

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 5/11)

CALIFORNIA ENERGY COMMISSION


 New Contract 600-12-007 Amendment to Existing Contract: - - Amendment Number:

Division	Contract Manager:	MS-	Phone	CM Training Date
600 Fuels and Transportation Division	Jennifer Masterson	44	916-654-4509	2/16/11

Contractor's Legal Name	Federal ID Number
Bevilacqua-Knight, Inc. (BKI)	94-2802034

Title of Project
Membership in the California Fuel Cell Partnership (CaFCP)

Term	Start Date	End Date	Amount
New/Original Contract	04 / 01 / 13	6 / 30 / 13	\$ 87,800

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

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

Business Meeting Information			
Proposed Business Meeting Date	2/28/13	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter	Jennifer Masterson	Time Needed:	minutes

Agenda Item Subject and Description
Possible approval of a contract with Bevilacqua-Knight, Inc. (BKI) for FY 2012/2013 membership in the California Fuel Cell Partnership (CaFCP). BKI facilitates and coordinates the efforts of the CaFCP, including operational, financial, and project management. In addition to membership (participation in the Working Group, Station Implementation Group, and committees), the Energy Commission will have a seat on the CaFCP's Steering Committee.

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 contract is to formalize the Energy Commission's FY 2012/2013 membership in the CaFCP, which contracts with Bevilacqua-Knight, Inc. (BKI) for support services including the administration of vehicle demonstration programs. Other BKI duties include operational, financial, contract, and project management. The BKI efforts are directed by the CaFCP Steering Committee and Executive Director of the CaFCP.



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 the membership only funds the development of recommendations for policies and projects, with any demonstration projects or activities subject to separate approval.

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.

Budgets Information								
Contract Amount Funded		Breakdown by FY			Funding Sources			
Funding Source	Amount	FY	Amount	Approved ?	Funding Source	FY	Budget List No.	Amount
ARFVTF	\$87,800	12/13	\$87,800	Yes	Funding Source	12/13	600.118B	\$87,800
ECAA	\$		\$	No	Funding Source			\$
State- ERPA	\$		\$	No	Funding Source			\$
Federal	\$		\$	No	Funding Source			\$
PIER - E	\$		\$	No	Funding Source			\$
PIER - NG	\$		\$	No	Funding Source			\$
Reimbursement	\$		\$	No	Funding Source			\$
RRTF	\$		\$	No	Funding Source			\$
Other:	\$		\$	No	Other:			\$
TOTAL: \$87,800		TOTAL: \$87,800			TOTAL: \$87,800			
Reimbursement					Federal Agreement #:			

Contractor's Administrator/ Officer		Contractor's Project Manager	
Name:	Bob Knight	Name:	Bob Knight
Address:	1000 Broadway, Suite 410	Address:	1000 Broadway, Suite 410
City, State, Zip:	Oakland, CA 94607	City, State, Zip:	Oakland, CA 94607
Phone/ Fax:	510-444-8707/510-463-2960	Phone/ Fax:	510-444-8707/510-463-2690
E-Mail:	bknight@bki.com	E-Mail:	bknight@bki.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 Select Type Solicitation #: _____ - - _____ # of Bids: _____ Low Bid? No Yes
 Non Competitive Bid (Attach CEC 96)
 Exempt Membership



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

No market research was conducted by the Energy Commission. Since BKI is the only contractor identified and accepted by CaFCP it would be impractical to release a bid for services from another contractor. BKI was selected to provide administrative services to the CaFCP by their Steering Committee.

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. Contractor selected through CMAS or MSA with no DVBE participation.

4. 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:

	<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? No Yes

2. Is the Contractor providing confidential information? No Yes

3. Is the contractor going to purchase equipment? No Yes

4. Check frequency of progress reports

- Monthly
- Quarterly
- N/A.

5. Will a final report be required? No Yes

6. Is the contract, with amendments, longer than a year? If yes, why? No Yes

CONTRACT REQUEST FORM (CRF)



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 type="checkbox"/> N/A	<input checked="" 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	
9. CEC 106, IT Component Reporting Form		<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

EXHIBIT A

Scope of Work

PURPOSE

The purpose of this agreement is to fund the Energy Commission's membership in the California Fuel Cell Partnership (CaFCP).

BACKGROUND:

The CaFCP is a voluntary public/private organization that is committed to promoting fuel cell vehicle (FCV) commercialization in California as a means of moving toward a sustainable energy future, increasing energy efficiency, and reducing or eliminating criteria pollutants and greenhouse gas emissions. Formed in 1999, the CaFCP is composed of vehicle manufacturers, energy companies, fuel cell technology companies, and government entities. The CaFCP value to the State of California is promoting and aiding the development and deployment of hydrogen fuels, advanced transportation technologies, and the needed advanced infrastructure that will help California to attain climate change policies and goals.

The CaFCP has three levels of membership: full membership, associate membership, and affiliate membership. The CaFCP operates by consensus decision of a Steering Team comprised of one representative of each full member. In order to provide funding for operating the common CaFCP expenses, each full member contributes a minimum of \$87,800 annually.

The 15 members of the Steering Committee have agreed to use Bevilacqua-Knight, Inc. (BKI) to provide the services required. The CaFCP selected BKI based on its unique qualifications in administering vehicle demonstration programs. Because CaFCP cannot enter into contracts, governmental entities pay their membership dues to BKI, who manages the funds under the direction of the CaFCP Steering Committee and who provides management services to facilitate and coordinate the cooperative efforts of the CaFCP, including operational, financial, contract, and project management services..

SCOPE OF WORK:

The Energy Commission will contribute \$87,800 for FY 2012/2013 to be used for the operating expenses of the CaFCP. The annual fee provides the Energy Commission full membership in the CaFCP, which entails the following:

- Participation on the CaFCP Steering Committee;
- The opportunity to jointly make decisions that advance commercialization of fuel cell vehicles and hydrogen in California;
- A forum to collaborate with peers in the fuel cell and hydrogen community;
- CaFCP staff support for programs and projects; and
- A high degree of visibility and recognition through CaFCP's outreach program.