



**CALIFORNIA
ENERGY COMMISSION**



**California Energy Commission
August 14, 2024 Business Meeting
Backup Materials for Aspen Environmental Group**

The following backup materials for the above-referenced agenda item are available in this PDF packet as listed below:

1. Proposed Resolution
2. Contract Amendment Request Form
3. Standard 213A
4. Generative Artificial Intelligence (GenAI) Contract Language

[PROPOSED]

RESOLUTION NO: 24-0814-XX

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION: Aspen Environmental Group

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 amendment 2 to contract 700-22-005 with Aspen Environmental Group to add \$3,500,000 to the agreement and extend the end date to 2029 to support the Opt-In Certification Program and add a newly required Department of General Services contract term. This contract provides professional engineering and environmental services to support evaluating applications for the Opt-In Certification Program as mandated by Assembly Bill 205 (2022); 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 August 14, 2024.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

Kristine Banaag
Secretariat



STATE OF CALIFORNIA

CONTRACT AMENDMENT REQUEST FORM (CARF)

CEC-276 (Revised 01/2024)

CALIFORNIA ENERGY COMMISSION

Original Agreement # 700-22-2005 Amendment # 02

Division	Agreement Manager:	MS-	Phone
700 Siting Transmission Environmental F	Hilarie Anderson	16	916-661-8462

Contractor's Legal Name	Federal ID #
Aspen Environmental Group	95-4337914

Revisions: (check all that apply)	Additional Requirements
<input checked="" type="checkbox"/> Term Extension New End Date: 04 / 30 / 2029	Include revised schedule and complete items A, B, C, D, & H below.
<input checked="" type="checkbox"/> Budget Augmentation Amendment Amount: \$ 3,500,000	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 Recipient	Include novation documentation and complete items A, B, 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:**☐ Minor amendments delegated to Executive Director per December 2013 ResolutionProposed Business Meeting Date 8 / 14 / 2024 ☒ Consent ☐ Discussion

Business Meeting Presenter Time Needed: minutes

Please select one list serve. Select

Agenda Item Subject and Description:

Aspen Environmental Group. Proposed resolution approving amendment 2 to contract 700-22-005 with Aspen Environmental Group to increase the agreement's budget by three and a half million dollars (\$3,500,000) and extend the term date to April 30th, 2029 to support the Opt-In Program. (EFLCF Funding) Contact: Hilarie Anderson



STATE OF CALIFORNIA

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B) Amendment Justification (For contract amendments only)

- ☐ Non Competitive Bid (Attach DGS-GSPD-09-007) <https://www.dgs.ca.gov/PD/Forms>
- ☒ Exempt Select Exemption (see instructions)

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

Legal Company Name:	Budget
See Attached	\$ 0.00
	\$ 0.00
	\$ 0.00

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

Legal Company Name:

E) Budget Information (only include amendment amount information)

Funding Source	Funding Year of Appropriation	Budget List Number	Amount
EFLCF	24/25	700.004	\$2,200,000
EFLCF	25/26	700.004	\$1,300,000
Funding Source			\$
Funding Source			\$
Funding Source			\$

R&D Program Area: Select Program Area TOTAL: \$3,500,000

Explanation for "Other" selection

Reimbursement Contract #:

Federal Agreement #:

F) Disabled Veteran Business Enterprise Program (DVBE)

- ☐ Exempt (Interagency/Other Government Entity)
- ☒ Meets DVBE Requirements DVBE Amount:\$ _____ DVBE %: 6
 - ☐ Contractor is Certified DVBE
 - ☒ Contractor is Subcontracting with a DVBE: Blackhawk Environmental, Inc ; Energy Veterans, Inc.
- ☐ Contractor selected through CMAS or MSA with no DVBE participation
- ☐ Requesting DVBE Exemption (attach CEC 95)

G) California Environmental Quality Act (CEQA) Compliance

- Is Agreement considered a "Project" under CEQA?

**CONTRACT AMENDMENT REQUEST FORM (CARF)**

☐ 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:

c) ☐ Agreement **IS** exempt.

☐ 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:

d) ☐ 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) Is this project considered "Infrastructure"?

