

DRAFT Solicitation

No Applications Are Being Accepted At This Time.

This Is A DRAFT. Do Not Design Or Submit Applications According To This DRAFT. The Actual Solicitation and Maps are Subject To Change.

Comments on this DRAFT Solicitation are due
September 17, 2012 at 3:00 p.m.

California Energy Commission

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Alternative and Renewable Fuel and Vehicle Technology Program

Subject Area - Hydrogen Fuel Infrastructure



SOLICITATION-DRAFT

<http://www.energy.ca.gov/contracts/index.html>

State of California
California Energy Commission
September 7, 2012

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I. Introduction

A. Purpose of this Solicitation

This is a competitive grant solicitation. The California Energy Commission (Energy Commission) is seeking to develop infrastructure necessary to dispense hydrogen transportation fuel. The Alternative and Renewable Fuel and Vehicle Technology (ARFVT) Program of the Energy Commission developed this solicitation.

The goal of this solicitation is to provide grant funds to projects which expand the network of publicly available hydrogen fueling stations to serve the current population of fuel cell vehicles (FCVs) and to accommodate the planned large-scale roll-out of FCVs commencing in 2015.

Hydrogen fueling stations must support Original Equipment Manufacturers (OEMs) that deploy FCVs and hydrogen internal combustion engine vehicles (HICEVs). The Energy Commission aims to prioritize its investment based on the approach developed by academia and industry, and thus strongly encourages proposed hydrogen fueling stations be located in the station location areas and maps herein.

B. Background

Assembly Bill 118 (Núñez, Chapter 750, Statutes of 2007), created the ARFVT Program. The statute, subsequently amended by AB 109 (Núñez, Chapter 313, Statutes of 2008), authorizes the Energy Commission to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change policies.

The ARFVT Program has an annual budget of approximately \$100 million and provides financial support for projects that:

- Reduce California's use and dependence on petroleum transportation fuels and increase the use of alternative and renewable fuels and advanced vehicle technologies.
- Produce sustainable alternative and renewable low-carbon fuels in California.
- Expand alternative fueling infrastructure and fueling stations.
- Improve the efficiency, performance and market viability of alternative light-, medium-, and heavy-duty vehicle technologies.
- Retrofit medium- and heavy-duty on-road and non-road vehicle fleets to alternative technologies or fuel use.
- Expand the alternative fueling infrastructure available to existing fleets, public transit, and transportation corridors.
- Establish workforce training programs and conduct public outreach on the benefits of alternative transportation fuels and vehicle technologies.

C. Planning for this Solicitation

The Energy Commission held three public workshops throughout California to discuss: 1) techniques for optimizing hydrogen station locations; 2) technical hydrogen fueling station performance; and 3) the future hydrogen fueling solicitation. The workshop participants discussed location and performance options for hydrogen fueling stations and the role of these two important factors in a future hydrogen fueling solicitation. The workshop presentations are posted: <http://www.energy.ca.gov/contracts/transportation.html#infrastructure>.

After considering numerous factors and the workshop discussions, the UC Irvine STREET maps were chosen for hydrogen fueling station location areas to meet customer demand. As discussed in the workshops, the STREET maps provide the basis for the "California Road Map: The Commercialization of Hydrogen Fuel Cell Vehicles". Therefore, the STREET maps provide the basis for implementing a commercialization strategy.

This solicitation prioritizes state-wide coverage of hydrogen fueling stations to expand the network of stations and to optimize an infrastructure of hydrogen fueling stations for the State of California.

The station location areas and maps were generated by the Spatially and Temporally Resolved Energy and Environment Tool (STREET) from the Advanced Power and Energy Program (APEP) at the University of California at Irvine (UC Irvine) with confidential market data input from the OEMs. (See Attachment 11 for more information and high resolution maps of station location areas.) The station location areas identified herein take into account a number of factors such as traffic behavior, future vehicle projections, market behavior, and OEM input to support vehicle deployment.

D. Proposal Due Date and Time

The proposal due date is **(TBD)**. The deadline to submit applications is 3:00 p.m. the date the proposal is due. Other key activities and dates follow. An addendum will be released if the dates change for the asterisked (*) activities. Other dates are anticipated and may change without notice.

Table 1. Activities and Action Dates

ACTIVITY	ACTION DATE
Solicitation Release	TBD
Deadline for Written Questions*	TBD
Pre-Application Workshop*	TBD
Distribute Questions/Answers and Addenda (if any) to Solicitation	TBD
Deadline to Submit Applications by 3:00 p.m.*	TBD
Anticipated Notice of Proposed Award Posting Date	TBD

Anticipated Commission Business Meeting Date	TBD
Anticipated Agreement Start Date	TBD
Agreement Termination Date	TBD
Anticipated Future Solicitation	TBD

II. Funding Information

A. Available Funding

\$18.69 million is available under this solicitation. The Energy Commission reserves the right to award up to \$29.69 million.

B. Maximum Award Amount and Funding Cap

Projects are eligible for up to 65% of the total project cost or \$1.50 million, whichever is less.

To promote market diversity, a single hydrogen fueling equipment (HFE) supplier is eligible for no more than 40% of the total funds awarded under this solicitation. For this purpose, "hydrogen fueling equipment supplier" is an entity that provides, sells, or leases equipment that dispenses hydrogen for the transportation sector.

If and when this cap is reached, applications utilizing the HFE supplier will be disqualified from receiving further funding under this solicitation. The Energy Commission, at its sole discretion, reserves the right to modify or eliminate the cap if remaining passing applications utilizing HFE suppliers under this cap are insufficient to award the available funding under this solicitation.

C. Renewable Hydrogen Set-Aside

Of the funding available, up to \$3.00 million is designated for stations dispensing 100% renewable hydrogen fuel where hydrogen is generated from renewable sources, either on-site or off-site. See Section III.C. which defines eligible renewable hydrogen feedstocks and eligible renewable resources. In the instance where insufficient eligible and passing renewable hydrogen station applications are received, the Energy Commission reserves the right to award the renewable hydrogen set-aside funds to other eligible projects. Applicants applying for this set-aside must certify that their proposed project is eligible by checking the appropriate box and signing the application form (Attachment 1). Applicants who fail to check the appropriate box will not be eligible for the renewable hydrogen set-aside funds.

D. Non-Road Station Set-Aside

Of the funding available, up to \$1.50 million is designated for road hydrogen projects which co-locate with an existing non-road hydrogen station. The Energy Commission reserves the right to award the non-road set aside funds to other

eligible projects in the instance where insufficient eligible and passing non-road station applications are received. Applicants applying for this set-aside must certify that their proposed project is eligible by checking the appropriate box and signing the application form (Attachment 1). Applicants who fail to check the appropriate box will not be eligible for the non-road station set-aside funds.

E. Existing State Law

Applicants shall comply with all applicable federal, state, and municipal laws, rules, codes, and regulations, including but not limited to, Cal. Health & Safety Code Section 43869, also referred to as Senate Bill 1505 (Lowenthal, Chapter 877, Statutes of 2006). For more information on Senate Bill 1505, please refer to the California Air Resources Board [insert contact information].

III. Eligibility

A. Eligible Applicants

This solicitation is open to public agencies, vehicle and technology entities, businesses, public-private partnerships, fleet owners, and academic institutions that can meet the requirements of this solicitation.

