

CONTRACT REQUEST FORM (CRF)



A) New Agreement _____ (To be completed by CGL Office)

B) Division	Agreement Manager:	MS-	Phone
100 Commissioners Offices	Kevin Barker		- -

C) Contractor's Legal Name	Federal ID Number
California High Speed Rail Authority	-

D) Title of Project
Memorandum of Understanding between the Energy Commission and the California High Speed Rail Authority

E) Term and Amount	Start Date	End Date	Amount
	05 / 17 / 2015	06 / 30 / 2020	\$ 0

F) Business Meeting Information

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

ARFVTP agreements \$75K and under delegated to Executive Director.

Proposed Business Meeting Date	05 / 17 / 2016	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter	Sara Kim	Time Needed:	5 minutes

Please select one list serve. Select

Agenda Item Subject and Description

CALIFORNIA HIGH SPEED RAIL AUTHORITY. Proposed resolution approving MOU-15-005 between the California Energy Commission and the California High Speed Rail Authority to help achieve the state's energy policy goals by increasing collaboration and information exchange related to expanding the use of renewable energy, zero net energy buildings, and zero emission vehicles in California. Contact: Sara Kim.

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 this Memorandum of Understanding focuses on promoting collaboration between two state agencies in research and information exchange related to greenhouse gas reduction, energy efficiency, renewable energy, and renewable transportation technologies. This MOU does not involve any installations of renewable energy or energy efficiency systems or any other physical environmental changes.

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

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

Legal Company Name:	Budget	SB	MB	DVBE
	\$ 0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	\$ 0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	\$ 0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Legal Company Name:

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CEC-94 (Revised 10/2015)

CALIFORNIA ENERGY COMMISSION

**J) Budget Information**

Funding Source	Funding Year of Appropriation	Budget List No.	Amount
Funding Source			\$
R&D Program Area:	Select Program Area	TOTAL:	\$ 0
Explanation for "Other" selection			
Reimbursement Contract #:		Federal Agreement #:	

K) Contractor's Administrator/ Officer**Contractor's Project Manager**

Name:		Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
Phone:	- -	Fax:	- -
E-Mail:		E-Mail:	

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 MOU

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: N/A, there is no exchange of money

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. <input checked="" type="checkbox"/> Exempt (Interagency/Other Government Entity) 2. <input type="checkbox"/> Meets DVBE Requirements DVBE Amount:\$ <u>0</u> DVBE %: _____ <input type="checkbox"/> Contractor is Certified DVBE <input type="checkbox"/> Contractor is Subcontracting with a DVBE: <u>Name of DVBE Company</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)

T) Miscellaneous Agreement Information
1. Will there be Work Authorizations? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 2. Is the Contractor providing confidential information? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 3. Is the contractor going to purchase equipment? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 4. Check frequency of progress reports <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input checked="" type="checkbox"/> <u>The agencies will meet at regular intervals</u> 5. Will a final report be required? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 6. Is the Agreement, with amendments, longer than a year? If yes, why? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <u>To better foster long-term cooperation between the two agencies.</u>

U) The following items should be attached to this CRF (as applicable)
1. Exhibit A, Scope of Work <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached 2. Exhibit B, Budget Detail <input checked="" type="checkbox"/> N/A <input 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 checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached 6. Resumes <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached 7. CEC 105, Questionnaire for Identifying Conflicts <input type="checkbox"/> Attached

Agreement Manager	Date	Office Manager	Date	Deputy Director	Date
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MEMORANDUM OF UNDERSTANDING

Between

**California Energy Resources Conservation
and Development Commission**
and the

California High Speed Rail Authority

This Memorandum of Understanding (MOU) is entered into between the California Energy Resources Conservation and Development Commission (“Energy Commission”) and the California High Speed Rail Authority (“High Speed Rail Authority”) (individually as “Agency” and collectively as “Agencies”). The general objectives of this MOU are to expand the use of renewable energy, zero net energy buildings, and zero emission vehicles in California.

RECITALS

WHEREAS, the Energy Commission is the state’s primary energy policy and planning agency with seven core responsibilities of: forecasting future energy needs; promoting energy efficiency and conservation; supporting energy research; developing renewable energy resources; advancing alternative and renewable transportation fuels and technologies; certifying thermal power plants; and planning for and directing state response to energy emergencies;

WHEREAS, the Governor’s Executive Order B-30-15 established a state policy goal to reduce California’s greenhouse gas emissions to 40 percent below 1990 levels by 2030;

WHEREAS, the Global Warming Solutions Act of 2006 established a mandate to reduce California’s greenhouse gas emissions to 1990 levels by 2020;

WHEREAS, the Energy Commission adopted the state policy goals of achieving zero net energy for new residential buildings by 2020 and new commercial buildings by 2030;

WHEREAS, in response to Assembly Bill (AB) 758 (Skinner, Chapter 470, Statutes of 2009), the Energy Commission adopted the policy goals of reducing energy consumption in existing residential buildings by 40 percent by 2020 and reaching zero net energy in 50 percent of California’s existing commercial buildings by 2030;

WHEREAS, Senate Bill (SB) 350 (De Leon, Chapter 547, Statutes of 2015) requires California electricity retailers to produce 50 percent of their electricity from renewable sources by 2030;

