

GRANTS/CONTINGENT AWARD REQUEST



To: Grants and Loans Office

Date: 11 / 21 / 2011

Project Manager: Cheng Moua Phone Number: (916) 651-3004 ext.
Office: Special Projects Division: Fuels and Transportation MS- 23
Project Title: City of Brawley- Energy Efficiency and Conservation Block Grant

Type of Request: (check one)

New Agreement: (include items A-F from below) Agreement Number: Assigned by the G&L Office
Program: _____
Solicitation Name and/or Number: _____
Legal Name of Recipient: _____
Recipient's Full Mailing Address: _____
Recipient's Project Officer: _____ Phone Number: () - ext. _____
Agreement Start Date: ____ / ____ / ____ Agreement End Date: ____ / ____ / ____

Amendment: (Check all that apply) Agreement Number: CBG-09-061
 Term Extension – New End Date: 6 / 14 / 2012
 Work Statement Revision (include Item A from below)
 Budget Revision (include Item B from below)
 Change of Scope (include Items A – F as applicable from below)
 Other: (Specify) _____

ITEMS TO ATTACH WITH REQUEST:

- A. Work Statement
- B. Budget
- C. Recipient Resolution, if applicable. (Resolution may be requested in Special Conditions if not currently available.)
- D. Special Conditions, if applicable.
- E. CEQA Compliance Form
- F. Other Documents as applicable
 - Copy of Score Sheets
 - Copy of Pre-Award Correspondence
 - Copy of All Other Relevant Documents

California Environmental Quality Act (CEQA)

CEC finds, based on recipient's documentation in compliance with CEQA:
 Project exempt: Section _____ NOE filed: ____ / ____ / ____
 Environmental Document prepared: Type _____ NOD filed: ____ / ____ / ____
 Other: Explain _____
 CEC has made CEQA finding described in CEC-280, attached

Funding Information:

*Source #1: _____ Amount: \$ _____ Statute: _____ FY: _____ Budget List #: _____
*Source #2: _____ Amount: \$ _____ Statute: _____ FY: _____ Budget List #: _____
*Source #3: _____ Amount: \$ 0.00 Statute: _____ FY: _____ Budget List #: _____

If federally funded, specify federal agreement number: _____
* Source Examples include ERPA, PIER-E, PIER-NG, FED, GRDA, ARFVT, OTHER.

Business Meeting Approval: (refer to Business Meeting Schedule)

Proposed Business Meeting Date: 1 / 11 / 2012 Consent Discussion
Business Meeting Participant: Cheng Moua Time Needed: (0 minutes)

Agenda Notice Statement: (state purpose in layperson terms)

Possible approval of a Grant / Contingent Award to...
Possible approval of Amendment 1 to Agreement CBG-09-061 with the City of Brawley to extend the term of the agreement from March 2, 2012 to June 14, 2012. Their project includes replacing six motors with higher efficiency motors and installing variable frequency drives. The grant amount of \$143,693 remains the same. (ARRA funded)

Project Manager _____ Date _____ Office Manager _____ Date _____ Deputy Director _____ Date _____

Memorandum

To: Robert P. Oglesby
Executive Director

Date: November 22, 2011

Telephone: 651-3004

From: **California Energy Commission**
1516 Ninth Street
Sacramento CA 95814-5512

Subject: STAFF RECOMMENDATION TO APPROVE AN AMENDMENT TO THE CITY OF BRAWLEY'S ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT TO EXTEND THE TERM OF THE AGREEMENT FROM MARCH 2, 2012 TO JUNE 14, 2012 TO BE CONSIDERED AT THE JANUARY 11TH BUSINESS MEETING.

Summary of Item:

The California Energy Commission approved an Energy Efficiency and Conservation Block Grant to the City of Brawley (City) in the amount of \$143,693 to replace six motors with higher efficiency motors equipped with variable frequency drives.

The City anticipated having the installation complete by March 2012, but faced some delays finalizing the specifications to go out to bid.

The engineering firm hired to develop specifications for the project faced issues regarding the integration of the existing 25-year-old electrical components of the pump station into the new electrical drawings and specifications. They had to visit the pump station multiple times to ensure that the electrical schematics were reflected correctly on the drawings. This is required to make certain that a proper bid is obtained from the construction company interested in obtaining the work and to reduce future delays during construction.

The City is requesting an extension from March 2, 2012 to June 14, 2012 to complete the installation.

There is no change to the scope of work or the budget. The grant amount of \$143,693 will remain the same.

Justification for Action Requested:

The City is committed to reducing their energy consumption and to the reduction of greenhouse gas emissions.

Energy Commission staff has determined that the amendment request for the City is justified and meets all requirements under the Energy Efficiency and Conservation Block Grant Program.

