

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 10/2015)

CALIFORNIA ENERGY COMMISSION

A) New Agreement 700-18-006 (To be completed by CGL Office)

700 Siting Transmission Environmental Protection	Eric Veerkamp	200	916-654-4295
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West Coast Code Consultants, Inc. (WC3, Inc.).	24-4707579
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Delegate Chief Building Official for the Blythe Solar Power Project (BSPP), 09-AFC-06C
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2 / 20 / 2019	12 / 31 / 2020	\$ 0
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<input type="checkbox"/> Operational agreement (see CAM Manual for list) to be approved by Executive Director			
<input type="checkbox"/> ARFVTP agreements \$75K and under delegated to Executive Director.			
Proposed Business Meeting Date	2 / 20 / 2019	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter	Eric Veerkamp	Time Needed:	5 minutes

Please select one list serve. Select

Agenda Item Subject and Description

WEST COAST CODE CONSULTANTS, INC. Proposed resolution approving Agreement 700-18-006 with West Coast Code Consultants, Inc. (WC3, Inc.) for a \$0 contract to provide Delegate Chief Building Official (DCBO) services for the Blythe Solar Power Project (BSPP) (09-AFC-06C). WC3, Inc. will carry out design review and construction inspections on behalf of the Energy Commission. WC3 Inc. will be compensated by the project owner of the BSPP, NextEra Energy for DCBO services.

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 the work under this agreement involves contract administration, plan reviews, site inspection, compliance monitoring and reporting, and technical support and code interpretation services when necessary. The Energy Commission has completed environmental analysis of the Blythe Solar Power Project. That analysis and the Conditions of Certification can be found in Docket No. 09-AFC-06C.

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
☐ Initial Study ☐ Environmental Impact Report
☐ Negative Declaration ☐ Statement of Overriding Considerations
☐ Mitigated Negative Declaration

Legal Company Name:	Budget	SB	MB	DVBE
None	\$ 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"/>

Legal Company Name:

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**J) Budget Information**

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

Name:	Chris Kimball	Name:	Giyan Senaratne
Address:	2400 Camino Ramon, Suite 240	Address:	2400 Camino Ramon, Suite 240
City, State, Zip:	San Ramon, California 94583	City, State, Zip:	San Ramon, California 94583
Phone:	801-682-5031	Fax:	- -
E-Mail:	chrisk@wc-3.com	E-Mail:	giyan@wc-3.com

<input checked="" type="checkbox"/> Solicitation RFQ	Solicitation #:	RFQ-18-701	# of Bids:	3	Low Bid?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<input type="checkbox"/> Non Competitive Bid (Attach CEC 96)						
<input type="checkbox"/> Exempt Select Exemption (see instructions)						

<input checked="" type="checkbox"/> Private Company (including non-profits)
<input type="checkbox"/> CA State Agency (including UC and CSU)
<input type="checkbox"/> Government Entity (i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state)

	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
If yes, check appropriate box:	<input type="checkbox"/> SB <input type="checkbox"/> MB <input type="checkbox"/> DVBE

<input type="checkbox"/> Not Applicable (Agreement is with a CA State Entity or a membership/co-sponsorship)
<input type="checkbox"/> Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)
<input checked="" type="checkbox"/> The Services Contracted:
<input checked="" type="checkbox"/> are not available within civil service
<input checked="" type="checkbox"/> cannot be performed satisfactorily by civil service employees
<input checked="" type="checkbox"/> are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system.
<input checked="" type="checkbox"/> The Services are of such an:
<input checked="" type="checkbox"/> urgent
<input type="checkbox"/> temporary, or
<input checked="" type="checkbox"/> occasional nature
that the delay to implement under civil service would frustrate their very purpose.

