

Memorandum

To: Contracts Office

Date : July 17th, 2010

Telephone: CALNET (916) 628-2654

From : **California Energy Commission – Financial Services Branch**
1516 Ninth Street
Sacramento CA 95814-5512

Subject : 200-98-012, Amendment 4

A. Contractor:

State Controller's Office

B. Contract Manager and date Contract Managers Training was obtained:

Mary Lam; Contract Managers Training will be completed on July 26, 2010.

C. Term of Contract:

The term of this agreement is being extended until October 1, 2013. The new term will be October 1, 2010, through October 1, 2013.

D. Amount funded by this contract or amendment and funding source:

\$300,000 PIER Electricity (Technical Support funds as appropriated in the annual Budget Act) (\$100,000 for FY 2010/11, \$100,000 for FY 2011/12, and \$100,000 for FY 2012/13).

E. Purpose of Contract and if requesting amendment, reason for amendment. (Include how the Final Report will be used by the Commission, if applicable):

The purpose of this contract is to conduct a program assurance project for the Public Interest Energy Research (PIER) Program, providing fiscal reviews of PIER contracts and grants to (1) assess the adequacy of contractor accounting policies and procedures as they relate to costs invoiced to the Commission and (2) verify compliance with contract fiscal terms. In addition, the State Controllers Office will provide ongoing auditing consultant services on an as-needed basis.

The purpose of this amendment is to extend the term of the agreement for an additional three years; amend Exhibit B, Budget, to update rates; and add \$300,000 to the agreement to continue to receive audit services and support for the PIER Audit Program.

F. Scope of Work - See Exhibit A - Scope of Work.

G. Budget Detail -

1. See Exhibit B - Budget Detail.

2. What payment method are we paying Contractor? Choose all that apply

- a. Reimbursement in arrears based on:
- Itemized Monthly Itemized Quarterly Flat Rate
 One-time Payment
- b. Advanced Payment Receiving Funds from other entity
 Other, explain _____

3. Do you anticipate retention to be released prior to the end of the Contract? If so, identify in Budget Detail what tasks are separate and distinct.

- Yes No

No retention is withheld.

H. Selection Process Used:

- Solicitation using RFP, RFQ, IFB or PON
 Sole Source (attach sole source memo)
 Other government entity (i.e., state agency, federal or local government, air/water/school district)
 Other (explain) _____

I. Survey of Prior Work:

The agreement provides auditing services and support for PIER contracts; therefore, there is no prior work to survey.

J. Civil Service Considerations:

Work will be performed by state employees at the State Controller's Office.

K. Information Technology Expenditures:

L. California Environmental Quality Act (CEQA) Compliance:

NOTE: The Energy Commission Contract Manual includes detailed instructions on how to complete this section, with examples of contracts that **are "Projects"** and **are not "Projects"**. When Contract Manager is completing this section, if questions arise as to the appropriate answers to the questions below, please consult with the Energy Commission attorney assigned to review contracts for your division.

1) Is contract considered a "Project" under CEQA?

- Yes No

If yes, skip to question 2.

If no, please complete the following (Public Resources Code (PRC) 21065 and 14 California Code of Regulations (CCR) 15378):

Explain why is contract not considered a "Project"? Contract will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because contract involves

2) If contract is considered a "Project" under CEQA:

a) Contract **IS** exempt

Check the appropriate exemption box and fill in the section number of the exemption.

Statutory Exemption. List PRC and/or CCR section number: _____

Categorical Exemption. List CCR section number: _____

Common Sense Exemption. 14 CCR 15061(b)(3)

Explain reason why contract is exempt under the above section: _____

Please attach draft Notice of Exemption (NOE). Consult with the Energy Commission attorney assigned to your division for instructions on how to complete the NOE.

b) Contract **IS NOT** exempt. The Contract Manager needs to consult with the Energy Commission attorney assigned to your division and the Siting Office regarding a possible Initial Study.

M. Disabled Veteran Business Enterprise Program:

Meets DVBE Requirements

Requesting DVBE Exemption (attach Sole Source/DVBE exemption memo)

N/A – State agency.

N. Is Contractor a certified Small Business?

Yes

No

O. Is Contractor subcontracting **any** services? If so, list them and identify if they are a certified Small Business?

Yes

No

P. Miscellaneous Contract Information:

1) Will there be Work Authorizations? Yes No

2) Is the contractor providing confidential information? Yes No

3) Is the contractor going to purchase equipment? Yes No

4) Will progress reports be required? If so, check frequency:

Monthly Quarterly other (please describe) _____

5) Will a final report be required? Yes No

6) Are resumes attached for all consultants Yes No

7) Is the contract, with amendments, longer than a year? If so, why? _____

Yes. Auditing services will be needed throughout the life of the PIER program.

8) What basis did you use to determine that the price, or rate, is reasonable?

Be specific, this is required by DGS. Describe the steps you took to compare rates between firms i.e., did you conduct a phone survey? If only one bid was opened, in an RFP solicitation, you must state why that rate or price is reasonable:

Rates are state employee classification pay rates plus fringe benefits and indirect costs in accordance with SAM Section 8752 and 8752.1.

DRAFT