

GRANT REQUEST FORM (GRF)

CEC-270 (Revised 10/2015)

CALIFORNIA ENERGY COMMISSION

New Agreement FPI-18-009 (To be completed by CGL Office)

ERDD	Cyrus Ghandi	51	916-327-1506
------	--------------	----	--------------

The Neil Jones Food Company	93-0238209
-----------------------------	------------

Tomatek High Efficiency Evaporator System Upgrade

3/1/2019	3/30/2023	\$ 3,000,000
----------	-----------	--------------

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

Proposed Business Meeting Date	2/20/2019	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
--------------------------------	-----------	----------------------------------	--

Business Meeting Presenter	Kevin Uy	Time Needed:	5 minutes
----------------------------	----------	--------------	-----------

Please select one list serve. Research (Energy RDD / PIER program)

Agenda Item Subject and Description

THE NEIL JONES FOOD COMPANY. Proposed resolution approving Agreement FPI-18-009 with The Neil Jones Food Company for a \$3,000,000 grant to install and operate an advanced energy efficient pre-evaporator system at the recipient's tomato processing facility in Firebaugh, California, and adopting staff's determination that this action is exempt from the California Environmental Quality Act. This system will allow the steam from the existing evaporator system to be recycled and reused and will result in reduced natural gas consumption, greenhouse gas emissions, and operating costs.

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 section number: Cal. Code Regs., tit 14, § 15301☐ Common Sense Exemption. 14 CCR 15061 (b) (3)

Explain reason why Agreement is exempt under the above section:

This project will involve minor alteration of existing mechanical equipment at an existing food processing facility in Firebaugh, CA. This project will also replace existing, aging equipment with new equipment at existing facilities. The equipment to be replaced in the project includes a pre-evaporator with a low pressure steam delivery system at the tomato processing facilities. These replacements will not have a significant effect on the environment and fall under the "repair, maintenance...or minor alteration of existing structure, facilities, mechanical equipment...which involves negligible or no expansion of use" criteria listed in Categorical Exemption 14 C.C.R. §15301.

☐ 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

Legal Company Name:

Budget

Faria Engineering, Inc.

\$ 50,000 (MATCH ONLY)

\$

\$

Legal Company Name:

GRANT REQUEST FORM (GRF)

CEC-270 (Revised 10/2015)

CALIFORNIA ENERGY COMMISSION

**Budget Information**

Funding Source	Funding Year of Appropriation	Budget List No.	Amount
GGRF	17-18	301.002A	\$3,000,000
			\$
			\$
R&D Program Area: EERO: IAW			\$3,000,000
Explanation for "Other" selection			
Reimbursement Contract #:	Federal Agreement #:		

Name:	Steve Arnoldy	Name:	Steve Arnoldy
Address:	3298 Bradford Cir	Address:	3298 Bradford Cir
City, State, Zip:	Cambria, CA 93428-5975	City, State, Zip:	Cambria, CA 93428-5975
Phone:	408-202 - 8839 /	Fax:	- -
E-Mail:	steve@NJFCO.com	E-Mail:	steve@NJFCO.com

<input checked="" type="checkbox"/> Competitive Solicitation	Solicitation #: GFO-18-901
<input type="checkbox"/> First Come First Served Solicitation	

1. Exhibit A, Scope of Work	<input checked="" type="checkbox"/> Attached
2. Exhibit B, Budget Detail	<input checked="" type="checkbox"/> Attached
3. CEC 105, Questionnaire for Identifying Conflicts	<input checked="" type="checkbox"/> Attached
4. Recipient Resolution	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached
5. CEQA Documentation	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached

Agreement Manager

Date

Office Manager

Date

Deputy Director

Date

EXHIBIT A Scope of Work

I. TASK ACRONYM/TERM LISTS

A. Task List

Task #	CPR ¹	Task Name
1		General Project Tasks
2		Site Preparation and Equipment Procurement
3	X	Equipment Installation
4		Measurement and Verification
5		Technology/Knowledge Transfer Activities