As a result, staff recommends approval of this amendment to the City of Brawley.

Project Manager:

Cheng Moua, Special Projects Office

Oral Presentation:

Staff will be prepared to discuss this recommendation and to respond to questions regarding the amendment.

Business Meeting Participants:

Cheng Moua, Special Projects Office, Fuels and Transportation Division

Commission Action Requested:

Approve the amendment and authorize the Executive Director to execute the amendment documents.

PAT PEREZ, Deputy Director
FUELS AND TRANSPORTATION DIVISION

**City of Brawley
CBG-09-061
Amendment #1**

Pros and Cons

The following are the Pros and Cons to the Energy Commission of providing a grant to the City of Brawley:

Pros:

- The projects are technically feasible and will help the City of Brawley reduce their energy consumption, cost and help improve the environment.
- Consistent with the Energy Commission's *2009 Integrated Energy Policy Report* to reduce energy use, demand, and greenhouse gas emissions through efficiency and renewable energy programs and diversify California's energy sources.
- Consistent with the office's work plan goals of providing grants to public agencies for cost-effective energy saving projects.

Cons:

- None

DO NOT DELETE

GRANT/LOAN AMENDMENT

CEC-140 (Revised 6/11)

CALIFORNIA ENERGY COMMISSION


 Check here if additional pages are attached. _____ Pages

AGREEMENT NUMBER:

CBG-09-061

AMENDMENT NUMBER:

1

1. This Agreement is entered into between the State Agency and the Recipient named below:

STATE AGENCY'S NAME

California Energy Commission

RECIPIENT'S NAME

City of Brawley

2. The term of this Agreement: From: 06/30/10 To: 6/14/123. The maximum amount of this Agreement after this amendment is: \$ 143,693.00

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:

1. Extend the end term date of the Agreement from 3/2/12 to 6/14/12.

All other terms and conditions shall remain the same.

5. Amendment Amount

Fund Title	Item	Fiscal Year	Chapter	Statute	Amendment Amount
					\$
					\$
					\$
OBJECT CODE	Total				\$ 0.00

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose stated above.

SIGNATURE OF ACCOUNTING OFFICER

DATE

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

RECIPIENT

RECIPIENT'S NAME (If other than an individual, state whether a corporation, partnership, etc)

City of Brawley

BY (Authorized Signature)

DATE SIGNED (Do not type)

NAME AND TITLE OF PERSON SIGNING

ADDRESS

180 So. Western Avenue
Brawley, CA 92227**STATE OF CALIFORNIA**

AGENCY NAME

California Energy Commission

BY (Authorized Signature)

DATE SIGNED (Do not type)

NAME AND TITLE OF PERSON SIGNING

Mark Hutchison, Deputy Director of Administration

ADDRESS

1516 9th Street, MS-1
Sacramento, CA 95814



Purpose of Questionnaire

The Energy Commission's protocol for identifying conflicts of interest, real or perceived, requires staff and consultants involved in the development or management of contracts, grants, and loans (sometimes collectively referred to as "agreements") to complete this questionnaire. Energy Commission staff and consultants must, therefore, complete this questionnaire upon assignment to one or more of the following phases:

- 1) draft part or all of a solicitation,
- 2) review or score a proposal, application, or bid for a contract, grant or loan,
- 3) negotiate, draft, or execute an agreement, or
- 4) manage a contract, grant, or loan.

Completed questionnaires shall be returned to the Contracts Office or the Grants and Loans Office to be filed with the related solicitation and/or agreement. **Any questionnaires containing one or more "yes" responses will be referred to the Chief Counsel's Office for further inquiry and direction before release of the solicitation or final approval of the agreement. No agreement shall be scheduled for a business meeting (or sent to the executive director if business meeting approval is not required) until all persons involved in the phases listed above have completed this questionnaire.**

Staff is also strongly encouraged to consult or complete this questionnaire if they have a question about a potential conflict of interest related to their involvement in other kinds of governmental decisions, e.g., developing regulations, testifying in a siting case, recommending funding allocations, etc. Please be advised that the use of this questionnaire is simply a tool to help public officials, including staff, of the Energy Commission assess whether there is a real or perceived conflict of interest in the making of a contract, grant or loan or any other governmental decisions. All public officials are required to be aware of and avoid conflicts of interest as prohibited by the Political Reform Act at Government Code section 81000 et seq., Government Code section 1090 et seq., and other state and federal laws.

Section 1. Employee and Solicitation / Agreement Information

Employee Name: Cheng Moua		Date: 11/22/11
Division: Fuels and Transportation	Office: Special Projects	Job Classification: Mechanical Engineer
Solicitation/Agreement Name: Energy Efficiency and Conservation Block Grant(Brawley)		Solicitation/Agreement Number: CBG-09-061
Brief Description of Purpose of the Solicitation/Agreement or Other Assignment: To extend term of Agreement CBG-09-061 with the City of Brawley from March 2, 2012 to June 14, 2012.		

