

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION


 New Contract - - Amendment to Existing Contract: 400-08-004 Amendment Number: 1

Division	Contract Manager:	MS-	Phone	CM Training Date
400 Efficiency Renewable Energy Division	Suzie Chan	26	916-653-0379	Nov/09

Contractor's Legal Name	Federal ID Number
Building Media Incorporated	03-0447121

Title of Project
California Energy Standards Online Center

Term	Start Date	End Date	Amount
New/Original Contract	5 / 01 / 09	3 / 31 / 12	\$ 497,000

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

Amendment #	End Date (mm/dd/yy)	Amount
1	3/31/13	

Business Meeting Information

Proposed Business Meeting Date	2/8/12	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Suzie Chan	Time Needed:	minutes

Agenda Item Subject and Description

A no cost time extension for the California Energy Standards Online Learning Center for year ending 3/31/13

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

The time frame extension is needed for contractor to host the LMS for another year. The information contain in the LMS is still relevant and a useful educational tools for the building department staff to enforce the Building Energy Efficiency Standards. It will also benefit others, HERS raters, contractors, builders, engineers, architects, building owners, energy consultants to have better working knowledge of the building energy efficiency code.

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: _____
 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.

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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	\$497,000		\$	No	Funding Source			\$
PIER - E	\$		\$	No	Funding Source			\$
PIER - NG	\$		\$	No	Funding Source			\$
Reimbursement	\$		\$	No	Funding Source			\$
RRTF	\$		\$	No	Funding Source			\$
Other:	\$		\$	No	Other:			\$
TOTAL: \$497,000		TOTAL: \$ 0			TOTAL: \$ 0			
Reimbursement					Federal Agreement #: DE-FG26-08NT05547			

Contractor's Administrator/ Officer		Contractor's Project Manager	
Name:	Darren Harris	Name:	Cheryl Lewis
Address:	13809 SE 246 th Street	Address:	6112 Oak Hill Circle
City, State, Zip:	Kent, WA 98042	City, State, Zip:	Rensselaer, NY 12144
Phone/ Fax:	253-639-1608/413-683-7863	Phone/ Fax:	518-813-4370/866-376-4348
E-Mail:	dharris@buildingmedia.com	E-Mail:	Cheryl.A.Lewis-1@usa.dupont.com

Contractor Is
<input checked="" type="checkbox"/> Private Company (including non-profits)
<input type="checkbox"/> CA State Agency (including UC and CSU)
<input type="checkbox"/> Government Entity (i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state)

Selection Process Used
<input type="checkbox"/> Solicitation Select Type Solicitation #: _____ - _____ # of Bids: _____ Low Bid? <input type="checkbox"/> No <input type="checkbox"/> Yes
<input checked="" type="checkbox"/> Non Competitive Bid (Attach CEC 96)
<input type="checkbox"/> Exempt Select Exemption (see instructions)

Civil Service Considerations
<input type="checkbox"/> Not Applicable (Contract is with a CA State Entity or a membership/co-sponsorship)
<input type="checkbox"/> Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)
<input type="checkbox"/> The Services Contracted:
<input type="checkbox"/> are not available within civil service
<input type="checkbox"/> cannot be performed satisfactorily by civil service employees
<input checked="" type="checkbox"/> are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system.
<input type="checkbox"/> The Services are of such an:
<input type="checkbox"/> urgent
<input checked="" type="checkbox"/> temporary, or
<input type="checkbox"/> occasional nature
that the delay to implement under civil service would frustrate their very purpose.
Justification:

Payment Method
<input type="checkbox"/> A. Reimbursement in arrears based on:
<input checked="" type="checkbox"/> Itemized Monthly <input type="checkbox"/> Itemized Quarterly <input type="checkbox"/> Flat Rate <input type="checkbox"/> One-time
<input type="checkbox"/> B. Advanced Payment
<input type="checkbox"/> C. Other, explain:

EXHIBIT A SCOPE OF WORK

PURPOSE

Amendment #1

Amendment #1 provides for ongoing maintenance (task 9) and web hosting (task 5), April 1, 2012 – March 31, 2013.