B. Acronym/Term List

Acronym/Term	Meaning
CAM	Commission Agreement Manager
CAO	Commission Agreement Officer
CPR	Critical Project Review
GHG	Greenhouse Gas
LPSDS	Low Pressure Steam Delivery System
M&V	Measurement and Verification
Recipient	The Neil Jones Food Company

II. PURPOSE OF AGREEMENT, PROBLEM/SOLUTION STATEMENT, AND GOALS AND OBJECTIVES

A. Purpose of Agreement

The purpose of this Agreement is to install and operate an energy efficient pre-evaporator system at the Recipient's tomato processing facility. This system will augment the existing evaporator system by recompressing the vapor and allowing the steam from the boiler to be used twice to reduce natural gas consumption and greenhouse gas (GHG) emissions. Natural gas consumption will be measured before and after the system is installed to quantify and validate the GHG emission reductions.

B. Problem/ Solution Statement

Problem

California processes over 10 million tons of tomatoes per year and produces approximately 95 percent of processed tomato products in the U.S.² Common tomato products include peeled tomatoes, diced tomatoes, tomato sauce, and tomato paste. Processing tomatoes into tomato products is an energy intensive process requiring large amounts of heat, typically provided by burning natural gas. Evaporation involves boiling off large quantities of water, and is inherently an extremely energy-intensive process. New evaporative technologies used to process tomato

¹ Please see subtask 1.3 in Part III of the Scope of Work (General Project Tasks) for a description of Critical Project Review (CPR) Meetings.

² Vegetables 2017 Annual Summary. United States Department of Agriculture. 2018.
<http://usda.mannlib.cornell.edu/usda/current/VegeSumm/VegeSumm-02-13-2018.pdf>

EXHIBIT A

Scope of Work

products in California can reduce energy consumption and GHG emissions but have a significant drawback of frequent fouling that forces the processor to take the unit offline for cleaning as frequently as once a week. This is not only labor-intensive, but reduces the overall operational efficiency. This is one of the primary reasons that this technology has not been widely adopted by food processors.

Solution

The Recipient will install and operate an efficient pre-evaporator system with a low pressure steam delivery system (LPSDS) that solves the fouling problem, and will enhance overall operational efficiency. The technology consists of multiple evaporation stages in a series configuration, each having its own heat exchanger, recirculation pump and falling film evaporation chamber. In addition, a mechanical vapor recompression system is used to recompress all vapor which is then directed back to the evaporator heat exchangers as their sole external heat source. Unlike other pre-evaporation technologies, the addition of multi-stage recirculation allows product flow rates within the system to be managed in such a way that greatly reduces the rate of fouling. By implementing the pre-evaporator system, the facility will reduce both natural gas consumption and GHG emissions. Successful demonstration of this system would also support the viability of the pre-evaporator technology for reducing natural gas consumption in tomato processing or related industrial facilities.

C. Goals and Objectives of the Agreement

Agreement Goals

The goal of this Agreement is to reduce GHG emissions at the tomato processing facility by using a multi-stage pre-evaporator to reduce natural gas consumption at the facility.

Agreement Objectives

The objectives of this Agreement are to:

- Measure the tomato processing facility's current natural gas consumption in order to establish a baseline for future comparisons.
- Install and operate the pre-evaporator system at the tomato processing facility.
- Measure and validate the natural gas and GHG emissions reductions resulting from incorporating the pre-evaporator system.
- Introduce a new energy efficiency technology to California food production facilities.

