STATE OF CALIFORNIA

GRANT REQUEST FORM (GRF)

CEC-270 (Revised 02/13) CALIFORNIA ENERGY COMMISSION

New Agreement ARV-12-056 (To be completed by CGL Office)

Division	Agreement Manager:	MS-	Phone
600 Fuels and Transportation Division	Eric VanWinkle	27	916-651-1235

Recipient's Legal Name	Federal ID Number
Alameda County Industries, LLC.	77-0511369

Title of Project
Alameda County Industries CNG Station Project

Term and Amount	Start Date	End Date	Amount
	07 / 01 / 2013	12 / 31 / 2014	$ 300,000

Business Meeting Information

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

Proposed Business Meeting Date	06 / 12 / 2013	☐ Consent	☒ Discussion
Business Meeting Presenter	Eric VanWinkle	Time Needed:	5 minutes

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

Agenda Item Subject and Description

Possible approval of Agreement ARV-12-056 with Alameda County Industries, LLC. (ACI) for a $300,000 grant to partially offset the cost of a new Compressed Natural Gas (CNG) fleet fueling station that will support ACI's expanding fleet of CNG refuse trucks. Once operational, the station is expected to displace over 179,000 gallons of diesel fuel annually and significantly reduce harmful emissions. ACI will contribute $652,664 in private capital as match share.

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 .
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: 15332
   ☐ 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

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

Legal Company Name:	Budget
Clean Energy	$ 0
	$ 0
	$ 0

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

Legal Company Name:
Clean Energy

Budget Information			
Funding Source	**Funding Year of Appropriation**	**Budget List No.**	**Amount**
ARFVTF			$300,000
Funding Source			$
Funding Source			$
Funding Source			$
Funding Source			$
R&D Program Area: N/A		TOTAL:	$ 0
Explanation for "Other" selection			
Reimbursement Contract #:		Federal Agreement #:	

Recipient's Administrator/ Officer				Recipient's Project Manager			
Name:	Louie Pellegrini			Name:	Tim Newman		
Address:	Alameda County Industries, LLC. 610 Aladdin Avenue			Address:	Clean Energy 3020 Old Ranch Parkway, Suite 400		
City, State, Zip:	San Leandro, CA 94577			City, State, Zip:	Seal Beach, CA 90740		
Phone:	510-357-7282	Fax:	510-357-7329	Phone:	562-493-2804	Fax:	562-493-4532
E-Mail:	lapvp@aol.com			E-Mail:	tnewman@cleanenergyfuels, com		

Selection Process Used

☒ Competitive Solicitation
☐ First Come First Served Solicitation

Solicitation #: PON-12-605

The following items should be attached to this GRF

1. Exhibit A, Scope of Work		☒ Attached
2. Exhibit B, Budget Detail		☒ Attached
3. CEC 105, Questionnaire for Identifying Conflicts		☒ Attached
4. Recipient Resolution	☐ N/A	☐ Attached
5. CEQA Documentation	☐ N/A	☒ Attached

Agreement Manager	Date	Office Manager	Date	Deputy Director	Date

SCOPE OF WORK

TECHNICAL TASK LIST

Task #	Task Name
1	Administration
2	Site Preparations
3	Equipment Installation
4	Commission and Operate Natural Gas Fueling Infrastructure
5	Data Collection and Analysis

KEY NAME LIST

Task #	Key Personnel	Key Subcontractor(s)
1	TBD	Clean Energy
2	TBD	Clean Energy
3	TBD	Clean Energy
4	TBD	Clean Energy
5	TBD	Clean Energy

GLOSSARY

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

Term/ Acronym	Definition
ARFVTP	Alternative and Renewable Vehicle and Technology Program
CAM	Commission Agreement Manager
CPR	Critical Project Review
Energy Commission	California Energy Commission
FTD	Fuels and Transportation Division
Recipient	Alameda County Industries, LLC
Subcontractor	Clean Energy

BACKGROUND

Assembly Bill 118 (Nùñez, Chapter 750, Statutes of 2007), created the Alternative and Renewable Fuel and Vehicle Technology (ARFVT) Program. The statute, subsequently amended by AB 109 (Nùñez Chapter 313, Statutes of 2008), authorizes the Energy Commission to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change policies. The Energy Commission has an annual program budget of approximately $100 million and provides financial support for projects that:

