations and lessons learned in the report will be used to improve the administration of CARB's Equity Projects investments in future cycles.
  - f. Document, track, and report expenditures of CARB Grant Funds (including funds distributed to the Project Team), and resource contributions.
2. **OP Network Support:** The OP Network is the core element of this solicitation and is intended to provide coordinated community-based outreach and education to maximize program participation in CARB's Equity Projects and other climate equity incentives from overburdened and historically underrepresented communities. The specific tasks for this category include, but are not limited, to:
- a. The Grantee shall coordinate and support the existing OP Network to conduct on-the-ground outreach for CARB's Equity Projects and other related climate equity incentive projects. Where feasible, outreach partners should be grassroots-level community organizations who have experience conducting outreach in the communities they represent. Additionally, outreach partners must be located in and represent historically overburdened and underrepresented communities.
  - b. In collaboration with and subject to approval by CARB, the Grantee shall develop and implement an overarching outreach and education strategy that targets households from overburdened and underrepresented communities and helps them overcome barriers to participating in CARB's Equity Projects and other related climate equity incentive projects. This strategy shall build on and complement the existing outreach and education activities under Access Clean California and CARB's Equity Projects. In addition, the strategy must contain, but is not limited to, the following:

- i. Methods to set and regularly evaluate specific, quantifiable targets for equitable participation, and related outreach outcomes.
  - ii. Elements that support a regional “One-Stop-Shop’ structure consistent with the priority recommendation in CARB’s SB 350 Barriers Study.
- c. In collaboration with and subject to approval by CARB, the Grantee shall develop and implement an OP Network expansion plan. The plan must contain, but is not limited to, the following:
  - i. Identify where in the state the existing network lacks representation and coverage.
  - ii. Establish criteria for prioritizing specific areas or communities where outreach partners are needed in a manner that complements other CARB-funded outreach networks including CMO’s Clean Mobility Equity Alliance (CMEA) and any network developed to support the Statewide Financing Assistance/Clean Cars 4 All (FA/CC4A) project.
  - iii. Establish criteria for choosing what types of community organizations to partner with. Where feasible, prioritize grassroots-level community organizations who have experience conducting outreach in historically overburdened and underrepresented communities.
  - iv. Design and implement a plan for a technical assistance and capacity building grant program for CBOs lacking the requisite capacity and capabilities to conduct clean transportation outreach as formal Access Clean California outreach partners. The goal of this plan is to complement the OP Network expansion plan by providing CBOs who otherwise lack outreach experience and/or capacity a pathway to join the OP Network. The grant program shall focus on CBOs representing underserved communities, including black, tribal and rural communities who are underrepresented in CARB Equity Project participation data to-date. This grant program should build on the lessons-learned and successes of the 2023 capacity building grant pilot implemented through Access Clean California.
- d. Execute subcontracts or other agreements with existing and new OP organizations to maintain and expand the OP Network, in order to support implementation of the outreach and education strategy, and the outreach partner expansion strategy identified above.
- e. Continue developing and maintaining the outreach partner portal that provides tools and resources including, but not limited to, the project’s

existing Resource Hub, which compiles, translates, and maintains updated outreach materials and in a searchable and easily accessible format. Periodically evaluate the Resource Hub to identify and fill gaps in outreach collateral, including language, messaging, and cultural gaps.

- f. Facilitate regular outreach partner meetings, and other supporting communication efforts, to ensure outreach partners have a space to share lessons learned, provide feedback, receive updates, ask questions etc.
  - g. Collect relevant data and, in collaboration with and subject to approval by CARB, develop metrics to help track and evaluate the effectiveness of outreach conducted by each outreach partner.
3. **Outreach Coordination:** Access Clean California plays an important role in helping CARB coordinate outreach strategies and efforts across CARB's Equity Projects. It also provides a common platform for project administrators, outreach partners, CARB and other relevant state agencies to discuss lessons learned and facilitate discussions where community input is elevated. The specific tasks for this category include, but are not limited, to:
- a. Coordinate Access Clean California outreach strategy with CARB's Equity Projects. In particular, the Grantee must work closely with the newly created Statewide FA/CC4A program and administrator to develop/implement a plan that, at a minimum, identifies the following:
    - i. How each project's respective outreach partner network will work together in a complementary manner.
    - ii. Opportunities to share resources, gain efficiencies, and mitigate redundancies, where feasible.
    - iii. How Access Clean California could help applicants applying directly to the Statewide FA/CC4A program leverage resources to identify and apply to other complementary incentive programs.
  - b. In coordination with CARB, facilitate periodic convenings, and other regularly planned outreach partner meetings to help align and coordinate Access Clean California outreach strategy and efforts with the program administration teams for CARB's Equity Projects and other related climate equity incentive projects.
  - c. In coordination with CARB, organize and host an annual symposium which brings together the program administration teams of CARB's Equity Projects and their outreach partners, relevant state agencies, community representatives, and other stakeholders to reflect on and discuss topics related to program implementation and outreach. The symposium shall be open to the general public and be held in-person with a remote attendance option.