Applicants must have a business presence in California. If the applicant is a corporation, limited liability company (LLC) or a limited partnership (LP), it is required to register and be in good standing with the California Secretary of State in order to enter into an agreement with the Energy Commission. If not currently registered with the California Secretary of State, Applicants are encouraged to contact the Secretary of State's Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be successful). For more information, contact the Secretary of State's Office via its website at www.sos.ca.gov.

The applicant's key personnel, as identified in the Scope of Work (Attachment 2), must each have a minimum of three (3) years of experience designing, planning, constructing, testing, operating, or maintaining gaseous fueling stations.

Applicants must agree to be bound by the ARFVT Program Grant Terms and Conditions (Attachments 12 and 13) for any agreement(s) resulting from this solicitation. The Energy Commission reserves the right to add or modify any special terms and conditions necessary to successfully administer a grant agreement resulting from this solicitation. No exceptions to these Terms and Conditions will be considered. Therefore, the Commission recommends that both the applicant and its subcontractors, including legal counsel, carefully review the ARFVT Program Grant Terms and Conditions before deciding to submit an application. If an applicant and/or subcontractor does not agree to the

terms and conditions, the Energy Commission reserves the right to revoke funding to that applicant and fund the next eligible application under this solicitation.

B. Eligible Projects

The requirements for eligibility apply to all funding areas.

To be eligible under this solicitation, projects must: 1) be located in an existing gasoline station, except for non-road applications (see 5 below); 2) be located in California; 3) be publicly accessible (meaning, project must sell fuel without the use of access, liability, or user contracts for either corporate customers/partners or individual consumer access); and 4) include one or more of the following:

1. Installation of new retail or fleet hydrogen dispensing stations and equipment that are publicly accessible.
2. Upgrade/refurbishment of existing hydrogen dispensing stations and equipment.
3. Installation of hydrogen dispensing equipment at a multi-fill station. A multi-fill station is a station which has dispensers for more than one alternative fuel.
4. Installation of equipment for the on-site production and dispensing of renewable hydrogen fuel.
5. Installation of hydrogen dispensing equipment for road applications co-located with a non-road application hydrogen station.

C. Minimum Technical Requirements

To be eligible under this solicitation, proposed hydrogen fueling stations must **at a minimum** include **each of the following technical requirements**:

- 50 kilogram (kg) Nominal Station Capacity: The station(s) / dispenser(s) shall be capable of dispensing hydrogen fuel, at a minimum amount of no less than 50 kg per day nominal capacity per station.
- 20 kg per Hour Peak Fueling Capacity (As defined in SAE TIR J2601) ¹: The peak fueling capacity of the station(s) / dispenser(s) is defined to measure the succession rate at which 7 kg-capacity vehicles that can be filled per one hour period at a station back-to-back without the station having to recharge. The Peak Fueling Capacity shall be expressed in kg/hr.

¹ Society of Automotive Engineers International (SAE) Technical Information Report (TIR) J2601-2011, Fueling Protocols for Light Duty Gaseous Hydrogen Surface Vehicles. www.sae.org

- Hydrogen for Use in Fuel Cells (As defined in SAE TIR J2601)²: The station(s) / dispenser(s) shall meet the intent of SAE TIR J2601, or equivalent. The station(s) / dispenser(s) shall use Canadian Standards Association (CSA) Hydrogen Gas Vehicle (HGV) 4.3³ as a test method and equipment specification to confirm that the performance of a fuel dispenser is consistent with SAE TIR J2601.
- Dual Dispenser Pressure: The station described in the application to this solicitation shall be able to dispense fuel at both 350 bar and 700 bar
- Operational: The proposal must demonstrate that the station will be operational by October 30, 2014 and all work scheduled for completion by April 30, 2015 which includes six months of data collection and reporting.
- Accessibility: The proposal shall include information about the hydrogen fueling station's accessibility to personnel from the California Department of Food and Agriculture, Division of Measurement Standards for standards development. Proposers are encouraged to contact CDFA/DMS for dispensing equipment certification.
- Each station shall demonstrate at least 33% renewable hydrogen dispensing capacity either through direct physical pathways (on-site or off-site) or through credits that conform to the Air Resources Board (ARB) Low Carbon Fuel Standard (LCFS) program.

<http://www.arb.ca.gov/fuels/lcfs/lcfs.htm>

For the purposes of this solicitation and for evaluating the contribution of renewable resources to hydrogen production by direct physical pathways, the term "renewable hydrogen" includes hydrogen produced by eligible renewable feedstocks ((Public Resources Code Section 25741(a) (1)) and eligible renewable energy resources, ((Public Resources Code Section 25741 (a) (1))as defined below.

a) *Eligible renewable feedstocks* include the following:

- Digester gas
- Landfill gas
- Sewer gas
- Biomass

² Society of Automotive Engineers International (SAE) Technical Information Report (TIR) J2601-2011, Fueling Protocols for Light Duty Gaseous Hydrogen Surface Vehicles. www.sae.org

³ Canadian Standards Association (CSA) Hydrogen Gas Vehicle (HGV) 4.3-2012, Test Methods for Hydrogen Fueling Parameter Evaluation. www.csa.ca.

- Biodiesel
- Municipal solid waste
- Geothermal
- Small hydroelectric (30 megawatts or less)
- Ocean wave
- Ocean thermal
- Ocean tidal current
- Photovoltaic (PV)
- Solar thermal
- Wind Power

b) *Eligible renewable energy resource* is electricity produced from the eligible renewable feedstocks, listed above, at a “renewable electrical generation facility” defined in Public Resources Code Section 25741, subd. (a), with the following stipulations and clarifications:

Biodiesel: The electricity produced from combusting biodiesel is eligible to the extent that the biodiesel is derived from the following:

- A biomass feedstock such as agricultural crops and agricultural wastes and residues, or
- An eligible “solid waste conversion” process using municipal solid waste (MSW) (refer to the MSW eligibility, below).

Renewable contribution for biodiesel facility:

- If the facility is certified as a Qualifying Small Power Production Facility (QF) under the federal Public Utilities Regulatory Policies Act (PURPA), then 100 percent of the electricity production from the facility may count as renewable provided the facility satisfies the fossil fuel use limitations specified in PURPA.
- If the facility is NOT certified as a QF, then only the renewable portion of the electricity production can qualify.

Fuel cells: electricity generated from fuel cells using renewable fuels.

Geothermal: natural heat from within the earth, captured for production of electric power, space heating, or industrial steam.

Small hydroelectric: a hydroelectric facility employing one or more hydroelectric turbine generators, the sum capacity does not exceed 30 megawatts and meets the requirements of Public Resources Code Section 25741(a) and Public Utilities Code Section 399.12(e)(1), as amended on October 14, 2007.

Landfill gas (LFG): gas produced by the breakdown of organic matter in a landfill (composed primarily of methane and carbon dioxide) or the technology that uses this gas to produce power.

Municipal solid waste (MSW): solid waste as defined in Public Resources Code section 40191.