- Develop and improve alternative and renewable low-carbon fuels;
- Optimize alternative and renewable fuels for existing and developing engine technologies;
- Produce alternative and renewable low-carbon fuels in California;
- Decrease, on a full fuel cycle basis, the overall impact and carbon footprint of alternative and renewable fuels and increase sustainability;
- Expand fuel infrastructure, fueling stations, and equipment;

- Improve light-, medium-, and heavy-duty vehicle technologies;
- Retrofit medium- and heavy-duty on-road and non-road vehicle fleets;
- Expand infrastructure connected with existing fleets, public transit, and transportation corridors; and
- Establish workforce training programs, conduct public education and promotion, and create technology centers.

The California Energy Commission issued solicitation PON-12-605 to provide funding opportunities under the ARFVT Program for projects to support installation of new natural gas fueling infrastructure and upgrades to existing natural gas fueling infrastructure. To be eligible for funding under PON-12-605, the projects must be consistent with the Energy Commission's annual ARFVT Investment Plan. In response to PON-12-605, Alameda Country Industries, LLC (Recipient) submitted proposal number 5, which was proposed for funding in the Energy Commission's March 18, 2013 Notice of Proposed Awards. The Recipient's proposal is incorporated by reference to this Agreement in its entirety.

In the event of any conflict or inconsistency between the terms of the Solicitation and the terms of the Recipient's Application, the Solicitation shall control. In the event of any conflict or inconsistency between the Recipient's Application and the terms of the Energy Commission's Award, the Energy Commission's Award shall control. Similarly, in the event of any conflict or inconsistency between the terms of this Agreement and the Recipient's Application, the terms of this Agreement shall control.

Problem Statement:
In 2013, Recipient plans on replacing its diesel trucks with Compressed Natural Gas (CNG) collection trucks. To support Recipient's efforts, a time-fill CNG station will need to be constructed to fuel the fleet of trucks. The current public CNG infrastructure in the area is limited and doesn't have the needed capacity to fuel these vehicles consistently on a daily basis. For example, there is a CNG station at Oakland Airport, but unfortunately, it doesn't have a strong fill rate and is heavily used by airport vehicles and taxi-cabs. Trying to fill refuse vehicles causes a problem for the refuse operator and airport. The airport has asked several times that refuse collection vehicles not be allowed to use their station and has considered outright regulating who can use the station.

The most significant barrier to a natural gas refuse fleet conversion is the initial costs of on-site infrastructure. Refuse fleets are familiar with traditional petroleum sources of fuel and typically already have invested in on-site infrastructure to fuel their diesel fleet. When considering a CNG fleet conversion, a refuse company is forced to make massive capital investments into new trucks and also they must invest into a fueling solution that works for their fleet. Although the cost of CNG infrastructure has decreased over the years, it has not decreased enough to make it economically viable for a private refuse company to convert their entire fleet.

Goals of the Agreement:
The goal of this Agreement is to invest into alternative fuel infrastructure that will support a growing CNG fleet.

Objectives of the Agreement:
The objectives of this Agreement are to prepare the site at 610 Aladdin Avenue, San Leandro, CA, 94577, for the installation of a natural gas fueling facility, install the natural gas fueling equipment, commission the equipment for dispensing natural gas and then collect no less than 6 months, unless a different amount of time is approved in writing by the Commission Agreement Manager, of throughput usage and operational data for the California Energy Commission..

TASK 1 ADMINISTRATION

Task 1.1 Attend Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement. The CAM shall designate the date and location of this meeting and provide an agenda to the Recipient prior to the meeting.

