# Exhibit A
## SCOPE OF WORK

## REFURBISH/UPGRADE EXISTING HYDROGEN FUELING/DISPENSING EQUIPMENT AND STATIONS
## May 30, 2013

The objectives of this contract follow:

1. To conduct an assessment of the performance and functionality of existing hydrogen fueling stations potentially in need of refurbishment and/or upgrade.

2. To evaluate the results of the assessment and collaborate with the California Energy Commission to determine which stations to fund refurbishment and/or upgrade work.

3. To change hydrogen fueling and dispensing equipment at hydrogen fueling stations to allow the stations to efficiently dispense hydrogen by the kilogram at performance levels defined by the Society of Automotive Engineers International (SAE) Information Report J2719:2011, SAE Technical Information Report J2601:2010, and Canadian Standards Association Hydrogen Gas Vehicle Test Methods for Hydrogen Fueling Parameter Evaluation 4.3:2012 or based on the hydrogen fueling stations' needs, rates, and volumes required to meet the market demand for hydrogen at particular stations.

4. To develop and publish three public "Best Practice" documents gleaned from the efforts herein. The Best Practices documents shall communicate a level of detail that would be adequate to assist an experienced individual to be able to contract and procure the refurbishment and/or upgrade of hydrogen fueling stations. The individual Best Practice documents shall comprise a collection of three that individually address the following technologies and systems: hydrogen fuel electrolyzer, hydrogen fuel steam methane reforming (SMR), and hydrogen generated off-site (away from the hydrogen fueling station) delivered by tube trailer to hydrogen fueling stations.

STAFF DRAFT

## TASK LIST

| Task # | Task Name |
|---|---|
| 1 | Contract Management |
| 2 | Hydrogen Fueling Infrastructure Upgrade/Refurbishment Plans |
| 3 | Upgrade/Refurbishment of Hydrogen Fueling Infrastructure |
| 4 | Hydrogen Station Upgrade/Refurbishment Best Practices Guide |
| 5 | Data Collection and Analysis |

## ACRONYMS/GLOSSARY

*Specific acronyms and terms used throughout this scope of work are defined as follows:*

| Acronym | Definition |
|---|---|
| ARFVT | Alternative and Renewable Fuel and Vehicle Technology |
| CAM | Commission Agreement Manager |
| CAO | Commission Agreement Officer |
| Energy Commission | California Energy Commission |
| FCV | Fuel Cell Vehicle |
| SCAQMD/ Air District | South Coast Air Quality Management District |

## BACKGROUND/PROBLEM STATEMENT

Assembly Bill 118 (Nùñez, Chapter 750, Statutes of 2007), created the ARFVT Program. The statute, subsequently amended by AB 109 (Nùñez, Chapter 313, Statutes of 2008), authorizes the California Energy Commission (Energy Commission) to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change policies.

The 2011/2012 Investment Plan recognized that "…state support is needed to build regional fueling networks, ensure a reliable supply of [hydrogen] fuel, and establish fueling stations in regions with more modest Fuel Cell Vehicle (FCV) [deployment] commitments through 2014." The Investment Plan directs the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVT) Program to "match supply to demand" by funding infrastructure projects which meet the fuel demands of FCV drivers in California.

The regional fueling networks will support the alternative transportation fuel and vehicle technology goals of the State of California, such as the Zero Emissions Vehicle Program, which requires 14% of certain auto manufacturers' model year-2015 fleets to be zero-emission vehicles, and the Low Carbon Fuel Standard, which is designed to reduce the carbon intensity of transportation fuels by 10 percent by 2020.

The Energy Commission understands that existing hydrogen station upgrades/refurbishments are needed for the existing infrastructure and these existing stations are suitably zoned and permitted which increases their ability to successfully complete upgrade projects within a short timeframe.

## GOALS AND OBJECTIVES OF THE CONTRACT

The purpose of this Contract is to award $6,690,828 from the California Energy Commission's (Energy Commission) ARFVT Program to the South Coast Air Quality Management District (SCAQMD) to develop, release, and manage a competitive request for proposals (RFP); develop agreements; and to provide funds to companies that provide refurbishment and upgrades to existing, publicly accessible hydrogen

STAFF DRAFT

fueling stations. Further, these funds will be used to refurbish and upgrade existing legacy hydrogen fueling stations that were a part of the SCAQMD "Five Cities Program." These funds will also be used to refurbish and upgrade other existing, publicly accessible hydrogen fueling stations to benefit the hydrogen fueling infrastructure network within the SCAQMD. Publicly accessible is defined as the station can be accessed by any member of the public.

Under the ARFVT Program, the Energy Commission must provide preference to those projects that maximize the goals of the ARFVT Program. This contract with SCAQMD will provide funding to refurbish, upgrade, and otherwise improve California's existing publicly accessible infrastructure for hydrogen transportation fuel through a competitive RFP.

