



STAFF REPORT

CITY COUNCIL OF THE CITY OF SAUSALITO

AGENDA TITLE:

Status Update on Energy Efficiency Community Development Block Grant, Rescind Resolution No. 5085 and Authorization to Invite Bids for City Hall Doors and Windows Retrofit Project with MLK Gym

RECOMMENDED ACTIONS:

Adopt a Resolution Rescinding Resolution No. 5085 and Authorizing Invitation for Bids for City Hall Doors and Windows Retrofit Project with MLK Gym

SUMMARY

As was reported to Council on September 15, 2009, Staff proposed to develop plans for historically-sensitive exterior door and window replacement, acquire appropriate approvals from the Planning Commission and other City Boards, Commissions and Committees with jurisdiction, and return to Council to seek approval of the plans along with authorization to solicit bids for construction to begin in Spring 2010. One area of potential funding identified is at that time was the Energy Efficiency and Conservation Block Grant (EECBG) funds available through the California Energy Commission. With Resolution No. 5085 of November 17, 2009, Council authorized Staff to submit the City Hall Windows and Doors project for grant funding under that program.

On the basis of Council's authorization, Staff coordinated with Ms. Dana Armanino, staff member on the Marin Energy Management Team and Marin Energy Watch Partnership (part of the Marin County Community Development Agency) to navigate the application process. In order to calculate the energy savings that the proposed project would realize, a relatively detailed model of City Hall heating energy use was developed with the assistance of Chevron Energy. A copy of the result of that modeling is attached. On the basis of the modeling, the City would save approximately 1,357 therms (a "therm" is one hundred thousand [100,000 or "M"] British Thermal Units [BTUs]) annually by installing the new doors and windows. Unfortunately, that means that the EECDBG funds available to the City for the project would total only \$13,575. The cost effectiveness requirements of the EECDBG program require that 10 million BTUs be saved for each \$1,000 of EECDBG funds spent -- for every therm saved one can use \$10 of EECDBG funds.

Staff has estimated demolition, asbestos abatement, and construction cost for replacement of all exterior doors and windows at City Hall at \$270,000. Given the very low level of funding

potentially available to the project, the significant burden that application required (application package attached), and the significant burden that administering the EECSBG would pose, Staff declined to propose the City Hall Door and Window Retrofit project for funding.

The adopted 2009-2010 Annual Budget includes (on page 88) funding for a project consisting of City Hall Windows Replacement, Doors/Security Upgrades and ADA Improvements in an amount of \$206,000. At this point, Staff proposes a phased approach to the project beginning with the preparation of documents inviting bids for:

1. Measurement of existing and preparation of shop drawings for replacement of each door, sidelight (storefront) and window in City Hall with historically-sensitive, true divided light, operable windows to replace the existing without significant change to exterior appearance but manufactured from extruded aluminum, thermal breaks, insulated, low emissivity and tempered as required by code. The clerestory windows at the MLK gymnasium would be included.
(Lump Sum of \$_____, Delivery within ____ working days of Notice to Proceed).
2. Design revisions as required by the Historic Landmarks Board, Planning Commission, Zoning Administrator, Building Official and City Council (as warranted) for permit issuance.
(Lump Sum of \$_____, Delivery within ____ working days of receipt of final comments).
3. Demolition, recycling, abatement, other disposition and installation of new including all hardware of all of the doors and associated sidelights, all of the Library, Council Chambers, ground floor, and as many additional windows as possible for a fixed fee of 90% of the remainder of \$206,000 minus (1) above and (2) above (leaving a 10% contingency).
(Number of Square Feet of Additional _____, Delivery within ____ working days of notice).
4. Add/Alternate: Demolition, recycling, abatement, other disposition and installation of the units not completed under (3) above at the same time.
(Lump Sum of \$_____, Delivery within ____ working days of notice).

ISSUES

None identified. Staff recommends that the Council consider the proposed project exempt from the California Environmental Quality Act ("CEQA") in that to the extent the Project is discretionary, it is categorically exempt under Title 14 of the California Code of Regulations ("CCR") § 15301, Existing Facilities, in that it consists of the maintenance of an existing public facility involving negligible or no expansion of use; and that to the extent the Project it is ministerial it is categorically exempt under 14 CCR §15268.

FISCAL IMPACT

Proposed construction would not exceed approved budget. Council could elect to appropriate additional funds to perform work in addition once bids were received.

STAFF RECOMMENDATIONS

Adopt a Resolution Rescinding Resolution No. 5085 and Authorizing Invitation for Bids for City Hall Doors and Windows Retrofit Project with MLK Gym

ATTACHMENTS

- A. A Resolution of the City Council of the City of Sausalito Rescinding Resolution No. 5085 and Authorizing Invitation for Bids for City Hall Doors and Windows Retrofit Project with MLK Gym
- B. City Hall Heating Energy Model Result Excerpt
- C. ARRA EECDBG Application Package

PREPARED BY:
Director of Public Works



Jonathon Goldman

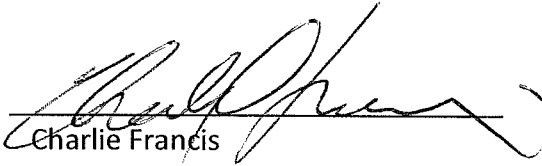
REVIEWED BY:
City Engineer

Todd Teachout

REVIEWED BY:
Community Development Director

Jeremy Graves

REVIEWED BY:
Administrative Services Director/Treasurer




Charlie Francis

REVIEWED BY:
Recreation Director

Mike Langford

SUBMITTED BY:
City Manager



Adam W. Politzer

RESOLUTION No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
RESCINDING RESOLUTION NO. 5085 AND AUTHORIZING INVITATION FOR BIDS
FOR CITY HALL DOORS AND WINDOWS RETROFIT PROJECT WITH MLK GYM.**

WHEREAS, the City of Sausalito recognizes that it is in the interest of the regional, state, and national economy to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency within our jurisdiction; and

WHEREAS, Energy Efficiency and Conservation Block Grant (“EECBG”) funds were available through the California Energy Commission’s EECBG Program for grants to eligible local governments for cost-effective energy efficiency projects; and

WHEREAS, the City of Sausalito was eligible for EECBG funding under the California Energy Commission’s EECBG Program; and