Justification:

The Blythe Solar Power Project will be constructed or modified in accordance with all Energy Commission requirements and all applicable laws, ordinances, regulations and standards (LORS). The Energy Commission is responsible for monitoring all Conditions of Certification and LORS compliance, including the California Building Standards Code (CBSC). Power plant construction or modification can be complex, due in part to the fast-track, design-build nature of such projects. This complexity requires a vast array of knowledge and expertise unique to this type of construction. This type of expertise does not exist in state service, and there are only a handful of firms in California that are able to perform this highly technical compliance review. Additionally, the work is urgent because the work is time sensitive and must be completed on schedule to prevent tremendous cost of delays. The work is also of an occasional nature because the compliance monitoring activities are triggered by certain activities by the project owner.

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**P) Payment Method**

- ☐ A. Reimbursement in arrears based on:
- ☐ Itemized Monthly ☐ Itemized Quarterly ☐ Flat Rate ☐ One-time
- ☐ B. Advanced Payment
- ☒ C. Other, explain: No Energy Commission reimbursement.

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

Rates were negotiated with the highest scored firm, WC3, Inc.

S) Disabled Veteran Business Enterprise Program (DVBE)

1. ☐ Exempt (Interagency/Other Government Entity)
2. ☐ Meets DVBE Requirements DVBE Amount:\$ 0 DVBE %: _____
- ☐ Contractor is Certified DVBE
- ☐ Contractor is Subcontracting with a DVBE: _____
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 ☒ Other...
5. Will a final report be required? ☐ No ☐ Yes
6. Is the Agreement, with amendments, longer than a year? If yes, why? ☐ No ☐ Yes
- The term will be based on when the project is complete and a certificate of occupancy for the project is issued.

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"/> 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 checked="" type="checkbox"/> Attached |

Agreement Manager

Date

Office Manager

Date

Deputy Director

Date

EXHIBIT A

SCOPE OF WORK

The Blythe Solar Power Project, Units 3 and 4 will be a nominal 250 MW (125 MW for each unit) solar photovoltaic electric generating station, built on approximately 2000 acres. The project owner may utilize both thin-film solar (cadmium telluride), and polycrystalline silicon panels. The arrays will utilize a single axis tracking system. Project elements include approximately one million individual solar modules built on elevated platforms, with tracking mechanisms and inverters, transformers, combiner boxes, and associated underground conduit.

DCBO WORK REQUIREMENTS

The Energy Commission utilizes the California Code of Regulations, Title 24, Parts 1 through 12, herein referred to as the California Building Standards Code (CBSC) for jurisdictional power plants. The design and construction of all civil, structural, mechanical (except process piping), electrical, and fire prevention facilities must comply with the CBSC, so these codes apply to all power plant construction, modification or closure. Energy Commission DCBOs are required to have total familiarity with them. The CBSC includes the following code parts relevant to power generation facilities and their commonly referenced names:

- Part 1 - California Building Standards Administrative Code
- Part 2 - California Building Code (Volumes 1 and 2)
- Part 3 - California Electrical Code
- Part 4 - California Mechanical Code
- Part 5 - California Plumbing Code
- Part 6 - California Energy Code
- Part 7 - no longer in use
- Part 8 - California Historical Building Code
- Part 9 - California Fire Code
- Part 10 - California Existing Building Code (formally - California Code for Building Conservation)
- Part 11 - California Green Building Code
- Part 12 - California Reference Standards Code

A properly designed, constructed or modified power plant will meet or exceed all applicable LORS. Some of the applicable LORS include, but are not limited to, the list below. Energy Commission DCBOs must have complete familiarity with all applicable LORS.

- American National Standards Institute (ANSI)

- American Petroleum Institute (API)
- American Society of Civil Engineers (ASCE)
- American Society of Mechanical Engineers (ASME)
- American Society for Testing and Materials (ASTM)
- Institute of Electrical and Electronics Engineers (IEEE)
- National Fire Protection Association (NFPA)
- Underwriters Laboratories (UL)
- American Welding Society (AWS)
- National Electrical Code (NEC)
- National Electrical Safety Code

Additional LORS of note include, but are not limited to, the California Professional Engineers Act (Business and Professions Code sections 6700-6799), California Professional Land Surveyors' Act (Business and Professions Code sections 8700-8805) and California contractor's license laws.

