

CONTRACT REQUEST FORM (CRF)



A) New Agreement 600-15-012 (To be completed by CGL Office)

B) Division	Agreement Manager:	MS-	Phone
600 Fuels and Transportation Division	David Nichols	27	916-654-4604

C) Contractor's Legal Name	Federal ID Number
California Employment Training Panel	94-6001347

D) Title of Project
Workforce Training and Development

E) Term and Amount	Start Date	End Date	Amount
	07 / 01 / 2016	03 / 30 / 2020	\$ 2,000,000

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	05 / 17 / 2016	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter	David Nichols	Time Needed: 5 minutes	

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

Agenda Item Subject and Description

Proposed resolution approving agreement 600-15-012 for a \$2,000,000 ongoing program with the California Employment Training Panel (ETP) This agreement will continue to support specialized training across multiple fuel and advanced vehicle technologies platforms, serving California's clean alternative fuels industry. ETP is statutorily authorized under this program to enter into training contracts to address potential shortages in trained personnel and meet the needs of the growing alternative fuel and advanced vehicle market in California.

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 .

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 Cal. Code Regs., tit. 14, §§ 15301, 15303, 15304 section number:
 Common Sense Exemption. 14 CCR 15061 (b) (3)
 Explain reason why Agreement is exempt under the above section:
 See attachment.

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	<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 01/13)

CALIFORNIA ENERGY COMMISSION

**J) Budget Information**

Funding Source	Funding Year of Appropriation	Budget List No.	Amount
ARFVTF	15/16	601.118H	\$2,000,000
Funding Source			\$
R&D Program Area: N/A		TOTAL:	\$2,000,000
Explanation for "Other" selection			
Reimbursement Contract #:		Federal Agreement #:	

K) Contractor's Administrator/ Officer

Contractor's Administrator/ Officer				Contractor's Project Manager			
Name:	Jill McAloon			Name:	Robert Meyer		
Address:	1100 J Street, Suite 400			Address:	1100 J Street, Suite 400		
City, State, Zip:	Sacramento, CA 95814			City, State, Zip:	Sacramento, CA 95814		
Phone:	916-327-5329	Fax:	916-327-5260	Phone:	916-327-4391	Fax:	916-327-5260
E-Mail:	jmcaloon@etp.ca.gov			E-Mail:	Robert.Meyer@etp.ca.gov		

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 Other Governmental Entity

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:

Other Governmental Agency- (see attached)

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

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: _____ 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 checked="" type="checkbox"/> Quarterly <input type="checkbox"/> _____ 5. Will a final report be required? <input type="checkbox"/> No <input checked="" 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 Contractor's agreements can take up to a full 2 years to be completed after start date.

U) The following items should be attached to this CRF (as applicable)																								
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">1. Exhibit A, Scope of Work</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/> N/A</td> <td style="width: 20%; text-align: center;"><input checked="" type="checkbox"/> Attached</td> </tr> <tr> <td>2. Exhibit B, Budget Detail</td> <td style="text-align: center;"><input type="checkbox"/> N/A</td> <td style="text-align: center;"><input checked="" type="checkbox"/> Attached</td> </tr> <tr> <td>3. CEC 96, NCB Request</td> <td style="text-align: center;"><input checked="" type="checkbox"/> N/A</td> <td style="text-align: center;"><input type="checkbox"/> Attached</td> </tr> <tr> <td>4. CEC 30, Survey of Prior Work</td> <td style="text-align: center;"><input checked="" type="checkbox"/> N/A</td> <td style="text-align: center;"><input type="checkbox"/> Attached</td> </tr> <tr> <td>5. CEC 95, DVBE Exemption Request</td> <td style="text-align: center;"><input checked="" type="checkbox"/> N/A</td> <td style="text-align: center;"><input type="checkbox"/> Attached</td> </tr> <tr> <td>6. CEQA Documentation</td> <td style="text-align: center;"><input checked="" type="checkbox"/> N/A</td> <td style="text-align: center;"><input type="checkbox"/> Attached</td> </tr> <tr> <td>7. Resumes</td> <td style="text-align: center;"><input type="checkbox"/> N/A</td> <td style="text-align: center;"><input checked="" type="checkbox"/> Attached</td> </tr> <tr> <td>8. CEC 105, Questionnaire for Identifying Conflicts</td> <td style="text-align: center;"><input type="checkbox"/> N/A</td> <td style="text-align: center;"><input checked="" type="checkbox"/> Attached</td> </tr> </table>	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 30, Survey of Prior Work	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Attached	5. CEC 95, DVBE Exemption Request	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Attached	6. CEQA Documentation	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Attached	7. Resumes	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Attached	8. CEC 105, Questionnaire for Identifying Conflicts	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Attached
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Agreement Manager	Date	Office Manager	Date	Deputy Director	Date
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Attachment: Explanation of Categorical Exemption

