

CONTRACT REQUESTS FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION



New Contract _____ Amendment to Existing Contract: 500-08-047 Amendment Number: 1

Division	Contract Manager:	MS-	Phone	CM Training Date
Energy Research and Development	Rhetta deMesa	27	653-6010	6/26/2008

Contractor's Legal Name	Federal ID Number
DOE- National Energy Technology Laboratory	53-0197006

Title of Project
Automotive Thermoelectric HVAC Development and Demonstration Project

Term	Start Date	End Date	Amount
New/Original Contract	6/30/2009	11/30/2012	\$ 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	6/30/2013	\$0

Business Meeting Information

Proposed Business Meeting Date	8/8/2012	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Reynaldo Gonzalez	Time Needed:	5 minutes

Agenda Item Subject and Description

Possible approval of Amendment #1 to Contract# 500-08-047 with the National Energy Technology Laboratory for a seven-month no-cost time extension to June 30, 2013 due to initial start-up and technical delays during early exploratory development work. The Terms and Conditions are being modified. The time extension will allow for the completion of the remaining tasks identified in the Scope of Work and submission of the Final Report. (PIER electricity funding.) Contact: Rhetta deMesa.

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 amendment is to extend the contract end date by 7 months. As directed by the Department of General Services, Office of Legal Services, the Terms and Conditions, Alternative Dispute Resolution is being amended to remove the Binding Arbitration language. In addition, other edits are being made to the remaining language.

California Environmental Quality Act (CEQA) Compliance

- 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":
- 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:

The contract involves a technology thermoelectric HVAC development and demonstration activities that will not result in a significant environmental impact

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	\$		\$					\$
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:	Carl Maronde	Name:	Carl Maronde
Address:	PO BOX 880	Address:	PO BOX 880
City, State, Zip:	MORGANTOWN, WV 26507-0880	City, State, Zip:	MORGANTOWN, WV 26507-0880
Phone/ Fax:	412-386-6402 /	Phone/ Fax:	412-386-6402 /
E-Mail:	carl.maronde@netl.doe.gov	E-Mail:	carl.maronde@netl.doe.gov

Contractor Is
<input type="checkbox"/> Private Company (including non-profits) <input type="checkbox"/> CA State Agency (including UC and CSU) <input checked="" 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 <u>Select Type</u> 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 Other Government Entity

Civil Service Considerations
<input type="checkbox"/> Not Applicable (Contract is with a CA State Entity or a membership/co-sponsorship) <input checked="" 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 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: Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)

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Payment Method			
<input checked="" type="checkbox"/> A. Reimbursement in arrears based on:			
<input type="checkbox"/> Itemized Monthly	<input checked="" type="checkbox"/> Itemized Quarterly	<input type="checkbox"/> Flat Rate	<input type="checkbox"/> One-time
<input checked="" 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 checked="" type="checkbox"/> No	<input type="checkbox"/> Yes

Justification of Rates
The contract price is reasonable, particularly considering the facility provided by the contract terms. The research will be conducted by a national laboratory; salaries and wages are in accordance with costing practice for all Department of Energy programs.

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"/> 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 type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
If yes, give company name and identify if they are a Small Business (SB), Micro Business (MB) and/or DVBE:			
Ford Motor Company	<input checked="" type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> MB <input type="checkbox"/> DVBE
General Motors Corporation	<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
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	<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 checked="" type="checkbox"/> Quarterly <input type="checkbox"/> _____			
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
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 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