- d. Work directly and proactively with CARB's Equity Project program administrators to ensure Access Clean California stays continually updated and informed regarding each program's operating status, eligibility criteria changes, outreach efforts and other essential programmatic information.
  - e. In coordination with and subject to approval by CARB, develop and implement a strategy to ensure Access Clean California is effectively addressing equity gaps. This shall include, but is not limited to, developing, refining, and evaluating equity metrics subject to CARB approval, and ensuring the results are transparently disseminated.
  - f. In coordination with CARB, develop and implement a plan for how Access Clean California can improve CARB's engagement with overburdened and historically under-represented communities by helping them provide meaningful, community-centered input on CARB's clean transportation and energy programs. This can include, but is not limited to, partnering with organizations experienced in helping communities operationalize equity and participating in public policy development.
  - g. Coordinate with other State agencies, such as the California Public Utilities Commission and California Energy Commission, on their efforts to create universal applications for their respective portfolios of clean energy incentive programs focused on low-income and priority populations.
  - h. Assist CARB with implementing outreach-related recommendations from the Zero-emission Vehicle Equity Task Force, where feasible.
4. **Benefits Finder and Application Streamlining:** Continue developing and implementing methods to help simplify, centralize and streamline the application process for CARB's Equity Projects (and other climate equity incentive projects where feasible). The goal is to help applicants successfully receive all eligible incentives and minimize the cost of owning a clean vehicle or other form of clean transportation. The specific tasks for this category include, but are not limited, to:
- a. In collaboration with and subject to approval by CARB, the Grantee shall update, refine, and maintain the Access Clean California Benefits Finder. This effort should include, but is not limited to, the following:
    - i. Prioritize user-centered design and operational equity.
    - ii. In coordination with CARB and with support from the California Integrated Travel Project (Cal-ITP), identify new and innovative ways to streamline and/or unify the collective application process.



- iii. Explore and, where beneficial, develop additional features in the Benefits Finder that enhance outreach efforts conducted by outreach partners. This could include, but is not limited to, an outreach intake form, the ability to assess transportation and energy needs, and/or a secure text message-based application process.
  - iv. In consultation with CARB and additional state-level partners including, but limited to, the California Department of Technology (CDT), Cal-ITP, and the Office of Data and Innovation (ODI), develop and implement a strategy for expanding and/or adapting the Benefits Finder to include additional climate equity incentive projects funded by other public agencies. This strategy shall include, but is not limited to, integrating with or consolidating into similarly functioning tools at the state level.
  - v. Update and maintain an applicant verification process with a supporting Policies and Procedures document and flow chart that describes the Grantee's administrative action for reviewing applications for income eligibility and minimizing fraudulent activity. Where and when feasible, leverage centralized tools for identity management, eligibility verification (including income verification) and program identification systems available from other state agencies, including, but not limited to, the California Department of Social Services' Statewide Verification Hub and tools developed by CDT under the Digital ID project and ODI's Benefits Recommender.
  - vi. Coordinate and collaborate with each CARB Equity Project program administrator, as necessary, to ensure the Benefits Finder stays regularly updated and effectively integrated with each program.
  - vii. Execute subcontracts with technology application provider(s) to update and maintain the Benefits Finder and leverage/transition to state-provided tools as relevant (see above).
- b. Update and maintain a case management system to provide human-based assistance for applicants who require support as they navigate the Benefits Finder application process, ensuring efficient transition to each connected program. Develop methods and coordinate closely with program administrators and their respective case management staff and systems to optimize the applicant experience throughout the application process and minimize duplicative processes.
  - c. Execute subcontract(s) with technology vendor(s) for case management products, user design consultation, and software development in a

manner that supports integration of state-provided tools, where beneficial.

- d. Develop and refine applicant data security protocols, adhering to any relevant available guidance from CDT.
- e. Collect relevant data and, in collaboration with and subject to approval by CARB, develop metrics to evaluate how effectively the Benefits Finder is achieving the project's goals and objectives.
- f. On an annual basis, evaluate how effectively each of CARB's Equity Projects is integrated with the Benefits Finder and identify any outstanding issues, concerns and/or actions affecting successful integration. The evaluation should take into account the optimal and most cost-effective degree of integration for each program, such as what information is collected/processed before applications are sent to each program administrator. The evaluation should also examine how effectively the Benefits Finder is leveraging other state-provided tools (as discussed above) to streamline the application process. Summarize the results in a report to CARB. The report should also recommend potential solutions and, where necessary, how to prioritize implementing solutions. In consultation with CARB, and where feasible, implement the report's recommendations.
- g. Update, refine, and maintain the Access Clean California online platform to host the Benefits Finder, outreach partner portal, and related resources, including making updates that will enable leveraging and/or transitioning to state-provided tools if/as they become available.
- h. Execute subcontracts with technology application provider(s) to update and maintain the online platform in a manner that also facilitates integration of state-provided tools if/as they become available.
- i. Assist CARB with adapting the Benefits Finder and other relevant tools into a single unified application and education portal as required by Senate Bill 1230 (Limon, Chapter 371, Statutes of 2022) if the California State Legislature appropriates funding for this purpose.