WHEREAS, the City of Sausalito proposed to implement a proposed City Hall Exterior Windows and Doors Retrofit energy efficiency project (the “Project”) in part in order to qualify for EECBG funds from the California Energy Commission; and

WHEREAS, the City of Sausalito has considered the application of the California Environmental Quality Act (“CEQA”) to the approval of said Project; and

WHEREAS, on June 23, 2009 the City Council adopted the 2009-2010 Annual Budget which includes (on page 88) funding for a project consisting of City Hall Windows Replacement, Doors/Security Upgrades and ADA Improvements and an unencumbered balance in said budget account of \$206,000 is available as of November 10, 2009; and

WHEREAS, the Director of Public Works prepared cost estimates for the Project utilizing two independent methods and has concluded that the Project can be completed for a construction cost of approximately \$270,000; and

WHEREAS, the Project is exempt from the CEQA in that to the extent the Project is discretionary, it is categorically exempt under Title 14 of the California Code of Regulations (“CCR”) § 15301, Existing Facilities, in that it consists of the maintenance of an existing public facility involving negligible or no expansion of use; and that to the extent the Project it is ministerial it is categorically exempt under 14 CCR §15268; and

WHEREAS, with Resolution No. 5085 of November 17, 2009 the City Council of the City of Sausalito authorized the City Manager to submit an application to the California Energy Commission’s EECBG Program for funds to execute the Project; and

WHEREAS, Staff diligently worked with Marin Energy Management Team and Marin Energy Watch Partnership (part of the Marin County Community Development Agency) to prepare the application; and

WHEREAS, in order to calculate the energy savings that the proposed project would realize, a detailed model of City Hall heating energy use was developed with the assistance of Chevron Energy; and

WHEREAS, said modeling projected that the City would save approximately 1,357 therms (a “therm” is one hundred thousand [100,000 or “M”] British Thermal Units [BTUs]) annually by installing the new doors and windows; and

WHEREAS, the EECDBG funds available to the City for the Project on that basis would total only \$13,575; and

WHEREAS, Staff concluded that the City’s interests would be better served by forgoing the application process and administering the EECDBG were it to be awarded at that level; and

WHEREAS, Staff has developed a structure to the bid documents that would allow the City to advance the project to the fullest extent that budgeted funds will allow by separating the Project into:

1. Measurement of existing and preparation of shop drawings (including the clerestory windows at the MLK gymnasium),
2. Design revisions as required by the Historic Landmarks Board, Planning Commission, Zoning Administrator, Building Official and City Council (as warranted) for permit issuance,
3. Demolition, recycling, abatement, other disposition and installation of new including all hardware of all of the doors and associated sidelights, all of the Library, Council Chambers, ground floor, and as many additional windows as possible for a fixed fee, and
4. An add/alternate for the remainder of work if completed at the same time; and

WHEREAS, Staff recommends that bids be invited for said Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sausalito:

- (1) Resolution No. 5085 of November 17, 2009 is hereby rescinded.
- (2) In compliance with the CEQA, the City of Sausalito sustains its prior finding that the approval of the Project described in Exhibit A is a “project” under CEQA that is exempt in that to the extent the Project is discretionary, it is categorically exempt under Title 14 of the California Code of Regulations (“CCR”) § 15301, Existing Facilities, in that it consists of the maintenance of an existing public facility involving negligible or no expansion of use; and that to the extent the Project it is ministerial it is categorically exempt under 14 CCR §15268.
- (3) The Director of Public Works is authorized to invite bids for the Project in conformance with the City’s Purchasing Ordinance for Public Work.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito on the 23rd day of February, 2010 by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSTAIN: Councilmembers:
ABSENT: Councilmembers:

MAYOR OF THE CITY OF SAUSALITO

ATTEST:

CITY CLERK

Exhibit "A"
Project Description

CITY HALL DOORS AND WINDOWS RETROFIT PROJECT WITH MLK GYM

City Hall Windows Replacement, Doors/Security Upgrades and ADA Improvements including Clerestory Windows at MLK Gymnasium:

1. Measurement of existing and preparation of shop drawings for replacement of each door, sidelight (storefront) and window in City Hall with historically-sensitive, true divided light, operable windows to replace the existing without significant change to exterior appearance but manufactured from extruded aluminum, thermal breaks, insulated, low emissivity and tempered as required by code. The clerestory windows at the MLK gymnasium would be included.
2. Design revisions as required by the Historic Landmarks Board, Planning Commission, Zoning Administrator, Building Official and City Council (as warranted) for permit issuance.
3. Demolition, recycling, abatement, other disposition and installation of new including all hardware of all of the doors and associated sidelights, all of the Library, Council Chambers, ground floor, and as many additional windows as possible.
4. Add/Alternate: Demolition, recycling, abatement, other disposition and installation of the units not completed under (3) above at the same time.

**ATTACHMENT A
APPLICATION COVER PAGE**

1. **Applicant Name:** City of Sausalito

2. **Type of Application:** *(Select one or both as appropriate)*

- Direct Equipment Purchase Energy Efficiency Project
- Municipal Financing Program

3. **Applicant Category:**

- Individual City Collaborative (attach list of city/county name(s) included in application):
- Individual County

4. **Total Grant Funds Requested:** \$ _____

5. **Budget Includes Prevailing Wage:** *(refer to Exhibits 3, 4, and 5)* Yes No

6. **Proposed Start Date:** *(no earlier than November 2009)* 07 / 1 / 2010

7. **Proposed End Date:** *(maximum September 13, 2012)* 10 / 15 / 2010

8. **Principal Contact/Project Manager:** *(serves as single point of contact for all communications)*

Name: Jonathon Goldman
 Phone: (415) 289-4176 Fax: (415) 339-2256
 Email: jgoldman@ci.sausalito.ca.us
 Organization: City of Sausalito
 Position/Title: Director of Public Works

Address: 420 LITHO ST SAUSALITO CA 94965-1933
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9. **Authorized Representative Certification:** *To the best of my knowledge, I certify that:*

- The information contained in this grant application package is true and provides all information requested in the solicitation document.
- The proposed projects are cost-effective energy efficiency opportunities available to the eligible city/county.
- Proposed project(s) are not for prohibited activities as specified within solicitation document.
- Grant funds will be used to supplement (rather than supplant) funds already committed or expected to be received in support of the funded project.
- Applicant is in compliance with Single Audit Act requirements.