MSW conversion: A technology using a non-combustion thermal process to convert solid waste to a clean burning fuel for the purpose of generating electricity that meets all of the following criteria:

- The technology does not use air or oxygen in the conversion process, except ambient air to maintain temperature control.
- The technology produces, as determined by the Commission, a net reduction in discharges of air contaminants or emissions, as compared to the discharges or emission if the technology is not used, including greenhouse gases as defined in Health and Safety Code Section 38505(f).
- The technology produces no discharges to surface or ground waters of the state.
- The technology produces no hazardous wastes.
- To the maximum extent feasible, the technology removes all recyclable materials and marketable green waste compostable materials from the solid waste stream prior to the conversion process and the owner or operator of the facility certifies that the those materials will be recycled or composted.
- The facility at which the technology is used is in compliance with all applicable laws, regulations, and ordinances.
- The technology meets any other conditions established by the Commission.
- The facility certifies that any local agency sending solid waste to the facility diverted at least 30 percent of all solid waste it collects through solid waste reduction, recycling and composting.

Ocean thermal: experimental technology that uses the temperature differences between deep and surface ocean water to produce electricity.

Ocean tidal current power: energy obtained by using the motion of the tides to run water turbines that drive electric generators.

Ocean wave: an experimental technology that uses ocean waves to produce electricity.

Photovoltaic (PV): a technology that uses a semiconductor to convert sunlight directly into electricity.

Sewer gas: gas produced by the anaerobic decomposition of sewage.

Solar thermal electric: the conversion of sunlight to heat and its concentration and use to power a generator to produce electricity.

Direct solar thermal: the concentration of the sunlight on a high temperature reactor resulting in the direct conversion of water or other feedstocks to hydrogen and oxygen.

Wind power: energy from wind converted into mechanical energy and then electricity.

D. Multiple Applications

Applicants may only propose one fueling station per application submitted in response to this solicitation. Applicants may submit multiple applications.

E. Eligible Costs

The Energy Commission will provide funding for equipment, construction and labor costs associated with developing a hydrogen fueling station.

The Energy Commission will also provide funding for ancillary equipment needed to supply hydrogen fuel to funded fueling stations, including fill equipment and transport trailers, provided that all such costs are incorporated into the budget for each proposed station. Ancillary equipment must be submitted as a separate and distinct budget item from the actual fueling station costs.

In the event that one applicant receives multiple station awards which include ancillary equipment expenses, the total ancillary equipment budget cost item will be divided evenly among the awarded stations for that applicant and per station award will be adjusted accordingly.

If an applicant is submitting multiple applications, the applicant should fill out the Amount of Funds Requested on the Application Form (Attachment 1) for the largest amount (not to exceed the cap or 1.5 million) that the applicant might need for ancillary equipment. In the budget, the applicant should provide two budget forms, one budget which assumes that all applications are funded and one which assumes that only this application is funded.

The Energy Commission will **not** reimburse for costs incurred before final execution of the grant agreement.

The Energy Commission will provide funding for Operation and Maintenance Costs. Applicants are allowed to include up to \$200,000 in requested Energy Commission funds for operation and maintenance costs for up to three years of

the agreement. These funds must be included in the proposal's budget. Other requirements for Operation and Maintenance Costs follow:

1. The following types of operations and maintenance costs will be allowable under a resulting agreement, subject to section (3.) below. For purposes of this provision, "property," "real property," "personal property," and "construction" are as defined in the California Revenue and Tax Code and implementing regulations.
(http://www.leginfo.ca.gov/.html rtc_table_of_contents.html)
 - A. Maintenance of equipment purchased under the agreement that is reasonably necessary to keep the equipment in efficient operating condition, from the date of delivery until the end of the agreement, only if the maintenance does not add permanent value or appreciably prolong the equipment's intended life
 - B. Insurance on equipment purchased under the agreement, from the date of delivery until the end of the agreement, only if:
 - insurance does not protect the Recipient against the cost of its own defects in materials or workmanship;
 - coverage for loss, damage, destruction, or theft of the equipment does not limit or eliminate the Recipient's liability for such loss under the grant agreement;
 - coverage does not include loss, damage, destruction, or theft which results from the willful misconduct or lack of good faith on the part of any of the Recipient's ownership or managerial personnel;
 - coverage does not include lost profit;
 - coverage does not exceed the cost of acquisition, unless the Recipient has a formal written policy that assures that the property, if converted, will be valued at the book value of the replaced asset plus or minus the difference between the insurance proceeds and the actual replacement costs;
 - costs are consistent with competitive insurance prices;
 - insurance does not protect the Recipient from the Commission; and,
 - insurance is equivalent to the insurance that the Recipient maintains for similar equipment not purchased under the Agreement.
 - C. Overhead and administrative costs on the above items.

2. Operations and Maintenance costs not expressly included in Section E.1. (above), such as but not limited to personal property taxes or permitting fees, are not allowable under any resulting agreement.
3. Costs under a resulting agreement are allowable if they are reasonable, allocable, and appropriate to the project as determined under applicable federal cost principles. Costs must be measurable and non-duplicative of other reimbursed or match share costs.

For purposes of this provision, sections 31.201-2, 31.201-3, and 31.201-4 of Title 48 of the Code of Federal Regulations (CFR) are expressly incorporated by reference.

F. Match Funding Requirements and Disclosure

The balance of the project cost beyond the Energy Commission cost share is the Applicant's required match share. Applicants must provide a minimum cost share ("match") of 35% of total project costs. For example, if a proposed project has a total project cost of \$2,000,000, the minimum match funding requirement is \$700,000 (\$2,000,000 x 35%). Applications with a greater percentage of the total project costs in match funding will be scored higher than those with lower match funding shares. See Section XII for details on scoring. The following applies to match funding:

1. All match expenditures must conform to the requirements in the terms and conditions of the grant agreement. Grant recipients will be required to document and verify all match expenditures, and provide a synopsis of project progress, in the monthly progress reports and invoices to the Energy Commission after grant execution.
2. Applicants must disclose the source and provide verification and documentation for the Match Share funding.
3. Match funding may be in the form of cash and/or in-kind contributions such as donated labor hours, equipment, facilities, and property. Equipment, facilities (e.g., laboratory space), and most property may count as match funds as long as the value of the contribution is based on documented market values or book values, prorated for its value to the project, and depreciated or amortized over the term of the project using standard accounting principles. The valuation shall be confirmed using standard accounting principles.
4. Funding from other non-state government agencies may be used as match share.
5. Funding recipients are allowed to incur match share expenditures only after the Energy Commission notifies the applicant that its project has

been proposed for an award through the release of a NOPA. Match expenditures incurred prior to the full execution of a funding agreement are at the applicant's own risk. The Energy Commission is not liable for applicant's incurred match share costs if the grant is not approved, if approval is delayed, or if the match expenditure is not allowable under the terms and conditions of the grant or applicable federal cost principles incorporated by reference into the agreement.

G. Coordination with the U.S. Department of Energy

Applicants are encouraged to coordinate the scope of their project with activities underway and planned by the United States Department of Energy (DOE) Office of Energy Efficiency and Renewable Energy (EERE).

<http://www.eere.energy.gov>

H. Reference Documents

Applicants responding to this solicitation may want to familiarize themselves with the following documents:

1. 2012-13 Investment Plan Update for the Alternative and Renewable Fuel and Vehicle Technology Program
<http://www.energy.ca.gov/2012publications/CEC-600-2012-001/CEC-600-2012-001-CMF.pdf>
2. 2011-12 Investment Plans for the Alternative and Renewable Fuel and Vehicle Technology Program
<http://www.energy.ca.gov/2011publications/CEC-600-2011-006/CEC-600-2011-006-CTF.pdf>

The above reference documents are on display and available for review in the Energy Commission's Library. Library hours are Monday - Friday from 8:30 a.m. to 4:30 p.m., closed for lunch 12:00-1:00 p.m. The Library is located at: California Energy Commission, 1516 Ninth Street, First Floor, Sacramento, CA 95814, (916) 654-4292.