# Application Instructions

## I. Application Submittal Process

**Appendix A** identifies all the required application elements including but not limited to narratives, documentation requirements, templates, and forms that must be submitted together as a complete application package. A complete application consists of all required elements including one (1) signed and completed Application Cover Page. For an application to be scored, the Applicant must meet all [Eligibility Requirements](#) and submit all the required application elements.

Applications must be submitted electronically via email. **No oral, telephone, facsimile, mailed, or hand-delivered applications will be accepted.** Applicants must send the complete application package by email to [Nicholas.Nairn-Birch@arb.ca.gov](mailto:Nicholas.Nairn-Birch@arb.ca.gov). CARB must receive complete applications by **11:59 pm (Pacific Time) April 8, 2024 (the Application Deadline)**. If the application is too large to send in one email, Applicants may submit different parts of the application in multiple emails and must include information in the body of the email about the number of emails that CARB should receive, so staff can confirm that CARB has received all parts of the application.

If an applicant needs to amend an application that has already been submitted, the applicant may do so by re-submitting a new completed application package by the application deadline—only the most recent application package will be considered by CARB. The applicants will not be allowed to submit any additional records or materials after the application deadline.

Communications regarding this Solicitation will be conducted by email. Applicants agree to provide a valid email address with the application package. CARB is not responsible or liable for email communications that do not make it to the intended destination. **All communications regarding a submitted application must come from the applicant.**

CARB will send a confirmation email to each applicant within 24 hours of receiving the electronic version of the application or on the next business day. Email is not instantaneous. Applicants are encouraged to email their applications at least one day in advance of the deadline to avoid delays due to technical difficulties and ensure that their application has been received by the deadline. Applications received after the application deadline will be rejected and not scored.

All information and data submitted as a response to this Solicitation are the property of CARB and will become a public record.

## II. Application Format Requirements

Applications must be accurate, brief, and clear. CARB recommends that all submitted files be clearly labeled and include the Applicant name and corresponding

application attachment number. **Appendix A** includes some recommended naming conventions for application materials. Do not include any personally identifiable information in the application, such as home addresses, personal phone numbers, or personal email addresses. Business addresses, phone numbers, and email addresses are required.

### III. Q&A Session

CARB will hold a Q&A session during the Solicitation period, at which time staff will be available to answer clarifying questions regarding the Solicitation process, eligibility, and anything else related to the current Solicitation. CARB will not answer questions regarding this Solicitation before or after the Applicant Q&A Session. The Applicant Q&A Session will be held at the dates and times listed below.

Q&A Session:

Date: **March 21, 2024**

Time: 10:00 a.m. – 11:00 a.m.

Zoom Registration Link:

[https://us06web.zoom.us/webinar/register/WN\\_Gdzc8oBESrCQGkbYTZLp4w](https://us06web.zoom.us/webinar/register/WN_Gdzc8oBESrCQGkbYTZLp4w)

The Q&A session will be open to all interested prospective applicants. Participation in this meeting is optional but encouraged. Written questions submitted before the Q&A session will be given priority. Written questions should be sent to [Nicholas.Nairn-Birch@arb.ca.gov](mailto:Nicholas.Nairn-Birch@arb.ca.gov) by 2:00 pm (Pacific Time) three business days prior to the Q&A session. Staff will only respond to questions regarding this Solicitation during the Q&A session.

The questions and answers regarding this Solicitation will be posted on the CARB website three business days after the Q&A session. This date may be extended at CARB's sole discretion.

CARB will not answer questions regarding this Solicitation outside of the Q&A sessions. Any verbal communication with a CARB employee concerning this Solicitation is not binding on the State and shall in no way alter a specification, term, or condition of the Solicitation.

### IV. Eligibility Requirements

Applications submitted must meet the Eligibility Requirements listed in Table 3 before they are scored. Eligibility Requirements will be evaluated at CARB's sole discretion. CARB reserves the right, but not the obligation, to request clarification regarding application responses during the application review and scoring period.

If an application does not appear to meet all Eligibility Requirements or requires additional documentation, the applicant will have two business days to respond to CARB. The applicant will be notified by CARB by April 12, 2024, and will be required to submit proof that the Eligibility Requirements have been met by **April 15, 2024**,

**11:59 pm (Pacific Time).** Any updates during this time should not result in substantial changes to the application and only updates that are relevant to CARB’s request will be considered.