The goals and objectives of this contract, which focuses on refurbishing and upgrading existing hydrogen fueling and dispensing equipment and stations, shall include the following at a minimum:

- To conduct an assessment of the "State of Hydrogen" for hydrogen fueling which analyzes the functionality and performance of the existing hydrogen fueling stations that are considered for refurbishment and upgrade. A partial list of the stations that could potentially be upgraded/refurbished is in Appendix I.

  The "State of Hydrogen" assessment shall include a description of the existing stations in terms of their functionality and performance. It shall also include a prediction as to the potential life expectancy (assuming reasonable use) of a station after refurbishment and upgrade. The assessment shall be published as a public report with the following title and scope "Analysis of the Functionality and Performance of the Hydrogen Fueling Stations -- State of Hydrogen".

  Appendix II lists other known stations, either completed or in process. The "State of Hydrogen" assessment shall include network effects with the stations listed in Appendix II.

  The "State of Hydrogen" assessment shall also include substantiated information about how long the particular hydrogen fueling station will function following the refurbishment and/or upgrade. A potential with assumptions is acceptable. The "State of Hydrogen" shall also include substantiated predictions about the life expectancy of the stations, i.e., how long they will operate, in some cases in compliance with the standards set forth in this Contract, as practicable. Note: meeting the standards in this Contract may or may not make sense for some of the stations, and the goal may or may not be justifiable or cost effective. The "State of Hydrogen" assessment will determine whether or not a station should comply with the standards in this Contract.

- To collaborate closely and make joint decisions with the Energy Commission staff regarding the determination of which the stations will undergo refurbishment and/or upgrade based on the "State of Hydrogen" assessment.

STAFF DRAFT

- To develop and administer a competitive RFP for contractors and subcontractors to carry out the identified and agreed upon refurbishment/upgrade tasks.

- To develop Scopes of Work and budgets for each station proposed for refurbishment and/or upgrade.

- To carry out the best effort to access the stations for refurbishment and/or upgrade.

- To bring existing hydrogen fueling and dispensing equipment and stations (with various levels of functionality), potentially those listed in Appendix I, up to minimum acceptable standards for a hydrogen fill.

- To install new dispensing equipment at the stations, as needed.

- Following collaboration with the Energy Commission staff, to change hydrogen fueling and dispensing equipment at hydrogen fueling stations so the stations efficiently dispense hydrogen by the kilogram at performance levels defined by the Society of Automotive Engineers International (SAE) Information Report J2719:2011, SAE Technical Information Report J2601:2010, and Canadian Standards Association Hydrogen Gas Vehicle Test Methods for Hydrogen Fueling Parameter Evaluation 4.3:2012 or based on the hydrogen fueling stations' needs, rates, and volumes required to meet the market demand for hydrogen at particular stations.

- To conduct testing and evaluation of the hydrogen fueling and dispensing equipment, the current state-of-the-art meters, and stations to meet the standards set forth in this Contract, as practicable with an individual hydrogen fueling station.

- To change hydrogen fueling and dispensing equipment so customers can purchase the fuel by using a point of sale/credit card reader.

- To make sure the dispensing equipment/stations upgraded/refurbished under this Contract dispense a minimum average of 33% renewable hydrogen on a per kilogram basis through direct physical pathways.

  - A direct physical pathway means either on-site or off-site production of hydrogen fuel. Credits may not be used except for process electricity as specified below.

  - For purposes of this contract, the term "renewable hydrogen" is defined as hydrogen produced from:

    *1) Eligible renewable feedstocks including:*
    - Biomethane or biogas such as: biomass, digester gas, landfill gas, sewer gas, or municipal solid waste gas.

STAFF DRAFT

- Other feedstocks may be eligible if it is demonstrated that the proposed feedstock is sustainably produced, reduces greenhouse gas emissions compared to the petroleum baseline, and achieves the ARFVTP sustainability goals contained in 20 CCR 3101.5.

2) *Eligible renewable electricity sources, including facilities that use the following:*
   - Fuel cells using renewable fuels
   - Geothermal
   - Small hydroelectric (30 megawatts or less)
   - Ocean wave
   - Ocean thermal
   - Tidal current
   - Photovoltaic (PV)
   - Solar Thermal
   - Wind
   - Biomass digester gas
   - Municipal solid waste conversion (non-combustion thermal process)
   - Landfill gas
   - Renewable Energy Certificates (REC)

- **SB 1505 Disclaimer: Contractor shall include the following disclosure in all of its subcontracts, unless prior written approval is received from the CAM.** This 33% Renewable Hydrogen Content requirement is a condition to receive funding from the California Energy Commission for Hydrogen Fueling Infrastructure upgrades. This is separate and distinct from the California Air Resources Board's (ARB) sole authority to regulate the renewable hydrogen content requirements for hydrogen fueling stations under Health and Safety Code, Section 43869 (commonly referred to as Senate Bill 1505). Although the California Energy Commission coordinated with the Air Resources Board, the Energy Commission makes no guaranty and no warranty, express or implied, that the 33% Renewable Hydrogen Content requirement will meet any standards or regulations that ARB may adopt in the future for hydrogen fueling stations pursuant to the authority in Health and Safety Code, Section 43869. The contractor will be solely responsible for complying with such standards and regulations as applicable, including funding its compliance with them.