IV. Station Location Areas

Table 2 identifies the Energy Commission's preferred station location areas. Under this solicitation, eligibility is not limited to preferred station location areas. Locations are scored under scoring criteria 7 and 8. Only one station will be funded per station location area and applicants are required to select the station location area they are applying for by checking the appropriate box on Attachment 1. If a proposed station is outside the preferred station location areas, the applicant should select the station location area that is closest to their station. The only exception to the single station per

station location area is for co-located stations proposed under the non-road station set-aside (See Section II (D)), in which case two stations could be funded in a station location area listed in Table 2.

When developing proposals, applicants are highly encouraged to refer to Attachment 11, “*Station Location Areas, STREET Maps and Textual Descriptions*” which are also located on (insert the Web site).

The STREET maps, generated by a process designed and applied at the Advanced Power and Energy Program at the University of California at Irvine (UCI), are based on geographic information system (GIS) data, land use and infrastructure, traffic behavior, vehicle projections, and market information. These maps show a gradation of color based on UCI analysis. The darkest red color represents the highest priority for hydrogen stations locations within the station location area. These preference maps will be used to score all applications, including proposals for the non-road station set-aside.

The Energy Commission will use the station location area during scoring (Section XII). The Energy Commission will work with UCI to determine the GIS coordinates, which will identify which shade of red a station location is in and the driving time to the geographic locations of intersection.

Depending on funding levels, the Energy Commission may not be able to fund stations in all twelve of the station location areas listed in Table 2. See Section VI. for more information about the Commission award process.

Table 2. Station Location Areas
(in Alphabetical Order)

AREA
Anaheim
Beverly Hills/Westwood
Cupertino
Hollywood/West Hollywood/Melrose
Mission Viejo/Laguna Hills
Mountain View
Pasadena
San Diego (Del Mar)
San Francisco
Torrance/Redondo Beach
Westminster/Huntington Beach
Woodland Hills, Calabasas, Agoura Hills

In addition, applications should demonstrate that the applicant has considered the current network of existing and planned hydrogen fueling stations. Table 3 provides a list of existing and recently funded hydrogen fueling stations. Applicants should consider these existing and future stations when (i.) selecting their proposed station location area, (ii.) preparing their application, (iii.) responding to the market viability scoring criteria (C.2).

Table 3. Existing and Recently Funded Hydrogen Fueling Stations

Existing Stations
11576 Santa Monica Blvd, West Los Angeles, CA 90025
2051 W. 190th Street, Torrance, CA 90501
32505 Harry Oliver Trail, Thousand Palms, CA 92276
145 W. Verdugo Avenue, Burbank, CA 91510
1172 45th St., Emeryville, CA 94608
10844 Ellis Ave, Fountain Valley, CA 92708
19172 Jamboree Blvd, Irvine, CA 92612 (also listed as an upgrade, below)
1600 Jamboree Blvd., Newport Beach, CA 92660
Recently Funded Stations
1402 Santa Monica Blvd, Santa Monica, CA 90404
Veteran & Kinross, SW corner of campus, Westwood, CA 90095
11261 Santa Monica Blvd, Los Angeles, CA 90025
1004 S. La Cienega Blvd, Los Angeles, CA 90035 (Beverly Hills)
5230 Rosecrans Ave, Hawthorne, CA 90250
1131 Pacific Coast Highway, Hermosa Beach, CA 90254
25826 S Western Ave, Harbor City, CA 90710
19172 Jamboree Blvd, Irvine, CA 92612 (upgrade in development)
4162 Trabuco Rd, Irvine, CA 92620
Chevron Station, 30072 Crown Valley Parkway, Laguna Niguel, CA 92677
21865 E. Copley Dr, Diamond Bar, CA 91765
5151 State University Dr. Los Angeles, CA 90032
2816 West Capitol Ave, West Sacramento, CA 95691

Source for this data <http://cafcp.org/stationmap>

V. Payment of Prevailing Wages

Some projects under this solicitation might be considered public works pursuant to the California Labor Code. This section explains how to determine such projects. Further, this section provides information resources if the project involves public works and how the payment of prevailing wages applies to such projects.

1. Applicants must determine if the proposed project(s) involve(s) public works, and if so ensure that the project budget for labor reflects all prevailing wage requirements. The budget should indicate which job classifications may be subject to prevailing wage.
 - a. In order to determine if the proposed project(s) involve(s) public works, please contact the California Department of Industrial Relations (DIR) as advised in Attachment 8. For detailed information about prevailing wage and the process to determine if the proposed project(s) is a public work, see the Prevailing Wage Compliance Questions and Answers (Attachment 8).
 - b. If the Applicant is unsure whether the proposed project(s) involve(s) public works and has not received a determination from DIR that the project is not a public work, the Applicant is advised to prepare a budget assuming that prevailing wage laws apply.
2. If the project is a public work, payment of prevailing wages is required. The DIR has jurisdiction to decide whether a particular project is or is not a public work. If the project involves construction, alteration, demolition, installation, repair or maintenance work, it probably would be considered by DIR to be a public work. Examples of the activities that would probably lead DIR to find that the project involves public works include: cement work, site preparation such as grading, surveying, electrical work such as wiring, and carpentry work. Certain workers are entitled to prevailing wage, such as operating engineers, surveyors, carpenters, laborers, etc. However, other workers are not subject to State prevailing wage laws, such as design or pre-construction engineers or project superintendent who do not perform work on the projects.
3. If the proposed project is a public work, or is assumed to be a public work, the Applicant can contact DIR for a list of covered trades and the applicable prevailing wage. The Terms and Conditions for any agreement resulting from this solicitation will include the requirements for a public works project, such as paying prevailing wage, keeping payroll records, complying with working hour requirements, and apprenticeship obligations. See the sample terms and conditions, the Special Condition regarding Prevailing Wage Compliance (Attachment 6), and Prevailing Wage Compliance Certification Form (Attachment 7).

VI. General Statement on Method of Awarding

This solicitation is competitive. Applicants compete based on selection criteria and are scored and ranked based on those criteria. The Energy Commission will fund projects

with the highest scores. The following explains the process, generally, and Section XI. describes the process in greater detail.

1. Applicants will compete based on selection criteria and are scored and ranked based on those criteria.
2. To be eligible for funding, proposals must receive a score equal to or exceeding the minimum passing score specified in this solicitation.
3. Funds will be awarded to the highest scoring projects achieving a passing score, in order, until all funds available have been allocated. Once the highest scoring station in a particular station location area is selected (Table 2), all other stations proposed in that station location area will no longer be considered for funding except for (1) projects applying for the non-road set aside (co-location) (see section II.) or (2) in the case where the highest scoring station is removed from consideration. In cases where the two highest scoring applications in a particular station location area have the same score, the Evaluation Committee reserves the right to conduct an objective tiebreaker (e.g., coin toss or other objective method) to determine the winning application.”
4. The Energy Commission reserves the right to determine the final amount of funds awarded under this solicitation.
5. In the instance where funds available under this solicitation are insufficient to fully fund the next eligible grant application request, the Energy Commission reserves the right to provide partial funding. In this event, the Recipient and Commission Agreement Manager (CAM) shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.
6. Set-Aside Process: Proposals eligible for the set-aside(s) specified in this solicitation will initially compete separately from the proposals not eligible for the set-aside(s). Proposals will be scored, ranked and awarded. Once the set-aside funds have been awarded, the remaining unfunded proposals will compete for solicitation funding with all other proposals received under this solicitation.