Authorized Representative Signature

Date

Reserved for California Energy Commission Use		
Solicitation	Date Received	Proposal Number Assigned
PON-09-001		

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NETL F 451.1-EECBG
(3/2009) OPI=320
(Previous Editions Obsolete)

U.S. DEPARTMENT OF ENERGY

ENVIRONMENTAL QUESTIONNAIRE

I. BACKGROUND

The Department of Energy (DOE) National Environmental Policy Act (NEPA) Implementing Procedures (10 CFR 1021) require careful consideration of the potential environmental consequences of all proposed actions during the early planning stages of a project or activity. DOE must determine at the earliest possible time whether such actions will require either an Environmental Assessment or an Environmental Impact Statement, or whether they qualify for a Categorical Exclusion. To comply with these requirements, an Environmental Questionnaire must be completed for each proposed action to provide DOE with the information necessary to determine the appropriate level of NEPA review.

II. INSTRUCTIONS

Separate copies of the Environmental Questionnaire should be completed by the principal proposer and appropriate proposer's subcontractor. In addition, if the proposed project includes activities at different locations, an independent questionnaire should be prepared for each location. Supporting information can be provided as attachments.

In completing this Questionnaire, the proposer is requested to provide specific information and quantities, when applicable, regarding air emissions, wastewater discharges, solid wastes, etc., to facilitate the necessary review. The proposer should identify the location of the project and specifically describe the activities that would occur at that location. In addition, the proposer will be required to submit an official copy of the project's statement of work (SOW) or statement of project objective (SOPO) that will be used in the contract/agreement between the proposer and DOE.

III. QUESTIONNAIRE

A. PROJECT SUMMARY

- 1. Solicitation/Project Number: _____
- 2. Proposer: _____
- 3. Principal Investigator: _____
Telephone Number: _____
- 4. Project Title: _____
- 5. Duration: _____
- 6. Location(s) of Performance (City/Township, County, State): _____

- 7. Identify and select checkbox with the predominant project work activities under Group A-7b or A-7c.

Group A-7b

- Work or project activities does NOT involve new building/facilities construction and site preparation activities. This work typically involves routine operation, modification, and retrofit of existing utility and transportation infrastructure, laboratories, commercial buildings/properties, offices and homes, test facilities, factories/power plants, vehicles test stands and components, refueling facilities, greenspace infrastructure, or other existing facilities.

Group A-7c

- Work or project activities typically involves major building or facility construction, site preparation; the installation, replacement, or major modifications of energy system prototypes and infrastructure, access right-of-ways and roads; utility, greenspace, and transportation infrastructure, vehicle test facilities; commercial buildings/properties, fuel refinery/mixing facilities, factories/power plants; and other types of energy efficiency/conservation related systems, structures, and facilities. This work can require new or modified regulatory permits, environmental sampling and monitoring requirements, master planning, public involvement, and environmental impact review.
- Other types of work or project activities not listed. (please describe):
- 8. Summarize the objectives of the proposed work. List activities planned at the location as covered by this Environmental Questionnaire.
- 9. List all other locations where proposed work or project would be performed by project's proposer and subcontractors.
- 10. Identify major project operation related materials and waste that would be used, consumed, and produced by this project or activity.
- 11. Provide a brief description of the project location (physical location, surrounding area, adjacent structures).
- 12. Attach a site plan or topographic map of the project work area.

B. ENVIRONMENTAL IMPACTS

This section is designed to obtain information for objectively assessing the environmental impacts of a proposed project. NEPA procedures require evaluations of possible effects (including land use, energy resource use, natural, historic and cultural resources, and pollutants) from proposed projects on the environment.

1. Land Use

- a. Characterize present land use where the proposed project would be located.

<input type="checkbox"/> Urban	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Suburban	<input type="checkbox"/> Rural	<input type="checkbox"/> Residential	<input type="checkbox"/> Research Facilities
<input type="checkbox"/> Forest	<input type="checkbox"/> University Campus	<input type="checkbox"/> Other	
- b. Describe how land use would be affected by planned construction and project activities.
 - No construction would be anticipated for this project.
- c. Describe any plans to reclaim/replant areas that would be affected by the proposed project.
 - No land areas would be affected.
- d. Would the proposed project affect any unique or unusual landforms (e.g., cliffs, waterfalls, etc.)?
 - No
 - Yes (describe)
- e. Would the proposed project be located in or near a national park or wilderness area?
 - No
 - Yes (describe)

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If project work activities falls under item A-7b; then proceed directly to question B.6 (Atmospheric Conditions/Air Quality) and continue to fill out questionnaire.

If project work falls under item A-7c; then proceed directly below to question B.2 (Construction Activities and/or Operations) and continue to fill out questionnaire.

2. Construction Activities and/or Operations

- a. Identify any roads, trails, or utility right of ways that traverse the proposed site or will be constructed and clearly mark them on project site maps.
 None
- b. Would the proposed project require the construction of settling ponds?
 No Yes (describe and identify location, and estimate surface area disturbed)
- c. Would the proposed project affect any existing body of water?
 No Yes (describe)
- d. Would the proposed project be located in or impact a floodplain or wetland?
 No Yes (describe)
- e. Would the proposed project be likely to cause runoff/sedimentation/erosion?
 No Yes (describe)

3. Vegetation and Wildlife Resources

- a. Identify any State- or Federal-listed endangered or threatened plant or animal species affected by the proposed project.
 None
- b. Would any foreign substances/materials be introduced into ground or surface waters, or other earth/geologic resource because of project activities? Would these foreign substances/materials affect the water, soil, and geologic resources?
 No Yes (describe)
- c. Would any migratory animal corridors be impacted or disrupted by the proposed project?
 No Yes (describe)

4. Socioeconomic and Infrastructure Conditions.

- a. Would local socio-economic changes result from the proposed project?
 No Yes (describe)
- b. Would the proposed project generate increased traffic use of roads through local neighborhoods, urban or rural areas?
 No Yes (describe)
- c. Would the proposed project require new transportation access (roads, rail, etc.)? Describe location, impacts, costs.
 No Yes (describe)
- d. Would any new transmission lines and/or power line right-of-ways be required?
 No Yes (describe location, voltage, and length of line)

5. Historical/Cultural Resources

- a. Describe any historical, archeological, or cultural sites in the vicinity of the proposed project; note any sites included on the National Register of Historic Places.
 None
- b. Would construction or operational activities planned under the proposed project disturb any historical, archeological, or cultural sites?
 No planned construction No historic sites Yes (describe)
- c. Would the proposed project interfere with visual resources (e.g., eliminate scenic views) or alter the present landscape?
 No Yes (describe)

For all proposed project work activities identified under item A-7b, respond to item B6 directly below and continue filling out environmental questionnaire.