III. TASK 1 GENERAL PROJECT TASKS

PRODUCTS

Subtask 1.1 Products

The goal of this subtask is to establish the requirements for submitting project products (e.g., reports, summaries, plans, and presentation materials). Unless otherwise specified by the Commission Agreement Manager (CAM), the Recipient must deliver products as required below by the dates listed in the **Project Schedule (Part V)**. Products that require a draft version are indicated by marking “**(draft and final)**” after the product name in the “Products” section of the task/subtask. If “**(draft and final)**” does not appear after the product name, only a final version of the product is required. With respect to due dates within this Scope of Work, “**days**” means working days.

EXHIBIT A

Scope of Work

The Recipient shall:

For products that require a draft version, including the Final Report Outline and Final Report

- Submit all draft products to the CAM for review and comment in accordance with the Project Schedule (Part V). The CAM will provide written comments to the Recipient on the draft product within 15 days of receipt, unless otherwise specified in the task/subtask for which the product is required.
- Consider incorporating all CAM comments into the final product. If the Recipient disagrees with any comment, provide a written response explaining why the comment was not incorporated into the final product.
- Submit the revised product and responses to comments within 10 days of notice by the CAM, unless the CAM specifies a longer time period, or approves a request for additional time.

For products that require a final version only

- Submit the product to the CAM for acceptance. The CAM may request minor revisions or explanations prior to acceptance.

For all products

- Submit all data and documents required as products in accordance with the following:

Instructions for Submitting Electronic Files and Developing Software:

- **Electronic File Format**

- Submit all data and documents required as products under this Agreement in an electronic file format that is fully editable and compatible with the Energy Commission's software and Microsoft (MS)-operating computing platforms, or with any other format approved by the CAM. Deliver an electronic copy of the full text of any Agreement data and documents in a format specified by the CAM, such as memory stick or CD-ROM.

The following describes the accepted formats for electronic data and documents provided to the Energy Commission as products under this Agreement, and establishes the software versions that will be required to review and approve all software products:

- Data sets will be in MS Access or MS Excel file format (version 2007 or later), or any other format approved by the CAM.
- Text documents will be in MS Word file format, version 2007 or later.
- Documents intended for public distribution will be in PDF file format.
- The Recipient must also provide the native Microsoft file format.
- Project management documents will be in Microsoft Project file format, version 2007 or later.

EXHIBIT A

Scope of Work

○ **Software Application Development**

Use the following standard Application Architecture components in compatible versions for any software application development required by this Agreement (e.g., databases, models, modeling tools), unless the CAM approves other software applications such as open source programs:

- 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 Electronic File Format requirements above must be approved in writing by the CAM. The CAM will consult with the Energy Commission's Information Technology Services Branch to determine whether the exceptions are allowable.

MEETINGS

Subtask 1.2 Kick-off Meeting

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

The Recipient shall:

- Attend a "Kick-off" meeting with the CAM, the Commission Agreement Officer (CAO), and any other Energy Commission staff relevant to the Agreement. The Recipient will bring its Project Manager and any other individuals designated by the CAM to this meeting. The administrative and technical aspects of the Agreement will be discussed at the meeting. Prior to the meeting, the CAM will provide an agenda to all potential meeting participants. The meeting may take place in person or by electronic conferencing (e.g., WebEx), with approval of the CAM.

The administrative portion of the meeting will include discussion of the following:

- Terms and conditions of the Agreement;
- Administrative products (subtask 1.1);
- CPR meetings (subtask 1.3);
- Match fund documentation (subtask 1.6);
- Permit documentation (subtask 1.7);
- Subcontracts (subtask 1.8); and
- Any other relevant topics.

The technical portion of the meeting will include discussion of the following:

- The CAM's expectations for accomplishing tasks described in the Scope of Work;
- An updated Project Schedule;

EXHIBIT A

Scope of Work

- Technical products (subtask 1.1);
 - Progress reports and invoices (subtask 1.5);
 - Final Report (subtask 1.6); and
 - Any other relevant topics.
- Provide an *Updated Project Schedule*, *List of Match Funds*, and *List of Permits*, as needed to reflect any changes in the documents.

