

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION


 New Contract - - Amendment to Existing Contract: 400-09-028 Amendment Number: 1

Division	Contract Manager:	MS-	Phone	CM Training Date
400 Efficiency Renewable Energy Division	Lance D. Shaw	26	916-653-1227	1/10/12

Contractor's Legal Name	Federal ID Number
Draw Professional Services, Inc.	04-2700546

Title of Project
U.S. Department of Energy (DOE) Industrial Technologies Program (ITP)

Term	Start Date	End Date	Amount
New/Original Contract	June / 30 / 10	July / 31 / 12	\$ 105,000

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

Amendment #	End Date (mm/dd/yy)	Amount
1	7/31/2013	0

Business Meeting Information			
Proposed Business Meeting Date	6/13/12	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Lance D. Shaw	Time Needed:	5 minutes

Agenda Item Subject and Description
Possible approval of amendment 1 to contract 400-09-028 with Draw Profesional Services, Inc. for a 12-month, no-cost time extension to align the contract end date with the end date of the funding grant with the U. S. Dept. of Energy (DOE) and to include changes to update the contract terms and conditions.

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
The purpose of this contract is to deliver up to thirty-six (36) workdays of energy efficiency training workshops using the DOE BestPractices Compressed Air Systems System Assessment tool and curricula. Workshops, some of which will be one-day and some two-day, are to be conducted in partnership with selected utilities throughout the state, and possibly at specific plant-sites in conjunction with compressed air system audits.
The purpose of this amendment is to extend the contract end date from July 31, 2012 to July 31, 2013. This amendment would enable the contractor to complete workshops and plant energy assessments. Additionally, as directed by the Department of General Services, Office of Legal Services, the Exhibit D, Special Terms and Conditions are being amended to remove the Binging Arbitration language and other edits are being made to the remaining language.

California Environmental Quality Act (CEQA) Compliance
1. Is Contract considered a "Project" under CEQA? <input type="checkbox"/> Yes: skip to question 2 <input checked="" type="checkbox"/> 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: <input type="checkbox"/> a) Contract IS exempt. (Draft NOE required) <input type="checkbox"/> Statutory Exemption. List PRC and/or CCR section number: _____ <input type="checkbox"/> Categorical Exemption. List CCR section number: _____ <input type="checkbox"/> Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why contract is exempt under the above section: _____
<input type="checkbox"/> 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	\$		\$	No	Funding Source			\$
ECAA	\$		\$	No	Funding Source			\$
State- ERPA	\$		\$	No	Funding Source			\$
Federal	\$		\$	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: \$ 0		TOTAL: \$ 0			TOTAL: \$ 0			
Reimbursement Contract #					Federal Agreement #: DE-EE0000346			

Contractor's Administrator/ Officer		Contractor's Project Manager	
Name:	Frank Moskowitz	Name:	Frank Moskowitz
Address:	4108 East Molly Lane	Address:	4108 East Molly Lane
City, State, Zip:	Cave Creek, AZ 85331	City, State, Zip:	Cave Creek, AZ 85331
Phone/ Fax:	480-563-0107/ cell: 602-809-4195	Phone/ Fax:	480-563-0107/ cell: 602-809-4195
E-Mail:	fmoskowitz@earthlink.net	E-Mail:	fmoskowitz@earthlink.net

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 type="checkbox"/> Non Competitive Bid (Attach CEC 96)
<input checked="" type="checkbox"/> Exempt Federal Grant Funding Agency required

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 checked="" type="checkbox"/> The Services Contracted:
<input checked="" type="checkbox"/> are not available within civil service
<input type="checkbox"/> cannot be performed satisfactorily by civil service employees
<input 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 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 checked="" type="checkbox"/> A. Reimbursement in arrears based on:
<input checked="" type="checkbox"/> Itemized Monthly <input type="checkbox"/> Itemized Quarterly <input checked="" type="checkbox"/> Flat Rate <input type="checkbox"/> One-time
<input type="checkbox"/> B. Advanced Payment
<input type="checkbox"/> C. Other, explain:



Retention		
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

Justification of Rates
Competitive Survey

Disabled Veteran Business Enterprise Program (DVBE)	
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)	

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

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 checked="" 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

Miscellaneous Contract Information		
1. Will there be Work Authorizations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
2. Is the Contractor providing confidential information?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
3. Is the contractor going to purchase equipment?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
4. Check frequency of progress reports	<input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input checked="" type="checkbox"/> Other...Reports are filed when work is being invoiced for reimbursement.	
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
Primarily for scheduling and planning workshops and energy site assessments.		

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

technical considerations that may arise regarding implementation of recommended energy savings measures.

Technical support might also include, but is not limited to, the following activities:

1. Conducting pre- and post-monitoring and verification protocols to track, assess, verify and report energy use reductions.
2. Assisting selected industrial customers in implementing identified energy savings.
3. Submitting site assessment reports to DOE as case studies for use by others.
4. Evaluating and presenting the trends and the benefits of emerging industrial technologies.
5. Consulting with Commission staff in developing, recommending, and evaluating energy efficiency measures, and then recommending adoption of those measures to targeted industrial customers.

Deliverables:

Appropriate technical report

Due Dates:

30 days after support provided

Written report to Commission Contract Manager after providing additional expert technical support listed above

Task 4: Annual Reports

This will be an annual report due on May 1 each year of the contract summarizing workshop attendance, results and recommended changes, in a format to be specified by the Commission Contract Manager. This report is due to the Commission Contract Manager on May 1st of each year of the contract. The last Annual Report will be due 5/1/2012 **2013**.

The report will include a description of the BestPractices training content delivered and results from each site visit/energy assessment performed. It will also discuss how the workshop content is evolving, such as perception of changing industry needs, interests and feedback gained during interactions with participants during the workshops.

The report should also include participants' names, email addresses (if available), roles (operations, maintenance, administration or technical), feedback from the participants, evaluation forms, and discussions of problems encountered and their suggested solutions.

Also, the annual report shall include a summary of the industrial site visits. The energy use reductions recommended whether by changes in operating procedures, or by equipment changes. What estimated savings were (or potentially could have been) achieved by implementing the recommended improvements.

Deliverables:

Written Annual Report
Final Report

Due Dates:

May 1st of each year
May 1, 2012 **2013**

Billing

Work will be compensated for the four above tasks: workshops, site visits/energy assessments, technical support, and annual reports. See Ex. B budget for payment details on this work.