If all requirements are met (i.e., CARB staff answer “Yes” for each question in Table 3), the application will be scored using the scoring criteria in Section VI.

**Table 3. Eligibility Requirements**

<b>Application Section</b>	<b>Eligibility Requirements</b>	<b>Yes/No</b>
Overall	Is the application package complete, accessible (i.e., the files open), with all required dates/signatures and all required application elements identified in <b>Appendix A</b> ?	-
Overall	Was the application received by the application deadline of 11:59 pm (Pacific Time) on April 8, 2024, to <a href="mailto:Nicholas.Nairn-Birch@arb.ca.gov">Nicholas.Nairn-Birch@arb.ca.gov</a> ?	-
Budget	Is the total budget less than or equal to \$5 million?	-
Applicant	Is the applicant an eligible organization?	-
Partnership Structure	Does the application include Sub-applicant(s), and did all Sub-applicants provide letters of commitment and support?	-

**V. Required Elements**

The application is included as Appendix A of this solicitation, and includes the following required elements:

Appendix A: Application

- Attachment 1: Application Checklist
- Attachment 2: Application Cover Page (must sign this)
- Attachment 3: Applicant Qualifications
- Attachment 4: Budget Template
- Attachment 5: Scope and Timeline Work Plan
- Attachment 6: Conflict of Interest Declaration (must sign this)
- Attachment 7: Compliance and the Law Declaration (must sign this)
- Attachment 8: Attestation of Readiness (must sign this)
- Attachment 9: Insurance Endorsement
- Attachment 10: Non-Collusion Declaration (must sign this)
- Attachment 11: STD. 204 Payee Data Record

Letters of support are optional and should be submitted as a part of the applicant’s proposal.

## **VI. Selection Process and Scoring Criteria**

CARB will evaluate each application using the scoring criteria provided below. CARB will create an evaluation team to evaluate all applications that may consist of CARB staff or staff of other California State entities. Applications will not be scored unless [Eligibility Requirements](#) are met.

The maximum score is 100 points. The qualified applicant with the highest overall score will be preliminarily selected as the Grantee. The preliminary selection of an application does not in any way commit CARB to approving or finalizing the Grant. The selected funding recipient will be required to sign a Grant Agreement with CARB to fulfill the duties of the Grantee (see **Appendix B**). CARB, in its sole discretion, may cancel the preliminary selection and select the next highest-scoring project, and so on, until an agreement is reached, or exercise its right, in its sole discretion, to not award a grant. If, in CARB’s sole discretion, no submitted application meets the goals of this Solicitation no selection of a Grantee is required to be made and funding can be directed to another project identified in the Funding, Plan as needed.

<b>Scoring Criteria</b>	<b>Total Points Possible</b>
Applicant Qualifications	25
Proposed Budget	25
Workplan	40
Applicant Resources and Readiness	10

### **A. Applicant Qualifications (Appendix A, Attachment 3) - Maximum 25 points**

Scoring will be based upon the applicant’s ability to successfully act as the Grantee based upon its experience/expertise with the following: (1) Building trust and key partnerships with CBOs and other grassroots organizations representing diverse and traditionally underrepresented communities; (2) Supporting a network of outreach partner organizations; and (3) Coordinating outreach across multiple equity-focused clean transportation and other climate equity incentive programs. A successful applicant should also be able to demonstrate experience and capabilities needed to build partnerships and maintain relationships with multiple incentive program administration teams, State agencies, and other governmental organizations. In addition, a successful applicant should demonstrate the ability to implement equitable processes, manage complex grants, and coordinate amongst diverse

partners. It is also preferable that the applicant has experience with designing and/or operating a user-centered, web-based application tool with integrated case management. Finally, the applicant should demonstrate the capability to expand the program to a larger scale with additional funding.

<b>Application Characteristics</b>	<b>Points Earned</b>
Applicant lacks experience/expertise applicable to the projects requested and/or lacks relevant experience handling similarly sized funding projects.	<b>0 - 6 points</b>
Applicant demonstrates limited experience/expertise to complete the tasks required of the Access Clean California Grantee and/or has some relevant experience successfully running similarly sized funding programs.	<b>7 - 12 points</b>
Applicant demonstrates reasonable experience/expertise required to complete the tasks of the Access Clean California Grantee; relevant experience successfully partnering and building networks with CBOs and grassroots organizations to conduct outreach; demonstrates some experience with and knowledge of climate equity incentive projects offered in California; some experience managing complex grants and implementing equitable processes; and experience/expertise relevant to developing/implementing user-centered application and case management systems.	<b>13 - 19 points</b>
Applicant demonstrates extensive and strong experience/expertise required to effectively and successfully complete the tasks of the Access Clean California Grantee; Significant relevant experience successfully partnering and building networks with CBOs and grassroots organizations to conduct outreach; Demonstrates robust experience with and knowledge of climate equity incentive projects offered in California; Extensive experience managing complex grants and implementing equitable processes; and significant experience/expertise relevant to developing/implementing user-centered application and case management systems.	<b>20 - 25 points</b>

**B. Applicant Resources and Readiness (Appendix A, Attachment 3) -- Maximum 10 points**

Scoring will be based on the applicant’s ability to successfully act as a Grantee and demonstrable staffing, infrastructure, funding, and other available resources.

