STATE OF CALIFORNIA

CONTRACT REQUEST FORM (CRF)

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

A) New Agreement 600-13-006 (To be completed by CGL Office)

B) Division	**Agreement Manager:**	**MS-**	**Phone**
600 Fuels and Transportation Division	Jennifer Masterson	44	916-654-4509

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

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

E) Term and Amount	**Start Date**	**End Date**	**Amount**
	2 / 14 / 14	6 / 30 / 14	$ 87,800

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	2 / 12 / 14	☒ Consent	☐ Discussion
Business Meeting Presenter	Jennifer Masterson	Time Needed:	5 minutes

Please select one list serve. Select

Agenda Item Subject and Description

Possible approval of Agreement [insert #] with Bevilacaua-Knight,Inc. for a 1 year membership in the California Fuel Cell Partnership (CaFCP) in the amount of $87,800. 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.

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 the membership only funds the development of recommendations for policies and projects, with any demonstration projects or activities subject to separate approval.
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
	$ 0	☐	☐	☐
	$ 0	☐	☐	☐
	$ 0	☐	☐	☐

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

Legal Company Name:

J) Budget Information

Funding Source	Funding Year of Appropriation	Budget List No.	Amount
ARFVTF	13/14	600.118C	$87,800
Funding Source			$
Funding Source			$
Funding Source			$
Funding Source			$
R&D Program Area: N/A		TOTAL:	$87,800
Explanation for "Other" selection			
Reimbursement Contract #:		Federal Agreement #:	

K) Contractor's Administrator/ Officer				Contractor's Project Manager			
Name:	Bob Knight			Name:	Brandi Carranza		
Address:	1000 Broadway, Suite 410			Address:			
City, State, Zip:	Oakland, CA 94607			City, State, Zip:			
Phone:	510-444-8707	Fax:	510-463-2960	Phone:	916-373-3197	Fax:	- -
E-Mail:	gknight@bki.com			E-Mail:	bcarranza@CAFCP.org		

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 Membership

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:

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

N/A

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

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

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 2013/2014 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, Working Group, Station Implementation Group and other committees;
- 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.

RESOLUTION NO: 14-218-1b

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION REGARDING: CONTRACT
WITH
BEVILACQUA-KNIGHT, INC.

RESOLVED, that the State Energy Resources Conservation and Development Commission (Energy Commission) approves Contract 600-13-006 with **Bevilacqua-Knight, Inc.** for **$87,800**, for a 1 year membership in the California Fuel Cell Partnership (CaFCP). BKI facilitates and coordinates the efforts of the CaFCP, including operational, financial, and project management.

WHEREAS, the Energy Commission finds that the activities funded by this contract are not a "project" under the California Environmental Quality Act (CEQA) because the membership only funds the development of recommendations for policies and projects, with any demonstration projects or activities subject to separate approval.

FURTHER BE IT RESOLVED, that this document authorizes the Executive Director to execute the same 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 May 8, 2013.

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

_____
Harriet Kallemeyn,
Secretariat