The CAM shall:

- Designate the date and location of the meeting.
- Send the Recipient a *Kick-off Meeting Agenda*.

Recipient Products:

- Updated Project Schedule (*if applicable*)
- Updated List of Match Funds (*if applicable*)
- Updated List of Permits (*if applicable*)

CAM Product:

- Kick-off Meeting Agenda

Subtask 1.3 Critical Project Review (CPR) Meetings

The goal of this subtask is to determine if the project should continue to receive Energy Commission funding, and, if so, whether any modifications must be made to the tasks, products, schedule, or budget. CPR meetings provide the opportunity for frank discussions between the Energy Commission and the Recipient. As determined by the CAM, discussions may include project status, challenges, successes, final report preparation, and progress on technical transfer and production readiness activities (if applicable). Participants will include the CAM and the Recipient, and may include the CAO and any other individuals selected by the CAM to provide support to the Energy Commission.

CPR meetings generally take place at key, predetermined points in the Agreement, as determined by the CAM and as shown in the Task List on page 1 of this Exhibit. However, the CAM may schedule additional CPR meetings as necessary. The budget will be reallocated to cover the additional costs borne by the Recipient, but the overall Agreement amount will not increase. CPR meetings generally take place at the Energy Commission, but they may take place at another location, or may be conducted via electronic conferencing (e.g., WebEx) as determined by the CAM.

The Recipient shall:

- Prepare a *CPR Report* for each CPR meeting that: (1) discusses the progress of the Agreement toward achieving its goals and objectives; and (2) includes recommendations and conclusions regarding continued work on the project.
- Submit the CPR Report along with any other *Task Products* that correspond to the technical task for which the CPR meeting is required (i.e., if a CPR meeting is required for Task 2, submit the Task 2 products along with the CPR Report).
- Attend the CPR meeting.
- Present the CPR Report and any other required information at each CPR meeting.

EXHIBIT A

Scope of Work

The CAM shall:

- Determine the location, date, and time of each CPR meeting with the Recipient's input.
- Send the Recipient a *CPR Agenda* and a *List of Expected CPR Participants* in advance of the CPR meeting. If applicable, the agenda will include a discussion of match funding and permits.
- Conduct and make a record of each CPR meeting. Provide the Recipient with a *Schedule for Providing a Progress Determination* on continuation of the project.
- Determine whether to continue the project, and if so whether modifications are needed to the tasks, schedule, products, or budget for the remainder of the Agreement. If the CAM concludes that satisfactory progress is not being made, this conclusion will be referred to the Deputy Director of the Energy Research and Development Division.
- Provide the Recipient with a *Progress Determination* on continuation of the project, in accordance with the schedule. The Progress Determination may include a requirement that the Recipient revise one or more products.

Recipient Products:

- CPR Report(s)
- Task Products (draft and/or final as specified in the task)

CAM Products:

- CPR Agenda
- List of Expected CPR Participants
- Schedule for Providing a Progress Determination
- Progress Determination

Subtask 1.4 Final Meeting

The goal of this subtask is to complete the closeout of this Agreement.

The Recipient shall:

- Meet with Energy Commission staff to present project findings, conclusions, and recommendations. The final meeting must be completed during the closeout of this Agreement. This meeting will be attended by the Recipient and CAM, at a minimum. The (meeting may occur in person or by electronic conferencing (e.g., WebEx), with approval of the CAM.

The technical and administrative aspects of Agreement closeout will be discussed at the meeting, which may be divided into two separate meetings at the CAM's discretion.

- The technical portion of the meeting will involve the presentation of findings, conclusions, and recommended next steps (if any) for the Agreement. The CAM will determine the appropriate meeting participants.
- The administrative portion of the meeting will involve a discussion with the CAM and the CAO of the following Agreement closeout items:
 - Disposition of any state-owned equipment.
 - Need to file a Uniform Commercial Code Financing Statement (Form UCC-1) regarding the Energy Commission's interest in patented technology.
 - The Energy Commission's request for specific "generated" data (not already provided in Agreement products).

