

CONTRACT REQUESTS FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION


 New Contract _____ Amendment to Existing Contract: 500-10-058 Amendment Number: 1

Division	Contract Manager:	MS-	Phone	CM Training Date
Energy Research and Development	Abolghasem Edalati	43	916-327-1499	11/14/2007

Contractor's Legal Name	Federal ID Number
Transportation Power, Inc.	27-3558766

Title of Project
Grid-Saver Fast Energy Storage Demonstration

Term	Start Date	End Date	Amount
New/Original Contract	6/30/2011	12/31/2014	\$ 2,000,000

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

Amendment #	End Date (mm/dd/yy)	Amount
Amendment 1	12/31/2014	\$0

Business Meeting Information

Proposed Business Meeting Date	7/11/2012	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Abolghasem Edalati	Time Needed:	

Agenda Item Subject and Description

Possible approval of Amendment #1 to Contract 500-10-058 with Transportation Power, Inc. to add a major subcontractor for this contract, and to update the terms and conditions of the contract. A budget reallocation in the amount of \$450,000 between project tasks will provide funding for the subcontract. There is no change in the total funding amount of the agreement. (PIER electricity and natural gas funding.) Contact: Abolghasem Edalati.

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 purpose of this agreement is to design, build, and test a new, low cost and modular fast energy storage technology known as the Grid-Saver system. Task 2 of this contract agreement required the contractor to assess the benefits of its Grid-Saver system and validate its worthiness to proceed to the full demonstration phase. During this task, the contractor determined that commercially-available inverters would not be an optimal fit for the Grid-Saver system. The contractor is proposing to add a subcontractor, EPC, which will build a customized inverter that costs significantly less than comparable off-the shelf inverters. To acquire any other commercial inverter product and modify it to meet the specifications EPC has agreed to meet with its inverter would cost substantially more than the cost of the subcontract to EPC, and would result in diminished capability. In addition, EPC – which will design and manufacture the inverters in California – is proposing to commit a substantial amount of cost-sharing (\$190,814), which is documented in a separate commitment letter. The amount of the proposed subcontract to EPC is \$450,000.

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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 contract involves energy storage research and prototype testing in a lab setting.
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.

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:	Michael Simon	Name:	Paul Scott
Address:	2960 Sunset Hls	Address:	13000 DANIELSON ST STE D
City, State, Zip:	Escondido, CA 92025-7855	City, State, Zip:	POWAY, CA 92064-6827
Phone/ Fax:	760-504-3278 /	Phone/ Fax:	858-248-4405 /
E-Mail:	mike@transpowerusa.com	E-Mail:	paul@transpoweruse.com

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 RFP Solicitation #: 500-10-503 # of Bids: 28 Low Bid? No Yes
 Non Competitive Bid (Attach CEC 96)
 Exempt

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

The rates charged in this contract are consistent with the rates in another agreement with the same company and with the rates charged in other agreements with different contractors for relatively similar work.

Disabled Veteran Business Enterprise Program (DVBE)

- 1. Not Applicable
- 2. Meets DVBE Requirements DVBE Amount:\$ 60,000.00 DVBE %: 3
 - Contractor is Certified DVBE
 - Contractor is Subcontracting with a DVBE: Redhorse Technical Services Inc.
- 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?

- No Yes
- If yes, give company name and identify if they are a Small Business (SB), Micro Business (MB) and/or DVBE:
- Redhorse Technical Services Inc. No SB MB DVBE
- General Atomics No SB MB DVBE

Miscellaneous Contract Information

- 1. Will there be Work Authorizations? No Yes
- 2. Is the Contractor providing confidential information? No Yes
- 3. Is the contractor going to purchase equipment? No Yes
- 4. Check frequency of progress reports
 - Monthly Quarterly _____
- 5. Will a final report be required? No Yes
- 6. 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.

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The following items should be attached to this CRF		
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 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