<b>Application Characteristics</b>	<b>Points Earned</b>
Applicant lacks sufficient staff, expertise, infrastructure and/or funding resources to implement the Access Clean California project effectively and successfully.	<b>0 - 3 points</b>
Applicant demonstrates sufficient staff, expertise, infrastructure and/or funding resources to implement the Access Clean California project effectively and successfully.	<b>4 - 6 points</b>
Applicant clearly demonstrated sufficient staff, expertise, infrastructure and/or funding resources to implement the Statewide Access Clean California project effectively and successfully.	<b>7 - 10 points</b>

**C. Budget and Match and/or In-Kind Contributions (Appendix A, Attachment 4) - Maximum 25 points**

Applicants must identify a clear and concise project budget for completing the tasks of the Access Clean California project, consistent with the Sample Grant Agreement, the Workplan (included as part of the application), and the requirements of this solicitation. The budget must include a cost breakdown of all funds needed to complete the tasks outlined in the scope of work. If selected for funding, the project budget will be incorporated by reference as part of the Grant Agreement. Changes in the project budget, re-definition of deliverables, or extension of the project schedule may not be possible and should be avoided. In cases where minor changes are allowed, they must be approved in advance and in writing by CARB and may require a grant amendment. Costs associated with project implementation detailed in the Application must consider the time frame of the proposed project and may cover an increase in costs that take into account inflation or planned cost of living increases.

Match funding refers to funds contributed by the Grantee to the Access Clean California project. In-kind services refer to goods or services contributed by the Grantee but not charged to the projects, but which help to meet the goals of the projects more effectively and efficiently. No minimum match funding is required, but voluntary match or in-kind funding will be considered in scoring the application. Funding from other public or private sources may be combined with CARB funds and must be identified in a project budget.

<b>Application Characteristics</b>	<b>Points Earned</b>
Budget is unclear and inconsistent with the applicant’s Project Workplan and the requirements of this solicitation or is insufficient to successfully complete the project. No or limited match funding,	<b>0 - 5 points</b>



or no or limited in-kind support is committed.	-
Budget is clear, detailed, and consistent with the applicant's Project Workplan and the requirements of this solicitation and is adequate to complete the project. Costs are represented clearly.	<b>6 - 15 points</b>
Budget is very clear, detailed, and consistent with the applicant's Project Workplan, the requirements of this solicitation, and is adequate to complete the projects. Costs are represented clearly and are appropriate for the level and quality of work to be performed. The applicant's commitment for match and/or in-kind support will enable the program to be significantly more effective and efficient.	<b>16 - 25 points</b>

**D. Scope and Timelines Workplan (Appendix A, Attachment 5) - Maximum 40 points**

Applicants will be evaluated based on the completeness of their plan for implementing the Access Clean California project, and the ability to complete the work in a timely manner. The Project Workplan must address how the applicant will implement all the tasks under the Scope of Work (see I section of this solicitation).

<b>Application Characteristics</b>	<b>Points Earned</b>
Project Workplan is unclear and/or does not provide the highest impact for the funding provided.	<b>0 - 10 points</b>
Project Workplan is complete, provides some details and recommendations for project development, implementation, and administration, and matches the budget.	<b>11 - 20 points</b>
Project Workplan is complete; provides sound recommendations for effective and efficient project development, implementation, and administration; and includes a well-supported budget	<b>21 - 30 points</b>
Project Workplan is sound and well organized; tailors recommendations creatively and includes appropriate plans for successful implementation of the Statewide CC4A and Financing Assistance projects; provides recommendations for effective and efficient project development, implementation, and administration, and recommends high-impact activities that maximize the budget.	<b>31 - 40 points</b>

## Post-award Process

The qualified applicant with the highest overall score will be preliminarily selected as the funding recipient. The selected funding recipient must then work with CARB to develop and complete the exhibits and attachments to the Grant Agreement. CARB, in its sole discretion, may make changes to the proposed project milestones, work plan, or disbursement schedules in consultation with the applicant, for inclusion in the Grant Agreement. Only CARB shall have the discretion to modify, amend or alter the Draft Sample Grant Agreement (Appendix B).