WHEREAS, the Governor’s Executive Order B-18-12 established a policy goal of reducing greenhouse gas emissions of state buildings by at least 10percent by 2015 and 20percent by 2020, measured against a 2010 baseline;

WHEREAS, the Governor's Executive Order B-16-2012 established policy goals of reaching 1.5 million Zero Emission Vehicles on California Roadways by 2025 and reducing transportation-related greenhouse gas emissions by 80 percent below 1990 levels by 2050;

WHEREAS, the High Speed Rail Authority is responsible for planning, designing, building, and operating the first high-speed rail system in the nation;

WHEREAS, the Budget Act of 2012 (SB 1029, Chapter 152, Statutes of 2012) laid the foundation for modernizing regional transportation systems and linking them to the state's high-speed rail system;

WHEREAS, the High Speed Rail Authority issued Policy Directive POLI-PLAN-03 dated August 19, 2013, which adopted a policy to implement sustainable practices to the planning, siting, designing, construction, operation and maintenance of the high-speed rail system;

WHEREAS, the objectives of the High Speed Rail Authority's sustainability policy include reinforcing a clean-energy economy through renewable energy; providing convenient station access and appropriate station interfaces to all high-speed rail station areas; designing, constructing, and operating facilities that cost-effectively achieve state and local energy and green policies; and minimizing greenhouse gas emissions;

WHEREAS, the High Speed Rail Authority is committed to powering the high-speed rail system with 100 percent renewable energy sources; minimizing greenhouse gas emissions through design and in construction; and making energy efficiency a priority in design;

WHEREAS, collaboration in research and information exchange related to greenhouse gas reduction, energy efficiency, renewable energy, and renewable transportation technologies are in the common interest of the Agencies.

NOW, THEREFORE, in consideration of the mutual benefits and representations made herein, the Agencies hereby agree as follows:

1. The **High Speed Rail Authority** will be the lead coordinating Agency in this effort to collaborate in research and information related to greenhouse gas reduction, energy efficiency, renewable energy, and renewable transportation technologies. Each Agency will provide at least one representative to serve as a primary point of contact and to attend meetings to exchange information about how to best achieve the energy efficiency and sustainability objectives.
2. The Agencies mutually express their desire to share, to the extent permissible by law, all public information required to carry out the intent of this agreement.
3. The Agencies will seek to meet at regular intervals, or as otherwise requested by the **High Speed Rail Authority**.

4. The Agencies mutually express their desire to increase cooperation related to expanding the use of renewable energy, zero net energy buildings, and zero emission vehicles, this includes electric vehicle charging and hydrogen fueling infrastructure at rail stations as well as partnering with public transit opportunities.
5. Each Agency may acknowledge the contributions of the other Agency as appropriate in publications and press releases.
6. This MOU may be amended in writing in the same manner the MOU was entered.
7. The Agencies agree that this MOU is not intended to and does not create legally binding obligations. If the Agencies later desire to enter into specific projects or commitments, they will be set forth in separate, signed agreements.
8. Nothing in this MOU authorizes or is intended to obligate the Agencies to expend, exchange, or reimburse funds, services, or supplies, or transfer or receive anything of value, or to enter into any contract, interagency agreement, or other obligation.
9. This MOU does not affect the rights and responsibilities of the Agencies regarding any loss, damage, or injury suffered by any Agency in connection with its performance of this MOU.
10. This MOU shall take effect on the date that it has been executed by the Agencies and shall continue in effect until June 30, 2020, unless terminated earlier or extended by agreement of the Agencies by amendment to the MOU.
11. Either Agency can terminate this MOU at any time without cause.
12. If during the term of this MOU any new agency desires to participate in the MOU as mutually agreed to by the Agencies, the new agency may be included by adding a new signatory in the signature page without further amendment.

[This space intentionally left blank; signature page follows]

The Agencies to this Memorandum of Agreement hereby confirm and acknowledge their agreement by the following signatures:

CALIFORNIA ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT
COMMISSION

CALIFORNIA HIGH SPEED
RAIL AUTHORITY

Rob Oglesby

Jeff Morales

Executive Director

Chief Executive Officer

By: _____

By: Jeff Morales

Date: _____

Date: April 8, 2016

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION - RE: APPROVAL OF MEMORANDUM OF UNDERSTANDING
BETWEEN THE ENERGY COMMISSION AND THE CALIFORNIA HIGH SPEED RAIL
AUTHORITY

WHEREAS, the State of California's policy goals include reducing greenhouse gas emissions, achieving zero net energy in residential and commercial buildings, and increasing the use of renewable energy sources; and

WHEREAS, both the California Energy Commission ("Energy Commission") and the California High Speed Rail Authority ("High Speed Rail Authority") have adopted policy goals that support a clean-energy economy and reduce greenhouse gas emissions through expanding the use of renewable energy, zero net energy buildings, and zero emission vehicles; and

WHEREAS, the Energy Commission and the High Speed Rail Authority find it in the common interest of the Agencies to collaborate on research and information exchange related to greenhouse gas reduction, energy efficiency, renewable energy, and renewable transportation technologies.

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

RESOLVED, that the Energy Commission approves the Memorandum of Understanding between the Energy Commission and the High Speed Rail Authority.

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 17, 2016.

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

Cody Goldthrite,
Secretariat