Enter Yes or No

I) The following items should be attached to this CARF (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. DGS-GSPD-09-007, 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. Novation Documentation | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 7. CEC 105, Questionnaire for Identifying Conflicts | | <input type="checkbox"/> Attached |

Hilarie Anderson

7/10/24

Agreement Manager

Date

Kyle Emigh

7/11/24

Office Manager

Date

Elizabeth Huber

7/11/24

Deputy Director

Date



STATE OF CALIFORNIA

CONTRACT AMENDMENT REQUEST FORM (CARF)

CEC-276 (Revised 01/2024)

CALIFORNIA ENERGY COMMISSION

700-22-005
Opt-In Contract
Aspen Environmental Group
Subcontractor List

Business Name

- Applied EarthWorks, Inc.
- Arellano Associates
- Black Eagle Consulting, Inc.
- Blackhawk Environmental Inc.
- Blue Ridge Services, Inc.
- CommonLook
- Conservation Biology Institute, Inc
- Creation-Z (dba 3DSCAPE
- Desert Research Institute
- Davey Resource Group
- DeSotle Group Environmental Management LLC
- EDM Services, Inc.
- Energy Veterans, Inc.
- Fehr and Peers
- Guidehouse
- Horizon Water and Environment
- Hydrofocus, Inc.
- ISI Translation Services
- Life Cycle Associates LLC
- Mead and Hunt
- Michael Clayton & Associates
- NetCentrics Technologies
- Pacific Legacy
- Peter Raimondi,
- RCH Group
- Ricondo & Associates, Inc.
- Risk Science Associates
- Rod Walker & Associates Consultancy
- Spectrus, Ltd.
- Tatsumi and Partners, Inc.
- WestPeak Energy
- WJV Acoustics, Inc.

STANDARD AGREEMENT - AMENDMENT

STD 213A (Rev. 4/2020)

☒ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 7 PAGES

AGREEMENT NUMBER

700-22-005

AMENDMENT NUMBER

02

Purchasing Authority Number

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

State Energy Resources Conservation and Development Commission (California Energy Commission)

CONTRACTOR NAME

Aspen Environmental Group

2. The term of this Agreement is:

START DATE

01/17/2023

THROUGH END DATE

04/30/2029

3. The maximum amount of this Agreement after this Amendment is:

\$9,500,000.00 (\$3,500,000.00 Amendment Amount)

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

The purposed of this amendment is to augment the budget \$3,500,000, extend the end term of the agreement to 04/30/2029 and add Exhibit H. Agreement 700-22-005 approved by DGS on April 28, 2025 and amended and approved by the Energy Commission on October 18, 2023 is amended as follows:

The overall agreement budget is increased to \$9,500,000.00

The end term of the agreement is changed from 04/30/2025 to 04/30/2029

Exhibit H - Generative Artificial Intelligence is added to the agreement

*All other terms and conditions shall remain the same.**IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.***CONTRACTOR**

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

Aspen Environmental Group

CONTRACTOR BUSINESS ADDRESS

5020 Chesebro Road, Suite 200

CITY

Agoura Hills

STATE

CA

ZIP

91301

PRINTED NAME OF PERSON SIGNING

Neda Rastegar

TITLE

CCO

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

State Energy Resources Conservation and Development Commission (California Energy Commission)

CONTRACTING AGENCY ADDRESS

715 P Street, 3rd Floor - MS-18

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Adrienne Winuk

TITLE

Contracts, Grants and Loans Office Manager

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

Per PRC Section 25545.12(b)(1)

EXHIBIT H

Generative Artificial Intelligence (GenAI) Contract Language

During the term of the contract, Contractor must notify the State in writing if their services or any work under this contract includes, or makes available, any previously unreported GenAI technology, including GenAI from third parties or subcontractors. Contractor shall immediately complete the GenAI Reporting and Factsheet (STD 1000) to notify the State of any new or previously unreported GenAI technology.

At the direction of the State, Contractor shall discontinue the use of any new or previously undisclosed GenAI technology that materially impacts functionality, risk or contract performance, until use of such GenAI technology has been approved by the State.

Failure to disclose GenAI use to the State and submit the GenAI Reporting and Factsheet (STD 1000) may be considered a breach of the contract by the State at its sole discretion and the State may consider such failure to disclose GenAI and/or failure to submit the GenAI Reporting and Factsheet (STD 1000) as grounds for the immediate termination of the contract. The State is entitled to seek any and all relief to which it may be entitled to as a result of such non-disclosure.

The State reserves the right to amend the contract, without additional cost, to incorporate GenAI Special Provisions into the contract at its sole discretion and/or terminate any contract that presents an unacceptable level of risk to the State.