The types of potential refurbishment and/or upgrades to these existing stations include, but are not limited to, the following equipment (note: some stations could need only 350 bar, depending on the results of the assessment):

- Compressor units capable of supplying hydrogen fuel at both 350 bar and 700 bar.
- Dispensers capable of supplying hydrogen fuel at both 350 bar and 700 bar.
- Chilling/storage equipment to supply hydrogen fuel at both 350 bar and 700 bar.

STAFF DRAFT

- User-friendly dispensers that meet minimum acceptable SAE J2601 Standards for a fill equal to market demand and include state-of-the-art hydrogen meters.

## FORMAT/REPORTING REQUIREMENTS

### Deliverables/Reports

When creating reports, the Contractor shall use and follow, unless otherwise instructed in writing by the Commission Agreement Manager (CAM), the latest version of the Consultant Reports Style Manual published on the Energy Commission's website:

http://www.energy.ca.gov/contracts/consultant_reports/index.html

Each final deliverable shall be delivered as one original, reproducible, 8 ½" by 11", camera-ready master in black ink. Illustrations and graphs shall be sized to fit an 8 ½" by 11" page and readable if printed in black and white.

### Electronic File Format

The Contractor shall deliver an electronic copy (CD ROM or memory stick or as otherwise specified by the CAM) of the full text in a compatible version of Microsoft Word (.doc).

The following describes the accepted formats of electronic data and documents provided to the Energy Commission as contract deliverables and establishes the computer platforms, operating systems and software versions that will be required to review and approve all software deliverables.

- Data sets shall be in Microsoft (MS) Access or MS Excel file format.
- PC-based text documents shall be in MS Word file format.
- Documents intended for public distribution shall be in PDF file format, with the native file format provided as well.
- Project management documents shall be in MS Project™ file format.

STAFF DRAFT

## TASK 1- CONTRACT MANAGEMENT

### TASK 1.1 Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement.

### The Contractor shall:

- Attend a "kick-off" meeting with the CAM, the Commission Agreements Officer, and a representative of the Accounting Office. The Contractor shall include their Project Manager, Contracts Administrator, Accounting Officer, and others designated by the CAM in this meeting. The administrative and technical aspects of this Contract will be discussed at the meeting.

- Prepare an updated Schedule of Deliverables based on the decisions made in the kick-off meeting.

**The CAM shall:**
- Arrange the meeting including scheduling the date and time.
- Provide an agenda to all potential meeting participants prior to the kick-off meeting.

**Deliverables:**
- An updated Schedule of Deliverables
- A letter of commitment to provide funds to pay for one half of the assessment that results in "Analysis of the Functionality and Performance of the Hydrogen Fueling Stations -- State of Hydrogen."

**TASK 1.2 Invoices**

**The Contractor shall:**
- Prepare invoices for all reimbursable expenses incurred performing work under this Agreement in compliance with the Exhibit B of the Terms and Conditions of the Agreement. Invoices shall be submitted with the same frequency as progress reports (Task 1.4). Invoices shall be submitted to the Energy Commission's Accounting Office.

**Deliverables:**
- Invoices

**Task 1.3 Final Meeting**

The goal of this task is to discuss closeout of this Agreement and review the project.

**The Contractor shall:**
- Meet with Energy Commission staff prior to the term end date of this Agreement. The meeting will be held via Web-Ex or teleconference. This meeting will be attended by the Contractor Project Manager and the CCM. The CCM will determine any additional appropriate meeting participants. The administrative and technical aspects of Agreement closeout will be discussed at the meeting.

- Present findings, conclusions, and recommended next steps (if any) for the Agreement, based on the information included in the Final Report.

- Prepare a written document of meeting agreements and unresolved activities.

- Prepare a schedule for completing the closeout activities for this Agreement, based on determinations made within the meeting.

**Deliverables:**
- Written documentation of meeting agreements

STAFF DRAFT

- Schedule for completing closeout activities

**TASK 1.4 Progress Reports**
The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of this Agreement.

**The Contractor shall:**
- Prepare monthly progress reports which summarize all Agreement activities conducted by the Contractor for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Each progress report is due within 15 calendar days after the end of the reporting period. The CAM will provide the format for the progress reports.

**Deliverables**:
- Monthly Progress Reports

**TASK 1.5 Final Report**
The goal of this task is to prepare a comprehensive written Final Report that describes the original purpose, approach, results and conclusions of the work completed under this Agreement. The Final Report shall be prepared in language easily understood by the public or layperson with a limited technical background.

The Final Report must be completed before the termination date of the Agreement in accordance with the Schedule of Deliverables.

The Final Report shall be a public document. If the Contractor has obtained confidential status from the Energy Commission and will be preparing both a public and a confidential version of the Final Report, the Contractor shall perform the following subtasks for both the public and confidential versions of the Final Report.