EXHIBIT A

Scope of Work

- Need to document the Recipient's disclosure of "subject inventions" developed under the Agreement.
- "Surviving" Agreement provisions such as repayment provisions and confidential products.
- Final invoicing and release of retention.
- Prepare a *Final Meeting Agreement Summary* that documents any agreement made between the Recipient and Commission staff during the meeting.
- Prepare a *Schedule for Completing Agreement Closeout Activities*.
- Provide *All Draft and Final Written Products* on a CD-ROM or USB memory stick, organized by the tasks in the Agreement.

Products:

- Final Meeting Agreement Summary (*if applicable*)
- Schedule for Completing Agreement Closeout Activities
- All Draft and Final Written Products

REPORTS AND INVOICES

Subtask 1.5 Progress Reports and Invoices

The goals of this subtask are to: (1) periodically verify that satisfactory and continued progress is made towards achieving the project objectives of this Agreement; and (2) ensure that invoices contain all required information and are submitted in the appropriate format.

The Recipient shall:

- Submit a quarterly *Progress Report* to the CAM. Each progress report must:
 - Summarize progress made on all Agreement activities as specified in the scope of work for the preceding month, including accomplishments, problems, milestones, products, schedule, fiscal status, and an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. See the Progress Report Format Attachment for the recommended specifications.
- Submit a quarterly *Invoice* that follows the instructions in the "Payment of Funds" section of the terms and conditions, including a financial report on Match Fund and in-state expenditures.

Products:

- Progress Reports
- Invoices

Subtask 1.6 Final Report

The goal of this subtask is to prepare a comprehensive Final Report that describes the original purpose, approach, results, and conclusions of the work performed under this Agreement. The CAM will review the Final Report according to the Project Schedule. When creating the Final Report, the Recipient must use the Style Manual provided by the CAM.

The Recipient shall:

- 1) Prepare a *Final Report* for this Agreement in accordance with the Style Manual, and Final Report Template provided by the CAM with the following considerations:
 - Ensure that the report includes the following items, in the following order:
 - Cover page (**required**)

EXHIBIT A

Scope of Work

- Credits page on the reverse side of cover with legal disclaimer **(required)**
- Acknowledgements page (optional)
- Table of Contents **(required)**, followed by List of Figures and List of Tables, if needed)
- Executive summary **(required)** following the Executive Summary Template
- Include a summary table that includes the following information, but is not limited to **(required)**:
 - Recipient name;
 - Project description;
 - Project location(s);
 - Census tract;
 - Dates: project selected and completed;
 - GGRF dollars allocated;
 - Leveraged and/or match funds;
 - Estimated/actual total project GHG emission reductions;
 - Estimated/actual energy saved (kWh, therms, or other fuels) for energy efficiency projects;
 - Estimated/actual energy generated (kWh or therm equivalents) for renewable energy projects;
 - Other benefits or results;
 - Other market sectors that can benefit from the project
 - Benefits to priority populations.
- Appendices - Include a copy of the M&V report for each demonstration site funded by the Energy Commission grant). **(required)**
 - Follow the Style Guide format requirements for headings, figures/tables, citations, and acronyms/abbreviations.
 - Ensure that the document omits subjective comments and opinions. However, recommendations in the conclusion of the report are allowed.
- Submit a draft of the report to the CAM for review and comment according to the project schedule. The CAM will provide written comments to the Recipient on the draft product within 15 days of receipt
- Consider incorporating all CAM comments into the Final Report. If the Recipient disagrees with any comment, provide a written response explaining why the comment was not incorporated into the final product
- Submit the revised Final Report and responses to comments within 10 days of notice by the CAM, unless the CAM specifies a longer time period or approves a request for additional time.
- Submit one bound copy of the *Final Report* to the CAM along with *Written Responses to Comments on the Draft Final Report*.