Title 20 of the California Code of Regulations, section 15301 (“Existing Facilities”) 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.

This ongoing project consists of providing training in alternative fuel and advanced vehicle technologies that have been in place for over 6 years. Most, or all of this project’s work consists of traditional classroom-based instruction which will have negligible, or no impact to the environment. The remaining work will consist of hands-on training in existing business’ automotive training centers, or facilities designed and used by those businesses for alternate fuel and advanced vehicle technologies, which are similar to a typical mechanic’s garage, or in a laboratory setting.

Training takes place in existing classrooms and other training areas such as automotive shops. Equipment used in existing training areas may include small alternatively-fueled vehicles, similar to Nissan Leafs, engine “cut-outs” (sections opened up of the engine for viewing and instruction); and electronic monitors approximately 5’ high by 3’ wide by 2’ deep which sense engine and transmission performance. Such equipment will sit on tables or roller carts, and is typical of equipment used in training already performed in these facilities. Therefore, the proposed project is categorically exempt under section 15301.

Cal. Code Regs., tit. 14, sect. 15303 (“New Construction or Conversion of Small Structures”) 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.

There is a small but unquantified chance that one or more subrecipients of this project might need to install one or more pieces of small equipment in small structures. The majority of automotive training areas, which the small equipment described above will be installed are no larger than the size of a typical mechanic’s garage, similar to the examples of small structures given in section 15303(c) (e.g., a store, motel, office, or restaurant) to the extent that any new construction or conversion of existing structures even takes place, any such construction or conversion will consist only of extremely minor modifications, if any in the exterior of the structure. Therefore, the proposed project falls within the exemption of section 15303.

Cal. Code Regs., tit. 14, sect. 15304 (“Minor Alterations to Land”) 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. There is a minimal possibility a subrecipient may make such minor changes, such as installing an electrical conduit of some sort in the grounds surrounding the subrecipients established work areas. If this occurs, the land will be restored to its pre-installation condition, which will, have negligible, or no impact to the land, water or vegetation. Therefore, this continuous project fits within the exemption of 15304.

CEC 94 Contract Request Form

Section O) Civil Service Considerations

Explanation

California Employment Training Panel (ETP)

This program has been in place for over 6 years. ETP is a department under the California Labor and Workforce Development Agency, which oversees the state's comprehensive workforce investment system. ETP provides funds to employers for job skills training necessary to remain competitive.

California Unemployment Insurance Code section 10205(c)(4) empowers ETP to enter into fixed-fee performance contracts through a non-competitively bid process. ETP's core program provides subcontract funding on the basis of hourly fixed-fee reimbursement rates. Fixed-fee rates are set by ETP based upon the method of training delivery, and other factors. ETP reimburses Subcontractors in arrears for actual training hours delivered per trainee and Subcontractors earn funds only after a trainee completes training, and a subsequent employment retention period is completed in training related employment.

ETP's performance-based delivery system provides the ARFVTP with measurable results in the number of businesses served, trainees trained, trainees placed in training related employment and post-training earnings data. ETP's established systems and reputation make it well-positioned to support the workforce training goals of the Alternative Renewable Fuel and Vehicle Technology Program and continues with established contract delivery of training from our previous contract 600-09-016.