**TASK 1.5.1 Final Report Outline**

**The Contractor shall:**
- Prepare and submit a draft outline of the Final Report (for each station) for review and approval. The CAM will provide written comments to the Contractor on the draft outline. The Contractor shall review the comments and discuss any issues with the recommended changes with the CAM.
- Prepare and submit the final outline of the Final Report (for each station), incorporating CAM comments.

**Deliverables:**
- Draft Outline of the Final Report (for each station)
- Final Outline of the Final Report (for each station)

**TASK 1.5.2 Final Report for Each Station**

**The Contractor shall:**

STAFF DRAFT

- Prepare the draft Final Report for this Agreement in accordance with the approved outline.
- Submit the draft Final Report for review and comment. The CAM will provide written comments to the Contractor. The Contractor shall review the comments and discuss any issues with the recommended changes with the CAM.
- Prepare and submit the Final Report, incorporating CAM comments.

**Deliverables**:

- Draft Final Report (for each station)
- Final Report (for each station)

**TASK 1.6 Identify and Obtain Required Permits**

The goal of this task is to verify all permits required for work completed under this Agreement in advance of the date they are needed to keep the Agreement schedule on track.

Permit costs and the expenses associated with obtaining permits are not reimbursable under this Agreement. While the budget for this task will be zero dollars, the Contractor may show match funds for this task. Permits must be identified in writing and obtained before the Contractor can incur any costs related to the use of the permits for which the Contractor will request reimbursement.

**The Contractor shall:**

- Prepare a letter documenting the permits required to conduct this Agreement and submit it at least 2 working days prior to the kick-off meeting. Provide in the letter:
    - A list of the permits that identifies the:
        - Type of permit
        - Name, address and telephone number of the permitting jurisdictions or lead agencies
    - A schedule the Contractor will follow in applying for and obtaining these permits.

- Discuss the list of permits and the schedule for obtaining them at the kick-off meeting. The implications to the Agreement if the permits are not obtained in a timely fashion or are denied will also be discussed. If applicable, permits will be included as a line item in the progress reports.

- If during the course of the Agreement additional permits become necessary, then provide the appropriate information on each permit and an updated schedule to the CAM.

- As permits are obtained, send a copy of each approved permit to the CAM if requested.

- If during the course of the Agreement permits are not obtained on time or are denied, notify the CCM within 5 working days.

STAFF DRAFT

**Deliverables:**

- A letter documenting the permits and schedule
- Updated list of permits and schedule (as necessary)
- A copy of each approved permit
-

**TASK 1.7 Obtain and Execute Subcontracts**

The goal of this task is to ensure quality products and to procure subcontractors required to carry out the tasks under this Agreement consistent with the Agreement Terms and Conditions and the Contractor's own procurement policies and procedures.

**The Contractor shall:**

- Manage and coordinate subcontractor activities.
- Submit a draft of each subcontract required to conduct the work under this Agreement to the CAM for review.
- Submit a final copy of the executed subcontract.
- Notify the CAM if new subcontractors are added.

**Deliverables:**

- Draft subcontracts
- Final subcontracts

STAFF DRAFT

**<u>TECHNICAL TASKS</u>**

**TASK 2 – HYDROGEN FUELING INFRASTRUCTURE UPGRADE/REFURBISHMENT PLANS**

The goal of this task is to conduct an assessment of the "State of Hydrogen" for hydrogen fueling infrastructure which analyzes the functionality and performance of existing hydrogen fueling stations and to develop a plan to fund upgrades/refurbishments including certification and testing at existing publicly accessible hydrogen fueling stations. The assessment will include a description of the existing stations in terms of functionality and performance and also a prediction as to the potential life expectancy (assuming reasonable use) of the station after upgrade/refurbishment.

**The Contractor shall:**

- Conduct an assessment of the "State of Hydrogen" of the existing hydrogen fueling stations that are considered for upgrade/refurbishment. The assessment shall include, but not be limited to, the functionality, performance, and potential life expectancy both pre- and post- upgrade/refurbishment.
- Prepare and submit a written report of "State of Hydrogen" assessment.
- Develop for each existing hydrogen fueling station proposed for upgrade/refurbishment, a written upgrade/refurbishment plan. At a minimum, each plan shall include:
    - The location (street address) of the equipment and/or station.
    - A listing of the proposed equipment and/or upgrades recommended.
    - Installation plans including a proposed schedule.
    - Test and evaluation plans.
    - Commissioning plans.

- Submit each individual upgrade/refurbishment plan to the CAM for review and approval.

**Deliverables:**

- Written report of "State of Hydrogen" assessment.
- Written upgrade/refurbishment plans for each existing hydrogen fueling station proposed.

**TASK 3 – UPGRADE/REFURBISHMENT OF HYDROGEN FUELING INFRASTRUCTURE**

The goal of this task is to upgrade/refurbish existing hydrogen dispensing equipment and fueling stations in accordance with approved upgrade/refurbishment plans. Refurbishment and/or upgrade may include environmental cleanup to comply with the standards set forth in this Contract.