Contractor shall invoice the Energy Commission monthly for this ongoing service, in accordance with Exhibit B, with the invoice to confirm that service was provided the previous month. The \$11,999.57 for this service is unused labor budget from the original contract.

The purpose of this contract is to develop the California Energy Standards Online Learning Center (Learning Center), an educational program for the 2008 Title 24, Part 6, Building Energy Efficiency Standards (Standards). This Learning Center will be used primarily to educate Building Department professionals on the 2008 Standards to improve enforcement efforts and compliance results. While available to anyone, this program will be designed to directly address the needs and specific areas of responsibilities of key Building Department employees (counter personnel, plan reviewers, inspectors), and will be free to users and available online for remote access 24 hours a day, 7 days a week. Courses will include video content as well as training materials such as study guides, handouts, tests and certificates of completion. The Learning Center's website will be developed and posted on the Energy Commission's website. Course content will complement information found in the energy videos currently located on the Energy Commission website at www.energyvideos.com. This is referred to as the Learning Center website.

The process to develop the educational program will include development of technical content that will apply across all California climate zones. Creating this "one stop shop" educational information will increase access to information, remove barriers, and encourage market transformation through raising awareness and knowledge of energy efficient building practices and benefits. The multi-media, self-study, online distance learning program will be uniquely tailored for the California Standards and individually suited for Building Department staff. Upon completion of the Learning Center, the Energy Commission expects that:

- Building Department personnel will have a greater knowledge and understanding of the Standards, allowing them to enforce the Standards more effectively, resulting in greater energy savings;
- Builders will be better able to construct buildings that are in compliance with the Standards; and
- Consumers will have increased knowledge leading to a greater demand for energy efficient buildings.

Task 1 - Contract Kick-Off Meeting

The Commission Contract Manager will hold a kick-off conference call and/or meeting at the Energy Commission, at a date to be determined by the Commission Contract Manager, to

discuss the groundwork for the completion of all tasks. The Commission Contract Manager will provide, for discussion, a prioritized list of courses to be developed for the Learning Center. Using information from the conference call/meeting, the Contractor shall prepare and submit a meeting summary report outlining items discussed and next steps.

Deliverable and Due Dates:

Contract kick-off conference call and/or meeting.	No later than June 30, 2009.
Meeting summary report.	2 weeks after the kick-off meeting/conference call.

Task 2 - Monthly Progress Report

The Contractor shall submit monthly progress reports to the Commission Contract Manager. The monthly progress reports shall include but not be limited to the following details:

- Task-by-task update
- Contract budget status
- Invoice for services
- Video production status

Deliverable and Due Dates:

Monthly progress report.	No later than the 10 th day of the following month.
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Task 3 – Weekly Communication

The Contractor shall participate with the Commission Contract Manager in phone calls, conference calls, meetings, and /or WebEx sessions, as needed, including a standing weekly phone call update (scheduled by the Energy Commission), to discuss the Energy Commission’s needs, meeting schedule, project status, marketing strategy and marketing materials, and resolve problems related to the Learning Center.

Deliverable and Due Dates:

Weekly communication (phone calls, conference calls, meetings and/or WebEx).	Weekly and ongoing; Wednesday weekly calls beginning with the effective date of this Agreement through March 15, 2012.
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Task 4 - Course/Video Development

The Contractor shall develop five new courses for posting by the Energy Commission on the Energy Commission Learning Center Website. If the budget allows, the Commission Contract Manager may direct the Contractor to produce additional videos.

At the beginning of this task (Task 4), the Commission Contract Manager will provide detailed curriculum plans that the Contractor shall incorporate into the course development. The Contractor shall produce course materials utilizing the information gathered from the Energy Commission technical staff. The Contractor shall incorporate comments received from the Energy Commission staff prior to finalizing and making learning materials available online. The Commission Contract Manager will provide Energy Commission information technology

requirements to the Contractor to ensure the Learning Center network is compatible with the Energy Commission network requirements.