ETP is statutorily authorized under this program to enter into training contracts across multiple fuel types through multiple organizations delivering on cutting edge advanced fuel and vehicle technologies. ETP has resources and expertise in reaching out to alternative fuel and advanced vehicle technology companies and organizations that allows them to continue their previous 6 years of training for a clean fuels workforce to the benefit the California.

EXHIBIT A
Scope of Work

TASK LIST

Task #	Task Name
1	Agreement Management
2	Subcontractor Eligibility Guidelines and Subcontract Templates
3	ARFVTP Outreach and Marketing
4	Workforce Training Delivery Subcontracts and Invoice Process
5	Subcontract Administration, Monitoring, Technical Assistance and Reporting
6	Outcomes Tracking and Reporting
7	Quarterly Meetings
8	Final Report

ACRONYMS/GLOSSARY

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

Acronym	Definition
AB109	Assembly Bill 109
AB 118	Assembly Bill 118
ARFVTP	Alternative Renewable Fuel and Vehicle Technology Program
CAM	Commission Agreement Manager
EDD	Employment Development Department
Energy Commission	The California Energy Commission
ETP	The Employment Training Panel

BACKGROUND/PROBLEM STATEMENT

Assembly Bill 118 (Núñez, Chapter 750, Statutes of 2007) created the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP) to develop and deploy renewable alternative fuels and clean vehicle technologies in the marketplace, with the goal of transforming California's fuel and vehicle types to assist in attaining the state's climate change policies.

This statute, amended by Assembly Bill 109 (Núñez, Chapter 313, Statutes of 2008), authorizes the California Energy Commission (Energy Commission) to enter into ... “workforce training partnerships and collaboratives ... to develop and deploy innovative technologies that transform California’s fuel and vehicle types to help attain the state’s climate change policies.” The Energy Commission has been contracting with EPT for the ARFVTP since May of 2010.

The transformation of California’s large and complex petroleum-based transportation market, to one based on a diversity of low-carbon alternative renewable fuels and clean vehicle technologies, represents an economic development opportunity with the potential of creating new industries and “green collar” jobs. The evolution to a low-carbon transportation economy requires a well-trained workforce to design, construct, install, operate, service, and maintain new and sustaining alternative fuels, infrastructure, and clean advanced technology vehicles.

The California Employment Training Panel (ETP) is a department under the California Labor and Workforce Development Agency, which oversees the state’s comprehensive workforce investment system. ETP provides funds to employers for job skills training necessary to remain competitive.

California Unemployment Insurance Code section 10205(c)(4) statutorily empowers ETP to enter into fixed-fee performance contracts through a non-competitively bid process. ETP’s core program provides subcontract funding on the basis of hourly fixed-fee reimbursement rates. Fixed-fee rates are set by the ETP based upon the method of training delivery, and other factors. ETP reimburses Subcontractors in arrears for actual training hours delivered per trainee and Subcontractors earn funds only after a trainee completes training, and a subsequent employment retention period is completed in training related employment.

ETP’s performance-based delivery system will provide the ARFVTP with measurable results in the number of businesses served, trainees trained, trainees placed in training related employment and post-training earnings data. ETP’s statutorily established systems make it well positioned to support the workforce training goals of the ARFVTP.

GOAL OF THE CONTRACT

The goal of this contract is to continue ARFVTP funding in advanced transportation workforce training through the Employment Training Panel’s statutorily mandated sub-contracting process, and established work from our previous contract 600-09-016. ETP will continue to focus their efforts on entities whose organizations focus on alternative fuels and advanced vehicle technology that will assist in reducing pollutants from California transportation related industries. ARFVTP funds for training in clean alternative transportation technologies will help to attain the workforce needs of companies engaged in the development and/or deployment of alternative fuels and vehicle technologies. To the extent possible, and whenever applicable, ETP shall focus on the participation of veterans and persons living in underserved and disadvantaged communities.

OBJECTIVE OF THE AGREEMENT

The objective of this interagency agreement (Agreement), between the California Energy Commission (Energy Commission) and the California Employment Training Panel (ETP), is to continue to deliver workforce training specific to the Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP) created at California Health and Safety Code Section 44272 et seq.

