



May 14, 2026

To: Transit Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Agreement for Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Bus Base

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Overview

On September 22, 2025, the Orange County Transportation Authority Board of Directors authorized a two-step, best value design procurement for a hydrogen fueling station and facility modifications at the Garden Grove Bus Base. This two-step process included the release of the request for qualifications to determine the short-listed offerors as the first step and then release the request for proposals to the short-listed offerors as part of the second step. Board of Directors' approval is requested for the selection of a firm to perform the required work.

Recommendations

- A. Approve the selection of Clean Energy as the firm to deliver the design and construction of the hydrogen fueling station and facility modifications at the Garden Grove Bus Base.

- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C250142, between the Orange County Transportation Authority and Clean Energy, a responsive and responsible proposer, in the amount of \$27,598,891, to deliver the design and construction of the hydrogen fueling station and facility modifications at the Garden Grove Bus Base.

Discussion

The Orange County Transportation Authority (OCTA) initiated a pilot program to test zero-emission bus (ZEB) technology to obtain operational performance information to determine which ZEB technology, or mix of technologies, best meets OCTA service requirements. The ZEB pilot program was implemented in

early 2020 with the introduction of ten hydrogen (H₂) fuel-cell-electric buses (FCEB) and an H₂ fueling station at the Santa Ana Bus Base. The pilot was expanded in 2023 with the introduction of ten battery-electric buses operating from the Garden Grove Bus Base. OCTA is now underway with expanding the ZEB pilot fleet with the addition of 40 new FCEBs along with the installation of an H₂ fueling station at the Garden Grove Bus Base. The H₂ fueling infrastructure at the Garden Grove Bus Base will provide fueling for OCTA's FCEBs along with operational redundancy similar to that of OCTA's compressed natural gas (CNG) fueling infrastructure. The project will install a liquid H₂ fueling station, FCEB de-fueling appurtenances, H₂ detection in bus maintenance facilities, metered electrical infrastructure, a standby power generator, FCEB maintenance platform, and related work. In addition, and in accordance with SB 1505 (Chapter 877, Statutes of 2006), at least 33.3 percent of the H₂ fuel provided in this contract for the commissioning and training period must come from renewable energy sources.

Procurement Approach

The selection of a design-build (DB) team to design and construct the H₂ fueling station and facility modifications at the Garden Grove Bus Base was accomplished through a two-step procurement process. The first step, the request for qualifications (RFQ), was used to develop the short-listed qualified teams. The second step, the request for proposals (RFP), was issued to the short-listed teams to solicit proposals for OCTA's evaluation and selection of a "best-value" DB team for the project. Following is a more detailed discussion of the two steps.

Step 1 – RFQ

The first step consisted of issuance of the RFQ, receipt of statements of qualifications (SOQ) by OCTA, and the development of a short-list in accordance with PCC 22164 requirements and OCTA's procurement policies and procedures.

On September 22, 2025, the Board of Directors (Board) authorized the release of RFQ 54319, which was electronically issued on OpenGov, OCTA's eProcurement website. The project was advertised on September 22 and September 29, 2025, in a newspaper of general circulation. An RFQ informational meeting was held on October 1, 2025, with 17 attendees representing ten firms. Three addenda were issued to make available the informational meeting registration sheets, provide responses to questions received, and handle administrative issues related to the RFQ.

On October 20, 2025, five SOQs were received. The process of evaluating the five SOQs was done in two parts: a compliance review and technical evaluation, as follows:

1. Compliance review of the SOQs was conducted using the pass/fail criteria described in the RFQ and listed below:

| <u>Evaluation Criteria</u> | | |
|--|------------------------------|-----------------------------------|
| <i>Minimum Requirements</i> | <i>Scoring Method</i> | |
| <ul style="list-style-type: none"> • Conflict of Interest Disclosure | Pass/Fail | |
| <ul style="list-style-type: none"> • Legal Structure | | |
| <ul style="list-style-type: none"> • Financial Capability | | |
| <ul style="list-style-type: none"> • Minimum Requirements <ul style="list-style-type: none"> ○ Form C - DB Minimum Requirements ○ Form D – General Contractor Questions ○ Form E – Principal Engineer Questions | | |
| <i>Minimum Required Score:</i> | | <i>Pass (all criteria)</i> |

The submittals were reviewed by a team of legal and procurement professionals, and three of the five submittals were found responsive to the requirements of the RFQ in these areas and ‘passed’. The three SOQs that were responsive then advanced to the technical evaluation.