Products:

- Final Report (draft and final)
- Written Responses to Comments on the Draft Final Report

EXHIBIT A

Scope of Work

CAM Product:

- Written Comments on the Draft Final Report

EXHIBIT A

Scope of Work

MATCH FUNDS, PERMITS, AND SUBCONTRACTS

Subtask 1.7 Match Funds

The goal of this subtask is to ensure that the Recipient obtains any match funds planned for this Agreement and applies them to the Agreement during the Agreement term.

While the costs to obtain and document match funds are not reimbursable under this Agreement, the Recipient may spend match funds for this task. The Recipient may only spend match funds during the Agreement term, either concurrently or prior to the use of Energy Commission funds. Match funds must be identified in writing, and the Recipient must obtain any associated commitments before incurring any costs for which the Recipient will request reimbursement.

The Recipient shall:

- Prepare a *Match Funds Status Letter* that documents the match funds committed to this Agreement. If no match funds were part of the proposal that led to the Energy Commission awarding this Agreement and none have been identified at the time this Agreement starts, then state this in the letter.

If match funds were a part of the proposal that led to the Energy Commission awarding this Agreement, then provide in the letter:

- A list of the match funds that identifies:
 - The amount of cash match funds, their source(s) (including a contact name, address, and telephone number), and the task(s) to which the match funds will be applied.
 - The amount of each in-kind contribution, a description of the contribution type (e.g., property, services), the documented market or book value, the source (including a contact name, address, and telephone number), and the task(s) to which the match funds will be applied. If the in-kind contribution is equipment or other tangible or real property, the Recipient must identify its owner and provide a contact name, address, telephone number, and the address where the property is located.
 - If different from the solicitation application, provide a letter of commitment from an authorized representative of each source of match funding that the funds or contributions have been secured.
- At the Kick-off meeting, discuss match funds and the impact on the project if they are significantly reduced or not obtained as committed. If applicable, match funds will be included as a line item in the progress reports and will be a topic at CPR meetings.
- Provide a *Supplemental Match Funds Notification Letter* to the CAM of receipt of additional match funds.
- Provide a *Match Funds Reduction Notification Letter* to the CAM if existing match funds are reduced during the course of the Agreement. Reduction of match funds may trigger a CPR meeting.

Products:

- Match Funds Status Letter
- Supplemental Match Funds Notification Letter *(if applicable)*
- Match Funds Reduction Notification Letter *(if applicable)*

EXHIBIT A

Scope of Work

Subtask 1.8 Permits

The goal of this subtask is to obtain all permits required for work completed under this Agreement in advance of the date they are needed to keep the Agreement schedule on track. Permit costs and the expenses associated with obtaining permits are not reimbursable under this Agreement, with the exception of costs incurred by University of California recipients. Permits must be identified and obtained before the Recipient may incur any costs related to the use of the permit(s) for which the Recipient will request reimbursement.

The Recipient shall:

- Prepare a *Permit Status Letter* that documents the permits required to conduct this Agreement. If no permits are required at the start of this Agreement, then state this in the letter. If permits will be required during the course of the Agreement, provide in the letter:
 - A list of the permits that identifies: (1) the type of permit; and (2) the name, address, and telephone number of the permitting jurisdictions or lead agencies.
 - The schedule the Recipient will follow in applying for and obtaining the permits.

The list of permits and the schedule for obtaining them will be discussed at the Kick-off meeting (subtask 1.2), and a timetable for submitting the updated list, schedule, and copies of the permits will be developed. The impact on the project if the permits are not obtained in a timely fashion or are denied will also be discussed. If applicable, permits will be included as a line item in progress reports and will be a topic at CPR meetings.