DCBO TASKS AND WORK PERFORMANCE

This section contains a generalized version of the roles, responsibilities, and varied tasks expected of a DCBO Firm. Please note that although the DCBO functions as the Energy Commission's delegate, the Energy Commission has the final authority and responsibility to ensure that each power generating facility certified is built or modified in accordance with the Energy Commission's Decision and the applicable LORS.

As an Energy Commission delegate, the DCBO must abide by any interpretation of the CBSC and any other applicable LORS, made by the Energy Commission. In addition, all DCBO team members must be approved by Energy Commission staff, including additions or replacement team members.

The DCBO will perform contract administration functions, complete a series of specific plan review, site-inspection, and construction-monitoring and reporting tasks, and provide technical/interpretive support services when necessary. Required DCBO tasks include Tasks 1-7, below.

TASK 1 – PROJECT TEAM MANAGEMENT (DCBO INFRASTRUCTURE) AND QUALITY CONTROL

The DCBO shall:

- Understand and become familiar with the Project's COCs.
- Attend and participate in Energy Commission team meetings as requested by the CPM.
- Work with the CPM to ensure all pre-construction submittals, if applicable, are complete before issuance of a Notice to Proceed.

- Use a password-protected, project-specific website for the posting of the weekly reports and other project documents. The documents on the website must be posted in an MS Word- or Excel-compatible format, and applicable submittals must be converted to .pdf files for the Periodic Compliance Reports (PCRs).
- Provide document security and backup methods to the CPM for review and approval to ensure that the electronic submittal process is secure and data can be re-established if it is lost or damaged.
- Develop and provide an initial hard copy, and an easily referenced and updateable on-line copy, of the "Project-Specific DCBO Project Guide". The DCBO must update the Guide to include new or updated information that assists with the Energy Commission's compliance requirements. The project-specific DCBO Project Guide shall include the following:
 - Table of Contents, pagination, an acronym list, and a list of references;
 - Organizational Chart with photo identification and contact information for all staff and contractors responsible for code and regulatory compliance, including specializations and current trainings/certifications and project-specific team assignments;
 - DCBO work flow chart (including a timeline provided by the Project Owner);
 - A color-coded CBO/DCBO COCs verification spreadsheet (provided by project owner) with submittal deadlines for preconstruction, construction, and commissioning stages;
 - Detailed list of CBO/DCBO pre-construction documentation submittal requirements (provided by project owner) including schedules, master lists, site plans, general submittals, and transmission system engineering conditions;
 - Detailed list of DCBO quality control program elements to work in conjunction with the Project Owner's quality controls for design and plan review;
 - Summary overview of the CBSC Structural Engineering, Piping, Fabrication Inspection, and Special Inspection guidelines applicable to the project;
 - Summary overview of the DCBO's on-line document repository, including a file-naming protocol consistent with the Energy Commission's COC; and
 - Summary overview of the DCBO's Document Submittal and Tracking System (DSTS) used to track document submittals, revisions, and inspections; and to ensure design and plan consistency between field crews and engineering and project management staff (see Task 2 below).
- Maintain a site presence and an on-site field office (provided by the Project Owner) during all construction activities or as directed by the CPM;
- Issue as necessary correction notices and non-conformance reports to ensure COC and LORS compliance;