### I. Scope of Work

Applicants must consider the duties listed in Task 1 of the Scope and Timeline Template (**Appendix A**) and the requirements in the Draft Sample Grant Agreement (**Appendix B**) when developing their application, especially the timeline and budget. The Scope of Work that is submitted as part of the application will be included as the scope of the Grant Agreement. The Grant Agreement must be executed by May 15, 2024.

### II. Requirements Prior to Execution of Grant Agreement

Once selected and prior to Grant Agreement execution, the selected funding recipient must submit a **Governing Board Resolution** from the selected funding recipient's governing board that commits the entity to do the following things:

- Comply with the requirements of the Grant Agreement
- Accept grant funds from CARB
- Allocate and authorize any resource contributions that the entity has committed as part of the application
- CARB also recommends the resolution allow for grant amendments without governing board approval.

Both the Grantee and CARB must sign (execute) the Grant Agreement before it can take effect. Signing the Grant Agreement will commit the Grantee to fulfilling the administrative and technical duties associated with the project. A fully executed Grant Agreement must be in place before work may begin. Work, purchases, or activities occurring before full execution of the Grant Agreement are NOT reimbursable.

Signed Grant Agreements and approved governing board resolutions must be submitted to CARB no later than May 14, 2024. If these documents are not submitted by the deadline, CARB, in its sole discretion, may deny the application and redirect funds to another application submitted in response to this Solicitation or to another

project in the Funding Plan, as needed.

## **Administration**

The following represent additional terms and conditions applicable to this Solicitation. By participating in this Solicitation process, each Applicant acknowledges, accepts, and agrees to all terms and conditions of this Solicitation, and represents and warrants that the Applicant will comply with and conform to all of the following:

### **I. Advance Pay**

Consistent with the Legislature's direction to expeditiously disburse grants, CARB, in its sole discretion, may provide advance payments of grant awards to support project initiation and implementation, with a focus on mitigating the constraints of modest reserves and potential cash flow problems. However, all advance payments must in each instance fully comply with all advance pay regulatory requirements. Additional information on advance pay is in the Draft Sample Grant Agreement (**Appendix B**). Only Applicant may qualify for advance pay. Sub-applicants, contractors, subcontractors, consultants, and other participants shall only be paid on a reimbursement basis.

### **II. Amended Proposal**

Applicants may only submit an amended application before the application deadline. Such amended applications must be a complete replacement of a previously submitted application package and must be clearly identified as such in the cover letter transmitting the new application (the "Letter of Transmittal"). CARB personnel will not merge, collate, or assemble application materials. Once received, the new amended application package will replace the previously submitted application package in its entirety. All amended application packages must be submitted and received by the application deadline.

### **III. Applicant's Admonishment**

This Solicitation contains the instructions governing the application process, including the required format of information and materials to be submitted, requirements that must be met to be eligible for consideration, and Applicant responsibilities. Applicants must carefully read the entire Solicitation, ask appropriate questions in a timely manner, submit a complete application with all required responses by the required date and time, and make sure that all procedures and requirements of the Solicitation are followed and appropriately addressed.

#### **IV. Agreement Requirements**

The content of this Solicitation and sections of the Grantee's application shall be incorporated by reference into the final Grant Agreement. CARB reserves the right to negotiate with the selected applicant to modify the project scope, level of funding, or both. If CARB is unable to successfully negotiate and execute a Grant Agreement with a preliminary Grantee, CARB, at its sole discretion, reserves the right to withdraw the pending award and fund the next highest ranked eligible application. This does not limit CARB's ability to withdraw a proposed award for other reasons, including for no cause, or to take any other direction consistent with applicable law.

#### **V. Basis for Proposal**

Only information supplied by CARB in writing as a part of this Solicitation process may be relied upon for the preparation of an application.

#### **VI. Cost of Developing an Application**

Applicants are responsible for the cost of developing an application, and this cost cannot be charged to the State. This Solicitation does not commit CARB to award, nor does it commit CARB to pay, any costs incurred by any Applicant resulting from the submission of an application or participation in the Solicitation process (including but not limited to travel expenses). Furthermore, no reimbursable cost shall be incurred by an application in anticipation of a Grant award. All costs associated with Solicitation participation, application preparation, and travel are the sole responsibility of each submitting Applicant. In addition, CARB is not liable for any costs incurred during environmental review (if applicable) or as a result of withdrawing a proposed award or canceling the Solicitation.

#### **VII. Claims against CARB**

Each applicant acknowledges, accepts, and understands that neither the Applicant's organization nor any of the Applicant's representatives shall have any claims whatsoever against the CARB or any of its respective officials, agents, or employees arising out of or relating to this Solicitation or these Solicitation procedures, except as between CARB as the Grantor and the applicant as the Grantee, as set forth in the terms of a Grant Agreement signed by authorized representatives of CARB and the selected Grantee. Sub-applicants and other participants shall have no rights or claims of any kind or nature against CARB or any of its respective officials, agents, or employees.