- If during the course of the Agreement additional permits become necessary, then provide the CAM with an *Updated List of Permits* (including the appropriate information on each permit) and an *Updated Schedule for Acquiring Permits*.
- Send the CAM a *Copy of Each Approved Permit*.
- If during the course of the Agreement permits are not obtained on time or are denied, notify the CAM within 5 days. Either of these events may trigger a CPR meeting.

Products:

- Permit Status Letter
- Updated List of Permits (*if applicable*)
- Updated Schedule for Acquiring Permits (*if applicable*)
- Copy of Each Approved Permit (*if applicable*)

Subtask 1.9 Subcontracts

The goals of this subtask are to: (1) procure subcontracts required to carry out the tasks under this Agreement; and (2) ensure that the subcontracts are consistent with the terms and conditions of this Agreement.

The Recipient shall:

- Manage and coordinate subcontractor activities in accordance with the requirements of this Agreement.
- Incorporate this Agreement by reference into each subcontract.
- Include any required Energy Commission flow-down provisions in each subcontract, in addition to a statement that the terms of this Agreement will prevail if they conflict with the subcontract terms.
- If required by the CAM, submit a draft of each *Subcontract* required to conduct the work under this Agreement.

EXHIBIT A

Scope of Work

- Submit a final copy of the executed subcontract.
- Notify and receive written approval from the CAM prior to adding any new subcontractors (see the discussion of subcontractor additions in the terms and conditions).

Products:

- Subcontracts (*draft if required by the CAM*)

IV. TECHNICAL TASKS

TASK 2: SITE PREPARATION AND EQUIPMENT PROCUREMENT

The goal of this task is to prepare the site and procure the necessary equipment and materials for this project.

The Recipient shall:

- Prepare performance specifications of the pre-evaporator with LPSDS equipment.
- Provide details of proposed equipment and prepare purchase orders.
- Obtain a construction permit from the City of Firebaugh that covers site demolition, footings and foundation design, and electrical work for site preparation for equipment installation.
- Prepare footing and foundation drawings to meet permit requirements.
- Prepare electrical drawings certified to meet permit requirements.
- Provide a *Site Preparation and Equipment Procurement Memo* that shall include, but not be limited to:
 - Summary of the steps to prepare the site(s).
 - Copy of the performance specifications for each equipment purchased by the grant.
 - Summary of the bids received and from whom.
 - Copies of the final procurement documents and purchase orders.
 - Copies of all required permits needed for installation.
 - Status of the planned installation including preliminary schedule for equipment delivery and installation for each site.

Products:

- Site Preparation and Equipment Procurement Memo

TASK 3: EQUIPMENT INSTALLATION

The goal of this task is to install and commission the necessary equipment for this project.

The Recipient shall:

- Solicit bids and select contractor to install and connect the project equipment.
- Verify installation compliance with all required permits.
- Start-up and commission equipment and make adjustments as needed to meet stated performance specification.
- Provide an *Equipment Installation Memo* that shall include, but not be limited to:
 - Summary of the equipment installation requirements for each demonstration site;

EXHIBIT A

Scope of Work

- Identification of barriers involved during installation and discuss the steps taken to overcome those barriers;
- Discuss results of equipment start-up and commissioning with respect to whether the equipment as installed meets the stated performance specifications.
- Prepare a CPR Report in accordance with subtask 1.3 (CPR Meetings).
- Participate in a CPR Meeting.

Products:

- Equipment Installation Memo (draft and final)
- CPR Report

TASK 4: MEASUREMENT AND VERIFICATION

The goal of this task is to report the benefits resulting from this project by performing measurement and verification (M&V) of GHG and energy consumption reduction.

