STATE OF CALIFORNIA

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 1/11) CALIFORNIA ENERGY COMMISSION

☒ New Contract 180-12-001 ☐ Amendment to Existing Contract: - - Amendment Number:

Division	Contract Manager:	MS-	Phone	CM Training Date
180 Media Public Communications	Harriet Kallemeyn	29	916-654-4989	5/8/11

Contractor's Legal Name	Federal ID Number
California Reporting, LLC	03-0595979

Title of Project
Hearing Reporter services for Business Meetings, hearings and workshops

Term	Start Date	End Date	Amount
New/Original Contract	09 / 15 / 12	05 / 31 / 15	$ 210,000

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

Amendment #	End Date *(mm/dd/yy)*	Amount
		0

Business Meeting Information			
Proposed Business Meeting Date	9/12/12	☒ Consent	☐ Discussion
Business Meeting Presenter	Harriet Kallemeyn	Time Needed:	minutes

Agenda Item Subject and Description

Possible approval of Contract 180-12-001 for $210,000 with California Reporting, LLC, for Hearing Reporter services for Energy Commission Business Meetings, other hearings and workshops.

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

This agreement is for reporting services to provide a record of the Energy Commission's public meetings, as required by the California Code of Regulations, Title 20 §1105. The contract will be executed under the Department of General Services Master Services Agreement (MSA) 5-12-99-01.

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 it is for court reporting services.
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	$	2012/13	$70,000	Yes	State - ERPA	2012	100.002	$70,000
ECAA	$	2013/14	$70,000	No	State - ERPA	2013	100.002	$70,000
State- ERPA	$210,000	2014/15	$70,000	No	State - ERPA	2014	100.002	$70,000
Federal	$		$	No	Funding Source			$
PIER - E	$		$	No	Funding Source			$
PIER - NG	$		$	No	Funding Source			$
Reimbursement	$		$	No	Funding Source			$
RRTF	$		$	No	Funding Source			$
Other	$		$	No	Funding Source			$
TOTAL:	$210,000	TOTAL:	$210,000				TOTAL:	$210,000
Reimbursement Contract #:					Federal Agreement #:			

Contractor's Administrator/ Officer		Contractor's Project Manager	
Name:	Marika Edler	Name:	Sarah Lewis
Address:	52 Longwood Drive	Address:	52 Longwood Drive
City, State, Zip:	San Rafael, CA 94901	City, State, Zip:	San Rafael, CA 94901
Phone/ Fax:	(415) 457-4417/(415) 457-5626	Phone/ Fax:	(915) 457-4417/(415) 457-5626
E-Mail:	californiareporting@sbcglobal.net	E-Mail:	californiareporting@sbcglobal.net

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 MSA Solicitation #: 5-07-99
☐ Non Competitive Bid *(Attach CEC 96)*
☐ Exempt Select Exemption (see instructions)

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)
☐ 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:

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
Specified in the MSA

Disabled Veteran Business Enterprise Program (DVBE)		
1. ☒ Not Applicable		
2. ☐ Meets DVBE Requirements	DVBE Amount:$ _____	DVBE %: _____
☐ Contractor is Certified DVBE		
☐ Contractor is Subcontracting with a DVBE: _____		
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:		
	☐ No ☐ SB ☐ MB	☐ DVBE
	☐ No ☐ SB ☐ MB	☐ DVBE
	☐ No ☐ SB ☐ MB	☐ DVBE

Miscellaneous Contract Information		
1. Will there be Work Authorizations?	☒ No	☐ Yes
2. Will there be IT expenditures?	☒ No	☐ Yes
3. Is the Contractor providing confidential information?	☒ No	☐ Yes
4. Is the contractor going to purchase equipment?	☒ No	☐ Yes
5. Check frequency of progress reports		
☒ Monthly ☐ Quarterly ☐ Other...		
6. Will a final report be required?	☒ No	☐ Yes
7. Is the contract, with amendments, longer than a year? If yes, why?	☐ No	☒ Yes
Per Term of MSA		

The following items should be attached to this CRF		
1. Scope of Work, Attach as Exhibit A.	☐ N/A	☒ Attached
2. Budget Detail, Attach as Exhibit B.	☐ N/A	☒ Attached
3. CEC 96, NCB Request	☒ N/A	☐ Attached
4. CEC 30, Survey of Prior Work	☒ N/A	☐ Attached
5. CEC 95, DVBE Exemption Request	☒ N/A	☐ Attached
6. Draft CEQA Notice of Exemption (NOE)	☒ N/A	☐ Attached
7. Resumes	☒ N/A	☐ 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

Exhibit A
SCOPE OF WORK

WORK STATEMENT FOR ENERGY COMMISSION BUSINESS MEETINGS, COMMISSION AND COMMITTEE HEARINGS, WORKSHOPS, MEETINGS AND PROCEEDINGS

This is a nonexclusive contract for hearing reporter services for Energy Commission Business Meetings, Commission and Committee Hearings, Workshops, Meetings, and Other Proceedings, and the Energy Commission does not guarantee any minimum amount of work under this contract.

The contractor must have **more than one reporter available to work on Energy Commission Business Meetings, Other Hearings, Workshops, Meetings and Proceedings.**

1. Contractor agrees to perform the following tasks and provisions for reporting services:

A. Services will include, but not be limited to, the development and production (recording and transcribing) of accurate verbatim transcripts submitted typographically free of error. Although the majority of the services will be in Sacramento, there may be required travel to various locations within California.

B. The time and place for reporter assignments will be confirmed either by telephone or written request from the Commission Contract Manager.

C. Contractor shall provide hearing reporters and equipment necessary at the request of the Contract Manager. Contractor shall ensure that there are two trained hearing reporters available to work on Energy Commission Proceedings at all times, one of which is not assigned to any other Energy Commission proceeding.

D. Contractor shall comply with all the standards contained in the California Rules of Court, Title 2, Division 7, Chapter 2, Rule 2.952 and 2.954 (electronic recording).

E. The Reporter must be present and have the specified stenographic and electronic verbal recording equipment fully operational prior to the scheduled beginning of a proceeding. Each assigned reporter must be experienced and proficient in setting up and monitoring all equipment used under the terms of this contract.

F. If the Contractor is notified by telephone within a reasonable period of time before the commencement of a Proceeding that the Proceeding has been canceled, and the reporter has not as yet left for the Proceeding location, there will be no charges under this contract. If for any reason a transcript order is cancelled before the transcript is delivered, the Contractor will be paid for all work completed as of the time of cancellation.

G. The Reporter will monitor recording of the all Proceedings at all times off-tape, and will never monitor the Proceedings off-source.

H. Unless otherwise indicated, all transcripts shall be delivered to the Energy Commission Contract Manager.

I. Reporters must be available during the hours of 9 a.m. to 6 p.m. Reporters are required to remain until the conclusion of the Proceeding even if it continues past 6:00 p.m.

J. The Contractor will correct, at Contractor's expense, all errors as requested by the Contract Manager. The Energy Commission will be entitled to a credit equivalent to the applicable charge for each page that contains an error after the Contractor has had an opportunity to correct the error.

2. Reporters

A. Due to the difficult technical, scientific, and lengthy content of Energy Commission work assignments, and the demand for hard copies of precise and verbatim transcripts, all reporters assigned to Proceedings must have a minimum of two years of experience in recording and transcribing lengthy scientific and technical proceedings for state agencies.

B. Reporters at each Energy Commission Proceeding will perform duties in a professional manner and will be properly attired consistent with professional protocol and appearance expected in a court-like setting. Standards of professionalism and appearance are at the discretion of the Commission Contract Manager. The Commission Contract Manager may request the substitution of Reporters not meeting the standards of professionalism and appearance.

C. Each assigned reporter must be a Notary Public and may be required to administer oaths. It is the Contractor's responsibility to ensure that all reporters assigned to Energy Commission Proceedings maintain notary certification throughout the term of the contract.

D. The Contractor will present a copy of each assigned reporter's resume to the Commission Contract Manager before assigning the reporter to any Energy Commission Proceeding. Each resume must detail the following:

- Number of years of recording and transcribing lengthy scientific and technical proceedings for state agencies;
- Certificate(s) of qualifications;
- Detailed listing of previous employers;
- Professional references, if the prime contractor subcontracts.

E. The Commission Contract Manager reserves the right to replace any reporter who does not meet the minimum qualifications or requirements of this contract. Replacement of reporters shall be done at no additional cost to the Energy Commission and with no reduction or interruption in service to support Energy Commission Proceedings.

F. The Contractor shall present resumes of replacement reporters to the Commission Contract Manager for approval, prior to assigning reporters to Energy Commission Proceedings.

3. Transcripts

Transcripts are considered ordered by the Energy Commission on the first day of the Proceedings, unless otherwise indicated. If so ordered, the date for the delivery of the transcript shall be the date requested on the order. Unless otherwise ordered, transcripts for each proceeding shall be delivered within 14 calendar days. The Contractor must also be prepared to deliver expedited transcripts in three to five calendar days if requested by the Commission Contract Manager. Each transcript will include a dated and signed Reporter's Certificate as the last page, including the name of the transcriber.

A hard copy of transcripts, including **an original and one (1) copy**, shall be prepared according to the following specifications:

1) 8-1/2" x 11", 20 lb. bond paper

2) Double-spaced, one-sided original

3) Pages numbered consecutively

4) Bound in report folder

a) 1st page format to include:

Title of Proceeding
Location
Date and Time
Contract Number
California Energy Commission
Contractor Name
Reporter name, if requested
Docket number, if requested

b) Subsequent pages to include (in order):

Participant Names
Titles and Affiliations

Index of Agenda Items

List of Exhibits and Page numbers

c) 1st Page of Proceedings to follow a) and b)

4. Compact Disks

The Contractor shall provide computer readable Compact Disks in a protective case to the Commission Contract Manager. CDs shall be provided as follows:

1. Contractor shall furnish a computer readable CD copy of the official transcript.

2. The CD will be PC compatible and produced by Microsoft Word.

3. The digital information will be burned on an archival grade, high quality, long-term preservation CD.

4. The CD must contain upper/lower case text that is 100 percent equivalent (excluding the line numbers) to the official transcript.

5. Each CD will be clearly labeled with the Proceeding date, time, and city.

5. Master Services Agreement (MSA)

Master Services Agreement 5-12-99-01, dated 6/12/2012 through 5/31/2015 and MSA User Instructions is hereby incorporated and made a part of this contract.