



STATE OF CALIFORNIA

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 12/2019)

CALIFORNIA ENERGY COMMISSION

A) New Agreement # 700-21-005 (to be completed by CGL office)

| B) Division | Agreement Manager: | MS- | Phone |
|--|---------------------------|------------|--------------|
| Siting Transmission and Environmental Division | Rhetta deMesa | | 916-628-1640 |

| C) Contractor's Legal Name | Federal ID # |
|-----------------------------------|---------------------|
| California State Lands Commission | 68-0291104 |

| D) Title of Project |
|------------------------------|
| Alternative Ports Assessment |

E) Term and Amount

| Start Date | End Date | Amount |
|-------------------|-----------------|---------------|
| 4/26/2022 | 6 /30/2023 | \$ 200,000.00 |

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 4 / 26 / 2022 ☐ Consent ☒ Discussion

Business Meeting Presenter Rhetta deMesa Time Needed: 5 minutes

Please select one list serve. Offshore Renewable Energy

Agenda Item Subject and Description:

California State Lands Commission: Proposed resolution approving Agreement 700-21-005 with the California State Lands Commission for \$200,000 to select consulting services for screening analysis of the feasibility of, and potential opportunities and constraints for, a new port along the central to the southern coast of California capable of supporting floating offshore wind development, and adopting staff's determination that this action is exempt from CEQA. This analysis will support California's assessment of developing wind energy in federal waters of the coast California, including the preparation of an offshore wind strategic plan required by Assembly Bill 525 (Chiu, Chapter 231, Statutes of 2021). (General Fund Funding) Contact: Rhetta DeMesa (Staff Presentation: 5 minutes)

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.

☐ Statutory Exemption. List PRC and/or CCR section number:

☒ Categorical Exemption. List CCR section number: 14 CCR 15306

☐ Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why Agreement is exempt under the above section:



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Activities conducted under this agreement will be limited to the collection, analysis, and dissemination of data and information and are not expected to result in a serious or major disturbance to any environmental resources.

- 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

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

| Legal Company Name: | Budget |
|---|---------------|
| TBD, Conduct Alternative Ports Assessment | \$ 200,000.00 |
| | \$ 0.00 |
| | \$ 0.00 |

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

| Legal Company Name: |
|---------------------|
| |
| |
| |

J) Budget Information

| Funding Source | Funding Year of Appropriation | Budget List Number | Amount |
|----------------|-------------------------------|--------------------|--------------|
| General Fund | 2021-2022 | 700.128NC | \$200,000.00 |
| Funding Source | | | \$ |
| Funding Source | | | \$ |
| Funding Source | | | \$ |
| Funding Source | | | \$ |

R&D Program Area: Select Program Area TOTAL: \$200,000

Explanation for "Other" selection

Reimbursement Contract #:

Federal Agreement #:

K) Contractor's Contact Information**1. Contractor's****Administrator/Officer**

Name: Cathy Chan, Contract Buyer

Address: 100 Howe Ave, Ste 100-S

City, State, Zip: Sacramento, CA
95825

Phone: 916-574-1834

E-Mail: cathy.chan@slc.ca.gov

2. Contractor's Project Manager

Name: Reid Boggiano

Address: 100 Howe Ave, Ste 100-S



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City, State, Zip: Sacramento, CA
95825

CALIFORNIA ENERGY COMMISSION

Phone: 916-574-0450

E-Mail: reid.boggiano@slc.ca.gov

L) Selection Process Used

- ☐ Solicitation Select Type Solicitation #: - - # of Bids: Low Bid ☐ No ☐ Yes
☐ Non Competitive Bid (Attach DGS-GSPD-09-007 <https://www.dgs.ca.gov/PD/Forms>)
☒ Exempt – Interagency Agreement Select Exemption (see instructions)

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?