FORMAT/REPORTING REQUIREMENTS

Deliverables/Reports

When creating reports, ETP shall use and follow, unless otherwise instructed in writing by the Commission Agreement Manager (CAM), the latest version of the Consultant Reports Style Manual published on the Energy Commission's web site:

http://www.energy.ca.gov/contracts/consultant_reports/index.html

Each final deliverable shall be delivered as one original, reproducible, 8 ½" by 11", camera-ready master in black ink. Illustrations and graphs shall be sized to fit an 8 ½" by 11" page and readable if printed in black and white.

Electronic File Format

ETP shall deliver an electronic copy (CD ROM or memory stick or as otherwise specified by the CAM) of the full text in a compatible version of Microsoft Word (.doc).

The following describes the accepted formats of electronic data and documents provided to the Energy Commission as contract deliverables and establishes the computer platforms, operating systems and software versions that will be required to review and approve all software deliverables.

- Data sets shall be in Microsoft (MS) Access or MS Excel file format.
- PC-based text documents shall be in MS Word file format.
- Documents intended for public distribution shall be in PDF file format, with the native file format provided as well.
- Project management documents shall be in MS Project file format.

Software Application Development

If this scope of work includes any software application development, including but not limited to databases, websites, models, or modeling tools, contractor shall utilize the following standard Application Architecture components in compatible versions:

- Microsoft ASP.NET framework (version 3.5 and up) Recommend 4.0
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5
- Visual Studio.NET (version 2008 and up) Recommend 2010
- C# Programming Language with Presentation (UI), Business Object and Data Layers
- SQL (Structured Query Language)
- Microsoft SQL Server 2008, Stored Procedures Recommend 2008 R2

- Microsoft SQL Reporting Services Recommend 2008 R2
- XML (external interfaces)

Any exceptions to the Software Application Development requirements above must be approved in writing by the Energy Commission Information Technology Services Branch.

ADMINISTRATIVE TASKS

TASK 1- AGREEMENT MANAGEMENT

Task 1.1 Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement.

ETP shall:

- Attend a “kick-off” meeting with the CAM, the Contracts Officer, and a representative of the Accounting Office. The meeting will be held in Sacramento, CA and the CAM will designate the specific location. ETP shall include their Project Manager, Contracts Administrator, Accounting Officer, and others designated by the CAM in this meeting. The administrative and technical aspects of this Agreement will be discussed at the meeting.
- If necessary, prepare an updated Schedule of Deliverables based on the decisions made in the kick-off meeting.

The CAM shall:

- Arrange the meeting including scheduling the date and time.
- Provide an agenda to all potential meeting participants prior to the kick-off meeting.

Deliverables:

- An Updated Schedule of Deliverables (if applicable)

Task 1.2 Invoices

The Contractor shall:

- Prepare invoices for all reimbursable expenses incurred performing work under this Agreement in compliance with the Exhibit B of the Terms and Conditions of the Agreement. Invoices shall be submitted as ETP deems necessary. Invoices must be submitted to the Energy Commission’s Accounting Office.

Deliverables:

- Invoices

Task 1.3 Manage Subcontractors

The goal of this task is to ensure quality products, to enforce subcontractor Agreement provisions, and in the event of failure of the subcontractor to satisfactorily perform services, recommend solution to resolve the problem.

ETP shall:

- Manage and coordinate subcontractor activities. ETP is responsible for the quality of all subcontractor work and the Energy Commission will assign all work to ETP. If the Contractor decides to add new subcontractors, they shall 1) comply with the Terms and Conditions of the Agreement, and 2) notify the CAM who will follow the Energy Commission's process for adding or replacing subcontractors.

Task 1.4 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.

ETP shall:

Prepare progress reports which summarize all Agreement activities conducted by ETP 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 within 15 calendar days after the end of the reporting period. The CAM will provide the format for the progress reports.