- Select a DCBO Lead Engineer from one of the approved Lead Plan Review Engineers, as directed by the CPM, to oversee engineering construction compliance, as delineated by the Facility Design, Geology, and Transmission System Engineering COCs, as well as the SWPPP and the DESCP;
- Include all the components listed below in a weekly PCR with an easily-navigable format. Provide the PCRs to the CPM via email or web posting, and include:
 - List of DCBO staff onsite and their duties;
 - Executive summary of current construction activities, broken down by facility design engineering elements:
 - General (GEN);
 - Civil (CIVIL);
 - Structural (STRUC);
 - Mechanical (MECH);
 - Electrical (ELEC); and
 - Safety.
 - Environmental (as applicable) Project completion percentage, based on the amount of work completed to date for all systems before plant operation;
 - Compliance issues with applicable LORS and all COCs;
 - List of issued or potential non-conformance reports;
 - List and status of submitted plans;
 - Status of interconnections including:
 - Natural Gas
 - Backfeed
 - Potable Water
 - Waste Water
 - Fire Water
 - A 3 week look ahead schedule or scheduling forecast for construction progress;
 - A site map (including a scale bar and directional key) and a minimum of 10 date-stamped project photographs identifying construction activities with a brief description broken down by facility design engineering elements;
 - Estimate of construction staff/contractors onsite;
 - List of field inspections performed this week (inspection reports shall be posted for CPM review no later than 3 days after inspection was done); and
 - List of any job-related accidents whether Occupational Safety and Health Administration (OSHA) recordable or not.
- Provide initial and periodic refresher training support to Energy Commission staff and the CPM on the DCBO's Document Submittal and Tracking System (DSTS);
- Maintain, via a Document Control Manager (DCM), a log of all email correspondence pertinent to all document submittals, and inspection activity issues; and

- Provide and maintain an easily referenced and on-line copy of the invoices submitted to the Project Owner.

In addition to the contract administration duties contained in this Task, the DCBO will assist with code interpretation and enforcement, plan review, engineering and construction monitoring support, and potential plan amendment analyses to facilitate the construction of the power plant.

Deliverables:

The following deliverables shall be submitted through the DCBO's Document Submittal and Tracking System (DSTS):

1. Project-Specific DCBO Project Guide; and
2. Invoices submitted to the Project Owner.

Also see Task 2, 3, 4, and 5 for additional deliverables that must be submitted through the DSTS.

TASK 2 – PROJECT COORDINATION AND COMMUNICATION PROTOCOLS

Power plant development projects typically involve concurrent design and construction efforts. This “fast-track” approach requires well-organized processes in place to name and track all submittals in their various stages of development and review. Conversely, especially during the design phase, significant time may pass between subsequent submittals of the same package. To keep all parties on track, it is important that all DCBO comments are well documented, and that a standardized electronic file-naming protocol is used.

The DCBO shall:

- Track and maintain power plant project submittals on a web-based electronic Document Submittal and Tracking System (DSTS), designed to minimize hard-copy transmittals, that includes but is not limited to the following:
 - Username and password protection to restrict access to submittals.
 - The DSTS must provide submittal associative links to review comments, document approvals, inspection requests, and construction approvals.
 - File names that include:
 - The COC section abbreviation and number (i.e. “STRUC-1”);
 - A short but recognizable description of the submittal type and document contents; and
 - The version or revision number, including the date received and the date returned or approved.

- A multi-level file structure that can organize the submittals by various document characteristics and allow the user to easily identify the status of the submittal through the approval process. For example, using a query function, the user should be able to identify and/or review:
 - The COC section requiring the submittal;
 - Chronological order and date of the submittal;
 - Approval status of the submittal, including partial approvals;
 - Time anticipated (due date) for completion of the DCBO's review;
 - Document review comments;
 - Subsequent re-submittal of the corrected documents;
 - Approval signature by the DCBO Firm;
 - A separate file for the latest approved revision and another file for all the previous revisions (i.e, if the latest approved revision is number 5, then that revision should have its own file. Revisions 1-4 should be together in another file to be used if needed);
 - Construction inspection requests;
 - Notices of non-conformance;
 - Inspection comments, rejections, and approvals;
 - Special inspections; and
 - Safety Inspections.
- A query function to locate and determine the status of every submittal, drawing, inspection, report, or other document. The query function must have the capability to link with the submittal and to gather data relating to the various sections within the COC. For example, an authorized individual should be able to query a list of all STRUC-1 compliance submittals.
- Maintain a DSTS log that follows the file structure logic to track submittals from original receipt through final inspection. The submittal log should provide a means to identify:
 - Which documents are contained within a submittal;
 - Which documents have been approved;
 - Which documents have been revised; and
 - The current document revision number.
- Maintain an accessible historical DSTS document archive of all documents submitted to the DCBO for access by project staff and Energy Commission staff. Simply having the most current version of a document in the document tracking system does not provide an adequate record of the submittal history.

