

GRANT REQUEST FORM (GRF)

CEC-270 (Revised 02/13)

CALIFORNIA ENERGY COMMISSION

New Agreement ARV-14-013 (To be completed by CGL Office)

Division	Agreement Manager:	MS-	Phone
600 Fuels and Transportation Division	Sarah Williams	27	916-651-9866

Recipient's Legal Name	Federal ID Number
First Element Fuel, Inc.	46-4260718

Title of Project
8 Hydrogen Refueling Stations in Northern California

Term and Amount	Start Date	End Date	Amount
	7 / 22 / 2014	12 / 31 / 2016	\$ 11,608,000

Business Meeting Information
 ARFVTP agreements under \$75K delegated to Executive Director.

Proposed Business Meeting Date	7 / 22 / 2014	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
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Business Meeting Presenter	Sarah Williams	Time Needed:	10 minutes
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Please select one list serve. Altfuels (AB118- ARFVTP)

Agenda Item Subject and Description

Proposed resolution approving Agreement ARV-14-013 with First Element Fuel for a \$11,608,000.00 grant to install 8 hydrogen refueling stations in Northern California. This Agreement will increase hydrogen refueling infrastructure to support the expected rollout of hydrogen fuel cell vehicles.



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:

Cal. Code Regs., tit. 14, sections 15301 ("Existing Facilities"); 15303 ("Small Structures"); 15304 ("Minor Alterations to Land").

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

Explain reason why Agreement is exempt under the above section:

This project will involve the installation of 1 hydrogen storage tank, and compression and dispensing equipment, at each of 8 locations in Northern California.

As to the locations, at each of those 8 locations, the project will be installed on the grounds of a previously existing gas station facility. At each of the locations, equipment to be installed as part of the project will cover an area of less than 700 square feet. The total excavation area will be less than 1,000 square feet. There will be no trees removed as part of project construction.

As to the equipment to be installed, the storage tanks will hold up to 250 kg of hydrogen. The hydrogen dispenser will dispense at 350 bar and 700 bar. Delivery and storage will be in high pressure composite trailers at 350 bar and 700 bar. Control valves will be pneumatically operated. All control valves fail in the safe direction (closed) after loss of utility power or instrument gas supply. All system alarms and shutdowns are displayed on the control panel face. Critical alarms are hard wired in addition to being connected through the Programmable Logic Controller. This adds an extra layer of safety to the system. The composite tubes used in the construction of the delivery trailer can be utilized at the station so there is no pressure mismatch between systems.

Cal. Code Regs., tit. 14, sect. 15301 provides that projects which consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, and which involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination, are categorically exempt from the provisions of the California Environmental Quality Act. The proposed project adds equipment to each station that covers an area which is less than 700 square feet, with an excavation area of no more than 1,000 square feet at existing gas stations. This square footage is far less than that specified in one example provided in the Regulations (i.e., 14 C.C.R. § 15301(e)) of a minor addition to existing structures. Because all proposed sites house existing gas stations; the proposed addition of hydrogen refueling facilities will not significantly expand the use beyond that already existing; and the square footage of equipment installation is relatively small, the project falls within section 15301 and will not have a significant effect on the environment.

Cal. Code Regs., tit. 14, sect. 15303 provides that projects which consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, are categorically exempt from the provisions of the California Environmental Quality Act. The proposed project consists of installation of small new equipment, including one hydrogen storage tank of up to 250 kg capacity, and compression and dispensing equipment, at each site. At each of the locations, equipment to be installed as part of the project will cover an area of less than 700 square feet. Therefore, the proposed project falls within section 15303 and will not have a significant effect on the environment.

Cal. Code Regs., tit. 14, sect. 15304 provides that projects which consist of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes, are categorically exempt from the provisions of the California Environmental Quality Act.

For the installation of the equipment in these projects there will be between 5 and 50 feet of trenching per location to connect storage and compression equipment to dispensers. No trees will be removed and the

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surface will be restored. This reflects exactly the example given in section 15304(f). Therefore, the proposed project falls within section 15304 and will not have a significant effect on the environment.

b) Agreement **IS NOT** exempt. (Consult with the legal office to determine next steps.)

Check all that apply

Initial Study

Negative Declaration

Mitigated Negative Declaration

Environmental Impact Report

Statement of Overriding Considerations

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

Legal Company Name:	Budget
Air Products and Chemicals, Inc.	\$ 11,608,000
	\$ 0
	\$ 0

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

Legal Company Name:	
Commercial Plus Real Estate	Hyundai
Mercedes Benz	Toyota

Budget Information

Funding Source	Funding Year of Appropriation	Budget List No.	Amount
ARFVTF	14/15	601.118gh	\$11,608,000.
Funding Source			\$
R&D Program Area:	Select Program Area	TOTAL:	\$11,608,000
Explanation for "Other" selection			
Reimbursement Contract #:		Federal Agreement #:	

Recipient's Administrator/ Officer				Recipient's Project Manager			
Name:	Patti Kohler			Name:	Tim Brown		
Address:	2549 Eastbluff Drive #334			Address:	2549 Eastbluff Drive #334		
City, State, Zip:	Newport Beach, CA 92660			City, State, Zip:	Newport Beach, CA 92660		
Phone:	949-200-9726	Fax:	949-209-0498	Phone:	949-228-5769	Fax:	949-209-0498
E-Mail:	patti.kohler@firstelementfuel.com			E-Mail:	tim.brown@firstelementfuel.com		

Selection Process Used

Competitive Solicitation
 First Come First Served Solicitation

Solicitation #: PON-13-607

The following items should be attached to this GRF

1. Exhibit A, Scope of Work	<input checked="" type="checkbox"/>	Attached
2. Exhibit B, Budget Detail	<input checked="" type="checkbox"/>	Attached
3. CEC 105, Questionnaire for Identifying Conflicts	<input checked="" type="checkbox"/>	Attached
4. Recipient Resolution	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Attached
5. CEQA Documentation	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Attached

Agreement Manager

Date

Office Manager

Date

Deputy Director

Date

Exhibit A

SCOPE OF WORK

TECHNICAL TASK LIST

Task #	CPR	Task Name
1		Administration
2	X	Engineering, Procurement, and Site Installation
3		Commissioning and Start-up
4		Data Collection and Analysis

KEY NAME LIST

Task #	Key Personnel	Key Subcontractor(s)	Key Partner(s)
1	Tim Brown		
2	Tim Brown, Shane Stephens-Romero, Ghassan Sleiman, John Rapp	Air Products and Chemicals, Inc.	Toyota, Mercedes Benz, Hyundai, Commercial Plus Real Estate
3	Tim Brown, Ghassan Sleiman	Air Products and Chemicals, Inc.,	
4	Tim Brown, Shane Stephens-Romero		

GLOSSARY

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

Term/ Acronym	Definition
ARFVTP	Alternative and Renewable Fuel and Vehicle Technology Program
CAM	Commission Agreement Manager
CPR	Critical Project Review
FCV	Fuel Cell Vehicle
NREL	National Renewable Energy Laboratory
PON	Program Opportunity Notice
Recipient	First Element Fuel, Inc.
TBD	To Be Determined
ZEV	Zero Emission Vehicle

BACKGROUND

Assembly Bill (AB) 118 (Núñez, Chapter 750, Statutes of 2007), created the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP). The statute 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. AB 8 (Perea, Chapter 401, Statutes of 2013) re-authorizes the ARFVTP through January 1, 2024, and specifies that the Energy Commission allocate up to \$20 million per year (or up to 20 percent of each fiscal year's funds) in funding for hydrogen station development until at least 100 stations are operational. 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;
- Expand fuel infrastructure, refueling 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 Energy Commission issued solicitation PON-13-607 to develop infrastructure necessary to dispense hydrogen transportation fuel and to support hydrogen refueling operations prior to large-scale roll-out of Fuel Cell Vehicles (FCVs). To be eligible for funding under PON-13-607, projects must also be consistent with the Energy Commission's ARFVT Investment Plan, updated annually. In response to PON-13-607, First Element Fuel, Inc. (Recipient) submitted application numbers 47-53 and 65, which were proposed for funding in the Energy Commission's Notice of Proposed Awards on May 1, 2014. PON-13-607 and Recipient's aforementioned applications are hereby incorporated by reference into this Agreement in their 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:

Hydrogen distribution and dispensing infrastructure is not readily available to meet projected commercial targets for the deployment of FCVs. As FCVs are deployed in greater quantities, a network of refueling stations is needed to provide coverage which takes advantage of the range of the vehicle, and provides a means to transport, store, and dispense hydrogen. This project includes 8 stations.

Goals of the Agreement:

The goal of this Agreement is to build out hydrogen refueling infrastructure to support the roll out of FCVs.

Objectives of the Agreement:

The objective of this Agreement is to plan, build, and operate 8 hydrogen refueling stations.

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 Commission Agreement Manager (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, 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's Products:

- Updated Schedule of Products
- Updated List of Match Funds
- Updated List of Permits

CAM's Product:

- Kick-Off Meeting Agenda

Task 1.2 Critical Project Review (CPR) Meetings

CPRs provide the opportunity for frank discussions between the Energy Commission's and the Recipient. The goal of this task is to determine if the project should continue to receive Energy Commission's 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 Commission Grants Officer, other Energy Commission's 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 and submit 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 and submit 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.

Recipient's Product:

- CPR Reports

CAM's Product:

- Written determination

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 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 and submit a schedule for completing the closeout activities for this Agreement.

Recipient's 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 and submit 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.
- Monthly Progress Reports shall include hydrogen quality test results at least once every 6 months, and more frequently if the hydrogen lines are exposed to contamination due to maintenance or other activity. (See requirements in PON-13-607 Section IV. Subsection A.)
- Monthly Progress Reports shall also include hydrogen quality test results at least once every 6 months, and more frequently if the hydrogen lines are exposed to contamination due to maintenance or other activity. (See requirements in PON-13-607 Section IV. Subsection A.)
- Monthly Progress Reports shall also include the station and dispenser compliance with SAE International Technical Information Report (TIR) J2601: 2010, "Fueling Protocols for Light Duty Gaseous Hydrogen Surface" (general requirements and operating conditions for fuel cell vehicles) until which time the SAE International SAE J2601 Standard is published. Thereafter, the station(s)/dispenser(s) shall meet the requirements of the standard (www.sae.org). Stations shall have communications available for H70 fueling according to the SAE J2799 Standard. Should the SAE International J2601 Standard not be available, the station(s)/dispensers(s) shall be capable of providing SAE TIR J2799: 2007, "70 MPa Compressed Hydrogen Surface Vehicle Fueling Connection Device and Optional Vehicle to Station Communications".
- Monthly Progress Reports shall also include the amount of hydrogen dispensed per month in kilograms.

- 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.

Recipient's 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 Fuels and Transportation Division 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 and submit an Outline of the Final Report.
- 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.

Recipient's Products:

- Outline of the Final Report

- 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 and submit a letter documenting the match funding committed to this Agreement to the CAM at least 2 working days prior to the kick-off meeting. 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.

Recipient's Products:

- A letter regarding match funds
- 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 and submit 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.

Recipient's 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)
- A copy of each final approved permit (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 Commission Agreement Manager 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 ENGINEERING, PROCUREMENT, AND SITE INSTALLATION

The goal of this task is to design, procure, and construct the hydrogen refueling station. The hydrogen refueling stations in this grant agreement are:

Identifier	Address	City	State	Zip
Campbell	2855 Winchester Boulevard	Campbell	CA	95008
Hayward	391 West A Street	Hayward	CA	94541
Mill Valley	570 Redwood Highway	Mill Valley	CA	94941
Redwood City	690 Veterans Boulevard	Redwood City	CA	94063
San Francisco	248 South Airport Boulevard	South San Francisco	CA	94080
San Jose	2101 North First Street	San Jose	CA	95131
Saratoga	12600 Saratoga Avenue	Saratoga	CA	95070
Truckee	12105 Donner Pass Road	Truckee	CA	96161

[A CPR will be held at the conclusion of this task]

The Recipient shall:

- Design the hydrogen refueling equipment with consideration of site-specific, equipment-specific and operational conditions
- Prepare and submit an equipment list for each hydrogen refueling station, including cost estimates for all components
- Complete all construction and installation
- Prepare and submit written notification that construction and installation is complete, which includes photographs of the equipment

Recipient’s Products:

- Equipment List
- Written Notification that construction and installation is complete
- Photographs of installed equipment

- **TASK 3 TESTING, COMMISSIONING, AND MAKING STATIONS OPERATIONAL**

- The goals of this task are to test, commission and make operational the hydrogen refueling stations. For each station, the operational date is defined as the date by which all of the following are completed: 1) the hydrogen fuel supply and all station/dispenser components are installed; 2) all required permits from local agencies are received; 3) the station has successfully completed a hydrogen quality test as specified in PON-13-607 Section IV.A; 4) the station has successfully fueled one fuel cell vehicle with hydrogen; and 5) the station is open to the public.

The Recipient shall:

- Provide training to the station operators.
- Commission, test and verify performance of the hydrogen refueling stations and complete all qualification testing required by PON-13-607 (See, e.g., Section IV, Minimum Technical Requirements).
- Ensure that each station shall have a minimum daily fueling capacity of 350 kilograms. The station must be able to deliver the rated daily capacity over a 12 hour period. The average daily station capacity (kg/day) shall be the total kg of hydrogen that can be delivered to a 7 kg-capacity fuel cell vehicle according to the SAE J2601, over a 12 hour period.
- **Make all stations operational by October 31, 2015.**
- For each station, provide written notification to the CAM that the station has become operational in accordance with the operational date definition. Written notification shall include: 1) the date and time each station has fully met the operational date definition; 2) a listing of the qualification testing performed; and 3) the results of those tests.

Products:

- Written notification to the CAM as each hydrogen refueling station becomes operational.

Task 4 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 benefits, and to include the data and analysis in the Final Report.

The Recipient shall:

- Develop a plan for data collection according to the National Renewable Energy Laboratory (NREL) Data Collection Tool.
- Troubleshoot any issues identified.
- Collect 12 months of throughput, usage, and operations data from the project including, but not limited to:
 - Maximum capacity of the new refueling system
 - Gallons of gasoline and/or diesel fuel displaced (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
 - 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.
- Complete the NREL Data Collection Tool for each quarter and submit to the CAM.

- Collect data, information, and analysis described above and include in the Final Report.

Recipient's Products:

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

Exhibit A-1

Schedule of Products and Due Dates

Task Number	Task Name	Product(s)	Due Date
1.1	Attend Kick-off Meeting	Updated Schedule of Products	8/1/2014
		Updated List of Match Funds	8/1/2014
		Updated List of Permits	8/1/2014
		Kick-Off Meeting Agenda (CEC)	8/1/2014
1.2	Critical Project Review Meetings	1st CPR Meeting	10/15/2015
		CPR Report Written determination (CEC)	10/16/2015
1.3	Final Meeting	Written documentation of meeting agreements	6/17/2016
		Schedule for completing closeout activities	7/1/2016
1.4	Monthly Progress Reports	Monthly Progress Reports	The 10th calendar day of each month during the approved term of this Agreement
1.5	Final Report	Final Outline of the Final Report	6/3/2016
		Draft Final Report (no less than 60 days before the end term of the agreement)	7/29/2016
		Final Report	10/28/2016
1.6	Identify and Obtain Match Funds	A letter regarding match funds or stating that no match funds are provided	8/1/2014
		Copy(ies) of each match fund commitment letter(s) (if applicable)	8/1/2014
		Letter(s) for new match funds (if applicable)	Within 10 days of identifying new match funds
		Letter that match funds were reduced (if applicable)	Within 10 days of identifying reduced funds
1.7	Identify and Obtain Required Permits	Letter documenting the permits or stating that no permits are required	8/1/2014
		A copy of each approved permit (if applicable)	Within 10 days of receiving each permit
		Updated list of permits as they change during the term of the Agreement (if applicable)	Within 10 days of change in list of permits
		Updated schedule for acquiring permits as changes occur during the term of the Agreement (if applicable)	Within 10 days of change in schedule for obtaining permits
		A copy of each approved final permit (if applicable)	Within 10 days of receiving each final permit

Exhibit A-1

1.8	Obtain and Execute Subcontracts		
	Letter describing the subcontracts needed, or stating that no subcontracts are required	8/1/2014	
	Draft subcontracts	15 days prior to the scheduled execution date	
	Final subcontracts	Within 10 days of execution	
2	ENGINEERING, PROCUREMENT, AND SITE INSTALLATION		
	Equipment List		
		Saratoga	12/31/2014
		Campbell	12/31/2014
		Redwood City	12/31/2014
		Mill Valley	12/31/2014
		San Francisco	12/31/2014
		San Jose	12/31/2014
		Hayward	12/31/2014
		Truckee	12/31/2014
	Written Notification that construction and installation is complete		
		Saratoga	2/24/2015
		Campbell	5/15/2015
		Redwood City	6/5/2015
		Mill Valley	6/26/2015
		San Francisco	7/16/2015
		San Jose	8/5/2015
		Hayward	8/26/2015
		Truckee	9/15/2015
3	COMMISSIONING, BECOMING OPERATIONAL, AND CONTINUING OPERATION		
	Written Notification of hydrogen refueling station operability		
		Saratoga	5/11/2015
		Campbell	5/29/2015
		Redwood City	6/19/2015
		Mill Valley	7/10/2015
		San Francisco	7/30/2015
		San Jose	8/19/2015
		Hayward	9/9/2015
		Truckee	9/29/2015
	4	DATA COLLECTION AND ANALYSIS	
Quarterly Data Collection Tool		Within one month of the end of each quarter	
Data collection information and analysis will be included in the Final Report		10/28/2016	

Exhibit A-1

Exhibit A-1

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: FIRST ELEMENT FUEL, INC.

RESOLVED, that the State Energy Resources Conservation and Development Commission (Energy Commission) adopts the staff CEQA findings contained in the Agreement Request Form; and

RESOLVED, that the Energy Commission approves Agreement ARV-14-013 from PON-13-607 with **First Element Fuel, Inc.** for a **\$11,608,000** grant to install 8 hydrogen refueling stations in Northern California. This Agreement will increase hydrogen refueling infrastructure to support the expected rollout of hydrogen fuel cell vehicles; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall 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 July 22, 2014.

AYE: [List of Commissioners]

NAY: [List of Commissioners]

ABSENT: [List of Commissioners]

ABSTAIN: [List of Commissioners]

Harriet Kallemeyn,
Secretariat