Deliverables:

- Quarterly Progress Reports

Task 1.5 Final Report

The goal of this task is to prepare a comprehensive written Final Report that describes the original purpose, approach, results and conclusions of the work completed under this Agreement. The Final Report shall be prepared in language easily understood by the public or layperson with a limited technical background.

The Final Report must be completed before the termination date of the Agreement in accordance with the Schedule of Deliverables.

The Final Report shall be a public document. If ETP has obtained confidential status from the Energy Commission and will be prepare both a public and a confidential version of the Final Report, ETP shall perform the following subtasks for both the public and confidential versions of the Final Report.

Task 1.5.1 Final Report

ETP shall:

- Prepare the Final Report for this Agreement

- Submit the Final Report for review and comment. The CAM will provide written comments to the Contractor. The Contractor shall review the comments and discuss any issues with the recommended changes with the CAM.
- Prepare and submit the Final Report, incorporating CAM comments.

Deliverables:

- Final Report

Task 1.6 Final Meeting

The goal of this task is to discuss closeout of this Agreement and review the project.

ETP shall:

- Meet with Energy Commission staff prior to the term end date of this Agreement. The meeting will be held in Sacramento, CA and the CAM will designate the specific location. This meeting will be attended by ETP's Project Manager and the CAM. The CAM will determine any additional appropriate meeting participants. The administrative and technical aspects of Agreement closeout will be discussed at the meeting.
- Present findings, conclusions, and recommended next steps (if any) for the Agreement, based on the information included in the Final Report.
- Prepare a written document of meeting agreements and unresolved activities.
- Prepare a schedule for completing the closeout activities for this Agreement, based on determinations made within the meeting.

Deliverables:

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

TECHNICAL TASKS

Task 2 Subcontractor Eligibility Guidelines and Subcontract Templates

ETP shall use their current template(s) to submit subcontractor eligible training topics to the Energy Commission CAM for approval prior to enter into a training subcontract for subcontractors to deliver ARFVTP-specific workforce training. ETP cannot enter into a subcontract for ARFVTP funded training without CAM approval.

In an ongoing effort to keep in front of cutting edge and progressive transportation technologies, and to expedite approving training topics, ETP shall consult with the Energy Commission's Agreement Manager (CAM), prior to formally submitting new training topics, or any potential reconsideration of training topics that were previously ineligible. All topic submissions will be reviewed by appropriate Energy Commission staff for eligibility of ARFVTP funds, and provide timely responses.

General examples of alternative fuel and advanced vehicle technology training topics that are allowable, but are not limited to, include: biofuels manufacturing/processing and delivery systems, hybrid and plug in electric vehicle technologies, clean vehicle charging systems; advanced vehicle battery manufacturing, hydrogen fuel manufacturing and delivery systems; renewable clean fuel vehicle manufacturing; hazardous materials safety and handling, first responder safety and hazardous materials handling for all alternative fuels and clean vehicle technology vehicles, Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG) manufacturing, processing and delivery.

Additional examples of training may include, but are not limited to: specialized software training that is specific to proprietary systems, general software programs designed for use by alternative fuel and advanced vehicle technology processing and production, diagnosis and repair, management topics specific to alternative fuel and advanced vehicle technology, and continuous improvement. Training can take place in classrooms, in productive laboratory settings, at current facilities designed for production and manufacturing.

ETP shall use their current subcontract template(s) and subcontract summary template(s) to be used to secure Energy Commission approval of all subcontracts prior to Contractor approval and funding.

The subcontract template shall always include, at a minimum, the scope of work, the performance-based criteria for receiving training funds, the contract amount and payment terms and appropriate provisions in each of its subcontracts to secure adequate backup documentation to verify all subcontractor services for payment under this Agreement. Any changes requested by the Contractor to this template, requires CAM approval prior to the current subcontract template being implemented.

The subcontract summary template shall always include, at a minimum, a description of the subcontractor, training to be delivered, category of trainee, and funds requested. Any changes requested by the Contractor to this template, requires CAM approval prior to the current subcontract template being implemented.