The Recipient shall:

- Enter into agreement with M&V subcontractor per Task 1.9 (if using outside vendor).
- Coordinate site visits with the M&V subcontractor at the demonstration site.
- Develop M&V protocol for pre-installation measurement (and calculation).
 - Electric, natural gas and/or other fossil fuel consumption and GHG emissions (use appropriate emissions factor from Attachment 8 of the grant solicitation) of the equipment/process/system(s)/sub-system(s) that are to be upgraded and/or replaced and/or modified.
 - If necessary, ensure installation of sub-metering equipment and data loggers for pre/post data analysis.
- Prepare and provide a detailed *M&V Plan* to include but not to be limited to:
 - A description of the monitoring equipment and instrumentation which will be used.
 - A description of the key input parameters and output metrics which will be measured.
 - A description of the M&V protocol and analysis methods to be employed.
 - A description of the independent, third-party M&V services to be employed, if applicable.
- Perform three months (or shorter period as approved in writing by the CAM) of pre-installation measurements (and calculations) based on the M&V protocol for pre-installation.
- Prepare and provide a *Pre-Installation M&V Findings Report* that includes M&V protocol, pre-installation measurements (and calculations), analysis, and results performed in this task.
- Develop M&V protocol for post-installation measurements (and calculations) of:
 - Electric, natural gas and/or other fossil fuel consumption and GHG emissions (use appropriate emissions factor from Attachment 8 of the grant solicitation) of the equipment/process/system(s)/sub-system(s) that will be upgraded and/or replaced and/or modified.
- Perform 12 months (or shorter period as approved in writing by the CAM) of post-installation measurements based on M&V protocol for post-installation.
- Provide a summary of post-installation M&V progress in Progress Report(s) (see subtask 1.5) which shall include but not be limited to:

EXHIBIT A

Scope of Work

- A narrative on operational highlights from the reporting period, including any stoppages in operation and why; and
 - A summary of M&V findings from the reporting period.
- Analyze post-installation electrical, natural gas and/or other fossil fuel consumption and GHG gas emissions.
- Prepare and provide a *Post-Installation M&V Findings Report* that includes M&V protocol, pre and post install measurements (and calculations), analysis, and results performed in this task. Results should at a minimum report on the reduction of electricity, natural gas and/or other fossil fuel usage and reductions of GHG emissions that directly result from this project. Provide all key assumptions used to estimate and determine energy and GHG gas reductions (and additions, if applicable).
- Provide all key assumptions used to estimate projected benefits, including targeted market sector (e.g., population and geographic location), projected market penetration, baseline and projected energy use and cost, operating conditions, and emission reduction calculations.

Products:

- M&V Plan (draft and final)
- Pre-Installation M&V Findings Report (draft and final)
- Post-installation M&V Findings Report (draft and final)

TASK 5: TECHNOLOGY/KNOWLEDGE TRANSFER ACTIVITIES

The goal of this task is to make the knowledge gained, project results, and lessons learned available to the public and key decision makers.

- M&V data posted on Recipient and stakeholder websites.
- Media Advisories issued to City of Firebaugh, local newspapers, magazines and social media sites.
- White papers and articles are delivered at trade conventions, agricultural processor meetings and shared with State agencies.

The Recipient shall:

- When directed by the CAM, develop *Presentation Materials* for an Energy Commission-sponsored conference/workshop(s) on the project.
- When directed by the CAM, participate in workshops symposium(s) sponsored by the California Energy Commission.
- Provide at least (6) six *High Quality Digital Photographs* (minimum resolution of 1300x500 pixels in landscape ratio) of pre and post technology installation at the project site(s) or related project photographs.

Products:

- Presentation Materials (draft and final)
- High Quality Digital Photographs

IV. PROJECT SCHEDULE

Please see the attached Excel spreadsheet.

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: THE NEIL JONES FOOD COMPANY

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 FPI-18-009 with The Neil Jones Food Company for a \$3,000,000 grant to install and operate an advanced energy efficient pre-evaporator system at the recipient's tomato processing facility in Firebaugh, California, and adopting staff's determination that this action is exempt from the California Environmental Quality Act. This system will allow the steam from the existing evaporator system to be recycled and reused and will result in reduced natural gas consumption, greenhouse gas emissions, and operating costs; 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