The Recipient shall:

- Attend a "Kick-Off" meeting with the CAM (CAM), the Grants Officer, and a representative of the Accounting Office. The Recipient shall bring its Project Manager, Agreement Administrator, Accounting Officer, and others designated by the CAM to this meeting.
- Discuss the following administrative and technical aspects of this Agreement:
    - Agreement Terms and Conditions
    - Critical Project Review (Task 1.2)
    - Match fund documentation (Task 1.6) No reimbursable work may be done until this documentation is in place.
    - Permit documentation (Task 1.7)
    - subcontracts needed to carry out project (Task 1.8)
    - The CAM's expectations for accomplishing tasks described in the Scope of Work
    - An updated Schedule of Products and Due Dates
    - Monthly Progress Reports (Task 1.4)
    - Technical Products (Product Guidelines located in Section 5 of the Terms and Conditions)
    - Final Report (Task 1.5)

Recipient Products:

- Updated Schedule of Products
- Updated List of Match Funds

- Updated List of Permits

CAM Product:

- Kick-Off Meeting Agenda

Task 1.2 Critical Project Review (CPR) Meetings

CPRs provide the opportunity for frank discussions between the Energy Commission and the Recipient. The goal of this task is to determine if the project should continue to receive Energy Commission funding to complete this Agreement and to identify any needed modifications to the tasks, products, schedule or budget.

The CAM may schedule CPR meetings as necessary, and meeting costs will be borne by the Recipient.

Meeting participants include the CAM and the Recipient and may include the Energy Commission Grants Officer, the Fuels and Transportation Division (FTD) natural gas fuel lead, other Energy Commission staff and Management as well as other individuals selected by the CAM to provide support to the Energy Commission.

The CAM shall:

- Determine the location, date, and time of each CPR meeting with the Recipient. These meetings generally take place at the Energy Commission, but they may take place at another location.
- Send the Recipient the agenda and a list of expected participants in advance of each CPR. If applicable, the agenda shall include a discussion on both match funding and permits.
- Conduct and make a record of each CPR meeting. Prepare a schedule for providing the written determination described below.
- Determine whether to continue the project, and if continuing, whether or not modifications are needed to the tasks, schedule, products, and/or budget for the remainder of the Agreement. Modifications to the Agreement may require a formal amendment (please see section 8 of the Terms and Conditions). If the CAM concludes that satisfactory progress is not being made, this conclusion will be referred to the Lead Commissioner for Transportation for his or her concurrence.
- Provide the Recipient with a written determination in accordance with the schedule. The written response may include a requirement for the Recipient to revise one or more product(s) that were included in the CPR.

The Recipient shall:

- Prepare a CPR Report for each CPR that discusses the progress of the Agreement toward achieving its goals and objectives. This report shall include recommendations and conclusions regarding continued work of the projects. This report shall be submitted along with any other products identified in this scope of work. The Recipient shall submit these documents to the CAM and any other designated reviewers at least 15 working days in advance of each CPR meeting.
- Present the required information at each CPR meeting and participate in a discussion about the Agreement.

CAM Products:

- Agenda and a list of expected participants
- Schedule for written determination
- Written determination

Recipient Product:

- CPR Report(s)

Task 1.3 Final Meeting

The goal of this task is to closeout this Agreement.

The Recipient shall:

- Meet with Energy Commission staff to present the findings, conclusions, and recommendations. The final meeting must be completed during the closeout of this Agreement.

  This meeting will be attended by, at a minimum, the Recipient, the Energy Commission Grants Office Officer, and the CAM. The technical and administrative aspects of Agreement closeout will be discussed at the meeting, which may be two separate meetings at the discretion of the CAM.

  The technical portion of the meeting shall present an assessment of the degree to which project and task goals and objectives were achieved, findings, conclusions, recommended next steps (if any) for the Agreement, and recommendations for improvements. The CAM will determine the appropriate meeting participants.

  The administrative portion of the meeting shall be a discussion with the CAM and the Grants Officer about the following Agreement closeout items:

- What to do with any equipment purchased with Energy Commission funds (Options)
- Energy Commission's request for specific "generated" data (not already provided in Agreement products)
- Need to document Recipient's disclosure of "subject inventions" developed under the Agreement
- "Surviving" Agreement provisions
- Final invoicing and release of retention

- Prepare a schedule for completing the closeout activities for this Agreement.

Products:

- Written documentation of meeting agreements
- Schedule for completing closeout activities

Task 1.4 Monthly 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 on time and within budget.

The objectives of this task are to summarize activities performed during the reporting period, to identify activities planned for the next reporting period, to identify issues that may affect performance and expenditures, and to form the basis for determining whether invoices are consistent with work performed.

The Recipient shall:

- Prepare a Monthly Progress Report which summarizes all Agreement activities conducted by the Recipient 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 to the CAM within 10 days of the end of the reporting period. The recommended specifications for each progress report are contained in Section 6 of the Terms and Conditions of this Agreement.