Task 2 Deliverables

1. Submission of Summary and Subcontract Template
2. Submission for Summary and Subcontract Template Information Changes

Task 3 ARFVTP Outreach and Marketing

ETP shall conduct outreach and marketing to identify eligible subcontractors in need of ARFVTP-specific workforce training. The goal is to increase awareness of this clean transportation workforce training effort among eligible employers, training agencies, and workforce development organizations.

Additionally, ETP shall conduct outreach to companies and organizations upon CAM referral and report the status of these projects in the quarterly outreach and marketing activities report.

ETP shall prepare an ARFVTP outreach and marketing plan. The marketing and outreach plan will be updated quarterly and include, but is not limited to the following:

- Description of how ETP intends to increase awareness and encourage application for training contracts;
- Documentation of all outreach efforts related to the ARFVTP;
- The number, type, location (County and City), and mission of the companies to be contacted;
- The number of presentations to be delivered with event name, location, audience description and audience size; and
- Information on efforts related to outreach for disadvantaged communities and veterans participation; and
- Status of projects referred to Contractor by the CAM.

All versions of the outreach and marketing plan must be reviewed and approved by the CAM prior to implementation.

ETP shall implement the outreach and marketing plan and submit quarterly outreach and marketing activity reports to the CAM. The quarterly activity reports shall include, but not be limited to the following:

- The status of the activities described in the outreach and marketing plan;
- Provide new details on activities in the plan (i.e. specific business/location/date information, etc.);
- Summarize all outreach efforts related to the ARFVTP Outreach and Marketing Plan work accomplished;
- The number, type, location (County and City), and mission of the companies contacted;
- The number of presentations delivered with event name, location, audience description and audience size; and
- Status of projects referred to ETP by the CAM.

NOTE: There is no separate yearly report requirement. Each Quarterly Report will include cumulative information on all reporting activities requested for preparation and submission within this agreement.

Prepare and Submit: Marketing and Outreach Report(s) with general quarterly report.

Task 3 Deliverables

1. Quarterly Outreach and Marketing Report

Task 4 Workforce Training Delivery Subcontracts and Invoice Process

Through this Agreement, ETP shall disburse ARFVTP funds through training subcontracts with single employers, multiple-employer partnerships, training agencies, trade associations, joint apprenticeship training councils, labor unions, transit agencies, and other eligible entities. Subcontractors eligible to receive funds through this Agreement shall provide workforce training for job skills related to the development and/or deployment of alternative fuels and advanced vehicle technologies.

Based upon applications received from eligible organizations requesting training funds, as a result of the outreach by ETP shall develop, execute, and administer subcontracts to fund ARFVTP-specific training in the following categories:

- Retrainee: Current employees
- Underemployed: Employed only part-time when one needs and desires full-time employment or inadequately employed, especially employed at a low-paying job.
- New-Hire: Unemployment insurance recipients and/or those who have exhausted their unemployment insurance benefits within the previous 24 months.

Training subcontracts established under this Agreement shall provide classroom and hands-on training (productive lab) specific to the ARFVTP and in compliance with California Health and Safety Code 44272(d)(10).

Eligible training topics may include:

- Fuel feedstock production and/or extraction
- Alternative and renewable fuel distribution
- Alternative and renewable fuel transport, and/or storage
- Idle management technology and other conservation technologies
- High-performance and low-emission vehicle technology
- Automotive computer systems
- Mass transit fleet and clean vehicle conversion, service, and maintenance
- Other sectors or occupations and technologies related to green transportation

Additionally, throughout the term of this Agreement the Energy Commission will refer companies and organizations, which express an interest in establishing an ARFVTP training program, to the Contractor for services. ETP shall utilize the approved subcontractor eligibility guidelines to determine if the company is eligible to receive ARFVTP funds. ETP will assist eligible subcontractors in developing a training contract.

ETP shall submit a subcontractor summary, for each proposed subcontract, to the CAM for review and approval. The CAM will review the subcontractor summary to ensure the training project is consistent with the priorities established by the ARFVTP investment plan and the terms of this Agreement, and delivers ARFVTP-specific workforce development and training.