- Maintain the minimum types of project documents including but not limited to: construction drawings; supporting calculations; construction specifications; inspections; special inspections; worker safety records; and when applicable, environmental monitoring records.
 - Documents submitted to the DCBO must be in an Adobe Acrobat® .pdf, secure, electronic file format, and if an Engineer of Record (EOR) is associated with the submittal, it must include a digital signature.

If approved by the CPM, minor variations to the document tracking structure described herein, and alternative methods of saving documents within a traditional, multi-level file structure may be acceptable, provided they function in a similar manner. Database and/or document tracking systems are acceptable, provided they are organized with a search engine that locates submittals and documents in the same logical fashion as would be done within a traditional data file-server structure.

Task 2.1 – DCBO’s Document Submittal and Tracking System (DSTS) Training

DCBO shall provide an initial and a periodic refresher training support to Energy Commission staff and the CPM on the DCBO’s Document Submittal and Tracking System (DSTS).

Task 2.2 – Kick Off and Coordination Meeting(s)

As directed by the CPM, the DCBO shall attend project-specific coordination meetings and be prepared to provide information regarding the timing, schedule, and critical path issues for COC compliance and monitoring.

Deliverables:

The following deliverables shall be submitted through the DCBO’s online, password protected Document Submittal and Tracking System (DSTS):

1. Weekly Periodic Status Reports (PCRs), and;
2. Draft (and later updated) versions of MS Project or other proprietary project construction tracking spreadsheets.

TASK 3 – PRE-CONSTRUCTION COMPLIANCE ASSISTANCE

There is often an extensive list of pre-construction submittals that must be approved before the Energy Commission can issue a formal Notice to Proceed for the project. The Notice to Proceed allows site mobilization for construction to commence. Although the Energy Commission retains the final authority over all matters relating to COC interpretation, the DCBO does provide certain preliminary document review and pre-construction COC compliance assistance.

The DCBO shall assist, as directed by the CPM, with preliminary document review and pre-construction COC compliance. The DCBO should communicate the amount of time required for these activities to the Project Owner during their contract negotiations.

Deliverables:

The following deliverables shall be submitted through the DCBO's Document Submittal and Tracking System (DSTS):

1. Pre-construction submittals noting the DCBO's review and approval of pre-construction documents and noting their compliance with the Energy Commission's Conditions of Certification, where required.

TASK 4 – CONSTRUCTION PLAN REVIEW

The bulk of the work performed by the DCBO involves the review of construction drawings, calculations, and other documents supporting the project's engineering activities. The DCBO should also anticipate document submittals concurrent with on-going construction.

Project owners often submit multiple documents/drawings within a single submittal. The DCBO shall review the submittal and approve individual documents within a submittal if possible to expedite the document review process. The documents/drawings that require re-work will be allowed to be resubmitted alone as a revision to the original submittal.

The DCBO shall:

- Review, and when found to be in compliance with all applicable LORS, approve the selection of dynamic analysis and/or alternative methods of analysis for the design of those major structures designated in the project's Facility Design COCs;
- Ensure that the results of all plan checks and construction inspections are available to the CPM via the Project-Specific website (see Task 1);
- Retain all approved plans, specifications, calculations, and marked-up "as-builts" for 90 days after the project's construction completion date, after which the DCBO shall deliver them to the Project Owner for long-term retention at the project site or other accessible location (see Task 7); and
- Provide electronic copies of the approved plans, specifications, calculations, marked-up "as-builts," and other relevant submittals to the CPM, in the form of DVDs, compact discs or a USB memory stick, within 90 days of the project's construction completion date (see Task 7).