If yes, check appropriate box(es): ☐ 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



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1. ☐ Reimbursement in arrears based on:
☐ Itemized Monthly ☐ Itemized Quarterly ☐ Flat Rate ☐ One-time
2. ☒ Advanced Payment
3. ☐ Other, explain:

Q) Retention

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. ☒ Exempt (Interagency/Other Government Entity)
2. ☐ Meets DVBE Requirements DVBE Amount:\$ 0 DVBE %:
 - a. ☐ Contractor is Certified DVBE
 - b. ☐ Contractor is Subcontracting with a DVBE: Name of DVBE Company
3. ☐ Contractor selected through CMAS or MSA with no DVBE participation
4. ☐ Requesting DVBE Exemption (attach CEC 95)

T) Miscellaneous Agreement Information

1. Will there be Work Authorizations? ☒ No ☐ Yes
2. Is the Contractor providing confidential information? ☒ No ☐ Yes
3. Is the contractor going to purchase equipment? ☒ No ☐ Yes
4. Check frequency of progress reports
☐ Monthly ☐ Quarterly ☒ During key milestones of the agreement.
5. Will a final report be required? ☐ No ☒ Yes
6. Is the Agreement, with amendments, longer than three years? If yes, why? ☒ No ☐ Yes

U) The following items should be attached to this CRF (as applicable)

- | | | |
|---|---|--|
| 1. Exhibit A, Scope of Work | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 2. Exhibit B, Budget Detail | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> |
| 3. DGS-GSPD-09-007, NCB Request | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> |
| 4. CEC 95, DVBE Exemption Request | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> |
| 5. CEQA Documentation | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> |
| 6. Resumes | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> |
| 7. CEC 105, Questionnaire for Identifying Conflicts | | <input checked="" type="checkbox"/> Attached |

Agreement Manager

Date

Office Manager

Date

Deputy Director

Date

Exhibit A

SCOPE OF WORK

BACKGROUND/PROBLEM STATEMENT

As offshore wind energy develops off the coast of California, California ports are expected to play a critical role in supporting the assembly, fabrication, installation, and maintenance of offshore wind infrastructure. However, California's existing port facilities are not equipped to support these offshore wind activities. Significant investments will be required to upgrade and expand port facilities or to identify alternative locations along the coast to support offshore wind development. The Bureau of Ocean Energy Management, in coordination with the California State Lands Commission (CSLC), is currently conducting an inventory of California's existing port facilities to better understand the infrastructure and capacity gaps for supporting offshore wind. Additional assessment is needed to explore if and where there may be opportunities outside of the state's existing port facilities to support offshore wind development and deployment activities.

In September 2021, the California State Legislature approved, and the Governor signed, AB 525 (Chiu; Chapter 231, Statutes of 2021) which requires the California Energy Commission (CEC) in coordination with several other state agencies, including the CSLC, to develop a strategic plan for offshore wind energy installations off the California coast in federal waters. The CEC must submit the strategic plan to the California Natural Resources Agency and the Legislature on or before June 30, 2023. As part of the strategic plan, the CEC must include an identification of port space and infrastructure needed to support offshore wind planning goals established for 2030 and 2045.

PURPOSE OF THE AGREEMENT

The California Energy Commission is contracting with the California State Lands Commission (Contractor) to select a consultant to conduct an "Alternative Ports Assessment" to evaluate and analyze the opportunities and feasibility of developing a new port or other waterfront facilities outside of the state's existing port facilities to support offshore wind deployment activities.

SERVICES AND DELIVERABLES

- a) The Contractor shall provide all labor, equipment, software, transportation, supplies and materials necessary to complete the scope of work.
- b) The Contractor shall provide the following services and deliverables:
 - a. **Task 1: Develop a Request for Proposals**
 - i. The Contractor shall:
 - 1. Work in coordination with CEC staff to develop a Scope of Work for the Alternative Ports Assessment.