Process for Invoice Payments

All reimbursements will be paid on a per-trainee basis. The total payments must be reconciled for all trainees taken as a whole, at the time of Fiscal Closeout. The Sub-Contractor must submit timely and accurate invoices to ETP for payment. ETP will review the invoice and verify training hours and adjust the invoice amount if needed. ETP will then forward the approved contractor invoice to the Employment Development Department (EDD) for payment (EDD is the administrative processor for all payments to ETP).

EDD will invoice the CEC for the -approved amount. This process for payment method ensures that EDD has only minimal unspent funds on their books at year-end from any subcontract failure, or “fall out” (e.g., a company goes out of business, total number of trainees completed changes, dates for completing the contract go beyond ETP’s spending authority, etc.). The Energy Commission will follow their own standard practice of paying invoices from the oldest funding source to lessen the possibility of funds reverting.

Payments for training subcontracts require that a trainee must be enrolled and must have completed at least 8 hours of training before any payment will be made. Payments shall be made in three stages on a per-trainee basis, by Job Number.

1. The first Progress Payment (P1) will be up to 25% of the Average-Cost-per Trainee, payable upon enrollment and after the first eight hours of training.
2. The second Progress Payment (P2) will be paid upon completion of all training hours. Progress Payment (P1) and (P2) combined will be approximately 75% of the Actual Cost per trainee within the range of training hours specified in Chart 1 for each Job Number.
 - a. Invoicing (P2) signifies that each trainee has completed all the training hours that will qualify for final reimbursement. Trainees invoiced for (P2) will be deemed to

have entered into the retention period applicable to the Job Number in which originally enrolled, and may only participate in additional training under a different Job Number.

3. The Final Payment (F) is payable at the end of retention, based on hours of training actually completed (with reference to the minimum and maximum hours) by trainees who met the retention and post-retention requirements, and as reconciled with the Progress Payments made to all trainees.

In the event that payments made for completed subcontracts creates an outstanding balance held by EDD, those funds must be used on future approved subcontracts before the Energy Commission is invoiced for any new subcontract reimbursement payments, and prior to any spending authority issues ensue after review and approval by the CAM

Administrative, Marketing and Outreach

Administrative work (contract development, invoice processing), along with Outreach and Marketing the ARFVTP efforts are restricted to no more than 10% of total contract funding. The contractor may, with verifiable documentation, submit for reimbursement of marketing expenses above the 10%, and if approved by the CAM, will be reimbursed at actual costs.

Prepare and Submit Subcontracts, Invoices for approval.

Task4 Deliverables

1. Submit Summary of Subcontracts
2. Invoice For Subcontracts
3. Invoice For Administrative, Marketing and Outreach Expenses

Task 5 Subcontract Administration, Monitoring, Technical Assistance and Reporting

ETP shall administer all subcontracts funded under this Agreement in accordance with ETP's core program. The core program shall include, but not be limited to:

- Conduct start-up meetings prior to the beginning of training, ETP will conduct a start-up meeting with each subcontractor. This meeting brings together ETP's signatory and/or Project Monitor, and the individual(s) responsible for the delivery and administration of the training program. The start-up meeting will consist of the following activities:
 - Review the terms of the subcontract.
 - Provide an overview of the subcontract monitoring and payment process.
 - Discuss recordkeeping and administration requirements.
- Conduct monitoring visits – Monitoring visits will be conducted beginning 30-days after training begins with subsequent visits every five to six months or sooner if technical assistance is required. Monitoring meetings will include any or all of the following:
 - Review the number of trainees that have begun training, are in training, have completed training, are in the employment retention period, or have completed the employment retention period.
 - Review the training schedule.
 - Review the curricula.
 - Observe training in session.

- Interview trainers and trainees.
- Review recordkeeping and daily documentation of training.
- Validate invoices.
- Provide technical assistance to ensure that the subcontractor remains in compliance with the subcontract terms and intent. If subcontractor is out of compliance, recommend corrective action to get them back in compliance, and document corrective action in the monitoring report.
- Review training records to ensure that funds are only earned for those trainees who successfully complete training, are placed in a job, and retain that job for the period of time specified in the subcontract.