6. Atmospheric Conditions/Air Quality

- a. Identify air quality conditions in the immediate vicinity of the proposed project with regard to attainment of National Ambient Air Quality Standards (NAAQS). This information is available under the NAAQS tables from the U.S. EPA Air and Radiation Division.

	<u>Attainment</u>	<u>Non-Attainment</u>
O ₃	<input type="checkbox"/>	<input type="checkbox"/>
SO _x	<input type="checkbox"/>	<input type="checkbox"/>
PM ₁₀	<input type="checkbox"/>	<input type="checkbox"/>
CO	<input type="checkbox"/>	<input type="checkbox"/>
NO ₂	<input type="checkbox"/>	<input type="checkbox"/>
Lead	<input type="checkbox"/>	<input type="checkbox"/>

- b. Would proposed project require issuance of new or modified major source air quality permits?
 No Yes (describe)
- c. Would the proposed project be in compliance with the National Emissions Standards for Hazardous Air Pollutants?
 No (explain) Yes
- d. Would the proposed project be classified as either a New Source or a major modification to an existing source?
 No Yes (describe)
- e. Would the proposed project be in compliance with the New Source Performance Standards?
 Not Applicable No (explain) Yes
- f. Would the proposed project be subject to prevention of significant deterioration air quality review?
 Not applicable No (explain) Yes (describe)
- g. What types of air emissions, including fugitive emissions, would be anticipated from the proposed project?
- h. Would any types of emission control or particulate collection devices be used?
 No Yes (describe, including collection efficiencies)
- i. If no control devices are used, how would emissions be vented?

7. Hydrologic Conditions/Water Quality

- a. What is the closest body of water to the proposed project area and what is its distance from the project site?
- b. What sources would supply potable and process water for the proposed project?
- c. Quantify the daily or annual amount of wastewater that would be generated by the proposed project.
- d. Identify the local treatment facility that would receive wastewater from the proposed project.
 No discharges to local treatment facility
- e. Describe how wastewater would be collected and treated.
- f. Would any run-off or leachates be produced from storage piles or waste disposal sites?
 No Yes (describe source)
- g. Would project require issuance of new or modified water permits to perform project work or site development?
 No Yes (describe)
- h. Where would wastewater effluents from the proposed project be discharged?
 No wastewater produced
- i. Would the proposed project be permitted to discharge effluents into an existing body of water?
 No Yes (describe water use and effluent impact)
- j. Would a new or modified National Pollutant Discharge Elimination System (NPDES) permit be required?
 No Yes (describe)
- k. Would the proposed project adversely affect the quality or movement of groundwater?
 No Yes (describe)

8. Solid and Hazardous Wastes

- a. Describe and estimate major nonhazardous solid wastes that would be generated from the project. Solid wastes are defined as any solid, liquid, semi-solid, or contained gaseous material that is discarded or has served its intended purpose, or is a manufacturing or mining by-product (40 CFR 260, Appendix I).
- b. Would project require issuance of new or modified solid waste and/or hazardous waste related permits to perform project work activities?
 No Yes (explain)
- c. How and where would solid waste disposal be accomplished?
 On-site (identify and describe location)
 Off-site (identify location and describe facility and treatment)
- d. How would wastes for disposal be transported?
- e. Describe and estimate the quantity of hazardous wastes (40 CFR 261.31) that would be generated, used, or stored under this project.
 None

4/3/14

f. How would hazardous or toxic waste be collected and stored?

None used or produced

g. If hazardous wastes would require off-site disposal, have arrangements been made with a certified TSD (Treatment, Storage, and Disposal) facility?

Not required Arrangements not yet made Arrangements made with a certified TSD facility (identify):

C. **DESCRIBE ANY ISSUES THAT WOULD GENERATE PUBLIC CONTROVERSY REGARDING THE PROPOSED PROJECT.**

None

IV. CERTIFICATION BY PROPOSER

I hereby certify that the information provided herein is current, accurate, and complete as of the date shown immediately below.

SIGNATURE: _____

DATE: ____ / ____ / ____
month day year

TYPED NAME: _____

TITLE: _____

ORGANIZATION: _____

V. REVIEW AND APPROVAL BY DOE

I hereby certify that I have reviewed the information provided in this questionnaire, have determined that all questions have been appropriately answered, and judge the responses to be consistent with the efforts proposed.

PROJECT MANAGER:

SIGNATURE: _____

DATE: ____ / ____ / ____
month day year

TYPED NAME: _____

ATTACHMENT G

ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE/CERTIFICATION FORM

The National Environmental Protection Act (NEPA) requires federal agencies to consider the potential environmental impacts of their proposed actions. Awards issued under this solicitation will be funded pursuant to a grant (DE-EE0000905) from the U.S. Department of Energy (DOE) to the Energy Commission that consists of American Recovery and Reinvestment Act of 2009 (ARRA) Energy Efficiency and Conservation Block Grant Program (EECBG) funds. DOE must comply with NEPA when awarding grants to states. Accordingly, recipients of awards issued under this solicitation may not take any action using federal funds for projects that would have an adverse effect on the environment or limit the choice of reasonable alternatives prior to DOE providing a final NEPA determination regarding these projects.

NEPA requires federal agencies to prepare a brief environmental analysis called an environmental assessment (EA) or a detailed analysis called an environmental impact statement (EIS), unless the project is categorically excluded from NEPA review. For additional information about NEPA, please visit:

- DOE's NEPA website at <http://www.gc.energy.gov/NEPA/>;
- The "NEPA" section of DOE's recovery Act Clearinghouse at [https://recoveryclearinghouse.energy.gov/#NATIONAL ENVIRONMENTAL POLICY ACT NEPA/](https://recoveryclearinghouse.energy.gov/#NATIONAL_ENVIRONMENTAL_POLICY_ACT_NEPA/); or
- The White House Council on Environmental Quality's *Citizen's Guide to the NEPA* at http://www.nepa.gov/ntf/Citizens_Guide_Dec07.pdf.