Deliverables:

The following deliverables shall be submitted through the DCBO's Document Submittal and Tracking System (DSTS):

1. Qualifications for all plan check reviewers and their engineering supervisors;

2. Final project submittals as well as previously-reviewed versions (with comments), and;
3. Approved stamped design drawings and calculations.

TASK 5 – CONSTRUCTION COMPLIANCE AND FIELD INSPECTIONS

The DCBO's responsibilities also include conducting field inspections and providing COC compliance oversight. In this role, the DCBO is responsible for the inspection of constructed facilities to ensure compliance with the approved construction drawings. The CBSC requires that all plans be reviewed and approved before construction. There are tasks not typically performed by building department inspectors that are a part of the Energy Commission's DCBO responsibilities. These include, but are not limited to, compliance items identified below and within the project-specific COCs.

The DCBO shall:

- Review, approve, and monitor any of the project's proposed special inspection programs, approve the qualifications and experience of the proposed special inspectors; monitor the DCBO approved special inspectors work as needed in the field; and review the special inspectors daily reports to ensure all CBC requirements are met.
- Select a Certified Safety Monitor, financed by the Project Owner, who reports directly to the DCBO and the CPM. The Certified Safety Monitor must be certified from a recognized state, national, or international organization as a Safety Professional. The Certified Safety Monitor's role will include, but is not limited to conducting on-site (including linear facilities) safety inspections to verify that the Construction Safety Supervisor implements all appropriate Cal/OSHA and Energy Commission safety requirements. The DCBO shall ensure the Safety Monitor does the following:
 - The Safety Monitor will conduct on-site safety inspections during construction at intervals necessary to fulfill those responsibilities.
 - The Safety Monitor will have the authority to issue a stop work order for unsafe conditions found on the work site. The stop work order will be in writing and given to the Construction Safety Supervisor with the necessary conditions to remedy the unsafe condition(s) before work can resume.
 - The Safety Monitor will ensure that the corrective actions have been properly taken by the Construction Safety Supervisor before work can resume.
 - The Safety Monitor shall maintain a log of and document all safety-related issues.
- Provide an inspection notification process that includes independent feedback to the Project Owner's project team and CPM when multiple or repeated inspection failures have occurred.

Deliverables:

The following deliverables shall be submitted through the DCBO's Document Submittal and Tracking System (DSTS):

1. Qualifications for all special inspectors, including safety personnel;
2. Adopted complaint tracking notification and response process;
3. Adopted project inspection notification process and protocols;
4. Weekly Periodic Compliance Reports; and
5. Monthly Status Updates.

TASK 6 – NON-COMPLIANCE AND INCIDENT REPORTING AND RESOLUTION

The primary responsibility of the DCBO is to ensure compliance with local building codes; the CBSC; the Facility Design, Geology and Transmission System Engineering, and Workers Safety, Fire Protection COCs, the SWPPP, the DESCP, and other applicable LORS. As per Task 1 above, if a non-conformance report is issued, it must be reported to the CPM (on a per incident basis or in the next PCR). The non-conformance report should only be issued after all other measures are exhausted (i.e. correction notices, discussion with CPM, etc.) to seek compliance.

The DCBO shall:

- Communicate any concerns regarding a Project Owner's design and quality assurance/quality control (QA/QC) process and documentation to the CPM for issue resolution.
- Take any action allowed by the California Code of Regulations, the CBSC and LORS to ensure that the Energy Commission's interests are properly addressed and protected.
- Seek the cooperation and assistance of the CPM prior to initiating a stop-work order. For emergency situations, the DCBO may initiate a stop-work prior to notifying the CPM or the Compliance Office Manager if the CPM is not available. For any action taken under emergency conditions, the CPM must be notified within 4 hours of the action.

Deliverables:

1. Notification to CPM of intention to initiate stop-work order, due 24 hours before initiation except as described in item 2 below; and
2. Notification to CPM of emergency stop-work order, within 4 hours of action.