2. Prepare and make publicly available a Request for Proposals (RFP), soliciting a Subcontractor to conduct the Alternative Ports Assessment as identified in the scope of work jointly developed by the CEC and the Contractor. The RFP package shall also be submitted to CEC.
3. Include CEC staff in the evaluation and scoring of eligible proposals received in response to the RFP.
4. Notify CEC via email upon release of the Notice of Proposed Award and provide a copy of the Notice of Proposed Award.

b. Task 2: Enter into Contract with the Subcontractor

- i. The Contractor shall enter into a contract (sub-agreement) with the selected Subcontractor and shall provide a copy of the executed agreement to CEC.
- ii. Along with any other required flow-down requirements, Contractor shall ensure the subcontract contains terms giving the Energy Commission expansive intellectual property rights, including ownership, which can be shared with Contractor, to the Final Report.

c. Task 3: Hold a Kick-Off Meeting with Subcontractor

- i. Following execution of the sub-agreement, the Contractor shall hold a project kick-off meeting with the Subcontractor and shall notify CEC staff when the kick-off meeting has been scheduled and provide meeting materials including an agenda and any other related documents in advance of the kick-off meeting.

d. Task 4: Manage and Coordinate Subcontractor Agreement and Activities

- i. The Contractor shall ensure the quality of all Subcontractor work, enforce the Sub-Agreement provisions, and, in the event of failure of the Subcontractor to satisfactorily perform services, recommend solution to resolve the problem.
 1. If the Contractor decides to add new Subcontractors, it shall:
 - a. Comply with the Terms and Conditions of this Agreement, and
 - b. Notify the Commission Agreement Manager who will follow the CEC's process for adding or replacing subcontractors.

e. Task 5: Provide Updates on Agreement Progress

- i. The Contractor shall coordinate with the Commission Agreement Manager to determine the appropriate frequency for progress updates and schedule check-in meetings accordingly.

f. Task 6: Submit Final Report to CEC

- i. The Contractor shall submit to the CEC in electronic format a comprehensive written draft and final versions of the Final Report that fulfills the Scope of Work agreed upon in Task 1.
- ii. The Final Report shall be prepared in language easily understood by the public or layperson with a limited technical background.
- iii. The Final Report must be completed before the termination date of this Agreement.
- iv. The Final Report shall be a public document.

SCHEDULE OF DELIVERABLES AND DUE DATES

| Task Number | Deliverable | Due Date |
|-------------|--|-------------------|
| 1 | Develop a Request for Proposals (RFP) | |
| | Copy of the final RFP package | April 29, 2022 |
| | Copy of Notice of Proposed Award | May 20, 2022 |
| 2 | Enter into Agreement with Subcontractor | |
| | Copy of executed Sub-agreement | June 3, 2022 |
| 3 | Kick-Off Meeting with Subcontractor | |
| | Meeting materials submitted to CEC for Kick-Off Meeting with Subcontractor | June 10, 2022 |
| 4 | Manage Subcontractor(s) | |
| | None | |
| 5 | Provide Updates on Agreement Progress | |
| | Schedule check-in meetings at a frequency agreed upon by Contractor and Commission Agreement Manager | Ongoing |
| 6 | Final Report | |
| | Draft Final Report | October 21, 2022 |
| | Final Report | November 11, 2022 |

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California State Lands Commission.

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

RESOLVED, that the CEC approves Agreement 700-21-005 with the California State Lands Commission for \$200,000 to select consulting services for screening analysis of the feasibility of, and potential opportunities and constraints for, a new port along the central to the southern coast of California capable of supporting floating offshore wind development. This analysis will support California's assessment of developing wind energy in federal waters off the coast of California, including the preparation of an offshore wind strategic plan required by Assembly Bill 525 (Chiu, Chapter 231, Statutes of 2021); and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the CEC 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 CEC held on April 26, 2022.

AYE:

NAY:

ABSENT:

ABSTAIN:

Liza Lopez
Secretariat