Categorically Excluded Projects

All projects will require an individual NEPA review and determination by DOE, unless DOE provides a categorical exclusion. **At this time DOE has not provided a categorical exclusion for any project activities under the EECBG**, but has provided the following categorical exclusions for certain activities under another ARRA-funded program, the State Energy Program (SEP):

- Energy saving projects for residential buildings;
- Energy saving projects for commercial buildings;
- Energy saving projects for industrial buildings;
- Energy efficiency and renewable energy retrofits for state departments, local jurisdictions, school and hospitals; and
- Public outreach and education.

Categorical exclusions are not absolute. A project activity that falls within a categorical exclusion may require additional NEPA review if it involves “extraordinary circumstances” that may affect the significance of its environmental effects.

“Extraordinary circumstances” are defined as “unique situations presented by specific proposals, such as scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; or unresolved conflicts concerning alternate uses of available resources within the meaning of section 102(2)(E) of NEPA [42 U.S.C. § 4332(E)].”¹

If DOE grants categorical exclusions for projects under the EECBG that are similar to the categorical exclusions for projects under the SEP, Applicants may be able to satisfy the NEPA requirements for purposes of this solicitation by completing the Certification section of this form. However, if DOE does not grant similar categorical exclusions for project activities under the EECBG, or if the Applicant is unable to certify in this form that the Applicant’s project falls within the DOE categorical exclusion, then the Applicant will be required to submit a completed environmental questionnaire form (Attachment H). The Energy Commission will submit the Applicant’s environmental questionnaire form to the DOE Project Officer to allow DOE to conduct an individual NEPA review and determination.

If an Applicant moves forward with project activities that are not authorized for federal funding by DOE in advance of the final NEPA determination, it will do so at risk of not receiving federal funding, and such costs may not be recognized as allowable cost share. If DOE determines that NEPA requires the preparation of an environmental assessment (EA) or environmental impact statement (EIS) for a proposed program, the Applicant will be responsible for paying the cost of preparing an EA or EIS.

Preparation of these types of NEPA documents can require 6-24 months.

Accordingly, Applicants should carefully consider whether such programs are consistent with the objectives of the ARRA and will allow for the expenditure of funds by the September 13, 2012 deadline.

¹ 10 C.F.R. § 1021.410(b).

Application of NEPA to Proposed Project: Certification of Applicant's Legal Representative:

An authorized legal representative of the Applicant must certify the following, to the best of his/her knowledge:

- The proposed project is categorically excluded from NEPA because it falls within the following category AND does not involve "extraordinary circumstances" within the meaning of 10 C.F.R. Section 1021.410:
 - Energy saving project for residential buildings
 - Energy saving project for commercial buildings
 - Energy saving project for industrial buildings
 - Energy efficiency and renewable energy retrofits for state departments, local jurisdictions, school and hospitals
 - Public outreach and education

- The proposed project falls within the categories listed above but may involve "extraordinary circumstances" within the meaning of 10 C.F.R. Section 1021.410, for the following reason(s) (attach additional pages if necessary):

- The proposed project is not categorically excluded, for the following reason(s) (attach additional pages if necessary):

The Energy Commission may request additional information in order to clarify answers provided on this form.

Name of Person Completing Form:

Title:

Organization:

Phone Number:

Email:

Signature: _____

Date:

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ATTACHMENT I**NATIONAL HISTORICAL PRESERVATION ACT FORM**

1. Does your project involve a building or structure included in the National Register of Historic Places (NRHP) or one eligible for inclusion in the NRHP?

Yes

No

[If unsure, Applicant must request a record search from the California Historical Resources Information System (CHRIS). Record searches can be requested from the appropriate regional CHRIS Information Center. To determine which Information Center you must contact please see:

<http://ohp.parks.ca.gov/pages/1068/files/ic%20roster.pdf>

2. If the proposed project involves a building or structure listed on or eligible for the NRHP, Applicant must complete additional information in Item 5 of the Environmental Questionnaire (NETL F 451.1-1/3-EECBG) (Attachment H of this solicitation package).

Also in Item 5, Applicants must provide the age of the property and attach a copy of communications or correspondence with the California State Historic Preservation Officer (SHPO) regarding the property.

3. If your project includes a building or structure about which the CHRIS has no information, please obtain and attach an evaluation of eligibility for inclusion in the NRHP by an architectural historian who meets the Secretary of the Interior's Standards for architectural history.

ATTACHMENT J

FINANCIAL MANAGEMENT INFORMATION

Part I (To be completed by all entities)

Name of Applicant: _____
 Address: _____
 Phone: _____
 Fax: _____
 Email: _____
 Number of Employees: _____

Legal Form of Business:

- | | | |
|--|--|---|
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> 501(c)(3) Non-Profit |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Corporation | <input type="checkbox"/> Other (identify) _____ |
| <input type="checkbox"/> Sub Chapter S Corporation | <input type="checkbox"/> Government Agency | |

Part II (To be completed by private and nonprofit entities only)

Nature of Business: _____
 Year Established: _____
 How Long Under Current Ownership? _____

Part III (To be completed by all entities)

1. Have you previously done business with any Federal Agency?

- Yes (If yes, list Federal Agency)
 No

Comments:

2. Does your accounting system have the ability to track costs on a reimbursable basis?

- Yes
 No

Comments:

3. Does your system allow for accurate, current and complete financial reporting and record keeping, as well as maintaining adequate source documentation?

- Yes
- No

Comments:

4. Does your system allow for effective internal controls and accountability?

- Yes
- No

Comments:

5. Does your organization have its financial statements reviewed by an independent public accounting firm?

- Yes
- No

Comments:

6. Are duties separated so that no one individual has complete authority over an entire financial transaction?

- Yes
- No (If no, explain why checks and balances are not appropriate)

Comments:

7. Does your organization have controls to prevent expenditure of funds in excess of approved, budgeted line item amounts? (Briefly explain your procedures)

- Yes
- No

Comments:

8. Are all accounts reconciled monthly?

- Yes
- No (If no, how often are accounts reconciled?)

Comments:

9. Are all disbursements properly documented with evidence of receipt of goods or performance of services?

- Yes
- No

Comments:

10. Do you have property management policies and procedures in place for authorizing and accounting for the acquisition and disposal of property?

- Yes
- No

Comments:

11. Does your organization have an indirect cost allocation plan or a negotiated indirect cost rate?

- Yes (If yes, attach copy of rate documentation)
- No (If no, how did you arrive at the fringe benefit, overhead, and/or general and administrative rates in your proposal?)