VII. Solicitation Workshop

There will be one Pre-Application Workshop. Participation in this meeting is optional, but highly encouraged.

1. The Pre-Application Workshop will be held through in-person participation, WebEx, and conference call at the date, time and location listed below.

Please call (916) 654-4381 or refer to the Energy Commission's website at www.energy.ca.gov/contracts/index.html to confirm the date and time.

DATE: TBD

TIME: TBD

California Energy Commission
Hearing Room A
1516 9th Street
Sacramento, CA 95814

Presentations and audio from the meeting will be broadcast via our WebEx web conferencing system. To join the WebEx, the Energy Commission's on-line meeting service, please use the following instructions:

Computer Logon with a Direct Phone Number:

Please go to <https://energy.webex.com> and enter the unique meeting number

_____.

When prompted, enter your information and the following meeting password:

_____.

After you login, a prompt will appear on-screen for you to provide your phone number. In the Number box, type your area code and phone number and click OK to receive a call back on your phone for the audio of the meeting. International callers can use the "Country/Region" button to help make their connection.

Computer Logon for Callers with an Extension Phone Number, etc.:

Please go to <https://energy.webex.com> and enter the unique meeting number

_____.

When prompted, enter your information and the following meeting password:

_____.

After you login, a prompt will ask for your phone number. CLICK CANCEL.

Instead call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your screen after you login. International callers can dial in using the "Show all global call-in numbers" link (also in the top left area).

Telephone Only (No Computer Access):

Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the unique meeting number above. International callers can select their number from <https://energy.webex.com/energy/globalcallin.php>.

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239. Please be aware that the meeting's WebEx audio and on screen activity may be recorded.

Conference Call:

To participate in the meeting by phone, please call (866) 469-3239 by 10:00 a.m. Passcode: _____. Call Leader: **name**

VIII. Questions During the Solicitation Process

During the solicitation process, questions of clarification about this solicitation must be directed to the Grants Officer listed in the following section. You may ask questions at the Pre-Application Workshop, and you may submit written questions via mail, and electronic mail. However, all questions must be received by 5:00 pm on the date listed in Table 1, Key Activities and Dates table in Section I.

Question and answer sets will be e-mailed to all parties who attended the Pre-Application Workshop and provided their contact information on the sign-in sheet. The questions and answers will also be posted on the Commission's website at: <http://www.energy.ca.gov/contracts/index.html>.

Any verbal communication with a Commission employee concerning this solicitation is not binding on the State and shall in no way alter a specification, term, or condition of the solicitation. Therefore, all communication should be directed in writing to the Energy Commission's Grant Officer assigned to the solicitation.

Contact Information

(Insert name), Grants Officer
California Energy Commission
1516 Ninth Street, MS-18
Sacramento, California 95814
Telephone: (916) 654- **(insert phone #)**
FAX: (916) 654-4423
E-mail: **(insert e-mail)**@energy.ca.gov

IX. Application Format, Required Documents, Delivery, and Application Organization

This section contains the format requirements and instructions on how to submit an application. The format is prescribed to assist the Applicant in meeting State requirements and to enable the Energy Commission to evaluate each application uniformly and fairly. Applicants must follow all Application format instructions, answer all questions, and supply all requested data.

1. **Format:** All applications submitted under this solicitation must be typed or printed using a standard minimum 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred and tabs are encouraged; binder clips are also acceptable. Binders are discouraged.
2. **Number of Copies:** Applicants must submit an original plus 3 copies of the application.
3. **Total Number of Pages:** The total number of pages for an application form and statement of work shall not exceed 50. This excludes appendices and resumes.
4. **Electronic Copy:** Applicants must submit electronic files of the application on CD-ROM or USB™ memory stick along with the paper submittal. Only one CD-ROM or USB memory stick is needed. Electronic files must be in Microsoft Word XP (.doc format) and/or Excel Office Suite formats. Completed Budget Forms, **Attachment 5**, must be in Excel format. Electronic files submitted via e-mail will not be accepted.
5. **Packaging and Labeling:** The original and copies of the application must be labeled "Program Opportunity Notice **#TBD**," and include the title of the application. Include the following label information and deliver your application, in a sealed package:

Person's Name, Phone #
Applicant's Name
Street Address
City, State, Zip Code
FAX #

PON #TBD
NOT ACCEPTING APPLICATIONS
AT THIS TIME

6. **Method for Delivery:** An Applicant may deliver an application by:
 - U.S. Mail
 - In Person

- Courier service

7. **Submission Deadline and Restrictions:** Applications must be delivered **no later than 3:00 p.m.** to the Energy Commission's Contracts, Grants and Loans Office during normal business hours and prior to the date specified in this solicitation. Applications received after the specified date and time are considered late and will not be accepted. There are no exceptions. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

X. Application Requirements

Applications shall contain the elements listed in Table 4 and be organized in the following order:

Table 4. Application Requirements

<i>Element</i>	<i>Attachment Reference (if applicable)</i>
Application Form	Attachment 1
Table of Contents	N/A
Project Narrative	N/A
Scope of Work	Attachment 2. See Attachment 3 for Instructions.
Project Schedule	Attachment 4
Project Team/Resumes	N/A
Letter of Support from Station or Land Owner	N/A
Budget	Attachment 5
Match Share Commitment Letter(s)	N/A
Business Plan	N/A
CEQA Compliance Form	Attachment 9

Below are the specific instructions for each element:

A. Application Form

Applicants must include a complete and signed Application Form shown in Attachment 1. The proposal must include an original Application Form signed by an authorized representative of the Applicant's organization. This signature certifies that all information in the application is correct and complete to the best of the applicant's knowledge AND that the applicant has read the Terms and Conditions and will accept them without negotiation if awarded.

The Application Form also includes station location area and address and a project description (which should include project goals).

B. Project Narrative

The Project Narrative must include a detailed description of the proposed project, operational goals and objectives of the proposed project, and an explanation of how the proposed project:

- Addresses each of the scoring criteria described in Section XII, “Screening and Scoring Criteria” thereby providing sufficient, unambiguous detail so that reviewers and Evaluation Committee will be able to evaluate the proposal against each of the scoring criteria.
 - It is important that applicants provide sufficient detail for the Evaluation Committee to properly evaluate the proposal.
 - Applicants are advised to respond directly to each criterion, using the criterion title as the heading for each response.
- The applicant shall provide information about the potential for hydrogen fueling station upgrades (including sourcing the fuel), station capacity increase, and improvements in access to the station.
- The applicant shall provide a summary plan for demonstrating continuous ownership and operation of the station for a minimum of three (3) years after installation completion.
- The applicant shall provide a plan to assure proper training, and re-training over time as practicable for all operators of the station(s).
- Applicants shall refer to the Alternative and Renewable Fuel and Vehicle Technology Program, Cal. Code of Regs., Title 20, Section 3101.5(A),” and provide sufficient information in their application about the environmental implications of the proposed project including greenhouse gas emissions profile of the proposed project on a full fuel-cycle basis in accordance with the methodologies described in the August 2007 Full Fuel Cycle Assessment (CEC-600-2007-004-REV), or an alternative methodology approved by the Energy Commission. This information shall include an estimate of greenhouse gas emissions from indirect land use changes.
- Key personnel of the applicant’s staff and subcontractors’ who are to participate in the proposed project shall be identified in the application. Information as to who, among the Applicant staff and subcontractors, will be committed to the tasks shall be included. Further, descriptions of the Applicant staff’s roles in the proposed project shall be included.