STAFF DRAFT

**The Contractor shall:**

- Prepare and submit draft copies of competitive solicitations for bids from qualified entities to implement the approved upgrade/refurbishment plans including solicitation timelines, scoring criteria, and selection methodology.
- Prepare and submit a list of winning bids for proposed projects including proposed subcontractor and amount of funding.
- Manage, oversee, and direct upgrade/refurbishment implementation in accordance with approved upgrade/refurbishment plans.
- Troubleshoot problems and issues to ensure upgrade/refurbishment projects are successfully completed.
- Conduct post upgrade testing and evaluation of the hydrogen fueling and dispensing equipment, the current state-of-the-art meters, and stations to meet the standards set forth in this Contract, as practicable with an individual hydrogen fueling station and submit a written report thereon.

**Deliverables:**

- Draft solicitation(s) including solicitation timelines, scoring criteria, and selection methodology.
- Copy(ies) of final winning bids(s) and a list of proposed projects including proposed subcontractor and amount of funding.
- Written report of post-upgrade testing and evaluation results of fueling and dispensing equipment and current state-of-the-art meters.

**TASK 4 – HYDROGEN STATION UPGRADE/REFURBISHMENT BEST PRACTICES GUIDE**

The goal of this task is to develop and publish three public "Best Practice" manuals for the following hydrogen fueling technologies/systems:

- Hydrogen fuel electrolyzer
- Hydrogen fuel steam methane reforming (SMR)

- Hydrogen generated off-site and delivered by tube trailer to hydrogen fueling stations.

At a minimum, these "Best Practice" manuals shall include:

- The steps necessary to implement effective and efficient hydrogen fueling station upgrades/refurbishments.
- The lessons learned from the upgrades/refurbishments conducted under this contract along with suggestions on how to improve implementation.
- Recommendations to further enhance the capabilities and expected life expectancy of existing hydrogen fueling station infrastructure.

**The Contractor shall:**

- Develop three "Best Practice" manuals.
- Submit both Draft and Final "Best Practice" manuals to CAM for review and approval.

**Deliverables:**

- Draft "Best Practice" manuals.
- Final "Best Practice" manuals.

**TASK 5 - DATA COLLECTION AND ANALYSIS**

The goal of this task is to collect and analyze operational data upon commencement of commercial operation of the upgraded hydrogen fueling stations and include that analysis in the Final Report.

**The Contractor shall:**

- Develop data collection test plan.
- Troubleshoot any issues identified.
- Collect a minimum of 12 months (unless a different amount of time is approved by the CAM) of throughput, usage, and operations data from the project including, but not limited to:
  - Number of hydrogen fills per day per station
  - Number of cars fueled per day
  - Amount of each fill
  - Number of days per month hydrogen vehicles are fueled at the station
  - Number of days per month the hydrogen station is operational
  - Maximum capacity of the new fueling system (actual)
  - Gallons of gasoline and/or diesel fuel displaced
  - Expected air emissions reduction, for example:
    - Non-methane hydrocarbons
    - Oxides of nitrogen
    - Non-methane hydrocarbons plus oxides of nitrogen
    - Particulate Matter
    - Formaldehyde

STAFF DRAFT

- Summarize the use of renewable energy at the stations refurbished and/or upgraded. Summarize the plan to dispense a minimum of 33% renewable hydrogen fuel from the network of stations funded through the contract.
- Describe any energy efficiency measures used in the facility that may exceed Title 24 standards in Part 6 of the California Code Regulations.
- Summarize greenhouse gas reduction, water efficiency, and natural resource impacts and overall environmental impacts.
- Summarize how the individual stations bolster the existing infrastructure and send a message of continued support for California's hydrogen fueling infrastructure listed in Appendix II, i.e., network effects.
- Provide data on actual and potential job creation, economic development, and increased state and local revenue.
- Provide a quantified estimate of the project's carbon intensity values for life-cycle greenhouse gas emissions.
- Compare any project performance and expectations provided in the proposal to Energy Commission with actual project performance and accomplishments.
- Compile the data and information specified above in the Final Report.

**Deliverables:**
The data collected and information generated shall be evaluated and described in the final report per Task 1.5.

STAFF DRAFT

## APPENDIX – I
## Partial List of Existing Hydrogen Fueling Stations (in no particular order) and Potential Equipment

Listed below is a partial list of the existing stations and potential equipment technologies that may or may not be considered for refurbishment and/or upgrade. The stations to work on and the priority are to be determined based on the "State of Hydrogen" assessment performed in Task 2.