A course is a video-based education module, roughly one hour in length, and broken out in a series of smaller lessons. A course will contain learning tools such as study guides, quizzes and tests, and generally will include about five lessons. Courses will be designed to simplify the Standards for counter personnel, plan checkers and inspectors at Building Departments.

Courses will include videos and learning content capturing the essentials of the changes to existing Standards that are included in the 2008 Standards, and courses will include technically specific subject matter area courses to be identified by the Commission Contract Manager. At least one course will include lessons that address updates to the 2008 Standards, and a module regarding the advanced building proposals and design guides currently being considered for ASHRAE and IECC.

For all course development, the Contractor shall:

- prepare a list of recommended portions of existing video to be incorporated into new videos and submit this list to the Commission Contract Manager for approval prior to using it for the Learning Center. In performing this task, the Contractor shall review the existing stock of videos located on the Energy Commission website at www.energyvideos.com for footage that can be utilized in the Learning Center. As part of this process, the Contractor shall create new partial segments (video that is streamed via the internet that focuses on one portion of a central topic) to support and enhance the new courses. Edits may include, but not be limited to, additional video footage and/or graphics as determined by the Commission Contract Manager.
- submit for approval an individual summary of each shoot, script outlines and changes to existing videos that are required when filming new segments. The Contractor must receive written approval for all script outlines from the Commission Contract Manager prior to shooting videos.
- provide Presentation Plans including information such as production details, arrangements to obtain cooperation from participating manufacturers, builders and others necessary for the production of each new module; production logistics; video release forms signed by all on-camera interviewees and talent; arrangement of on-camera interviews; location of the shoot, film crew, camera, lighting, audio equipment and travel expenses.
- provide draft text to introduce videos and any suggested resource links submitted for approval.
- shoot the videos and incorporate segments from existing videos after receiving approval from the Commission Contract Manager.
- provide post-production editing, formatted PPT files, intros, and voice and text overlays.
- provide final video files and web content posted on the Learning Center development server (Web page where online videos are housed and accessible to the Commission Contract Manager).
- provide video transcription to meet the Americans with Disabilities Act (ADA) website requirements.
- provide draft course production delivered electronically for review and approval.

- post course online at www.energyvideos.com.

The Contractor shall coordinate all above tasks with the Commission Contract Manager and shall not proceed with any work noted above until the Commission Contract Manager has approved the work. All travel for this task must be pre-approved in writing by the Commission Contract Manager. The Commission Contract Manager shall notify the Contractor in writing of revised dates or schedule changes.

Deliverable and Due Dates:

List of existing video portions to be used in Learning Center for review.	List of existing video portions due no later than August 1, 2009.
<i>Deliverables Below Pertain to Each Video</i>	
Individual summary of each shoot.	Individual summaries of changes to existing videos due 14 working days prior to each shoot.
Presentation Plans (production details) for new modules.	Due 14 working days prior to each video shoot.
Draft text to introduce videos and any suggested resource links submitted for approval.	Ongoing / Due 14 working days prior to incorporation into the Learning Center.
Edited video files and formatted PPT files (video and PPT submitted separately) to Energy Commission for review.	Due 20 days after each shoot.
Final video files and web content posted on the Learning Center development server (Web page where online videos are housed and accessible to the Commission Contract Manager). This is for each course created.	Due 6 weeks after approval of video files by the Commission Contract Manager.
Transcription of all videos to word files for ADA compliance.	Due 30 days after each final video is approved by Commission Contract Manager.
<i>Due Dates for Courses #1 - 5</i>	
Draft course production ¹ for first course delivered for review and approval.	No later than September 31, 2009.
First course finalized and posted on the Energy Commission Learning Center Website.	Due 14 working days after receiving final comments and approval from the Commission .
Draft course production for second course delivered for review and approval.	No later than November 15, 2009.
Second course finalized and posted on the Energy Commission Learning Center Website.	Due 14 working days after receiving final comments and approval from the Commission Contract Manager.

