

RESOLUTION NO. R21-92

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE APPLICATION AND ACCEPTANCE OF THE FY2021 CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT GRANT AWARD FROM THE MARICOPA ASSOCIATION OF GOVERNMENTS IN THE APPROXIMATE AMOUNT OF \$318,031 FOR THE PURCHASE OF A PM-10 CERTIFIED STREET SWEEPER.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the City Council of the City of Glendale hereby authorized the application and acceptance of the FY2021 Congestion Mitigation and Air Quality Improvement grant award from the Maricopa Association of Governments in the approximate amount of \$318,031 for the purchase of a PM-10 compliant street sweeper.

SECTION 2. That the City Manager or designee and the City Clerk be authorized and directed to execute any and all documents necessary for the acceptance of said grant on behalf of the City of Glendale.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this day 28<sup>th</sup> of September.

---

Mayor Jerry P. Weiers

ATTEST:

---

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

---

Michael D. Bailey, City Attorney

REVIEWED BY:

---

Kevin R. Phelps, City Manager

June 11, 2021

Mr. Kevin Phelps, Manager  
City of Glendale  
5850 West Glendale Avenue  
Glendale, Arizona 85301

Dear Mr. Phelps:

On May 10, 2021, the Maricopa Association of Governments (MAG) received notification from the Arizona Department of Transportation (ADOT) that the transposition of federal CMAQ funds for MAG Highway User Revenue Funds has been completed for the Prioritized List of Proposed PM-10 Certified Street Sweepers for FY 2021. On December 2, 2020, the MAG Regional Council approved the Prioritized List of Proposed PM-10 Certified Street Sweepers for FY 2021 Congestion Mitigation and Air Quality Improvement (CMAQ) Funding. One PM-10 certified street sweeper project requested by the City of Glendale has been approved for FY 2021 funding for an amount not to exceed \$318,031 (see Attachment One). The City of Glendale may proceed with the purchase of the proposed street sweeper project for FY 2021. In the project application, the City of Glendale agreed to provide a 5.7 percent cash match. **We are requesting that the FY 2021 street sweeper be purchased and the reimbursement request be sent to MAG by June 11, 2022.**

For the FY 2021 street sweepers, the procurement process has changed. MAG member agencies may procure their own street sweepers. Reimbursement requests are to be sent to MAG. After MAG reviews the reimbursement request, MAG will send the reimbursement documentation to ADOT and then ADOT will issue the reimbursement check to the local agencies. Additional details are provided below.

1. Eligibility - Eligible street sweepers are defined as those which have been certified by the South Coast Air Quality Management District (SCAQMD) as meeting the SCAQMD Rule 1186 certification standards. The most recent list of Certified Street Sweepers Under SCAQMD Rule 1186 is dated June 12, 2019 (see Attachment Two). It is assumed that, at a minimum, the grant funded street sweepers will be used in accordance with the lane miles and sweeping cycle submitted with the project applications.

Mr. Kevin Phelps, Manager

June 11, 2021

Page 2

2. Procurement – For the FY 2021 street sweeper projects, MAG member agencies may procure their PM-10 certified street sweepers. The procurement of the street sweepers must conform to applicable federal and state procurement regulations for the purchase of the certified street sweeper. Since the region has not received any Federal Highway Administration (FHWA) Buy America waivers for FY 2021 street sweepers, the federal CMAQ funds cannot be used. In May 2021, ADOT completed the transposition of federal CMAQ funds for MAG Highway User Revenue Funds for the Prioritized List of Proposed PM-10 Certified Street Sweepers for FY 2021.

Currently, PM-10 Certified Street Sweepers do not meet the Federal Highway Administration's Buy America requirements for containing 100 percent domestic content for steel, iron, and manufactured products. In July 2019, ADOT conducted an alternate bidding process that is permitted under FHWA regulations to waive the applicability of Buy America requirements. Through this process, ADOT determined that there are no street sweeper manufacturers that can meet FHWA's Buy America requirements. In January 2020, ADOT submitted a Buy America waiver request to FHWA that included the remaining street sweeper projects for fiscal years 2019 and 2020, as well as for 2021 and 2022. The FHWA has not approved the requested waivers.

3. Annual Inventory - According to ADOT policy, MAG is responsible for conducting and submitting an annual inventory of the certified street sweepers owned by the jurisdictions to ADOT by October 31. For the annual inventory, MAG will contact the jurisdictions to obtain information on each street sweeper.
4. Reimbursement - MAG is requesting that the sweeper be purchased and reimbursement request be sent to MAG by **June 11, 2022**. Additional costs for equipment beyond the specifications necessary for compliance with Rule 1186-certification are not eligible for reimbursement. Examples of additional street sweeper equipment not eligible for reimbursement are provided in Attachment Three.

Within 30 days after payment for the street sweeper, submit a copy of the vendor invoice along with all back-up documentation to the attention of Dean Giles at MAG. MAG will review the reimbursement request, ADOT Payment Report Form, and send the invoice documentation to ADOT and ADOT will reimburse the City of Glendale for an amount not to exceed \$318,031 for the FY 2021 sweeper.

Mr. Kevin Phelps, Manager

June 11, 2021

Page 3

Documentation that includes a description of the street sweeper, the vehicle identification number, name of title holder, the cost of the vehicle (copy of invoice with detailed cost information on optional equipment, bill of sale, etc.), and the location where the sweeper is kept when it is not in use, should be provided. Also, please provide the name of the contact person for the sweeper and telephone number.

5. **Disposition** – **The ADOT Federal Property Management Standards (see Attachment Four) requires that each jurisdiction obtain ADOT approval prior to disposal of a grant funded street sweeper.** Each jurisdiction is to request disposal of a street sweeper in writing to MAG. MAG will send the request to ADOT, and MAG will in turn forward the ADOT response back to the jurisdiction.

For disposal of an older grant funded street sweeper through any means, the federal awarding agency is entitled to a share of the proceeds. According to the ADOT Federal Property Management Standards for disposition through a trade-in or sale, an amount of the proceeds entitled to the federal awarding agency will be calculated and applied toward the cost of the new street sweeper and an amount based on the percentage of the jurisdiction's participation in the original sweeper may be used to offset the amount of local cash match required.

On December 2, 2020, the MAG Regional Council approved the prioritized list of proposed PM-10 certified street sweeper projects for FY 2021 CMAQ funding. Also, on January 27, 2021, the MAG Regional Council approved the FY 2021 Closeout Programming that includes an additional \$1,607,225 in FY 2021 CMAQ funding to fully fund the remaining street sweepers on the prioritized list.

If you have any questions or require additional information, please contact Dean Giles at 602-452-5013 or [dgiles@azmag.gov](mailto:dgiles@azmag.gov).

Sincerely,



Eric J. Anderson  
Executive Director

cc: Amy Moreno, Solid Waste Superintendent, Glendale  
Trevor Ebersole, Transportation Director, Glendale  
Brent Stoddard, Director of Public Affairs, Glendale