- City of Burbank "Five Cities" hydrogen fueling station (dispenser, chiller, compressor)
- Los Angeles Airport (LAX) (10400 Aviation Blvd., Los Angeles, CA 90045)
- University of California at Los Angeles (UCLA) (Veteran & Kinross, SW Corner of Campus, Westwood, CA 90095) (equipment to be determined)
- Shell West Los Angeles 350 bar station (11576 Santa Monica Blvd., West Los Angeles, CA 90025) (equipment to be determined)
- Thousand Palms and/or Riverside station(s) (dispenser, chiller, compressor, storage)
- California State University in Los Angeles (CSULA) (5151 State University Dr. Los Angeles, CA 90032) (equipment to be determined)
- Fountain Valley (10844 Ellis Avenue, Fountain Valley, CA 92708) (equipment to be determined)
- Newport Beach Jamboree Shell (1600 Jamboree Blvd., Newport Beach, CA 92660) (equipment to be determined)

The following is another potential opportunity for station refurbishment and / or upgrade in the Bay Area Air Quality Management District (BAAQMD) region. Understanding that the SCAQMD is not located in the BAAQMD, this station is offered as a suggestion --- from the perspective of extending the potential to offer refurbishment and/or upgrade to the north. The point is to consider all the existing stations so that the State benefits from the greatest possible network effect.

- Emeryville (1172 45th Street, Emeryville, CA 94608) (equipment to be determined)

STAFF DRAFT

## APPENDIX – II
## Existing and Recently Funded (Pending Development) Hydrogen Fueling Stations (listed in no particular order)

***Existing Stations****

- 11576 Santa Monica Blvd, West Los Angeles, CA 90025
- 2051 W. 190th Street, Torrance, CA 90501
- 32505 Harry Oliver Trail, Thousand Palms, CA 92276
- 145 W. Verdugo Avenue, Burbank, CA 91510
- 1172 45th St., Emeryville, CA 94608
- 10844 Ellis Ave, Fountain Valley, CA 92708
- 19172 Jamboree Blvd, Irvine, CA 92612 (also listed as an upgrade, below)
- 1600 Jamboree Blvd., Newport Beach, CA 92660

***Recently Funded Stations****

- 1402 Santa Monica Blvd, Santa Monica, CA 90404
- Veteran & Kinross, SW corner of campus, Westwood, CA 90095
- 11261 Santa Monica Blvd, Los Angeles, CA 90025
- 1004 S. La Cienega Blvd, Los Angeles, CA 90035 (Beverly Hills)
- 5230 Rosecrans Ave, Hawthorne, CA 90250
- 1131 Pacific Coast Highway, Hermosa Beach, CA 90254
- 25826 S Western Ave, Harbor City, CA 90710
- 19172 Jamboree Blvd, Irvine, CA 92612 (upgrade in development)
- 4162 Trabuco Rd, Irvine, CA 92620
- Chevron Station, 30072 Crown Valley Parkway, Laguna Niguel, CA 92677
- 21865 E. Copley Dr, Diamond Bar, CA 91765 (upgrade in development)
- 5151 State University Dr. Los Angeles, CA 90032
- 2816 West Capitol Ave, West Sacramento, CA 95691
- 5314 Topanga Canyon Blvd., Woodland Hills, CA 91364
- 830 Leong Drive, Mountain View, CA 94043
- 25122 Marguerite Parkway, Mission Viejo, CA 92692
- 21530 Stevens Creek Blvd., Cupertino, CA 95014
- 390 Foster City Blvd., Foster City, CA 94404
- 12600 East End Ave., Chino, CA 91710
- 3731 E La Palma, Anaheim, CA 92806

*These stations are to be considered, from a network effect perspective, in the "State of Hydrogen."

SUBMITTED DRAFT

STATE OF CALIFORNIA

# CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 01/13) CALIFORNIA ENERGY COMMISSION

**A)** New Agreement 600-12-018 (To be completed by CGL Office)

| **B) Division** | **Agreement Manager:** | **MS-** | **Phone** |
|---|---|---|---|
| 600 Fuels and Transportation Division | Phil Cazel | 27 | 916-653-1590 |

| **C) Contractor's Legal Name** | **Federal ID Number** |
|---|---|
| South Coast Air Quality Management District | - |

| **D) Title of Project** |
|---|
| Refurbish/Upgrade Existing Hydrogen Fueling/Dispensing Equipment and Stations |

| **E) Term and Amount** | **Start Date** | **End Date** | **Amount** |
|---|---|---|---|
| | 6 / 28 / 2013 | 3 / 30 / 2017 | $ 6,690,828 |

**F) Business Meeting Information**

☐ Operational agreement (see CAM Manual for list) to be approved by Executive Director

☐ ARFVTP agreements under $75K delegated to Executive Director.

| | | | |
|---|---|---|---|
| Proposed Business Meeting Date | 6 / 12 / 2013 | ☐ Consent | ☒ Discussion |
| Business Meeting Presenter | Phil Cazel | Time Needed: | 5 minutes |

Please select one list serve: Altfuels (AB118- ARFVTP)

**Agenda Item Subject and Description**

Possible approval of Agreement 600-12-018 with South Coast Air Quality Management District for a $6,690,828 contract to conduct an assessment of existing hydrogen fueling stations; to develop, release, and manage a competitive solicitation(s) for grant funding of the station locations, as well the companies that provide refurbishment and upgrades to existing, publicly accessible hydrogen fueling stations; and to test and evaluate the upgraded hydrogen fueling and dispensing equipment and state-of-the-art meters.