- The applicant shall provide a current resume for all team members listed in the application, including job classification and description, relevant experience, education, academic degrees and professional licenses. See Section E. below.
- The applicant shall identify the percentage of time each team member will be available throughout the proposed project.
- The applicant shall provide a plan for the pathways they will use to purchase, produce, transport, and/or dispense renewable hydrogen, or how they plan to use credits that conform to the Air Resource Board Low Carbon Fuel Standard (LCFS) program.
- The application shall provide information about the potential greenhouse gas emissions of the proposed project, in grams of CO₂-equivalent per mega joule, total metric tons per annum, and total metric tons over the design life of the project compare with the appropriate petroleum baseline listed in the LCFS.

C. Scope of Work

Applicants must include a completed Scope of Work for the proposed project. Applicants must use the templates contained in Attachment 2. Instructions for completing the Scope of Work as well as a sample are included in Attachment 3. **Electronic files for the Scope of Work must be in MSWord™.** The description of activities proposed in the Project Narrative must conform to the Tasks described in the Scope of Work.

D. Project Schedule

The proposal must demonstrate that the station will be operational by October 30, 2014 and all project work scheduled for completion by April 30, 2015 which includes six months of data collection and reporting. Instructions for the Schedule of Products and Due Dates are included in the document template. **Electronic files for the Schedule of Products and Due Dates must be in MS Excel™.**

E. Project Team

1. Identify, by name, all key personnel assigned to the project, including the project manager, and clearly describe their individual areas of responsibility. The project manager is the one individual responsible for interacting with the Energy Commission Grant Manager on all issues relating to the overall project and coordinating all aspects of work under the project.
2. For each individual, include company, position title, job description, individual resume (maximum of two pages each), and contact information.

The contact information shall be complete so the Energy Commission is able to efficiently contact personnel.

3. Include a letter of commitment from every key project partner. The letter of commitment shall include complete contact information so the Energy Commission is able to efficiently contact the letter writer, as necessary.
4. Provide a list of relevant past projects, including project implementation dates and facility location. The application shall include detailed relevant technical and business experience that ensures the success of the proposed project.

F. Letter of Support from the Gas Station Owner

Applications must include a letter of support from the owner/operator of the site (gas station) where the hydrogen fueling station or upgrade project is proposed. The letter shall originate from the station owner / representative and shall declare their commitment to building a hydrogen fueling station (or implementing an upgrade) at their site in collaboration with the project developer.

G. Budget Forms

The Applicant must submit information on all of the attached budget forms, B-1 through B-6.

Table 5. Budget Forms

Budget Form	Attachment Number
Task Summary	Attachment 5.B-1a
Category Summary	Attachment 5.B-1b
Prime Labor Rates	Attachment 5.B-2
Labor Rates for Each Subcontractor	Attachment 5.B-2a-z
Prime Non-Labor Rates	Attachment 5.B-3
Non-Labor Rates for Each Subcontractor	Attachment 5.B-3a-z
Direct Operating Expenses	Attachment 5.B-4
Match Funding	Attachment 5.B-5
Loaded Hourly Rate Calculation	Attachment 5.B-6

Detailed instructions for completing these forms are included at the beginning of Attachment 5.

All budget forms contained in this solicitation will be used to develop the final agreement if selected for funding. Failure to fully or adequately complete the required budget forms will result in either a lower score or disqualification from this solicitation.

NOTE: The information provided in these forms will **not** be kept confidential after the posting of the Notice of Proposed Awards.

Proposed budgets must conform to the following requirements:

1. Rates and personnel shown must reflect rates and personnel that will be utilized in the funding agreement if selected for an award. The salaries, rates, and other costs entered on these forms become a part of the final agreement. Applicants must consider the entire term of the agreement and include projected rate increases (if applicable) when preparing the budget. The rates included in the proposal are the **maximum** rates allowed to be reimbursed under the resulting agreement. These rates will **not** be increased during the term of the agreement. Funding recipient shall only be reimbursed for their **actual** rates up to these rate caps. The hourly rates provided in all B-3s shall be unloaded rates and shall not include fringe benefits, any overhead/indirect costs, or profit.
2. All reimbursable project expenditures must be expended within the approved term of the funding agreement.
3. The Energy Commission highly recommends that all match share expenditures be incurred during the approved term of the funding agreement. However, selected funding recipients may choose to incur match share expenditures at their own risk once officially notified of an award through the publication of a Notice of Proposed Awards (NOPA) for this solicitation.
4. If the applicant has necessary hydrogen ancillary equipment such as central fill and trailers, the application shall include the details of the costs of ancillary equipment costs for two possibilities: (i.) if an individual station proposal is awarded and (ii.) if more than one station is proposed, the applicant shall include the cost of the ancillary equipment as if all stations are awarded.
5. The Budget should allow for the expenses of a Kick-off Meeting, at least one (1) Critical Project Review meeting, and a Final meeting. It is anticipated that meetings will be conducted at the Energy Commission located in Sacramento, CA.
6. Applicants must budget expenditures related to permits, insurance, etc. as match share expenditures. The Energy Commission will not reimburse applicants for costs related to permitting.
7. The Budget should allow for the preparation and submission of monthly/quarterly progress reports (2-3 pages each) during the approved term of the agreement, and a Final Report. Instructions for preparing the

Final Report are included in the Scope of Work and agreement Terms and Conditions.

8. The purchase of equipment (defined as items with a unit cost greater than \$5,000 and a useful life of greater than one year) with Energy Commission funds will require disposition of purchased equipment at the end of the project. Typically, Grant Recipients may continue to utilize equipment purchased with Energy Commission funds as long as the use is consistent with the intent of the original Grant Agreement. *There are no disposition requirements for equipment purchased with match share funding.*
9. The Budget must reflect estimates for **actual** costs to be incurred during the approved term of the project. The Energy Commission can only approve and reimburse for actual costs that are properly documented in accordance with the Grant Terms and Conditions.
10. The Budget must **NOT** include any profit from the proposed project, either as a reimbursed item or as match share. Please review the Grant Terms and Conditions for additional restrictions and requirements.

H. Match Share Commitment Letter(s)

For match share committed by a third-party (i.e., other than the match share committed by the Applicant), applicant must submit a letter of commitment from each match share partner identifying the source(s) and availability of match funding.

I. Business Plan

Applicants must provide a business plan which shows cash-flow projection over the duration of the Energy Commission-funded project, describing when the business is projected to break even. The plan shall include all assumptions.

The plan shall also include information about the maintenance procedures for the hydrogen fueling station, how personnel will be trained, and how the station will be monitored.