¹ Draft course production includes: video segments, study guides, quizzes and exams.

Draft course production for third course delivered for review and approval.	No later than December 31, 2009.
Third course finalized and posted on the Energy Commission Learning Center Website.	Due 14 working days after receiving final comments and approval from the Commission Contract Manager.
Draft course production for fourth course delivered for review and approval.	No later than February 15, 2010.
Fourth course finalized and posted on the Energy Commission Learning Center Website.	Due 14 working days after receiving final comments and approval from the Commission Contract Manager.
Draft course production for fifth course delivered for review and approval.	No later than March 31, 2010.
Fifth course finalized and posted on the Energy Commission Learning Center Website.	Due 14 working days after receiving final comments and approval from the Commission Contract Manager.

Task 5 - Website Hosting and Media Streaming

All new and edited media files for this contract shall be encoded in the most current version of Windows Media, Quicktime, or Adobe Flash, depending on the decision of the Commission Contract Manager after consultation with the Contractor. The Contractor shall make available on each Broadcast Page (web page in which the online video modules are housed and accessible to users) a link providing a connection on the Learning Center website where viewers can download, free-of-charge, the most current version of Windows Media Player, Quicktime, or Adobe Flash Player.

After posting the videos on the Learning Center website, the Contractor shall provide links from each video to a transcript of the text of the video to comply with Americans with Disabilities Act (ADA) requirements.

Within 60 days of the effective date of this Agreement, the Contractor shall provide a report describing the recommended site navigation/architecture and server related information/issues to the Energy Commission Project Manager in order to provide a dedicated server in a secure environment. The site navigation / architecture report will outline how a user can navigate through the site.

The Contractor shall provide Streaming Video (compressed video that can be put on the web for viewing) on-demand for all segments of existing video modules and for all new segments developed under this contract. The Streaming Video shall be equal or better streaming quality as the existing Energy Code Online Training (www.energyvideos.com)

Prior to the contract termination date, the Contractor shall deliver all files (including raw footage catalogued by course or subject matter) and programming to the Energy Commission on DVD or other media (external hard drive, etc.).

Contractor shall:

- host the Learning Center website through March 31, ~~2012~~ **2013** providing equal or better streaming quality as the existing Energy Code Online Training videos located at www.energyvideos.com.
- identify or establish a dedicated server in a secure server environment.
- provide site navigation / architecture report outlining server related information/issues.
- if requested by the Commission Contract Manager, coordinate and provide all data, software and any hardware required to transfer all videos back to the Energy Commission website or to a website designated by the Commission Contract Manager.

Deliverables and Due Dates:

Site architecture and server hosting information report.	No later than 60 days of effective date of Agreement.
Dedicated server in a secure environment .	No later than 60 days of effective date of Agreement.
Data, and software required to transfer all videos to the Energy Commission Website, if requested by the Commission Contract Manager.	No later than March 15, 2012 2013 .

Task 6 – Marketing Materials

Task 6 shall be performed only upon written request by the Commission Contract Manager. The Contractor shall produce up to 10 fact sheets, one flyer/pamphlet and one outreach video describing the Learning Center. The materials are aimed at the building department audience. The Commission Contract Manager shall provide to the Contractor details on the type (fact sheets, flyer/pamphlet or outreach videos) and number of marketing materials to be produced. As directed by the Commission Contract Manager, the Contractor shall reproduce marketing materials. The marketing materials will consist of reproducing 1,700 DVDs or CDs; and insert and shrink wrap into cases.

Deliverables and Due Dates:

Draft marketing materials (flyer/pamphlet, fact sheets, and video).	No later than June 15, 2009.
Final marketing materials in hard copy and electronic format, incorporating Energy Commission comments. The electronic materials shall be in a format that allows the Commission Contract Manager to edit as needed.	No later than 2 weeks after receiving Energy Commission comments.
Reproduced marketing materials delivered to the Commission Contract Manager.	No later than 2 weeks after receiving a request from the Commission Contract Manager.

