

**CONTRACT REQUEST FORM (CRF)**

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION



New Contract - -  Amendment to Existing Contract: 180-09-002 Amendment Number: 2

Division	Contract Manager:	MS-	Phone	CM Training Date
400 Efficiency Renewable Energy Division	Chris Graillat	37	916-653-0378	6/1/08

Contractor's Legal Name	Federal ID Number
Employment Training Panel	94-2650401

Title of Project
Clean Energy Workforce Training Program

Term	Start Date	End Date	Amount
New/Original Contract	11 / 23 / 09	01 / 30 / 12	\$ 3,782,529

Line up the Amendment information as best as possible in the following boxes

Amendment #	End Date (mm/dd/yy)	Amount
2	1/30/2012	-\$308,132

Business Meeting Information			
Proposed Business Meeting Date	9/21/11	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter	Craig Hoellwarth	Time Needed:	5 minutes

Agenda Item Subject and Description
Possible approval of Amendment 2 to contract 180-09-002 to recapture \$308,132 of under spent funds from the Employment Training Panel for a new total of \$3,474,397 for the Clean Energy Workforce Training Program.

Business Meeting approval is not required for the following types of contracts: <i>Executive Director's signature is required in all cases.</i>
<input type="checkbox"/> Contracts less than \$10k ( <i>Policy Committee's signature is also required</i> )
<input type="checkbox"/> Amendment for a no-cost time extension. Must be first extension, less than one year and original contract less than \$100k.
<input type="checkbox"/> Contracts less than \$25k for Expert Witness in Energy Facility licensing cases and amendments.

Purpose of Contract or Purpose of Amendment, if applicable
Due to low expenditures and training numbers for several of its subgrantees, ETP agreed to recapture grant funds from eight subgrantees. This amendment will subtract \$308,132 from the ETP interagency agreement to be used towards other ARRA programs.

California Environmental Quality Act (CEQA) Compliance
<p>1. Is Contract considered a "Project" under CEQA?</p> <p><input type="checkbox"/> Yes: skip to question 2 <input checked="" type="checkbox"/> No: complete the following (PRC 21065 and 14 CCR 15378):</p> <p>Explain why contract is not considered a "Project":</p> <p>Contract will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because it is for workforce training.</p>
<p>2. If contract is considered a "Project" under CEQA:</p> <p><input type="checkbox"/> a) Contract <b>IS</b> exempt. (Draft NOE required)</p> <p><input type="checkbox"/> Statutory Exemption. List PRC and/or CCR section number: _____</p> <p><input type="checkbox"/> Categorical Exemption. List CCR section number: _____</p> <p><input type="checkbox"/> Common Sense Exemption. 14 CCR 15061 (b) (3)</p> <p>Explain reason why contract is exempt under the above section:</p>
<p><input type="checkbox"/> b) Contract <b>IS NOT</b> 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.</p>

**CONTRACT REQUEST FORM (CRF)**



Budgets Information								
Contract Amount Funded		Breakdown by FY			Funding Sources			
Funding Source	Amount	FY	Amount	Approved ?	Funding Source	FY	Budget List No.	Amount
ARFVTF	\$		\$	No	Funding Source			\$
ECAA	\$		\$	No	Funding Source			\$
State- ERPA	\$		\$	No	Funding Source			\$
Federal	\$-308,132		\$-308,132	Yes	Funding Source			\$
PIER - E	\$		\$	No	Funding Source			\$
PIER - NG	\$		\$	No	Funding Source			\$
Reimbursement	\$		\$	No	Funding Source			\$
RRTF	\$		\$	No	Funding Source			\$
Other:	\$		\$	No	Other:			\$
TOTAL: \$1:1 Is Not		TOTAL: \$1:2 Is Not			TOTAL: \$1:3 Is			
Reimbursement					Federal Agreement #: JE-EE0000221			

Contractor's Administrator/ Officer		Contractor's Project Manager	
Name:	Brian McMahon	Name:	David Guzman
Address:	Employment Training Panel 1100 J Street, 4 <sup>th</sup> Floor	Address:	Employment Training Panel 1100 J Street, 4 <sup>th</sup> Floor
City, State, Zip:	Sacramento, CA 94214-2826	City, State, Zip:	Sacramento, CA 94214-2826
Phone/ Fax:	(916) 327-5246	Phone/ Fax:	(916) 327-5284
E-Mail:	bmcMahon@etp.ca.gov	E-Mail:	dguzman@etp.ca.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 Type Solicitation #: \_\_\_\_\_ - \_\_\_\_\_ # of Bids: \_\_\_\_\_ Low Bid?  No  Yes