2. Technical evaluation of the SOQs that passed the compliance review was conducted using the scored categories and points described in the RFQ and listed below:

| <i>Technical Qualifications</i> | <i>Scoring Method</i> | |
|---|------------------------------|--|
| <ul style="list-style-type: none"> • DB Entity and Team Experience | 20 points possible | |
| <ul style="list-style-type: none"> • Organizational Approach and Key Personnel | 20 points possible | |
| <ul style="list-style-type: none"> • Quality Management Approach | 5 points possible | |
| <ul style="list-style-type: none"> • Safety Management Approach | 5 points possible | |
| <i>Minimum Required Score:</i> | | <i>35 Points Total</i> <i>(50 maximum possible points)</i> |

The three SOQs were reviewed by a technical evaluation committee consisting of members from OCTA’s Facilities Engineering, Transportation Modeling, Safety and Environmental, and Maintenance departments in addition to an

external representative from Foothill Transit. All three SOQs were short-listed, and are listed below in alphabetical order:

Clean Energy (CE)
Headquarters: Newport Beach, California
Project Office: Newport Beach, California

Messer, LLC (Messer)
Headquarters: Bridgewater, New Jersey
Project Office: Bridgewater, New Jersey

Fueling and Service Technologies, Inc. (FASTECH)
Headquarters: Fountain Valley, California
Project Office: Fountain Valley, California

Determination of the short-listed DB teams concluded the first step of the two-step best-value award process.

Step 2 – RFP

To initiate the second step of the DB procurement process, each of the three short-listed DB teams was issued the RFP on December 5, 2025.

On January 26, 2026, technical and price proposals were received from the following short-listed DB teams, in accordance with the deadlines and requirements prescribed by the RFP: CE and Messer. FASTECH did not submit a proposal as a DB entity. However, FASTECH is proposed as the general contractor on the CE DB team.

Messer's proposal did not move forward in the evaluation process as the firm was unable to retract their proposed exceptions and/or deviations that OCTA evaluated as being non-negotiable, leaving one qualified short-listed DB team: CE. Pursuant to OCTA's policies and procedures, an evaluation of the proposal was held to determine that the qualification and staffing needs were met and that the proposal adequately addressed the elements required by the scope of work for this project.

Evaluation of Proposal

The technical and price proposals received from CE in response to the RFP were evaluated separately, in accordance with the evaluation methodology described in the RFP.

The proposal evaluation process included an initial review of the proposal for responsiveness and pass/fail criteria, a responsiveness and qualitative evaluation of the technical proposal, and a responsiveness and qualitative evaluation of the price proposal. The evaluation of the price proposal is discussed under the Price Proposal section of this report.

The technical proposal was evaluated based on the Board-approved criteria which considered the firm's qualifications, staffing and project organization, and technical and project delivery approach.

Several factors were considered in developing the evaluation criteria weightings. Qualifications of the firm criterion is weighted at 35 percent as the DB teams had to demonstrate technical experience with the design and construction of a fueling station of similar scope and scale. The staffing and project organization criterion is weighted at 30 percent as the DB teams had to demonstrate the level of expertise, resource availability, and involvement of each of the roles required for the proposed project team. The technical and project delivery approach criterion is weighted at 35 percent as the DB teams had to demonstrate an understanding of OCTA's requirements and present a competitive general and design management approach, proposed facility design plan, construction approach including aspects such as mobilization strategy, construction staging, risk mitigation, safety plan, and quality management plan.

The evaluation committee reviewed and discussed CE's proposal based on the evaluation criteria and conducted an interview with the proposed DB team. The interview consisted of a presentation by CE and response to the evaluation committee's questions. Questions were asked relating to the team's staff availability and current commitments, schedule risk of long lead items, and the proposed H₂ system's expected boil-off fuel loss and long run cost savings.

The following is a summary of the proposal evaluation results.

Qualifications of the Firm

Founded in 1996, CE is an advanced energy solutions firm that has experience with H₂, renewable natural gas, CNG, LNG, liquefied compressed natural gas (LCNG), renewable electricity, and energy management systems. The firm is headquartered in the City of Newport Beach, and operates regional offices in Colorado and Texas, employing approximately 530 staff members. CE has experience with projects of comparable size that utilize a DB delivery method. The firm detailed its previous experience serving as the DB entity for Foothill Transit's H₂ Station Project. Through this project, CE managed the design, construction, startup, and commissioning, and continues to provide ongoing operations, maintenance, and H₂ fuel supply for more than 50 buses

with capacity for expansion to 150 buses. CE has also completed CNG station projects with firms such as BC Transit, Food Express, and MV Transportation. The firm discussed previous experience with subconsultants, including FASTECH and Air Liquide. During the interview, CE effectively answered questions by drawing from its lessons learned and highlighted how its experience positions the firm to complete this project successfully.

