

CONTRACT REQUESTS FORM (CRF)

CEC-94 (07/10)

CALIFORNIA ENERGY COMMISSION



New Contract Amendment to Existing Contract: 500-08-042 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
The Regents of the University of California, Davis-Western Cooling Efficiency Center	94-6036494

Title of Project
Western Cooling Efficiency Center Research

Term	Start Date	End Date	Amount
New/Original Contract	6/22/2009	12/1/2012	\$ 2,100,000

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

Amendment #	End Date (mm/dd/yy)	Amount
Amendment 1	3/31/2013	\$0

Business Meeting Information

Proposed Business Meeting Date	5/4/2011	<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 500-08-042 with The Regents of the University of California, Davis-Western Cooling Efficiency Center to change the contractor's fringe benefit rate, move funding to compensate, and extend the contract by 12 months. Contact: Joseph Fleshman

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

This amendment is to:

- Change the contractor's fringe benefit rate to 35% to account for a different staff composition than at the beginning of the contract,
- Move \$82,044 from Misc. to Fringe Benefits/Indirect Overhead to cover the 35% Fringe rate, and
- Extend the contract by 12 months to compensate for lost time.

In this contract, the Western Cooling Efficiency Center at UC Davis conducts basic research and technology development where needed to advance cooling system performance, develop new technologies and approaches to reducing cooling-related energy and power demand in western climates. It will assist companies with promising technologies through the Emerging Technologies programs of California utilities and pool research results among utilities. It will provide an information conduit to the Public Utilities Commission and inform the public and industry, effectively increasing leverage of research and development funding.

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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 .

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: 14 CCR 15306
 Common Sense Exemption. 14 CCR 15061 (b) (3)
 Explain reason why contract is exempt under the above section:
 Class 6 - Basic data collection, research, experimental management, and resource evaluation activities that do not result in major disturbances to an environmental resource.
 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.	Amount
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:	Paula Noble	Name:	Mark Modera
Address:	1850 Research Park Dr Rm 170	Address:	1850 Research Park Dr Rm 170
City, State, Zip:	Davis, CA 95618-6153	City, State, Zip:	Davis, CA 95618-6153
Phone/ Fax:	530-747-3921 / 530-747-3929	Phone/ Fax:	530-754-7671 /
E-Mail:	PNoble@ucdavis.edu	E-Mail:	

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 Interagency

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 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

Labor rates are comparable to other PIER contracts with personnel having similar qualifications.

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?

		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
If yes, give company name and identify if they are a Small Business (SB), Micro Business (MB) and/or DVBE:			
	<input type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> DVBE
	<input type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> DVBE
	<input type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> DVBE
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	<input type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> DVBE

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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.

The following items should be attached to this CRF

- 1. Scope of Work, Attach as Exhibit A. N/A Attached
- 2. Budget Detail, Attach as Exhibit B. N/A Attached
- 3. CEC 96, NCB Request N/A Attached
- 4. CEC 30, Survey of Prior Work N/A Attached
- 5. CEC 95, DVBE Exemption Request N/A Attached
- 6. Draft CEQA Notice of Exemption (NOE) N/A Attached
- 7. Resumes N/A Attached

 Contract Manager Date Office Manager Date Deputy Director Date

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.

 Presiding Policy Committee Date Associate Policy Committee Date Executive Director Date