

CONTRACT REQUESTS FORM (CRF)

CEC-94 (07/10)

CALIFORNIA ENERGY COMMISSION



New Contract Amendment to Existing Contract: 500-09-010 Amendment Number: 1

Division	Contract Manager:	MS-	Phone	CM Training Date
Energy Research and Development	Joseph Fleshman		916-327-1367	6/26/2008

Contractor's Legal Name	Federal ID Number
DOE- Lawrence Berkeley National Laboratory	94-2951741

Title of Project
Development of a Design GUI for EnergyPlus

Term	Start Date	End Date	Amount
New/Original Contract	11/9/2009	7/29/2011	\$ 900,000

Line up the Amendment information as best as possible within the following table.

Amendment #	End Date (mm/dd/yy)	Amount
Amendment 1	7/29/2012	\$0

Business Meeting Information

Proposed Business Meeting Date	3/9/2011	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Joseph Fleshman	Time Needed:	5 minutes

Agenda Item Subject and Description

Possible approval of Amendment 1 to Contract 500-09-010 for a one year no-cost time extension with Lawrence Berkeley National Laboratory to allow sufficient time to add an additional version release and debugging for the EnergyPlus Graphical User Interface. Contact: Joseph Fleshman. (5 minutes)

Business Meeting approval is not required for the following types of contracts: *Executive Director's signature is required in all cases.*

- Contracts less than \$10k (*Policy Committee's signature is also required*)
- Amendment for a no-cost time extension. Must be first extension, less than one year and original contract less than \$100k.
- Contracts less than \$25k for Expert Witness in Energy Facility licensing cases and amendments.

Purpose of Contract or Purpose of Amendment, if applicable

Project progress is occurring slower than anticipated due to additional participation of and funding from other companies and the U.S. Department of Energy (DOE). This no-cost time extension will give the contractor sufficient time to release the first version of the product in late summer 2011 and possibly a second version as additional bugs or features are identified.

DOE's "EnergyPlus" building energy simulation program is widely viewed as the most comprehensive and rigorous analysis tool available and has a key role to play in the design of commercial buildings with substantially reduced energy consumption. The Energy Commission has identified EnergyPlus as the simulation tool of choice for analysis in support of Title-24 development and for Title-24 performance-based compliance. However, the tool is still used by only a small fraction of practicing engineers and architects. The primary barrier to the adoption of EnergyPlus by design practitioners is the lack of a comprehensive graphical user interface (GUI) that would make it easy and efficient to use.

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California Environmental Quality Act (CEQA) Compliance

1. Is Contract considered a "Project" under CEQA?
 Yes: skip to question 2 No: complete the following (PRC 21065 and 14 CCR 15378):
 Explain why contract is not considered a "Project":
 Contract will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because it involves creating a software program only.

2. If contract is considered a "Project" under CEQA:
 a) Contract **IS** exempt. (Draft NOE required)
 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:

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

Budgets Information							
Contract Amount Funded		Breakdown by FY			Funding Sources		
Funding Source	Amount	FY	Amount	Approved?	Funding Source	FY	Budget List No.
ARFVTF	\$		\$				
ECAA	\$		\$				
State- ERPA	\$		\$				
Federal	\$		\$				
PIER - E	\$		\$				
PIER - NG	\$		\$				
Reimbursement	\$		\$				
Other	\$		\$				
TOTAL:	\$0	TOTAL:	\$0		TOTAL:		\$0
Reimbursement Contract #:					Federal Agreement		

Contractor's Administrator/ Officer		Contractor's Project Manager	
Name:	Betsy Quayle	Name:	Philip Haves
Address:	1 Cyclotron Rd # 90R3111 MS 90R3058	Address:	1 Cyclotron Rd # 90R3111 MS 90R3058
City, State, Zip:	Berkeley, CA 94720-2000	City, State, Zip:	Berkeley, CA 94720-2000
Phone/ Fax:	510-486-7391 / 510-486-4673	Phone/ Fax:	510-486-6512 / 510-486-4089
E-Mail:	bequayle@lbl.gov	E-Mail:	PHaves@lbl.gov

Contractor Is

Private Company (including non-profits)
 CA State Agency (including UC and CSU)
 Government Entity (i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state)

Selection Process Used

Solicitation Select Solicitation Type _____ Solicitation #: _____
 Non Competitive Bid (Attach CEC 96)
 Exempt Other Gov't Entity _____

Civil Service Considerations

Not Applicable (Contract is with a CA State Entity or a membership/co-sponsorship)
 Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)

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- The Services Contracted:
 - are not available within civil service
 - cannot be performed satisfactorily by civil service employees
 - are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system
- The Services are of such an:
 - urgent
 - temporary, or
 - occasional nature

that the delay to implement under civil service would frustrate their very purpose.

Justification:

Public Resources Code Section 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)

Payment Method

- A. Reimbursement in arrears based on:
 - Itemized Monthly
 - Itemized Quarterly
 - Flat Rate
 - One-time
- B. Advanced Payment
- C. Other, explain:

Retention

- 1. Is contract subject to retention? No Yes
- If Yes, Do you plan to release retention prior to contract termination? No Yes

Justification of Rates

The contract price is reasonable, particularly considering the facility provided by the contract terms. The research will be conducted by a national laboratory; salaries and wages are in accordance with costing practice for all Department of Energy programs.

Disabled Veteran Business Enterprise Program (DVBE)

- 1. Not Applicable
- 2. Meets DVBE Requirements DVBE Amount:\$ _____ DVBE %: _____
 - Contractor is Certified DVBE
 - Contractor is Subcontracting with a DVBE: _____
- 3. Requesting DVBE Exemption (attach CEC 95)

Is Contractor a certified Small Business (SB), Micro Business (MB) or DVBE?

- No Yes
- If yes, check appropriate box: SB MB DVBE

Is Contractor subcontracting any services?

- No Yes
- If yes, give company name and identify if they are a Small Business (SB), Micro Business (MB) and/or DVBE:
- Digital Alchemy No SB MB DVBE

Miscellaneous Contract Information

- 1. Will there be Work Authorizations? No Yes
- 2. Will there be IT expenditures? No Yes
- 3. Is the Contractor providing confidential information? No Yes
- 4. Is the contractor going to purchase equipment? No Yes
- 5. Check frequency of progress reports
 - Monthly Quarterly _____
- 6. Will a final report be required? No Yes
- 7. Is the contract, with amendments, longer than a year? If yes, why? No Yes

The Department of General Services has agreed to give the Commission blanket authority to execute multi-year contracts to support the Commission's RD&D Programs.

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The following items should be attached to this CRF			
1. Scope of Work, Attach as Exhibit A.	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/> Attached
2. Budget Detail, Attach as Exhibit A-1.	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/> Attached
3. CEC 96, NCB Request	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/> Attached
4. CEC 30, Survey of Prior Work	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/> Attached
5. CEC 95, DVBE Exemption Request	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/> Attached
6. Draft CEQA Notice of Exemption (NOE)	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/> Attached
7. Resumes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/> Attached

_____ Date _____ Date _____ Date _____ Date

Contract Manager Office Manager Deputy Director

The following signatures are only required when contract approval is delegated to the Executive Office and not approved at a Business Meeting. See Business Meeting Information Section.

_____ Date _____ Date _____ Date

Presiding Policy Committee Associate Policy Committee Executive Director