- In the first Monthly Progress Report and first invoice, document and verify match expenditures and provide a synopsis of project progress, if match funds have been expended or if work funded with match share has occurred after the notice of proposed award but before execution of the grant agreement. If no match funds have been expended or if no work funded with match share has occurred before execution, then state this in the report. All pre-execution match expenditures must conform to the requirements in the Terms and Conditions of this Agreement.

Product:

- Monthly Progress Reports

Task 1.5 Final Report

The goal of the Final Report is to assess the project's success in achieving the Agreement's goals and objectives, advancing science and technology, and providing energy-related and other benefits to California.
The objectives of the Final Report are to clearly and completely describe the project's purpose, approach, activities performed, results, and advancements in science and technology; to present a public assessment of the success of the project as measured by the degree to which goals and objectives were achieved; to make insightful observations based on results obtained; to draw conclusions; and to make recommendations for further projects and improvements to the FTD project management processes.

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

The Recipient shall:

- Prepare an Outline of the Final Report, if requested by the CAM.
- Prepare a Final Report following the latest version of the Final Report guidelines which will be provided by the CAM. The CAM shall provide written comments on the Draft Final Report within fifteen (15) working days of receipt. The Final Report must be completed at least 60 days before the end of the Agreement Term.
- Submit one bound copy of the Final Report with the final invoice.

Products:

- Outline of the Final Report, if requested
- Draft Final Report
- Final Report

Task 1.6 Identify and Obtain Matching Funds

The goal of this task is to ensure that the match funds planned for this Agreement are obtained for and applied to this Agreement during the term of this Agreement.

The costs to obtain and document match fund commitments are not reimbursable through this Agreement. Although the Energy Commission budget for this task will be zero dollars, the Recipient may utilize match funds for this task. Match funds shall be spent concurrently or in advance of Energy Commission funds for each task during the term of this Agreement. Match funds must be identified in writing and the associated commitments obtained before the Recipient can incur any costs for which the Recipient will request reimbursement.

The Recipient shall:

- Prepare a letter documenting the match funding committed to this Agreement and submit it to the CAM at least 2 working days prior to the kick-off meeting. If no match funds were part of the proposal that led to the Energy Commission awarding this Agreement and none have been identified at the time this Agreement starts, then state such in the letter. If match funds were a part of the proposal that led to the Energy Commission awarding this Agreement, then provide in the letter a list of the match funds that identifies the:
    - Amount of each cash match fund, its source, including a contact name, address and telephone number and the task(s) to which the match funds will be applied.
    - Amount of each in-kind contribution, a description, documented market or book value, and its source, including a contact name, address and telephone number and the task(s) to which the match funds will be applied. If the in-kind contribution is equipment or other tangible or real property, the Recipient shall identify its owner and provide a contact name, address and telephone number, and the address where the property is located.
- Provide a copy of the letter of commitment from an authorized representative of each source of cash match funding or in-kind contributions that these funds or contributions have been secured. For match funds provided by a grant a copy of the executed grant shall be submitted in place of a letter of commitment.
- Discuss match funds and the implications to the Agreement if they are reduced or not obtained as committed, at the kick-off meeting. If applicable, match funds will be included as a line item in the progress reports and will be a topic at CPR meetings.
- Provide the appropriate information to the CAM if during the course of the Agreement additional match funds are received.
- Notify the CAM within 10 days if during the course of the Agreement existing match funds are reduced. Reduction in match funds must be approved through a formal amendment to the Agreement and may trigger an additional CPR meeting.

Products:

- A letter regarding match funds or stating that no match funds are provided
- Copy(ies) of each match fund commitment letter(s) (if applicable)
- Letter(s) for new match funds (if applicable)
- Letter that match funds were reduced (if applicable)

Task 1.7 Identify and Obtain Required Permits

The goal of this task is to obtain 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. Although the Energy Commission budget for this task will be zero dollars, the Recipient shall budget match funds for any expected expenditures associated with obtaining permits. Permits must be identified in writing and obtained before the Recipient can make any expenditure for which a permit is required.