J. California Environmental Quality Act (CEQA) Compliance Information

Applicants must complete Attachment 9. The Energy Commission requires this information to assist its own determination of what level of environmental review is required under the California Environmental Quality Act (Public Resource Code Section 21000 et.seq). The Energy Commission must ensure that the appropriate level of environmental review under CEQA is complete prior to advancing a project to a Business Meeting for Commission approval. Thus, no award can be approved, nor can any grant be executed, until CEQA is satisfied.

Applicant must provide the following information as it pertains to the proposed project:

1. Proposed Station Location: Applicants must provide the specific address or equivalent locational information for the proposed station, equipment, fill system(s), and/or dispensing unit(s).
2. Permits: Applicant must identify the permits necessary for the project.
3. Project Impacts: Applicants must describe the potential or actual impacts the project may have on the surrounding environment.
4. CEQA Lead Agency: Applicants must identify the CEQA lead agency and include documentation demonstrating that contact has been made with the local agency with jurisdiction over the project for purposes of complying with CEQA. The documentation may be in the form of a letter from the local agency or a CEQA application to the local agency that is stamped as received by the local agency.

If the Energy Commission is the only agency with discretionary approval over the proposed project (e.g. the local agency does not consider the proposed activities a “project” for purposes of CEQA), then the Energy Commission will act as the lead agency and will work with the applicant after the release of the Notice of Proposed Award (NOPA) to ensure CEQA compliance.

If the Energy Commission is the lead agency for a proposed project, the applicant shall be responsible for all costs associated with preparation of environmental review documents (including, but not limited to, the costs to prepare an initial study and environmental impact report (EIR)). Applicant may also be required to retain a consultant to perform an initial study or other environmental studies. The Commission WILL NOT reimburse any applicant for these costs. If a project is proposed for an award, environmental review costs incurred after the release of the NOPA may be counted as the applicant’s match share.

5. CEQA Schedule: Applicants must provide the actual or estimated schedule for permitting and CEQA compliance.
6. Possible Categorical Exemption by the Local Agency: If a local agency has exempted the proposed project or if a local agency determines that the proposed project is not a “project” for purposes of CEQA, applicants must submit proof of such a determination to the Energy Commission either (1) with their application to this solicitation, or (2) within **60 days** after the release of the Notice of Proposed Awards (NOPA). If an applicant fails to timely submit the required documentation by the 60-day deadline,

the Energy Commission may cancel the proposed award and make an award to the next-highest scoring project.

If a local agency exempts a proposed project from environmental review, the applicant must provide information on why the project meets the applicable statutory or categorical exemption. The Applicant shall provide facts that support the lead agency's conclusion. For example, for a Class One Categorical Exemption (Cal. Code of Regs., Tit.14 § 15301), applicant should provide documentation showing that the project is located at an existing facility that involves negligible or no expansion of an existing use.

Ministerial or "Common Sense" Exemptions: If a local agency exempts a proposed project under the "ministerial" or "common sense" exemptions (Cal. Code of Regs., Tit. 14, § 15268 and § 15061, subd. (b)(3), respectively) the applicant shall provide details on whether the project meets some other statutory or categorical exemption. For example, applicants should not simply state that a renewable hydrogen project in the case of the Renewable Hydrogen Set-Aside is exempt under the common sense exemption.

7. Initial Study or Environmental Impact Report (EIR): If the local agency has not exempted the project, applicant shall explain whether the local agency is expected to prepare an initial study or EIR and the expected date of completion. Applicants must submit proof that the local lead agency has completed environmental review of its project and adopted a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report within **90 days** from the release of the NOPA. If an applicant fails to timely submit the required documentation by the 90-day deadline, the Energy Commission may cancel the proposed award and make an award to the next-highest scoring project.
8. Other Relevant CEQA Information: Applicant shall include any other relevant CEQA documentation or information that will assist the Energy Commission in confirming CEQA compliance.

NOTE REGARDING ENCUMBRANCE DEADLINES AND DISCLAIMER: The funds under this solicitation have strict encumbrance deadlines. The Energy Commission must complete environmental review under CEQA and approve each grant at a business meeting prior to the applicable encumbrance deadline. Thus, if a project cannot complete CEQA review in time to meet the applicable encumbrance deadline, **the Energy Commission reserves the right to cancel the proposed award and recommend funding the next highest scoring award that can meet the encumbrance deadline**, regardless of the applicant's diligence in submitting CEQA information and materials. Further, the Energy Commission is not liable for any costs incurred during environmental review or as a result of cancelling the proposed award.

XI. Application Evaluation

A. Stage One: Administrative and Technical Screening

Energy Commission staff will screen Applications for compliance with proposal requirements and the Grounds for Rejection in Sections XII and XIII. Applications that fail Stage One shall be disqualified and eliminated from further evaluation.

B. Stage Two: Technical Evaluation of Applications

The Energy Commission will organize an Evaluation Committee. Applications passing Stage One will be submitted to the Evaluation Committee to review and score the applications based on the Scoring Criteria in Section XII. utilizing the following process:

1. Initial Evaluation: Each application will be evaluated and scored based on their response to the information requested in this solicitation. The entire evaluation process from receipt of applications to posting of the Notice of Proposed Awards (NOPA) is confidential.
2. Clarification Interviews: During the evaluation and selection process, the Evaluation Committee may hold a clarification interview with an Applicant to be held either by telephone or in person at the Energy Commission for the purpose of clarification and verification of information provided in the application. However, these interviews may not be used to change or add to the contents of the original Application. Applicants will not be reimbursed for time spent answering clarifying questions.
3. Scoring Process: The total score for each Application will be the average of the combined scores of all Evaluation Committee members. A minimum of 70 percent is required for an application to be eligible for funding. See Section XII (B) for methodology. In cases where the two highest scoring applications in a particular station location area have the same score, the Evaluation Committee reserves the right to conduct an objective tiebreaker (e.g., coin toss or other objective method) to determine the winning application.
4. Set-Aside Ranking and Selection: Projects eligible to compete for set-aside funds will be ranked among themselves (within a given set-aside category). Projects will be recommended for set-aside funding based upon the highest passing score until set-aside funding is fully awarded. Passing applications that are not recommended funding through the set-aside competitions will compete for funding through the main ranking and selection process.

5. Main Ranking and Selection: All passing applications that are either not eligible for set-aside funds or did not receive set-aside funds under this solicitation will be ranked. Projects will be recommended for funding based upon the highest score. Once the highest scoring station in a particular Phase I Station Location is selected (Table 2), all other stations proposed in that Phase I Station Location will no longer be considered for funding with the previously stated co-location exemption, or in the case where the highest scoring station is removed from consideration.
6. Notice of Proposed Awards: Evaluation Committee award recommendations will be disseminated through the issuance of a Notice of Proposed Awards (NOPA). The NOPA will identify the applications recommended for funding, the recommended award amount, and the score and ranking of each proposal received under the solicitation. The Energy Commission will: 1) post the NOPA at the Energy Commission's headquarters in Sacramento; 2) post the NOPA on the Energy Commission's Website; and 3) will mail the NOPA to all parties that submitted an application under this solicitation.
7. Debriefings: Unsuccessful applicants may request a debriefing after the release of the NOPA. A request for debriefing must be received no later than 15 days after the NOPA is released.