#### **VIII. Disposition of Applicant's Documents**

All applications and related material submitted in response to this Solicitation

become the sole and exclusive property of the CARB, will not be returned, and are public records subject to the disclosure requirements of the California Public Records Act (CPRA) as solely determined by CARB.

If trade secret or proprietary information is contained in documents or other information submitted by the applicant as a part of the application and the applicant has expressly claimed that such information falls within one or more CPRA exemptions, then applicant must clearly mark such information "CONFIDENTIAL AND PROPRIETARY" and identify the specific lines containing the confidential information on each document before submitting the application to CARB. In the event of a request for such information, CARB will make reasonable efforts to provide notice to the applicant prior to disclosure under the CPRA. If the applicant contends that any documents are exempt from the CPRA and wishes to prevent disclosure, the applicant is required at its own cost, liability, and expense to obtain a protective order, injunctive relief, or other appropriate remedy from a court of law in Sacramento County at least three business days before CARB's deadline to respond to the CPRA request. If the applicant fails to obtain such a court remedy within said timeframe, then CARB may, at its discretion, disclose the requested information and CARB shall not be liable or responsible for such disclosure. The applicant agrees that it shall defend, indemnify, and hold CARB harmless for, from, and against any and all claims that may or do result from denial by CARB of a CPRA request for any applicant information.

In addition to the requirements of the CPRA, CARB may be under other legal obligations for release or disclosure of the information contained in any application submitted and makes no warranty or representation that such information and accompanying documents will not be released where required or allowed to be released by applicable law.

## **IX. Errors**

If an applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in this Solicitation, the applicant shall immediately notify CARB of such error in writing and request modification or clarification of the document before the application deadline. CARB shall not be responsible for failure to correct errors.

## **X. Grant and Budget Revisions**

Changes in the project budget, deliverables, or extension of the project schedule should be avoided where possible. CARB will work with the Grantee to determine where flexibility is possible within the Grant Agreement to allow for community engagement to continue informing project design throughout grant implementation and will assist the Grantee with formal amendments where needed.

Once a Grant Agreement is in place, changes to the work to be done or other project

scope changes may be considered by CARB, if necessary, in consultation with the Grantee. In cases where changes may be allowed by CARB, they must be approved in advance and in writing by CARB and may require a Grant Agreement amendment.

## **XI. Immaterial Defect**

CARB may waive any immaterial defect or deviation contained in an application. CARB's waiver shall in no way modify the application or excuse the successful applicant from full compliance.

## **XII. No Agreement Until Signed**

No agreement between CARB and the selected applicant is in effect until the Grant Agreement is signed by the selected applicant and by the authorized CARB representative. Qualifying costs may only be reimbursed by CARB only after full execution of the Grant Agreement. No costs incurred prior to execution of the Grant Agreement are reimbursable using CARB Grant Funds.

This Solicitation and the selection process shall in no way be deemed to create a binding contract or agreement of any kind between CARB and any applicant, nor shall any information herein be construed as a representation or warranty on behalf of CARB or as a statement on which the applicant may justifiably rely in executing any license or agreement with CARB. All legal rights and obligations between any successful applicant and CARB will come into existence if and only if a Grant Agreement is signed by authorized representatives of both parties and approved by CARB. The legal rights and obligations of each party shall at that time be only those rights and obligations which are set forth in the approved and fully executed Grant Agreement.

## **XIII. No Modifications to the General Provisions**

Because time is of the essence, if an applicant at any time, including after preliminary selection, attempts to negotiate or otherwise seeks modification of the General Provisions (attached as **Appendix B**, Draft Sample Grant Agreement), CARB may reject the application or withdraw the proposed award. This does not alter or limit CARB's ability to withdraw a proposed award for other reasons, including for no cause.

## **XIV. No Public Opening**

There will be no public opening of the application packages for this Solicitation.

## **XV. No Right to Protest**

Applicants acknowledge, understand, and agree that consideration for and award of

a grant is fully discretionary and at no time shall and Applicant be entitled to protest, appeal, or challenge a decision to reject or accept an application, disqualify an Applicant or an application, or withdraw or amend the Solicitation in whole or in part.

## **XVI. Payment of Prevailing Wages**

All Applicants must read and pay particular attention to **Appendix B**, Draft Sample Grant Agreement Section N.35 entitled "Prevailing wages and labor compliance." Prevailing wage rates can be significantly higher than non-prevailing wage rates. Failure to pay legally required prevailing wage rates can result in substantial damages and financial penalties, termination of the Grant Agreement, disruption of projects, and other complications.

## **XVII. Prohibition of Gifts**

CARB officials are subject to several legal and policy limitations regarding receipt of gifts from persons, firms, or corporations either engaged in business with CARB or proposing to do business with CARB. The offering of any gift may be grounds for disqualification. To avoid even the appearance of impropriety, Applicants (on their own or through others) intending to submit or submitting an application shall not offer any gifts or souvenirs, even of minimal value, to any CARB officers, employees, or advisors.