Comments:

12. Does your organization have procedures that provide assurance that consistent treatment is applied in the distribution of charges to all awards? (Briefly explain)

- Yes
- No

Comments:

13. Are there procedures to ensure procurement at competitive prices?

- Yes (If yes, briefly describe procedures.)
- No (If no, explain.)

Comments:

14. Is there an effective system of authorization and approval of expenditures?
(Briefly explain)

- Yes
- No

Comments:

15. Does your organization have a formal policy of nondiscrimination and a formal system for complying with Federal civil rights requirements?

- Yes
- No

Comments:

16. How does your organization control paid time, especially time charged to contract or grant funded projects? Briefly describe the system used to track and control paid time.

17. The expenditure of \$500,000 or more of Federal funds in a fiscal year requires an organization to have an audit performed in accordance with OMB Circular A-133. Has your organization had such an audit performed?

- Yes
- No

Comments:

18. I understand the audit requirements and will comply with the provisions of OMB Circular A-133.

- Yes
- No

Comments:

Part IV (To be completed by all entities)

Printed Name:

Title:

I certify to the best of my knowledge that the above information is true and correct as of this date and that I am authorized to complete this form.

Signature

Date

ATTACHMENT K

ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM DAVIS-BACON ACT (DBA) AND CALIFORNIA STATE PREVAILING WAGE LAW COMPLIANCE AND CERTIFICATION FORM¹

The Davis-Bacon Act requires payment of locally prevailing wages (including fringe benefits) to laborers and mechanics on federal government contracts in excess of \$2,000 for construction, alteration, or repair (including painting and decorating) of public buildings or public works who are employed directly on the site of the work.² Moreover, contractors and subcontractors on covered projects must pay all laborers and mechanics weekly and submit weekly certified payroll records to the contracting or administering agency.³

Congress has added Davis-Bacon prevailing wage provisions to approximately 60 laws—known as Davis-Bacon related Acts (DBRA)—under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance.⁴ The American Recovery and Reinvestment Act of 2009 (ARRA) provides that Davis-Bacon prevailing wage requirements broadly apply to construction projects funded with ARRA appropriations.⁵

Awards issued under this solicitation will be funded pursuant to a grant (DE-FOA-0000013) from the U.S. Department of Energy (DOE) to the Energy Commission that consists of ARRA funds. As the State Administrator of ARRA funds awarded by DOE, the Energy Commission must comply with Davis-Bacon Act prevailing wage requirements when awarding ARRA funds to subgrantees, and has a duty to ensure that all subrecipients of awards issued under this solicitation are in compliance with all applicable requirements of the Davis-Bacon Act and federal prevailing wage requirements.

Similarly, California law requires payment of locally prevailing wages (including employer payments for employee benefits) to workers, laborers, and mechanics on state government contracts in excess of \$1,000 for public works projects.⁶

¹ For a more detailed explanation of prevailing wage requirements under the Davis-Bacon Act and California law please refer to EECBG Application Exhibits 7 and 8.

² 40 U.S.C. §§ 3142(a) and (c).

³ All Agency Memorandum No. 207 - Applicability of Davis-Bacon to Federal and federally-assisted construction work funded by the American Recovery and Reinvestment Act of 2009, May 29, 2009, at page 6 (*citing* 40 U.S.C. 3145; 29 CFR Part 3, 29 CFR 5.5) *available at* <http://www.dol.gov/whd/recovery/AAM207.pdf>.

⁴ The Davis-Bacon and Related Acts (DBRA), United States Department of Labor, *available at* <http://www.dol.gov/compliance/laws/comp-dbra.htm>.

⁵ Sec. 1606, Division A, Pub. L. No. 111-5, 123 Stat. 303.

⁶ Cal. Labor Code §§ 1723 (defining the statutory term “worker” to include “laborer, worker, or mechanic”), 1771 (stating general prevailing wage requirements applicable to workers on qualifying public works projects). 8 C.C.R. § 16000 (defining general prevailing rate of per diem wages to include the prevailing rate of employer payments for employee benefits). See 8 C.C.R. § 16100(c) (enumerating other obligations for contractors and subcontractors under California prevailing wage law).

In California, courts have held that because legislation providing for the payment of prevailing wages comes under the historic police powers of the state, absent a contrary intention expressed in a federal statute, the presumption is that such legislation is not superseded.⁷ Therefore, absent such an express statement preempting state prevailing wage requirements, whenever federally funded or assisted projects are controlled or carried out by California awarding bodies of any sort, California prevailing wage rates, when higher, must be applied.⁸ Although ARRA provides that federal prevailing wage requirements under the Davis-Bacon Act broadly apply to construction projects funded with ARRA appropriations,⁹ neither ARRA nor DBA expressly preempt state prevailing wage requirements. Accordingly, recipients of awards issued under this solicitation are subject to California prevailing wage requirements.

This form must be completed by the authorized legal representative of each applicant for Energy Commission funding.

A. Federal Davis Bacon Act:

1. Have you determined that your project is exempt from the federal Davis-Bacon Act prevailing wage requirements?

- Yes (please continue to question 2).
 No (please continue to question 4).

2. The proposed project is exempt from Davis-Bacon Act prevailing wage requirements because it falls within the following category or categories:

- All project activities will be performed by the governmental agency's own employees.
- Project activities do not include work done on a public building or public work by laborers and mechanics employed by a construction contractor or construction subcontractor.
- All project work will be performed by executive, administrative, and professional employees, such as legal counsel, financial advisors, supervisors, or employees undertaking any of the following activities: market surveys and marketing, tracking and reporting energy savings, conducting home energy ratings, energy audits, or building commissioning inspections.
- Other, specify: _____

⁷ *Reyes v. Van Elk, Ltd.* (Cal.App. 2 Dist. 2007) 148 Cal.App.4th 604, 616.

⁸ 8 C.C.R. § 16001(b).

⁹ Sec. 1606, Division A, Pub. L. No. 111-5, 123 Stat. 303.

3. Have you confirmed your determination that Davis-Bacon Act prevailing wage requirements do not apply to your project with the United States Department of Labor (DOL)?

- Yes (please attach any supporting documentation from DOL).
- No (please attach any other documentation that supports your determination).

