

CONTRACT AMENDMENT REQUEST FORM (CARF)

CEC-276 (Revised 02/13)

CALIFORNIA ENERGY COMMISSION



Original Agreement #	400-12-003	Amendment #	2
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Division	Agreement Manager:	MS-	Phone
400 Efficiency Renewable Energy Division	Ron Yasny	37	916-651-2915

Contractor's Legal Name	Federal ID Number
Noresco LLC	84-0876062

Revisions: (check all that apply)		
<input type="checkbox"/> Term Extension	New End Date: / /	Include revised schedule and complete items A, B, C, D, & H below.
<input checked="" type="checkbox"/> Budget Augmentation	Amendment Amount: \$ 1,551,000	Include revised budget and complete items A, B, C, D, E, F, & H below.
<input type="checkbox"/> Budget Reallocation		Include revised budget and complete items A, B, C, D, & H below.
<input type="checkbox"/> Scope of Work Revision		Include revised scope of work and complete items A, B, C, D, & H below.
<input type="checkbox"/> Change in Project Location or Demonstration Site		Include revised scope of work and complete items A, B, C, D, G, & H below.
<input type="checkbox"/> DVBE Replacement		Include revised scope of work and complete items A, B, C, D, F, & H below.
<input type="checkbox"/> Novation/Name Change of Prime Contractor/Recipient		Include novation documentation and complete items A, C, D, & H below.
<input type="checkbox"/> Terms and Conditions Modification		Include applicable exhibits with bold/underline/strikeout and complete items A, B, C, D, & H below.

A) Business Meeting Information**Business Meeting approval is not required for the following types of Agreements:**

<input type="checkbox"/> Operational agreement (see CAM Manual for list) to be approved by Executive Director
<input type="checkbox"/> ARFVTP minor amendments delegated to Executive Director.

Proposed Business Meeting Date	09 / 10 / 2014	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter		Time Needed:	10 minutes

Please select one list serve. Efficiency

Agenda Item Subject and Description

Possible \$1,551,000 amendment to technical support contract with Noresco LLC, (formerly Architectural Energy Corporation) (#400-12-003) for additional work within the original scope but more involved than originally budgeted for, as requested by the public and approved by Commission Management, for the 2016 Nonresidential Buildings Energy Efficiency Standards Update software.

B) Amendment Justification (For contract amendments only)

<input type="checkbox"/> Non Competitive Bid (Attach CEC 96)
<input checked="" type="checkbox"/> Exempt Select Exemption (see instructions)

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

Legal Company Name:	Budget	SB	MB	DVBE
360 Analytics, Benya Lighting, Calthorpe, E3, Gard Analytics, \$ 0.00		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hitchcock Consulting, L'Monte Info Servides, NBI, NEL \$ 0.00		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PECI, Rasent, Taylor, VaCom, Wrightsoft, Hicks Consulting \$ 0.00		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Legal Company Name:
Noresco LLC

E) Budget Information (only include amendment amount information)

Funding Source	Funding Year of Appropriation	Budget List No.	Amount
State - ERPA	2014-2015	400.001	\$551,000
State - ERPA	2014-2015	400.002	\$500,000
State - ERPA	2015-2016	400.001	\$500,000
Funding Source			\$
Funding Source			\$
R&D Program Area: Energy Efficiency		TOTAL:	\$1,551,000
Explanation for "Other" selection			

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Reimbursement Contract #:	Federal Agreement #:
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F) Disabled Veteran Business Enterprise Program (DVBE)	
1.	<input type="checkbox"/> Exempt (Interagency/Other Government Entity)
2.	<input checked="" type="checkbox"/> Meets DVBE Requirements DVBE Amount:\$ <u>200,096</u> DVBE %: <u>3%</u>
	<input type="checkbox"/> Contractor is Certified DVBE
	<input checked="" type="checkbox"/> Contractor is Subcontracting with a DVBE: <u>Hicks Consulting</u>
3.	<input type="checkbox"/> Contractor selected through CMAS or MSA with no DVBE participation.
4.	<input type="checkbox"/> Requesting DVBE Exemption (attach CEC 95)

G) California Environmental Quality Act (CEQA) Compliance	
1.	Is Agreement considered a "Project" under CEQA? <input checked="" type="checkbox"/> Yes (skip to question 2) <input type="checkbox"/> 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: <input checked="" type="checkbox"/> a) Agreement IS exempt. (Attach draft NOE) <input type="checkbox"/> Statutory Exemption. List PRC and/or CCR section number: _____ <input type="checkbox"/> Categorical Exemption. List CCR section number: _____ <input checked="" type="checkbox"/> Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why Agreement is exempt under the above section: Agreement is for customer service tasks, technical support, and software support, and will not have a significant effect on the environment. <input type="checkbox"/> b) Agreement IS NOT exempt. (Consult with the legal office to determine next steps.) Check all that apply <input type="checkbox"/> Initial Study <input type="checkbox"/> Environmental Impact Report <input type="checkbox"/> Negative Declaration <input type="checkbox"/> Statement of Overriding Considerations <input type="checkbox"/> Mitigated Negative Declaration

H) The following items should be attached to this ARF (as applicable)		
1. Exhibit A, Scope of Work	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Attached
2. Exhibit B, Budget Detail	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Attached
3. CEC 96, NCB Request	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Attached
4. CEC 95, DVBE Exemption Request	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Attached
5. CEQA Documentation	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Attached
6. Novation Documentation	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Attached
7. CEC 105, Questionnaire for Identifying Conflicts		<input checked="" type="checkbox"/> Attached

Agreement Manager	Date	Office Manager	Date	Deputy Director	Date
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STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: NORESKO, LLC

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

RESOLVED, that the Energy Commission approves Amendment 2 to Agreement 400-12-003 from with **Noresko, LLC** to add \$1,551,000 to complete additional work that falls within the original scope but is more involved than originally budgeted for; 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 September 10, 2014.

AYE: [List of Commissioners]

NAY: [List of Commissioners]

ABSENT: [List of Commissioners]

ABSTAIN: [List of Commissioners]

Harriet Kallemeyn,
Secretariat