## **XVIII. Remedies for Non-performance**

In the case of non-performance, remedies detailed in this section may be utilized at CARB's discretion. Examples of non-performance include but are not limited to misuse of funding for ineligible expenses, failure to comply with program guidelines or requirements, inability to meet performance requirements or scheduled milestones, and failure to comply with the terms and conditions identified in the Grant Agreement. Remedies may include, but are not limited to:

- CARB may seek to resolve the dispute directly with the Grantee or involve a third-party mediator.
- CARB may issue a stop work order.
- CARB may terminate the Grant Agreement at its sole discretion.
- CARB may recover grant funds, spent and unspent.
- CARB may withhold funds from payment.
- CARB may take civil actions or refer for criminal action.

## **XIX. Solicitation Cancellation, Amendments, and Outcomes**

CARB reserves the right to do any of the following at any time:

- Terminate this Solicitation (even after an intent to award has been determined), and, at CARB's sole discretion, issue a new Solicitation.

- Revise the amount of funds available under this Solicitation.
- Extend or modify deadlines specified in this Solicitation or in the Grant Agreement, including deadlines for accepting applications.
- Waive or correct any minor or inadvertent defect, irregularity, or technical error in an application, in the Solicitation, or in the Solicitation process, or as party of any subsequent grant negotiation.
- Modify the selection process, the Grant Terms, or the contents or format of the forms, conditions, instructions, or requirements.
- Request that an applicant supplement or modify all or certain aspects of a submittal or other documents or materials that have been submitted.
- Reject any or all applications received in response to this Solicitation, without indicating any reason for such rejection.
- Modify any terms or conditions of the Draft Sample Grant Agreement.
- Terminate failed negotiations without liability and, at CARB's sole discretion, negotiate with other applicants.
- Negotiate with any or none of the applicants.
- Issue grants specified in this Solicitation by any other legal means.
- Disqualify any applicant or the Grantee on the basis of a real or apparent conflict of interest or evidence of collusion that is disclosed by the applicant or disclosed through other data available to CARB.
- Eliminate, reject, or disqualify an application from any applicant who fails to submit a responsive application or who later fails to demonstrate that they are a responsible applicant, as determined solely by CARB.
- Accept all or a portion of an application.

## **XX. Withdrawal of Application**

Applicants may withdraw their applications at any time. The applicant must submit a written withdrawal request signed by the applicant's duly authorized representative and addressed and submitted to [Nicholas.Nairn-Birch@arb.ca.gov](mailto:Nicholas.Nairn-Birch@arb.ca.gov).



## Guiding Legislation

The following legislation guides the priorities and implementation of the Access Clean California Administrator Solicitation.

**Assembly Bill (AB) 1532 (Pérez, Chapter 807, Statutes of 2012):** Requires that Cap-and-Trade auction proceeds be used to facilitate greenhouse gas (GHG) emission, reductions:

- Maximize economic, environmental, and public health benefits to the State
- Foster job creation by promoting in-State GHG emissions reduction projects carried out by California workers and businesses
- Complement efforts to improve air quality
- Direct investment toward the most disadvantaged communities and households in the State
- Provide opportunities for businesses, public agencies, nonprofits, and other community institutions to participate in and benefit from statewide efforts to reduce GHG emissions
- Lessen the impacts and effects of climate change on the State's communities, economy, and environment

**AB 1550 (Gomez, Chapter 369, Statutes of 2016):** Replaced and expanded investment minimums for California Climate Investments to benefit disadvantaged communities that were put in place under SB 535 (De Leon, Chapter 830, Statutes of 2012). AB 1550 expanded minimums to also include low-income communities and low-income households.

**SB 1275 (De León, Chapter 530, Statutes of 2014):** Drives the development of the Low Carbon Transportation Investment's transportation equity projects (i.e., Equity Projects). The Access Clean California project supports the goals outlined in SB 1275 to prioritize low- and zero-carbon transportation alternatives and increase access for disadvantaged, low-income, and moderate-income communities to these alternatives by supporting community-led transportation planning.

**SB 32 (Pavley, Chapter 249, Statutes of 2016):** Requires California to achieve a 40 percent GHG emission reduction below 1990 levels by 2030.

**SB 350 (De León, Chapter 547, Statutes of 2015):** Directed CARB to conduct a study to better understand the barriers low-income residents must overcome to increase access to zero-emission and near zero-emission transportation and mobility options and develop recommendations to increase access. CARB developed Access Clean California following the recommendations outlined by CARB in the SB 350 Guidance Document.<sup>9</sup>

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<sup>9</sup> <https://ww2.arb.ca.gov/our-work/programs/accessible-clean-transportation-options-sb-350>