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)

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:**

**Payment Method**

A. Reimbursement in arrears based on:

- Itemized Monthly
- Itemized Quarterly
- Flat Rate
- One-time

B. Advanced Payment

C. Other, explain: As invoices are received



<b>Retention</b>		
1. Is contract subject to retention?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
If Yes, Do you plan to release retention prior to contract termination?	<input type="checkbox"/> No	<input type="checkbox"/> Yes

<b>Justification of Rates</b>
N/A

<b>Disabled Veteran Business Enterprise Program (DVBE)</b>	
1. <input checked="" type="checkbox"/> Not Applicable	
2. <input type="checkbox"/> Meets DVBE Requirements	DVBE Amount:\$ _____ DVBE %: _____
<input type="checkbox"/> Contractor is Certified DVBE	
<input type="checkbox"/> Contractor is Subcontracting with a DVBE:	_____
3. <input type="checkbox"/> Contractor selected through CMAS or MSA with no DVBE participation.	
4. <input type="checkbox"/> Requesting DVBE Exemption (attach CEC 95)	

<b>Is Contractor a certified Small Business (SB), Micro Business (MB) or DVBE?</b>	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
If yes, check appropriate box:	<input type="checkbox"/> SB	<input type="checkbox"/> MB <input type="checkbox"/> DVBE

<b>Is Contractor subcontracting any services?</b>	<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"/> MB <input type="checkbox"/> DVBE
_____	<input type="checkbox"/> No	<input type="checkbox"/> SB <input type="checkbox"/> MB <input type="checkbox"/> DVBE
_____	<input type="checkbox"/> No	<input type="checkbox"/> SB <input type="checkbox"/> MB <input type="checkbox"/> DVBE

<b>Miscellaneous Contract Information</b>		
1. Will there be Work Authorizations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
2. Is the Contractor providing confidential information?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
3. Is the contractor going to purchase equipment?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
4. Check frequency of progress reports	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Other... _____	
5. Will a final report be required?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
6. Is the contract, with amendments, longer than a year? If yes, why?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
Already approved contract. Training to take place from 2009-2011		

<b>The following items should be attached to this CRF</b>		
1. Scope of Work, Attach as Exhibit A.	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Attached
2. Budget Detail, Attach as Exhibit B.	<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
8. CEC 105, Questionnaire for Identifying Conflicts		<input type="checkbox"/> Attached
9. CEC 106, IT Component Reporting Form		<input type="checkbox"/> 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

**STANDARD AGREEMENT AMENDMENT**

STD. 213 A (Rev 6/03)

 CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED \_\_\_\_\_ Pages

AGREEMENT NUMBER <b>180-09-002</b>	AMENDMENT NUMBER <b>1</b>
REGISTRATION NUMBER	

1. This Agreement is entered into between the State Agency and Contractor named below:  
STATE AGENCY'S NAME  
**State Energy Resources Conservation and Development Commission (Energy Commission)**  
CONTRACTOR'S NAME  
**Employment Training Panel**
2. The term of this Agreement is **November 23, 2009** through **January 30, 2012**
3. The maximum amount of this Agreement after this amendment is: **\$3,782,529.00**Total Agreement Amount
4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:  
The purpose of this amendment is for a reallocation of funds. Standard Agreement #180-09-002, dated December 01, 2009 (DGS approval date), between the Energy Commission and Employment Training Panel is hereby amended as follows:  
  
Exhibit B, Budget Detail and Payment Provisions page 4 of 4, dated 11/12/09, are replaced with attached Exhibit B, Budget Detail and Payment Provisions page 4 of 4, dated 06/09/11.

All other terms and conditions shall remain the same.

**IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.**

<b>CONTRACTOR</b>		<b>CALIFORNIA</b> Department of General Services Use Only
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.)		
BY (Authorized Signature) 	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Brian McMahon, Executive Director</b>		
ADDRESS <b>1100 J Street, 4<sup>th</sup> Floor, Sacramento, CA 95814</b>		
<b>STATE OF CALIFORNIA</b>		
AGENCY NAME <b>State Energy Resources Conservation and Development Commission</b>		<input type="checkbox"/> Exempt per:
BY (Authorized Signature) 	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING <b>Mark Hutchison, Deputy Director, Administration</b>		
ADDRESS <b>1516 Ninth Street, Sacramento, CA 95814</b>		