Task 7 - Develop Customized Websites for a Minimum of 10 Pilot Building Departments or International Code Council (ICC) Chapters

In addition to the overall Learning Center, a pilot program of individualized, local versions of the Learning Center will be developed for a minimum of 10 Building Departments or ICC Chapters selected by the Commission Contract Manager. Individualizing will customize the Learning Center with a “look and feel” that is familiar to that particular Building Department or ICC Chapter. The pilot program will work with a sample group to determine whether the customization provides an increase in ownership or buy-in, and whether the user feels they are better able to understand the Standards and increase compliance and enforcement. The Contractor shall develop an online evaluation survey designed to provide this information. The pilot program development process shall be initiated after the August 1, 2009 effective date of the 2008 Standards.

The Energy Commission, in consultation with the Contractor, will select a minimum of 10 Building Departments or ICC Chapters to participate in a pilot program. The Energy Commission and the Contractor will meet in person, and/or by conference call with the selected Building Departments or ICC Chapters to discuss customization.

The Contractor shall:

- provide a draft report outlining customization. Once the Commission Contract Manager has finalized the list of pilot program Building Department or ICC Chapter participants, the Contractor shall submit a draft report for comment that outlines the proposed content and steps for customizing the pilot program participant websites. This will include the evaluation survey designed to determine if the customization provides benefits in terms of ownership or buy-in, and whether the user feels they are better able to comply with the Standards because of the customization.
- provide a finalized report. Incorporating the Commission Contract Manager’s comments, the Contractor shall submit the finalized report outlining the content, survey and steps for customizing websites.
- install customized websites. After receiving final approval from the Commission Contract Manager, the Contractor shall install customized websites at the selected pilot sites.
- submit the evaluation report. Using results of the online survey, as well as conversations with pilot program participants, the Contractor shall submit a report evaluating the benefits of customization and make a recommendation regarding further customization of websites.

Deliverables and Due Dates:

Draft report outlining customization, including evaluation survey.	No later than May 1, 2010.
Finalized report outlining content, survey and steps for customizing websites.	No later than 2 weeks after receiving Energy Commission comments.
10 customized websites – uploaded.	No later than July 1, 2010.
Evaluation report with recommendation on further customization.	3 months after customization is complete; no later than December 31, 2010.

Task 8 - Final Report

Using results of the pilot program evaluation survey and the evaluation survey for the overall Learning Center educational program, the Contractor shall submit a draft final report summarizing the outline of all courses, learning objectives, course table of contents, quizzes, final exam, forms, documents, certificate of completion, results from the evaluation surveys, problems encountered, and recommendations on development process improvements. After receiving Energy Commission comments, the Contractor shall submit a final report incorporating comments.

Deliverables and Due Dates:

Draft summary report	No later than March 31, 2011 2012 .
Final report incorporating Energy Commission comments.	No later than 2 weeks after receiving Energy Commission comments.

Task 9 - Ongoing Update and Maintenance

The Contractor shall manage and maintain necessary updates in content and technology required to deliver and maintain the Learning Center throughout the course of this contract. This will include server maintenance and software updates necessary to host the website. The Contractor shall describe the update activities in monthly status reports.

Deliverables and Due Dates:

Maintenance and updates to content and technology.	Ongoing through March 15, 2012 31, 2013 .
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Task 10 - Attendance and Participation at the Energy Codes Conference

If directed by the Commission Contract Manager in writing, the Contractor shall accompany Energy Commission staff at the Energy Codes Conference hosted by the U.S. Department of Energy either the week of July 27, 2009 or the summer of 2010. The Contractor shall prepare a presentation on the status of the project, including a demonstration of the Online Learning Center. The Contractor shall present this information at the conference if requested by the Commission Contract Manager.

Deliverables and Due Dates:

Draft presentation/demo.	1 month prior to the conference.
Finalized presentation / demo with Energy Commission comments incorporated.	2 weeks prior to the conference.
Attendance at Energy Codes Conference.	Week of July 27, 2009 or Summer 2010.