

CONTRACT REQUESTS FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION



New Contract _____ Amendment to Existing Contract: 500-08-037 Amendment Number: 3

Division	Contract Manager:	MS-	Phone	CM Training Date
ERDD - Industrial/ Ag/ Water	Leah Mohney	51	916-327-1506	10/20/2009

Contractor's Legal Name	Federal ID Number
Gas Technology Institute	36-2170137

Title of Project
Waste Heat Recovery from Corrosive Industrial Exhaust Gases

Term	Start Date	End Date	Amount
New/Original Contract	5/11/2009	5/31/2013	\$ 490,000

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
Amendment 2	3/31/2013	\$0
Amendment 3	3/31/2013	\$0

Business Meeting Information			
Proposed Business Meeting Date	11/14/2012	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Leah Mohney	Time Needed:	

Agenda Item Subject and Description
Possible approval of Amendment 3 to Contract 500-08-037 with the Gas Technology Institute to replace a retired DVBE subcontractor with a new DVBE subcontractor, to update the project schedule, and to update the terms and conditions. (PIER natural gas funding.) Contact: Leah Mohney.

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
This amendment with GTI is required due to the retirement of the current DVBE subcontractor. A new DVBE subcontractor has been identified to replace the retired DVBE subcontractor. As directed by the Department of General Services, the amendment removes the Binding Arbitration language from the Special Terms and Conditions, Disputes Provision of the agreement.

California Environmental Quality Act (CEQA) Compliance
1. Is Contract considered a "Project" under CEQA? <input checked="" type="checkbox"/> Yes: skip to question 2 <input type="checkbox"/> No: complete the following (PRC 21065 and 14 CCR 15378): Explain why contract is not considered a "Project":
2. If contract is considered a "Project" under CEQA: <input checked="" type="checkbox"/> a) Contract IS exempt. (Draft NOE required) <input type="checkbox"/> Statutory Exemption. List PRC and/or CCR section number: _____ <input checked="" type="checkbox"/> Categorical Exemption. List CCR section number: <u>14 CCR Section 15301</u> <input type="checkbox"/> Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why contract is exempt under the above section: The contract involves prototype equipment installed in a facility already permitted for the subject activity. The prototype equipment is designed such that the facility will have less impact on the environment than currently exists. <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.

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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:	Kate Kaiser	Name:	Serguei Zelepouga
Address:	1700 S Mount Prospect Rd	Address:	1700 S Mount Prospect Rd
City, State, Zip:	Des Plaines, IL 60018-1804	City, State, Zip:	Des Plaines, IL 60018-1804
Phone/ Fax:	847-768-0905 / 847-768-0984	Phone/ Fax:	847-768-0580 / 847-768-0984
E-Mail:	Kate.kaiser@gastechnology.org	E-Mail:	serguei.zelepouga@gastechnology.org

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 checked="" type="checkbox"/> Solicitation <u>Select Type</u> Solicitation #: <u>50007502</u> # of Bids: <u> </u> Low Bid? <input type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/> Non Competitive Bid (Attach CEC 96)
<input type="checkbox"/> Exempt <u>Select Exemption</u>



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.	

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 charges in this contract are in accordance with the industry standard for like work.	

Disabled Veteran Business Enterprise Program (DVBE)	
1. <input type="checkbox"/>	Not Applicable
2. <input checked="" type="checkbox"/>	Meets DVBE Requirements
	DVBE Amount:\$ <u>14,700.00</u> DVBE %: <u>3</u>
<input type="checkbox"/>	Contractor is Certified DVBE
<input checked="" type="checkbox"/>	Contractor is Subcontracting with a DVBE: <u>CDS Consulting</u>
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:			
CDS Consulting	<input type="checkbox"/> No	<input checked="" type="checkbox"/> SB	<input checked="" type="checkbox"/> MB <input checked="" type="checkbox"/> DVBE
Thermal Transfer Corp.	<input checked="" type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> MB <input type="checkbox"/> DVBE

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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.		

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 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