The ETP shall document all subcontractor monitoring visits, technical assistance, and corrective action in a monitoring report. The monitoring report will cover all areas reviewed, performance data, compliance issues and recommended corrective actions. ETP shall submit to the CAM monitoring reports developed during any month that monitoring reports are generated.

Prepare and submit Monitoring Reports

Task 5 Deliverables

1. Subcontract Monitoring Reports

Task 6 Outcomes Tracking and Reporting

ETP shall track outcomes and prepare quarterly reports for all subcontracts that provide participant and program outcomes. The goal of this task is to provide data specific to trainee enrollees. If data ETP collects from enrollees includes personal data as defined by the Information Practices Act (Cal. Civ. Code § 1798.3(a)), Contractor shall comply with the Information Practices Act (Cal. Civ. Code §§ 1798 *et seq.*). Compliance includes, but is not limited to, working with the Energy Commission to develop appropriate notice pursuant to Cal. Civ. Code § 1798.17. Reporting data and dates may be adjusted by approval of the CAM. The reports shall include, but not be limited to:

Contract data:

- Status of Energy Commission Referrals
- Number of Start Up, Monitoring, and Final Visits
- Number of Contracts:
 - In development
 - Approved this quarter and to date
 - Number of active contracts
 - Number of completed contracts
- Funds:
 - Projects in development
 - Subcontracts awarded this quarter and to date
 - Subcontract funds encumbered this quarter and to date
 - Subcontract funds earned this quarter and to date
 - Funds unearned and returned to the Contractor
 - Funds remaining available

Participant data:

- Number of trainees:
 - Enrolled in training
 - Completed training
 - Placed in a job and in retention period (new hire)
 - Began retention period (current employee/retrainee)
 - Entered training related employment
 - Breakdown by incumbents and new hires

- Participant Demographics:
 - County of residence
 - County of Employment
 - Hours of training completed
 - Earnings prior to training
 - Earnings post training
 - Long-term earning potential

- Approved Training Topic Data
 - Topics delivered by subcontractor for training

Prepare and submit cumulative data outcomes and tracking information into Quarterly Reports.

Task 6 Deliverables

1. Quarterly outcomes data reports

Task 7 Quarterly Meetings

The goal of this task is to discuss program status and review program management. Participants will include the CAM, ETP’s Contract Manager, and any other individuals selected by the Energy Commission or ETP to participate. The meetings will be held quarterly, at a minimum, or based on expressed need.

ETP shall:

- Collaborate with the Energy Commission to determine the location, date, and time of each meeting and to establish an agenda. These meetings may take place at the Energy Commission or another location
- Provide a list of participants to the CAM in advance of the meeting
- Attend and participate in the meeting

Prepare and submit information for Quarterly Meetings.

Task 7 Deliverables

1. Schedule of quarterly meetings

Task 8 Final Report

The final report shall provide an overall summary of the activities performed under each task, performance measures and statistics, summary of the number of training contracts delivered and funding allocated by county, data on continued demand for workforce training outside the term of this agreement, the projects strengths and weaknesses, determination of success, recommendations, and conclusions.

Reports submitted under this task will be prepared in draft form and submitted to the CAM for review and comment. The Contractor shall review and discuss any recommended changes to

each draft report with the CAM, and shall submit a final version of the report incorporating any agreed-upon changes by the date specified in the “Deliverables and Due Dates” Table.

Prepare and Submit Draft Report.

Prepare and Submit the Final Report.

Task 8 Deliverables

1. Draft Report
2. Final report

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: CALIFORNIA EMPLOYMENT TRAINING PANEL

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 Agreement 600-15-012 with the California Employment Training Panel (ETP) for a \$2,000,000 contract to support specialized training across multiple fuel and advanced vehicle technologies platforms, serving California's clean alternative fuels industry; 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 May 17, 2016.

AYE: [List of Commissioners]

NAY: [List of Commissioners]

ABSENT: [List of Commissioners]

ABSTAIN: [List of Commissioners]

Cody Goldthrite,
Secretariat