Section 2. Phase of Solicitation / Agreement Development

Indicate below the phase of solicitation or agreement development in which you are involved.

<input type="checkbox"/> Phase 1. Drafting of Part or All of a Solicitation Do you know any persons and/or entities likely to bid on the solicitation? <input type="checkbox"/> No (sign and date the questionnaire and submit to the Contracts Office or Grants and Loans Office) <input type="checkbox"/> Yes (list the persons and/or entities in Section 3 and answer the questions in Section 4)
<input type="checkbox"/> Phase 2. Review and Scoring of Proposals, Applications, or Bids Please complete Section 4 if you have not previously completed it for the solicitation (identified in Section 1). If you previously completed Section 4 for the identified solicitation, have your answers changed? <input type="checkbox"/> No (sign and date the questionnaire and submit to the Contracts Office or Grants and Loans Office) <input type="checkbox"/> Yes (complete Section 4)



<input type="checkbox"/>	Phase 3. Negotiate, Draft, or Execute Agreement Please complete Section 4 if you are assigned to negotiate any terms or conditions of an agreement whether competitively bid or not or if you have not previously completed it for the solicitation identified in Section 1. If you previously completed Section 4 for the identified solicitation, have your answers changed? <input type="checkbox"/> No (sign and date the questionnaire and submit to the Contracts Office or Grants and Loans Office) <input type="checkbox"/> Yes (complete Section 4)
<input checked="" type="checkbox"/>	Phase 4. Contract Management Please complete Section 4 if you have not previously completed it for the solicitation identified in Section 1. If you previously completed Section 4 for the identified solicitation, have your answers changed? <input type="checkbox"/> No (sign and date the questionnaire and submit to the Contracts Office or Grants and Loans Office) <input type="checkbox"/> Yes (complete Section 4)
<input type="checkbox"/>	Other Assignment: (Please Specify) Please complete Section 4. Sign and date the questionnaire and submit to the Office of Chief Counsel.

Section 3. Persons and / or Entities

Phase 1 (Solicitation) – <i>To be completed by the employee based on the best of his her knowledge.</i> Likely Bidder(s)/Applicant(s):
Phase 2 (Review of Proposals, Applications and / Bids) – <i>To be completed by the Contracts Office or Grants and Loans Office.</i> Bidder(s)/Applicant(s):
Phase 3 (Negotiate, Draft, or Execute Agreement) – <i>To be completed by the Contracts Office or Grants and Loans Office.</i> Prime and known Sub-Contractor(s): Grantee(s): Borrower(s):
Phase 4 (Manage Agreement) – <i>To be completed by the employee upon assignment to manage all or part of the agreement.</i> Prime and known Subcontractor(s): Grantee(s) and known Subgrantee(s): Contractor/Grantee(s)/Borrower(s):

Section 4. Questions

NOTE: Answer each question below with respect to the persons and entities listed in Section 3.

<p>1. Have you, your spouse, or a dependent member of your family received or been promised income aggregating \$500 or more in value from any person or entity listed in Section 3 in the last 12 months for any work outside the Commission, whether or not related to the proposed agreement?</p> <p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please identify the person(s) and/or entity(ies)</p>
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2. Have you received or been promised one or more gifts aggregating \$420 or more in value from any person or entity listed in Section 3 in the last 12 months?

No
 Yes - *please identify the person(s) and/or entity(ies)*

3. Do you or your spouse have an investment worth \$2,000 or more in any person or entity listed in Section 3? If so, please identify each person and/or entity?

No
 Yes - *please identify the person(s) and/or entity(ies)*

4. Whether compensated or uncompensated, do you or your spouse serve as director, officer, partner, trustee, elected official, employee, or member, hold any other position of management in a business entity, nonprofit organization, government agency, planning commission, or other organization listed in Section 3?

No
 Yes - *please identify the person(s) and/or entity(ies)*

5. Do you or your spouse have any business affiliation with any person or entity listed in Section 3?

No - skip the following questions and please sign and date the form.
 Yes – answer the following questions and please sign and date the form.

a. Do you or your spouse serve on a board that has a contact with any person or entity listed in Section 3?

No
 Yes

b. Is any person or entity listed in Section 3 a member of a board on which you or your spouse also serve?

No
 Yes

c. Is your spouse a contractor for any person or entity listed in Section 3?

No
 Yes

d. Please describe any other affiliation you or your spouse may have, if any, with each each person or entity listed in Section 3:

Employee Signature

Date

Reviewing Attorney Signature (required for any form with one or more “yes” responses)

Date