4. If Davis-Bacon Act prevailing wage requirements apply to individuals employed on your project, including individuals employed by subcontractors, then provide the name and contact information of the official in your organization who will be responsible for submitting certified payroll information to the Energy Commission on a weekly basis for all such individuals.

Please note that if Davis-Bacon Act prevailing wage requirements apply to individuals employed on your project—whether or not California law requires the payment of a higher prevailing wage—you must still comply with Davis-Bacon prevailing wage requirements. For example, in such a circumstance a recipient or subrecipient of ARRA funds would still be required to submit weekly certified payrolls to the contracting agency. Accordingly, if Davis-Bacon prevailing wage requirements apply to your project, you must submit the name and contact information of the official who will be responsible for submitting the required payroll information.

Name of Responsible Official: _____

Phone Number: _____ Email: _____

B. California Prevailing Wage Law:

1. Have you determined that your project is generally exempt from California prevailing wage requirements as provided by California Labor Code Sections 1720 et seq?

- Yes (please continue to question 2).
- No (please continue to Section C).

2. The proposed project is exempt from California prevailing wage requirements because it falls within the following category or categories:

- All project activities will be performed by the governmental agency's own employees.
- Project activities do not include public works, as defined by California Labor Code Sections 1720 and 1771.

- All project activities will be performed by executive, administrative, and professional employees not usually entitled to payment of prevailing wages under California law.
- All project activities will be performed by volunteers or other individuals exempted by California Labor Code section 1720.4.
- Other, specify: _____

3. Have you confirmed your determination that California prevailing wage requirements do not apply to your project with the California Department of Industrial Relations (DIR)?

- Yes (please attach any supporting documentation from DIR).
- No (please attach any other documentation that supports your determination).

C. Job Classifications and Wage Determinations

Whether or not California prevailing wage requirements apply to your project, if the Davis Bacon Act requires the payment of federal prevailing wages and the state prevailing wage rate for a particular job classification is higher than the federally determined wage for the same job classification, then the higher state prevailing wage rate must be paid. You must examine the most recent wage determinations for the job classification, based on the type of construction and the county in which the work is to be performed, as provided by the U.S. Department of Labor (DOL) and the California Department of Industrial Relations (DIR).

- DOL Prevailing Wage Determinations are available at <http://www.wdol.gov/Index.aspx>.
- DIR Prevailing Wage Determinations are available at <http://www.dir.ca.gov/dlsr/DPreWageDetermination.htm>.

The following table will document the identification of the job classifications you intend to hire in support of your project, based on DOL and DIR wage determinations, and whether you will be paying the federally or state determined wage rate. You must attach a screen shot or print-out of the controlling wage determination for each of the job classifications listed.

DIR or DOL Job Classification	Number of Individuals Employed in Classification	Federal or California Prevailing Wage Rate	Tasks to be Performed	Wage Determination Attached
<i>Sample: Construction Specialist, Group 1(G), Contra Costa County, Determination NC-23-102-1-2009-2</i>	5	California	Caulking and pipe wrapping	Yes

The Energy Commission may request additional information in order to clarify answers provided on this form.

This form was completed by: _____
Print or Type Name

Title: _____

Organization: _____

Phone Number: _____

Email: _____

Signature: _____

Date: _____

ATTACHMENT D

SCOPE OF WORK TEMPLATE FOR ENERGY EFFICIENCY PROJECTS OR MUNICIPAL FINANCING PROGRAMS

Task 1 — Attend Kick-Off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement. The Recipient shall attend a “kick-off” meeting with the Commission Project Manager and the Grants Officer. The Recipient shall bring their Project Manager and other relevant staff. The administrative and technical aspects of this Agreement will be discussed at the meeting. Prior to the kick-off meeting, the Commission Project Manager will provide an agenda to all potential meeting participants.

Topics to be discussed at this meeting will include, but are not limited to:

- Terms and Conditions of the Agreement
- Permit Documentation
- Scope of Work
- Project Schedule (including Products and Due Dates)
- Progress Reports
- Final Report

The Commission Project Manager shall designate the date and location of this meeting. This meeting may occur in person, via teleconference call, or other method at the discretion of the Commission Project Manager.

Products:

- List of Permits, if applicable

Due Date: 7/1/2010

Task 2 — Identify and Obtain Required Permits

The goal of this task 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. Permits must be identified in writing and obtained before the Recipient can incur any costs related to the use of the permits for which the Recipient will request reimbursement.

The Recipient shall prepare a letter documenting the permits required to conduct this Agreement and submit it to the Commission Project Manager at least 2 working days prior to the kick-off meeting:

1. If there are no permits required at the start of this Agreement, then state such in the letter.
2. If it is known at the beginning of the Agreement that permits will be required during the course of the Agreement, provide in the letter:
 - Type(s) of permit(s)
 - Name, address and telephone number of the permitting jurisdictions or lead agencies
 - Schedule the Recipient will follow in applying for and obtaining these permits

The list of permits and the schedule for obtaining them will be discussed at the kick-off meeting and a timetable for submitting the updated list, schedule and the copies of the permits will be developed. The implications to the Agreement 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 the progress reports.

If during the course of the Agreement additional permits become necessary, then provide the appropriate information on each permit and an updated schedule to the Commission Project Manager.

As permits are obtained, send a copy of each approved permit to the Commission Project Manager.

If during the course of the Agreement permits are not obtained on time or are denied, notify the Commission Project Manager within 5 working days.

Product: Letter documenting the Permits or stating that no Permits are required
Due Date: 7/7/2010

Product: Updated list of permits as they change during the approved term of the Agreement
Due Date: As necessary, within 10 days of change

Product: A copy of each approved Permit
Due Date: As necessary, within 10 days of receipt of each permit

Task 3 -- Prepare Bid Documents for Window and Door Replacement Project

The goal of this task is to ... *Prepare documents to comply with Public Work procurement requirements*

The Recipient shall:

- *Prepare plans and specifications for the demolition and proper disposition of existing doors and windows, as well as the furnishing and installation of new, historically-accurate replacement doors and windows with true divided lights, dual-panes, and thermal break.*

Products:

- *Dated Bid Documents*

Due Date: 8/17/10**Task 4 – Open and Evaluate Bids**

The goal of this task is to ... *Evaluate bids and bidders for responsiveness and responsibility*

The Recipient shall:

- *Open and read bids received at the appointed date and time*
- *Evaluate the bidders and bids for responsiveness and responsibility*
- *Recommend award of contract*