**G) California Environmental Quality Act (CEQA) Compliance**

1. Is Agreement considered a "Project" under CEQA?
   ☒ Yes (skip to question 2) ☒ No (complete the following (PRC 21065 and 14 CCR 15378)):
   Explain why Agreement is not considered a "Project":
   Agreement will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because it provides for assessment and evaluation of existing facilities and a future competitive solicitation for the station upgrades.
2. If Agreement is considered a "Project" under CEQA:
   ☐ a) Agreement **IS** exempt. (Attach draft NOE)
   ☐ 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 Agreement is exempt under the above section:
   ☐ b) Agreement **IS NOT** exempt. (Consult with the legal office to determine next steps.)
   Check all that apply
   ☐ Initial Study ☐ Environmental Impact Report
   ☐ Negative Declaration ☐ Statement of Overriding Considerations
   ☐ Mitigated Negative Declaration

**H) List all subcontractors (major and minor) and equipment vendors:** (attach additional sheets as necessary)

| Legal Company Name: | Budget | SB | MB | DVBE |
|---|---|---|---|---|
| TBD | $ 6,466,511 | ☐ | ☐ | ☐ |
| | $ 0 | ☐ | ☐ | ☐ |
| | $ 0 | ☐ | ☐ | ☐ |

**I) List all key partners:** (attach additional sheets as necessary)

| Legal Company Name: |
|---|
| |
| |

STAFF DRAFT

## J) Budget Information

| Funding Source | Funding Year of Appropriation | Budget List No. | Amount |
|---|---|---|---|
| ARFVTF | 2011/12 | 601.118D | $6,690,828 |
| Funding Source | | | $ |
| Funding Source | | | $ |
| Funding Source | | | $ |
| Funding Source | | | $ |
| R&D Program Area: Select Program Area | | TOTAL: | $6,690,828 |
| Explanation for "Other" selection | | | |
| Reimbursement Contract #: | | Federal Agreement #: | |

| K) Contractor's Administrator/ Officer | | | | Contractor's Project Manager | | | |
|---|---|---|---|---|---|---|---|
| Name: | Larry Watkins | | | Name: | Larry Watkins | | |
| Address: | 21865 Copley Drive | | | Address: | 21865 Copley Drive | | |
| City, State, Zip: | Diamond Bar, CA 91765 | | | City, State, Zip: | Diamond Bar, CA 91765 | | |
| Phone: | 909-396-3246 | Fax: | 909-396-3252 | Phone: | 909-396-3246 | Fax: | 909-396-3252 |
| E-Mail: | lwatkins@aqmd.gov | | | E-Mail: | lwatkins@aqmd.gov | | |

## L) Selection Process Used (For amendments, address amendment exemption or NCB, do not identify solicitation type of original agreement. )

☐ Solicitation Select Type Solicitation #: ____ - ____ - ____ # of Bids: _____ Low Bid? ☐ No ☐ Yes
☐ Non Competitive Bid *(Attach CEC 96)*
☒ Exempt Other Governmental Entity

## M) Contractor Entity Type

☐ 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)*

## N) Is Contractor a certified Small Business (SB), Micro Business (MB) or DVBE?

☒ No ☐ Yes

If yes, check appropriate box: ☐ SB ☐ MB ☐ DVBE

## O) Civil Service Considerations

☐ Not Applicable (Agreement 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**:

The South Coast Air Quality Management District (SCAQMD) has unique expertise and specialized knowledge which allows them to conduct the required functionality and performance assessments of the existing hydrogen fueling stations in their district. SCAQMD personnel are fully versed in the day to day operations and the engineering of the existing hydrogen stations and how they differ in their hydrogen generation, storage, and dispensing equipment. SCAQMD personnel includes qualified safety engineers who are fully versed in federal, state, and local safety laws and regulations. SCAQMD's management and oversight of the station upgrades will help to ensure the proper and timely installation of hydrogen fueling equipment.

The highly specialized and technical nature of how this knowledge applies to the existing hydrogen stations in Southern and Northern California is unique to each station. The SCAQMD personnel can function immediately to review the assessment of the performance, functionality, and safety of existing hydrogen stations.

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## P) Payment Method

☒ A. Reimbursement in arrears based on:
☒ Itemized Monthly ☐ Itemized Quarterly ☐ Flat Rate ☐ One-time
☐ B. Advanced Payment
☐ C. Other, explain:

## Q) Retention

1. Is Agreement subject to retention? ☒ No ☐ Yes
   If Yes, Will retention be released prior to Agreement termination? ☐ No ☐ Yes

## R) Justification of Rates

## S) Disabled Veteran Business Enterprise Program (DVBE)

1. ☒ Exempt (Interagency/Other Government Entity)
2. ☐ Meets DVBE Requirements DVBE Amount:$ 0 DVBE %: _____
   ☐ Contractor is Certified DVBE
   ☐ Contractor is Subcontracting with a DVBE: Name of DVBE Company
3. ☐ Contractor selected through CMAS or MSA with no DVBE participation.
4. ☐ Requesting DVBE Exemption (attach CEC 95)

## T) Miscellaneous Agreement 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 ☐ Other...
5. Will a final report be required? ☐ No ☒ Yes
6. Is the Agreement, with amendments, longer than a year? If yes, why? ☐ No ☒ Yes
   Contractor must develop, release, and manage a competitive solicitation(s).