TASK 7 – “AS-BUILT” DOCUMENT PACKAGE AND ARCHIVING

The DCBO is responsible for the oversight/development of the as-built document package within 90 days of project/amendment construction completion. The as-built drawings originate from redlined construction drawings and these drawings are maintained by the project development team at the power plant site. The DCBO construction inspectors will ensure that the project development team captures field changes. The DCBO will receive the revised construction drawings from the project development team’s Engineer of Record (EOR) and combine them with the project supporting documents to create the as-built document package. The submittal of the as-built document package to the Energy Commission is for document archival purposes as required by the COCs.

The DCBO shall:

- Ensure that the project development team captures field changes for the as-built document package.
- Receive the project development team’s revised construction drawings from the EOR and combine them with the project supporting documents to create the as-built document package.
- Develop and submit as-built electronic file package consisting of construction drawings and supporting documents including, but not limited to, the following:
 - Construction drawings;
 - Supporting calculations;
 - Construction specifications;
 - Inspection records;
 - Special inspection records; and
 - Worker safety records, etc.
- Submit one copy to the Energy Commission and one copy to the Project Owner of all volumes of the as built document package on CD-ROM, DVDs or USB memory stick, saved in Adobe Acrobat® .pdf file format, and organized by COC section:
 - General - GEN;
 - Civil – CIVIL;
 - Structural – STRUC;
 - Mechanical – MECH;
 - Electrical – ELEC; and
 - Transmission Systems Engineering– TSE.

The DCBO is responsible for verifying the completeness of this package, which should include any additional related facilities¹ within the Energy Commission’s jurisdiction that are not included in the six facility design elements above.

¹ Cal. Code Regs. tit. 20, §1201(r)

The Energy Commission must ensure that the project is designed, constructed, and operated in conformity with their Final Decisions; the CBSC; the Bureau of Land Management, the local building codes adopted by Riverside County, and all other applicable LORS.

Additionally, any work undertaken by DCBO prior to the execution of the resulting contract with the Energy Commission shall be performed at the sole risk of DCBO.

Deliverables:

Within 90 days of construction completion, the DCBO shall provide to the CPM, electronic copies of the approved plans, specifications, calculations, marked-up “as-builts”, and other relevant submittals, in the form of DVDs, compact discs or a USB memory stick, including an executed Certificate of Occupancy.

DCBO WORK PERFORMED PRIOR TO ISSUANCE OF FINAL DECISION

The Energy Commission must ensure that the projects related to the contract are designed, constructed, and operated in conformity with their Final Decisions; the CBSC; the local building codes adopted by Riverside County, and all other applicable LORS. If the Project Owner anticipates site mobilization immediately following issuance of the Final Decision, the Project Owner may be permitted to file compliance submittals prior to the issuance of the Final Decision. Compliance verifications may be submitted in advance of the Final Decision, but the Project Owner submits the compliance verifications at its own risk. Additionally, any work undertaken by DCBO prior to the issuance of the Final Decision shall be performed at the sole risk of DCBO. Any compliance approvals by Energy Commission staff prior to the issuance of the Final Decision are subject to change, and staff compliance approvals provided before the issuance of the Final Decision does not imply that the Energy Commission will approve the project for actual construction and operation.

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: WEST COAST CODE CONSULTANTS, INC.

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 700-18-006 with West Coast Code Consultants, Inc. (WC3, Inc.) for a \$0 contract to provide DCBO services for the BSPP (09-AFC-06). WC3, Inc. will carry out design review and construction inspections on behalf of the Energy Commission. WC3 Inc. will be compensated by the BSPP project owner, NextEra Energy for DCBO services; 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 February 20, 2019.

AYE: [List of Commissioners]

NAY: [List of Commissioners]

ABSENT: [List of Commissioners]

ABSTAIN: [List of Commissioners]

Cody Goldthrite,
Secretariat