

CONTRACT REQUESTS FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION


 New Contract _____ Amendment to Existing Contract: 500-08-050 Amendment Number: 1

Division	Contract Manager:	MS-	Phone	CM Training Date
ERDD - Buildings End-Use Energy Efficiency	Heather Bird	51	916-327-1473	12/13/2011

Contractor's Legal Name	Federal ID Number
Sensus MI	20-8949949

Title of Project
Enterprise Plug n Play Diagnostics and Optimization for Smart Buildings

Term	Start Date	End Date	Amount
New/Original Contract	6/30/2009	12/31/2012	\$ 1,262,252

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

Amendment #	End Date (mm/dd/yy)	Amount
Amendment 1	12/31/2013	\$0

Business Meeting Information

Proposed Business Meeting Date	11/14/2012	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Heather Bird	Time Needed:	5 minutes

Agenda Item Subject and Description

Possible approval for Amendment 1 for Contract 500-08-050 with Sensus MI for a 12 month no-cost time extension to allow completion of measurement and verification, and completion of the final report. These activities are needed to validate the energy benefits of the plug and play diagnostic and optimization technology for heating, ventilating, air conditioning and refrigeration systems. This amendment will also remove a former DVBE that was replaced during a prior budget reallocation. Terms and Conditions are being modified. (PIER electric funding.)

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

We recommend approval of a 12 month no-cost time extension to allow completion of measurement and verification, and data analysis needed to validate the energy benefits of the plug and play diagnostic and optimization technology for heating, ventilating, air conditioning and refrigeration systems. As directed by the Department of General Services, Office of Legal Services, the Exhibit D, Special Terms and Conditions, Disputes Provision 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":
 Contract will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because the project only impacts building systems inside of existing buildings..
- 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	\$		\$					\$
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:	Brian Thompson	Name:	Brian Thompson
Address:	2832 Alexandria Pike	Address:	2832 Alexandria Pike
City, State, Zip:	Anderson, IN 46012-9206	City, State, Zip:	Anderson, IN 46012-9206
Phone/ Fax:	(765) 387-0344 /	Phone/ Fax:	(765) 387-0344 /
E-Mail:		E-Mail:	

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 Select Type Solicitation #: 50007503 # of Bids: 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 type="checkbox"/> Itemized Monthly	<input checked="" 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 in this contract are fair and reasonable for work being conducted under a research agreement, and in comparison with rates charged for similar work in other contracts. In addition, the overhead costs in this contract are low when compared to contracts involving 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>40,000.00</u> DVBE %: <u>3.2</u>
<input type="checkbox"/> Contractor is Certified DVBE
<input checked="" type="checkbox"/> Contractor is Subcontracting with a DVBE: <u>Katin Engineering</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:			
University of Nebraska, Lincoln	<input checked="" type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> MB <input type="checkbox"/> DVBE
Katin Engineering	<input checked="" type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> MB <input type="checkbox"/> DVBE
The Planet.com	<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 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