Staffing and Project Organization

CE presented a well-rounded and cohesive team with relevant DB experience. The vice president of construction and engineering is proposed to oversee the construction and engineering teams and has over 13 years of experience managing H₂ and CNG station projects, including the Foothill Transit Station Project. The proposed engineer of record has over 14 years of experience and will provide oversight of the engineering design activities and provide quality assurance and quality control. The proposed mechanical engineer has over ten years of engineering experience. During the interview, all members of the CE team participated in their areas of expertise during the presentation and when responding to evaluators' questions.

Technical and Project Delivery Approach

CE presented a comprehensive technical and project delivery approach that demonstrated an understanding of the project requirements, constraints, challenges, and risks. The firm addressed site-specific challenges related to overhead power lines and developed a strategy to mitigate potential conflicts demonstrating the firm's understanding of the importance of proactively addressing utility coordination. CE proposed a dedicated permitting team assigned to streamline regulatory approvals. Permitting considerations were built into the project schedule, demonstrating a realistic and well-informed project timeline. The firm demonstrated a comprehensive approach to safety with its proposed pre-startup safety review prior to the introduction of H₂ into the system, ensuring operational integrity and adherence to safety protocols. During the interview, the team provided detailed responses drawing from its previous experience to answer questions regarding long-lead equipment and materials, and specific technical questions posed by the evaluation committee.

Price Proposal

CE's price proposal was received separately from the technical proposal as required by the RFP. The price proposal consisted of the pricing information and a proposal bond and was evaluated after conclusion of technical evaluations.

CE's initial price proposal was \$27,709,791. A request for clarification (RFC) was issued by OCTA to assist with the understanding of CE's price proposal and

various aspects of the technical and project delivery approach included in its proposal. The RFC requested a breakdown of certain cost proposal items related to concrete foundation-related work and pump-related work, warranty related costs, and to resolve various items noted as 'clarifications' that CE included within its proposal.

After receiving CE's response to the RFC, CE was requested to submit a best and final offer (BAFO). OCTA's BAFO requested information/pricing related to cryogenic pumps, the boiloff mitigation recovery system, and future proofing of the station. CE was asked to address and/or retract specific clarifications included in its proposal. Additionally, OCTA included updates to specific terms and conditions of the agreement and the price summary sheet to incorporate language related to the fuel supply services as a not-to-exceed amount that utilizes an indexing formula to calculate the base price per kilogram for H₂ fuel.

The BAFO response included a price decrease to \$27,598,891, which is inclusive of the design and construction of the facility, facility modifications, fuel supply services, and the 18-month operations during the training and transition period. The OCTA engineer's estimate for the project was \$26,500,000. CE's price is within 4.2 percent of the engineer's estimate and is considered by staff to be fair and reasonable.

Best-Value Determination

A best-value determination is utilized in a DB evaluation to determine the proposal that is most advantageous to OCTA. It consists of a formula that includes a component for the technical score and a component for the price score to arrive at a total score for the offeror's proposal. The DB team with the highest total score is then determined as the best-value offeror. Use of the best-value selection method in a DB procurement requires the comparative evaluation of multiple responsive proposals to determine which proposal is most advantageous.

As only one responsive proposal was evaluated, there was no competitive basis for evaluating price and technical factors relative to other offers, as required for best-value determination. In this instance, OCTA could not utilize best-value scoring and instead evaluated the proposal on a qualifications-based assessment to determine the offeror adequately met the minimum qualifications and technical requirements set forth in the RFP.

Based on the evaluation of the written proposal, information obtained during the interview, RFC, and BAFO responses, the evaluation committee recommends CE as the firm to deliver the design and construction of the H₂ fueling station and facility modifications at the Garden Grove Bus Base. The evaluation committee

concluded that the firm was qualified due to its recent experience with projects of similar scope and scale and overall approach to performing the required services. The firm presented a qualified team, demonstrated a clear understanding of the project requirements, and presented a comprehensive technical approach that addressed key issues critical to the success of the project.

Procurement Summary

Based on the evaluation of CE's written proposal, team qualifications, and the information obtained during the interview, RFC, and BAFO, the evaluation committee recommends the selection of CE as the firm to deliver the design and construction of the H₂ fueling station and facility modifications at the Garden Grove Bus Base.

Fiscal Impact

The project is funded with Low Carbon Transit Operations Program, and SB 1 (Chapter 5, Statutes of 2017) State of Good Repair, SB 125 (Chapter 54, Statutes of 2023) Transit Program, and Transit Intercity Rail Capital Program. Local transit funds will be used to purchase H₂ fuel for the station that is required to complete construction, commissioning, and training.

Summary

Staff requests Board of Directors' authorization for the Chief Executive Officer to negotiate and execute Agreement No. C250142 with Clean Energy as the firm to deliver the design and construction of a hydrogen fueling station and facility modifications at the Garden Grove Bus Base.

Attachments

- A. Review of Proposals, RFP 250142 Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Bus Base
- B. Contract History for the Past Two Years, RFP 250142, Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Bus Base

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