

CONTRACT REQUEST FORM (CRF)



A) New Agreement 600-17-003 (To be completed by CGL Office)

600 Fuels and Transportation Division	Jennifer Masterson	44	916-654-4509
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Frontier Energy, Inc.	94-2802034
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Membership in the California Fuel Cell Partnership (CaFCP)

02 / 1 / 2018	6 / 30 / 2018	\$ 70,000
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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	01 / 17 / 2018	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Discussion
Business Meeting Presenter		Time Needed:	minutes

Please select one list serve. Transportation (General Trans / Petroleum Issues)

Agenda Item Subject and Description

Proposed resolution approving agreement # 600-17-003 with Frontier Energy, Inc. for a one year membership in the California Fuel Cell Partnership (CaFCP) in the amount of \$70,000. Frontier Energy, Inc facilitates and coordinates the efforts of the CaFCP, including operational, financial, and project management. As a member of the CaFCP the Energy Commission will have a seat on the CaFCP's Steering Committee and will participate in the Working Group, Station Implementation Group, and other various committees.

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 membership only funds the development of recommendations for policies and projects, with any demonstration projects or activities subject to separate approval.

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

<input type="checkbox"/> Initial Study	<input type="checkbox"/> Environmental Impact Report
<input type="checkbox"/> Negative Declaration	<input type="checkbox"/> Statement of Overriding Considerations
<input type="checkbox"/> Mitigated Negative Declaration	

Legal Company Name:	Budget	SB	MB	DVBE
	\$ 0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	\$ 0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	\$ 0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Legal Company Name:

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J) Budget Information			
Funding Source	Funding Year of Appropriation	Budget List No.	Amount
ARFVTP	17/18	600.118G	\$70,000
Funding Source			\$
R&D Program Area:	Select Program Area		\$70,000
Explanation for "Other" selection			
Reimbursement Contract #:		Federal Agreement #:	

Name:	Richard J. Myhre	Name:	Chris White
Address:	1000 Broadway, Ste 410	Address:	3300 Industrial Blve Ste 1000
City, State, Zip:	Oakland, CA 94607	City, State, Zip:	West Sacramento, CA 95691
Phone:	510-416-6109	Fax:	510-463-2690
Phone:	916-371-2899	Fax:	916-375-2008
E-Mail:	rmyhre@bki.com	E-Mail:	cwhite@cafcp.ort

Solicitation Select Type Solicitation #: _____ # of Bids: _____ Low Bid? No Yes
 Non Competitive Bid (Attach CEC 96)
 Exempt Membership

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)

If yes, check appropriate box: No Yes
 SB MB DVBE

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:

A. Reimbursement in arrears based on:
 Itemized Monthly Itemized Quarterly Flat Rate One-time
 B. Advanced Payment
 C. Other, explain:

1. Is Agreement subject to retention? No Yes
 If Yes, Will retention be released prior to Agreement termination? No Yes



R) Justification of Rates
N/A

1. <input type="checkbox"/> Exempt (Interagency/Other Government Entity) 2. <input type="checkbox"/> Meets DVBE Requirements DVBE Amount:\$ <u>0</u> DVBE %: _____ <input type="checkbox"/> Contractor is Certified DVBE <input type="checkbox"/> Contractor is Subcontracting with a DVBE: <u>Name of DVBE Company</u> 3. <input type="checkbox"/> Contractor selected through CMAS or MSA with no DVBE participation. 4. <input checked="" type="checkbox"/> Requesting DVBE Exemption (attach CEC 95)
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1. Will there be Work Authorizations? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 2. Is the Contractor providing confidential information? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 3. Is the contractor going to purchase equipment? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 4. Check frequency of progress reports <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Other... _____ 5. Will a final report be required? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes 6. Is the Agreement, with amendments, longer than a year? If yes, why? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
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1. Exhibit A, Scope of Work <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached 2. Exhibit B, Budget Detail <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Attached 3. CEC 96, NCB Request <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Attached 4. CEC 95, DVBE Exemption Request <input type="checkbox"/> N/A <input checked="" 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"/> N/A <input checked="" type="checkbox"/> Attached
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_____ Agreement Manager _____ Date _____ Office Manager _____ Date _____ Deputy Director _____ Date

EXHIBIT A

Scope of Work

PURPOSE

The purpose of this agreement is to fund the Energy Commission's membership in the California Fuel Cell Partnership (CaFCP).

BACKGROUND:

The CaFCP is a voluntary public/private organization that is committed to promoting fuel cell vehicle (FCV) commercialization in California as a means of moving toward a sustainable energy future, increasing energy efficiency, and reducing or eliminating criteria pollutants and greenhouse gas emissions. Formed in 1999, the CaFCP is composed of vehicle manufacturers, energy companies, fuel cell technology companies, and government entities. The value of the CaFCP to the State of California is in promoting and aiding the development and deployment of hydrogen fuels, advanced transportation technologies, and the needed advanced infrastructure that will help California to attain climate change policies and goals.

The CaFCP has three levels of membership: full membership, associate membership, and affiliate membership. The CaFCP operates by consensus decision of a Steering Team comprised of one representative of each full member. In order to provide funding for operating the common CaFCP expenses, each full member contributes a minimum of \$70,000 annually.

The 15 members of the Steering Committee have agreed to use Frontier Energy, Inc. to provide the services required. The CaFCP selected Frontier Energy based on its unique qualifications in administering vehicle demonstration programs. Because the CaFCP cannot enter into contracts, governmental entities pay their membership dues to Frontier Energy, Inc., who manages the funds under the direction of the CaFCP Steering Committee and who provides management services to facilitate and coordinate the cooperative efforts of the CaFCP, including operational, financial, contract, and project management services.

SCOPE OF WORK:

The Energy Commission will pay \$70,000 to be used for the operating expenses for FY 2017/2018 for the CaFCP. The annual fee provides the Energy Commission full membership in the CaFCP, which entails the following:

- Participation on the CaFCP Steering Committee, Advisory Board, and Working Group;
- The opportunity to jointly make decisions that advance commercialization of fuel cell vehicles and hydrogen in California;
- A forum to collaborate with peers in the fuel cell and hydrogen community; and
- A high degree of visibility and recognition through CaFCP's outreach program.

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: MEMBERSHIP IN THE CALIFORNIA FUEL CELL
PARTNERSHIP (CAFCP)

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

RESOLVED, that the Energy Commission approves Agreement 600-17-003 with Frontier Energy, Inc. for a one year membership in the California Fuel Cell Partnership (CaFCP) in the amount of \$70,000. Frontier Energy, Inc. facilitates and coordinates the efforts of the CaFCP, including operational, financial, and project management. As a member of the CaFCP the Energy Commission will have a seat on the CaFCP's Steering Committee and will participate in the Working Group, Station Implementation Group, and other various committees; 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 January 17, 2018.

AYE: [List of Commissioners]

NAY: [List of Commissioners]

ABSENT: [List of Commissioners]

ABSTAIN: [List of Commissioners]

Cody Goldthrite,
Secretariat