## U) The following items should be attached to this CRF (as applicable)

| | | |
|---|---|---|
| 1. Exhibit A, Scope of Work | ☐ N/A | ☒ Attached |
| 2. Exhibit B, Budget Detail | ☐ 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. CEQA Documentation | ☐ N/A | ☒ Attached |
| 7. Resumes | ☒ N/A | ☐ Attached |
| 8. CEC 105, Questionnaire for Identifying Conflicts | | ☒ Attached |

| Agreement Manager | Date | Office Manager | Date | Deputy Director | Date |
|---|---|---|---|---|---|

DRAFT

Award Number: 600-12-018 Date: 06 / 12 / 2013

**Note:** The Energy Commission Project Managers Manual includes detailed instructions on how to complete this section, with examples of grants that are "Projects" and are not "Projects". When the Project Manager is completing this section, if questions arise as to the appropriate answers to the questions below, please consult with the Energy Commission attorney assigned to review grants or loans for your division.

1. Is grant/loan considered a "Project" under CEQA? ☒ Yes *(skip to question #2)* ☐ No *(continue with question #1)*

   Please complete the following: *[Public Resources Code (PRC) 21065 and 14 California Code of Regulations (CCR) 15378]:*

   Explain why the grant/loan is ***not*** considered a "Project"? The grant/loan will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because grant/loan involves:

2. If grant/loan is considered a "Project" under CEQA: *(choose either **IS** or **IS NOT**)*

   ☒ Grant/loan **IS** exempt:

   ☐ Statutory Exemption: *(List PRC and/or CCR section numbers)*

   ☒ Categorical Exemption: *(List CCR section number)* "Existing facility" (§15301)

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

   Explain reason why the grant/loan is exempt under the above section:

   15301 - The project would upgrade hydrogen fuel compressor units, dispensers, and chilling/storage equipment at existing hydrogen fueling stations to meet minimum standards to dispense hydrogen by the kilogram at current specifications defined by the Society of Automotive Engineers International (SAE) Information Report J2719:2011, SAE Technical Information Report J2601:2010, and Canadian Standards Association Hydrogen Gas Vehicle Test Methods for Hydrogen Fueling Parameter Evaluation 4.3:2012. The use of the sites would not change, but the upgraded hydrogen fuel dispensers would likely increase the number of hydrogen fuel cell vehicles using the sites. More fuel cell vehicles would help displace use of gasoline with less polluting hydrogen fuel cell technology. The project would, therefore, be a minor alteration at an existing facility within the categorical exemption of CEQA Guidelines, § 15301, with no significant adverse impact on the environment.

Please attach draft Notice of Exemption (NOE). Consult with the Energy Commission attorney assigned to your division for instructions on how to complete the NOE.

☐ Grant/loan **IS NOT** exempt. The Project Manager needs to consult with the Energy Commission attorney assigned to your division and the Siting Office regarding a possible initial study.

STAFF DRAFT

**RESOLUTION NO: [XX-XXXX-XX]**

**STATE OF CALIFORNIA**

**STATE ENERGY RESOURCES**
**CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION REGARDING: CONTRACT 600-12-018
TO
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

**Deleted:** R.F. Dickson Co., Inc. dba California Clean Fuels

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**WHEREAS** the proposed project would fund the upgrade/refurbishment of hydrogen fueling and dispensing equipment to bring existing stations up to minimum standards to dispense hydrogen by the kilogram at current specifications defined by the Society of Automotive Engineers International (SAE) Information Report J2719:2011, SAE Technical Information Report J2601:2010, and Canadian Standards Association Hydrogen Gas Vehicle Test Methods for Hydrogen Fueling Parameter Evaluation 4.3:2012 without changing the use of the sites; and

**WHEREAS** the upgrades would likely increase the number of hydrogen fuel cell vehicles using the sites and would help displace the use of gasoline with less polluting hydrogen fuel cell technology;

**THEREFORE BE IT RESOLVED** that the State Energy Resources Conservation and Development Commission (Energy Commission) determines the project would be a minor alteration at an existing facility within the categorical exemption of CEQA Guidelines, § 15301.

**BE IT FURTHER RESOLVED** that the Energy Commission approves **Contract # 600-12-018** with South Coast Air Quality Management District (Contractor) for **$6,690,828.00** with the accompanying contract to fund the upgrade/refurbishment of hydrogen fueling and dispensing equipment at existing stations.

**FURTHER BE IT RESOLVED,** that this document authorizes the Executive Director or his/her designee to execute the grant agreement on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a RESOLUTION duly and regularly adopted at a meeting of the California Energy Commission held on June 12, 2013:

AYE: [*List Commissioners*]
NAY: [*List Commissioners*]
ABSENT: [*List Commissioners*]
ABSTAIN: [*List Commissioners*]

_____
*Harriet Kallemeyn,*
*Secretariat*