



**West Coast Collaborative  
Construction Sector Workgroup  
January 16, 2008 – Teleconference Summary**

**Development of Model Contract Language for Construction**

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*Debbi Edelstein Manager, Northeast Diesel Collaborative*

Debbie Edelstein of the Northeast Diesel Collaborative discussed a “for limited distribution only” draft model contract language for construction. The Northeast Diesel collaborative is hoping to finalize the language in the next few weeks at which point the document can be widely circulated and adapted. Throughout the development process, the Northeast Diesel Collaborative worked with various stakeholder groups to create a sound, technically accurate model that would reduce pollution. The intended audience is institutions and municipalities. Debbie noted that the model is divided into three vehicle types and sets reduction targets starting with a 20 percent reduction goal. The goal by 2013 is to have all projects, across vehicle types, to have reductions of 85 percent. It was noted that the costs of the retrofits would be absorbed by the developers and not the construction sector. Debbie added that the 20 and 85 percent reduction targets are part of the verification process and that the contract includes a list of reporting requirements, idle exemptions, normal compliance standards, as well as some recommendations.

In response to questions raised by West Coast Collaborative partners, Debbie added that:

- While the construction sector was involved in the initial negotiations and language development, they dropped out of the negotiation process when New Jersey announced they were issuing an executive order around this. There was some concern that New Jersey would adopt the language and strip out the provision that stated that the developers would pay for the retrofits.
- The Northeast Diesel Collaborative faced some barriers, including: (1) getting accurate information from the field, (2) determining the reduction thresholds, and (3) making state agency air directors comfortable with the language (as the agencies usually have fewer requirements).
- The development of this product resulted from the work of two workgroups – both a funding and technical focused workgroup. In terms of buy-in, the Collaborative left it up to the air agencies to reach out to their departments of transportation.
- This document only has contractual specifications and is not mandatory.

Any additional questions can email Debbie at, [dedelstein@nescaum.org](mailto:dedelstein@nescaum.org)

**Biodiesel Use in the Construction Industry**

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Wayne Elson spoke briefly on behalf of the scheduled speaker, Clifford Rudolph of Parker, Smith & Feek Inc., a risk management firm, and said that the use of biodiesel on construction projects can positively impact the price of insurance.

## **RFPs and Diesel Emission Reduction Act (DERA) funding.**

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Wayne discussed RFPs/RFAs and the DERA funding. He noted that some of this information is still in the development process but that in total the program has \$42.4 million, \$10.4 million of which is for the San Joaquin area. The funding is broken into four parts, \$6-7 million of which will be available through an RFP. The new RFA will be deployment focused (versus past programs that have focused on innovation). The RFA will likely go out in March 2008. EPA will put together a two hour webcast with further details around this funding.

The remaining three parts of DERA are: (1) a national loan program (expected to be released in March 2008); (2) an emerging technology program (expected May 2008 release); and (3) a state grant program which is in the early stages of being defined and will be released through EPA Headquarters. More information will be available on the next Construction Sector conference call. Wayne added that DERA has no separate allocation for the clean school bus program. This program will have to compete for DERA funding alongside other groups.

Wayne Elson will draft a summary description of the funding overview and distribute this to the Sector distribution list.

Wayne closed by noting that he is compiling a list of construction companies that have used biodiesel and requested call participants to send him any construction companies that they know have used biodiesel (either company-wide or project-specific). Wayne can be reached at, [Elson.Wayne@epamail.epa.gov](mailto:Elson.Wayne@epamail.epa.gov).

## **Upcoming Conferences**

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Upcoming conferences include:

- February 20-22, 2008, Weststart Clean Heavy Duty Vehicle Conference, Hilton San Diego Resort <http://www.calstart.org/programs/chdvc/2008index.php>
- February 25-27, 2008, Faster Freight Cleaner Air, Los Angeles Convention Center, <http://ffcacalifornia.com/>
- March 10-15, 2008: CONEXPO- CON/AGG & AGC Annual Convention- Profit through Participation—Las Vegas, NV. Info at: <http://www.conexpoconagg.com/> and [http://www.agc.org/galleries/meetings/08Convention\\_brochure.pdf](http://www.agc.org/galleries/meetings/08Convention_brochure.pdf) CON/AGG Expo will have more than 2,000 exhibitors and 125,000 industry professionals, including: contractors, construction producers and public officials.



- May 5-7, 2008: Brownsfields 2008: Road Map to Revitalization—Detroit, MI. Info at: <http://www.brownfields2008.org/en/index.aspx>
- Aug. 17-20, 2008: The Best Show in Public Works – New Orleans. Info at: <http://www.apwa.net/meetings/congress/2008/>
- Oct. 16, 2008: AASHTO Annual Meeting—Hartford, CT. Info at <http://www.transportation.org/meetings/93.aspx>
- Oct. 28-31, 2008: Association of Metropolitan Planning Organizations (AMPO) –Seattle, WA. Info at: <http://www.ampo.org/events/>
- November 2008: Greenbuild Expo—TBD. Info at: <http://www.greenbuildexpo.org/>

## **Adjourn**

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The next Construction Sector conference call will be Wednesday March 12, 2008 at 10:00 AM.



## Participants

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Apologies if full names and organizations are not captured correctly. If you have a correction to the participant list, please inform Ria Berns at Ross & Associates ([ria.berns@ross-assoc.com](mailto:ria.berns@ross-assoc.com)).

Ria Berns, Ross & Associates

Mike Boyer, Washington State Department of Ecology

Charlie Cox, Ironman Construction

Kevin Downing, Oregon Department of Environmental Quality

Debbi Edelstein, Northeast Diesel Collaborative

Jim Eleron, Caterpillar

Wayne Elson, EPA Region 10

Roger Funston, affiliation unknown

Gordon Griffin, Lane Regional Air Pollution Authority

Susan Jenkins, Georgia Department of Natural Resources

Kevin Kuper, Whole Energy

Clifford Rudolph, affiliation unknown

Jim Schaad, City of Fresno

Steve Sokolsky, Weststart

Jim Spade, Washington State Department of Transportation

Mia Waters, Washington State Department of Transportation

Georgina Wilmer, Washington State Department of Transportation