Products:

- *Staff Report and supporting documentation recommending award of the construction contract*

Due Date: 9/21/10**Task 5 – Issue Notice of Award**

The goal of this task is to ... *Notify contractor of Council's award of contract*

The Recipient shall:

- *Notify contractor of Council's award of contract*

Products:

- *Notice of Award*

Due Date: 9/22/10**Task 6– Issue Notice to Proceed**

The goal of this task is to ... *Notify contractor to proceed with work*

The Recipient shall:

- *Notify contractor to proceed with work*

Products:

- *Notice to proceed*

Due Date: *10/1/10*

Task 6 – Construction

The goal of this task is to ... *Construct project*

The Recipient shall:

- *Act as Owner and Client working with contractor to construct project*

Products:

- *Replacement of doors and windows*

Due Date: *7/15/11*

Task 7– Construction Management

The goal of this task is to ... *Manage contractor’s work and Agreement compliance*

The Recipient shall:

- *Retain professional construction management consultant*

Products:

- *Notice of Completion*
- *Agreement Final Report (see Task 9 below)*

Due Date: *10/14/11*

Task 8 — Monthly Progress Reports

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the research objectives of this Agreement.

The Recipient shall prepare progress reports which summarize all Agreement activities conducted by the Recipient for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Each progress report is due to the Commission Project Manager within 10 working days after the end of the reporting period. The terms and conditions of this Agreement provide

the required specifications.

Products: Monthly Progress Reports

Due Date: By the 10th day of each month during the approved term of this Agreement or until submission of the final report, whichever comes first.

Task 9 — Final Report

The goal of this task is to prepare a comprehensive written Final Report that describes the original purpose, approach, results and conclusions of the work done under this Agreement. The Commission Project Manager will review and approve the Final Report. The Final Report must be completed on or before the termination date of the Agreement. The terms and conditions of this Agreement provide the recommended specifications.

The Final Report shall be a public document.

The Recipient shall prepare the Final Report and submit to the Commission Project Manager for review and approval.

Product: Final Report

Due Date: 10/14/2011

ATTACHMENT F

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE FORM

The California Environmental Quality Act (CEQA) requires state and local agencies (public agencies) to identify the significant environmental impacts of their actions and to avoid or mitigate them, if feasible. For an explanation of the CEQA process, please visit <http://ceres.ca.gov/ceqa/summary.html>. All awards (contracts, grants, and loans) funded by the Energy Commission are considered "projects" under CEQA,¹ and must therefore comply with CEQA in order to receive funding.

The Lead Agency is the public agency that has the greatest responsibility for preparing environmental documents under CEQA, and for carrying out, supervising, or approving a project. Where the award recipient is a public agency, the Lead Agency is typically the public agency. Where the award recipient is a private entity, the Lead Agency is the public agency that has greatest responsibility for supervising or approving the project as a whole.² The Energy Commission, as the funding agency, must develop CEQA findings based on review of the Lead Agency's environmental documents. **This form must be completed by the authorized legal representative of each applicant for Energy Commission funding.**

The Energy Commission may request additional information in order to clarify answers provided on this form.

1. **Has a public agency (other than the Energy Commission) determined that the activity is a "project" under CEQA (i.e., may cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment)?**

- Yes** (please state the name of the public agency below, and continue to question #2)
- No** (please explain why the public agency does not consider the activity to be a "project" under CEQA):

¹ A "project" is an activity that may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Cal. Pub. Res. Code § 21065.

² 14 Cal. Code of Regs. §§ 15050, 15051. The Lead Agency typically has general governmental powers (such as a city or county), rather than a single or limited purpose (such as an air pollution control district).

Agency has not completed review (please provide an estimated date for completion of review):

Uncertain (please state reason for uncertainty):

2. Has the public agency determined that the project is exempt from CEQA?

For an explanation of CEQA exemptions, please visit:

<http://ceres.ca.gov/ceqa/flowchart/exemptions/index.html>.

Yes (please check the appropriate boxes below and list the relevant California Public Resources Code (PRC) and/or California Code of Regulations (CCR) section number, then continue to question #3):

Statutory exemption
PRC number: _____
CCR number: _____

Categorical exemption
CCR number: _____

Common sense exemption (i.e., no possible significant effect)
CCR number: 14 CCR §15061(b)(3) (please explain why this exemption applies to the project):

No (continue to question #4)

Agency has not completed review (please provide an estimated date for completion of review):

3. Has the public agency filed a Notice of Exemption (NOE) with the County Clerk and/or Governor's Office of Planning and Research?

For an explanation of the NOE filing process, please visit:

<http://ceres.ca.gov/ceqa/flowchart/noe.html>.

To obtain an NOE form, please visit:

<http://ceres.ca.gov/ceqa/guidelines/appendices.html>.

- Yes** (please submit a copy of the NOE along with this form)
- No** (please provide an estimated filing date below. Alternatively, please submit an authorizing resolution³ that includes a finding of exemption, or an agenda item accompanying the resolution that includes a finding of exemption):

4. Has the public agency completed an Environmental document for the project (i.e., Initial Study, Negative Declaration, Mitigated Negative Declaration, Notice of Preparation, Environmental Impact Report), or does the public agency plan to complete a Environmental document?

- Yes** (please complete the following information, then continue to question #5):

Type of Environmental Review	Title of Environmental Document	State Clearinghouse Number	Completion Date	Planned Completion Date
Initial Study				
Negative Declaration				
Mitigated Negative Declaration				
Notice of Preparation				
Environmental Impact Report				

Please submit a copy of the completed Environmental document(s) to the Energy Commission.

- No** (please explain why the public agency has not completed or does not plan to complete an Environmental document):

³ See Exhibits 4 and 5 of this solicitation for examples of authorizing resolutions.

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5. Has the public agency filed a Notice of Determination (NOD) with the County Clerk and/or Governor's Office of Planning and Research?

For an explanation of the NOD filing process, please visit:
<http://ceres.ca.gov/ceqa/flowchart/NODloclead.html>.

To obtain a Notice of Determination form, please visit:
<http://ceres.ca.gov/ceqa/guidelines/appendices.html>

- Yes** (please submit a copy of the Notice of Determination along with this form)
- No** (please provide an estimated filing date):

Name of Person Completing This Form:

Title:

Signature: _____

Phone Number:

Email:

Date: