

CONTRACT REQUESTS FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION



New Contract _____ Amendment to Existing Contract: 500-08-035 Amendment Number: 1

Division	Contract Manager:	MS-	Phone	CM Training Date
ERDD - Buildings End-Use Energy Efficiency	Martha Brook	37	654-4086	4/9/1998

Contractor's Legal Name	Federal ID Number
L'Monte Information Services	94-3126558

Title of Project
Building Energy Standards Modeler Demonstration Program

Term	Start Date	End Date	Amount
New/Original Contract	5/25/2009	10/25/2012	\$ 1,826,761

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

Amendment #	End Date (mm/dd/yy)	Amount
Amendment 1	3/31/2013	\$0

Business Meeting Information

Proposed Business Meeting Date	9/12/2012	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Martha Brook	Time Needed:	minutes

Agenda Item Subject and Description

Possible approval of Amendment 1 to agreement 500-08-035 with L'Monte Information Services for a five month, no-cost time extension to March 31, 2013. This contract will result in the development of the Building Energy Standards Modeler (BESM) software. This software will integrate with the Energy Commission's open source software project and enable users to develop, modify and evaluate performance-based building design rules for use in future Standards development. (PIER electricity funding) Contact: Martha Brook.

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 provide a five month no-cost time extension. This extension will give the contractor more time to complete the project. This contract will result in the development of the Building Energy Standards Modeler (BESM) software. This software is needed to integrate with the Energy Commission's open source software project and to enable Energy Commission staff to develop, modify and evaluate performance-based building design rules for use in future Standards development. This capability will advance technology by allowing more rapid improvements in California energy code, ultimately facilitating improvements in building design, construction and performance.

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: 14 CCR 15306

Common Sense Exemption. 14 CCR 15061 (b) (3)

Explain reason why contract is exempt under the above section:

Class 6 - Basic data collection, research, experimental management, and resource evaluation activities that do not result in major disturbances to an environmental resource.

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:	Diane Pepetone	Name:	Diane Pepetone
Address:	P.O. Box 1529	Address:	P.O. Box 1529
City, State, Zip:	Ukiah, CA 95482-1529	City, State, Zip:	Ukiah, CA 95482-1529
Phone/ Fax:	707 468 9640 /	Phone/ Fax:	707 468 9640 /
E-Mail:	diane@lmonte.com	E-Mail:	diane@lmonte.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 #: 50007503 # of Bids: 30 Low Bid? No Yes

Non Competitive Bid (Attach CEC 96)

Exempt Select Exemption

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:
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 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:			

Retention			
1. Is contract subject to retention?			
	<input type="checkbox"/> No	<input checked="" 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 rates for work to be performed by the National Renewable Energy Laboratory are in accordance with the rates used by all U.S. Department of Energy scientific laboratories.

Disabled Veteran Business Enterprise Program (DVBE)
1. <input type="checkbox"/> Not Applicable
2. <input checked="" type="checkbox"/> Meets DVBE Requirements DVBE Amount:\$ <u>93,500.00</u> DVBE %: <u>5</u>
<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 type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	
If yes, check appropriate box:			
	<input checked="" 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:				
Heschong Mahone Group	<input type="checkbox"/> No	<input checked="" type="checkbox"/> SB	<input type="checkbox"/> MB	<input type="checkbox"/> DVBE
Taylor Engineering	<input checked="" type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> MB	<input type="checkbox"/> DVBE
National Renewable Energy Laboratory	<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
	<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
	<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 checked="" type="checkbox"/> Monthly	<input 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