The Recipient shall:

- Prepare a letter documenting the permits required to conduct this Agreement and submit it to the CAM at least 2 working days prior to the kick-off meeting. If there are no permits required at the start of this Agreement, then state such in the letter. If it is known at the beginning of the Agreement that permits will be required during the course of the Agreement, 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
  - The schedule the Recipient 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 and develop a timetable for submitting the updated list, schedule and the copies of the permits. 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 and will be a topic at CPR meetings.
- If during the course of the Agreement additional permits become necessary, 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 during the course of the Agreement permits are not obtained on time or are denied, notify the CAM within 5 working days. Either of these events may trigger an additional CPR.

Products:

- Letter documenting the permits or stating that no permits are required
- A copy of each approved permit (if applicable)
- Updated list of permits as they change during the term of the Agreement (if applicable)

- Updated schedule for acquiring permits as changes occur during the term of the Agreement (if applicable)

Task 1.8 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 Recipient's own procurement policies and procedures. It will also provide the Energy Commission an opportunity to review the subcontracts to ensure that the tasks are consistent with this Agreement, and that the budgeted expenditures are reasonable and consistent with applicable cost principles.

The Recipient 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.
- If Recipient decides to add new subcontractors, then the Recipient shall notify the CAM.

Products:

- Draft subcontracts
- Final subcontracts

TECHNICAL TASKS

TASK 2 SITE PREPARATIONS

The goal of this task is to prepare the site ~~project~~ for installation of equipment for the dispensing at the natural gas fueling facility.

The Recipient shall:

- Complete design work for proposed facility.
- Complete necessary facility modifications and construction.
- Prepare and submit a Site Preparation Report documenting the readiness of the site for equipment installation.

Products:

- Site Preparation Report

TASK 3 EQUIPMENT INSTALLATION

The goal of this task is to purchase and install equipment necessary for the dispensing of natural gas for usage in vehicles.

The Recipient shall:

- Procure and install natural gas fueling infrastructure equipment.
- Prepare and submit an Equipment Installation Report that summarizes summarizing work performed, any problems encountered and how they were solved.

Products:

- Equipment Installation Report

TASK 4 COMMISSION AND OPERATE NATURAL GAS FUELING INFRASTRUCTURE

The goal of this task is to operate and provide fueling to natural gas vehicles at the natural gas fueling facility.

The Recipient shall:

- Run appropriate tests on installed equipment to ensure proper operation.
- Troubleshoot any issues that arise during testing.
- Obtain any appropriate local agency inspections and approvals for the natural gas fueling facility.
- Begin operating fueling facility for natural gas vehicles.
- Prepare and submit a Commissioning Report that summarizes the results of tests performed on equipment, actions taken to troubleshoot any issues that arose during testing, documentation of agency approvals, if any, and confirmation that the natural gas fueling facility has commenced operating with new equipment.

Products:

- Commissioning Report

Task 5 DATA COLLECTION AND ANALYSIS

The goal of this task is to collect operational data from the project, to analyze that data for economic and environmental impacts, and to include the data and analysis in the Final Report.

The Recipient shall:

- Develop data collection test plan.
- Collect a minimum of 6 months of throughput, usage, and operations data (unless a different amount is approved in writing by the CAM) from the project including, but not limited to:
  - Number of vehicles fueled per day per station
  - Comparison of public vs. fleet transactions per day
  - Comparison of public vs. fleet consumption per day in GGE
  - Number of days or hours per month or year that each station was inoperative
  - Maximum capacity of the new fueling system
  - Electricity required to power CNG compression equipment on a daily basis
  - Gallons of gasoline and/or diesel fuel displaced by using natural gas (with associated mileage information)
  - Expected air emissions reduction, for example:
    - Non-methane hydrocarbons
    - Oxides of nitrogen
    - Non-methane hydrocarbons plus oxides of nitrogen
    - Particulate Matter
    - Formaldehyde
  - Duty cycle of the current fleet and the expected duty cycle of future vehicle acquisitions
  - Specific jobs and economic development resulting from this project
- Identify any current and planned use of renewable energy at the facility.
- Identify the source of the alternative fuel.
- Describe any energy efficiency measures used in the facility that may exceed Title 24 standards in Part 6 of the California Code Regulations.
- Provide data on potential job creation, economic development, and increased state revenue as a result of expected future expansion.
- 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.

Products:

- Data collection information and analysis will be included in the Final Report