XII. Screening and Scoring Criteria

A. Screening Criteria

Applications will first be screened in accordance with the Administrative and Technical Screening criteria listed in Table 6 below. Applications failing one or more of the screening criteria will be disqualified and will not be eligible for funding under this solicitation.

Table 6. Administrative/Technical Screening

Administrative Screening	Solicitation Section	Pass/Fail
Application is received by the Energy Commission's Contracts, Grants and Loans Office by the due date and time specified in the solicitation.	Section I-C	
Proposal does not contain false or intentionally misleading statements or references which do not support an attribute or condition contended by the Applicant.	Section XIII-J	
Attachment 1 (application form) is completed and signed by the Applicant's authorized representative.	Section X-A, Attachment 1	
The Application is not intended to erroneously and fallaciously mislead the State in its evaluation of the	Section XIII-J	

Application and the attribute, condition, or capability is a requirement of this solicitation.		
Application does not contain confidential information.	Section III-H	
Applicant proposes, discloses the source, and documents match share funds of at least 35% of total project costs.	Section III-F	
Application includes a letter of support from the gas station owner	Section X-F	

Technical Screening	Solicitation Section	Pass/Fail
The applicant is an eligible applicant.	Section III-A	
The applicant's key personnel have 3 years of experience designing, planning, constructing, testing, operating, or maintaining gaseous fueling stations	Section III-A	
Project is located in an existing fueling station and is publicly accessible. (Not applicable to projects to install hydrogen dispensing equipment for road application co-located with a non-road application hydrogen station).	Section III-B	
Project is an eligible activity.	Section III-B	
The station/dispenser capacity is at least 50 kilogram (kg) per day (nominal) with 20 kg per hour peak fueling capacity for stations.	Section III-C	
The station is able to dispense fuel at both 350 bar and 700 bar.	Section III-C	
The applicant states the proposed station will meet the intent of SAE TIR J2601, or equivalent, which will be tested according to CSA HGV 4.3, or equivalent.	Section III-C	
The station demonstrates at least 33% renewable hydrogen dispensing capacity or through credits that conform to the Air Resources Board Low Carbon Fuel Standard (LCFS) program credits.	Section III-C	
Proposal does not include more than one station.	Section III-D	

B. Scoring Methodology

Applications passing the screening criteria will proceed to be evaluated and scored by the Evaluation Committee.

The Energy Commission will evaluate and score each proposal based on the criteria below. Applicants are strongly encouraged to respond to each bullet point in the criteria. Each criterion will be scored by the individuals on the Evaluation

Committee on a basis of 0 to 10 points as shown in Table 7. The Evaluation Committee's scores will be averaged for each criterion and then multiplied by the corresponding weighting factor.

Table 7. Possible Points, Interpretation, and Scoring Explanation

Possible Points	Interpretation	Scoring Explanation
0	Not Responsive	Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
1-3	Minimally Responsive	Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
4-6	Inadequate	Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution.
7	Adequate	Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable.
8	Good	Response fully addresses the requirements being scored with a good degree of confidence in the applicant's response. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable.
9	Excellent	Response fully addresses the requirements being scored with a high degree of confidence in the applicant's response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations.
10	Exceptional	All requirements are addressed with the highest degree of confidence in the applicant's response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution.

For example, Project Implementation (Criterion 4) has a weight of 4. If the three members of the Evaluation Committee scored an application 7, 8, and 8 (in

accordance with Table 7 above), the average score would be $(7+8+8)/3=7.66$. This average score would be multiplied by the weighting factor, and the total points for that scoring criterion would be $7.66 \times 4 = 30.64$.

The resulting scores for the applicable criteria will be summed and divided by the maximum possible points to obtain a percentage. A minimum of 70 percent is required for an application to be eligible for funding.

C. Scoring Criteria

Applications advancing to the scoring round will be evaluated based on the scoring criteria specified in Table 8.

Table 8. Scoring Criteria

Scoring	Solicitation Section	Maximum Number of Points
1. Qualifications of Applicant/Project Team	Section XIII-1	40
2. Market Viability	Section XIII-2	20
3. Project Readiness	Section XIII-3	60
4. Project Implementation	Section XIII-4	40
5. Project Budget	Section XIII-5	60
6. Economic Benefits	Section XIII-6	20
7. Location According to STREET Maps	Section XIII-7	80
8. Location According to Intersections	Section XIII -8	40
9. Proposed Hydrogen Fueling Station Performance	Section XIII-9	20
10. Innovation	Section XIII-10	20
11. Sustainability	Section XIII-11	30

The specific elements evaluated in each scoring criterion follow:

1. Applicant/Project Team

Qualifications of the
 Weight: 4
 Maximum Points 40

 - The degree of the project team's qualifications including relevant expertise, experience, and skill sets as they apply to performing the tasks described in the proposed Scope of Work. Project teams with better qualifications will score higher.
 - Demonstrated ability to work, as a team player, in a technical team that strives to meet technical objectives.
 - Demonstrated ability to work with the current hydrogen fueling technology or other gaseous fuels.

- Demonstrated ability to meet deadlines and milestones of large scale fueling projects.
 - Demonstrated ability in logistics management that is relevant to a hydrogen fueling station.
 - Demonstrated ability to transition research and development techniques and apply them with a hydrogen fueling station for commercialization.
- The amount and success of the project team's recently completed work as it relates to the Scope of Work of the application.
 - Knowledge and understanding, demonstrated by specific examples of past projects, of the State of California's overall hydrogen fueling infrastructure and how the proposed hydrogen fueling station works within the infrastructure.

2. Market Viability

Weight: 2
Maximum Points 20

- Degree to which the proposed station's capacity and cost (including fuel pathway) is suitable for the proposed station location over time. Stations with capacities and costs more suitable to their proposed station location will score higher.
- Degree to which the hydrogen fueling stations will work with existing and planned fueling stations in Table 3. Stations with a greater impact in terms of being able to service the consumer, to be able to reliably meet the fill needs for the demand of vehicles, and exhibit a plan for viable, continuous improvement to service the consumer and meet the fill needs will be scored higher.
- Degree to which the business plan describes the business opportunities and business climate. Further, the extent to which the business plan includes the anticipated cost to the customer per kilogram of each station's operation for three to five years after the after station installation. Applicants with a more complete and stronger business plan will score higher.

3. Project Readiness

Weight: 6
Maximum Points 60

- Degree to which the proposal demonstrates that the project is consistent with existing zoning. Projects located in areas that already allow the proposed use will be scored higher.
- Degree to which permitting that may be required for the project has been completed and the permitting schedule ensures successful project completion within the timeframes specified in this solicitation. Projects with existing permits and / or submitted permit applications will be scored higher.
- Degree to which the project has progressed in obtaining compliance under the California Environmental Quality Act (CEQA). Projects in the process of CEQA review, or those that have completed CEQA review will be scored higher.
- Degree to which the proposed project schedule is reasonable and installation can be complete on or before October 30, 2014. Projects that can be installed more quickly will score higher.
- Extent of outreach to the community ,including fire marshals, to educate the public about the potential hydrogen fueling facility.
- The date and type of communication and discussions with fire marshals and first responders about the dispensing, storage, transport, and use of hydrogen fuel and the degree to which operational data is accessible by emergency response call centers. Applicants with a more thorough plan will be scored higher.
- The degree to which correspondence demonstrates that the gas station site's representative has committed to operating the hydrogen fueling station.

4. Project Implementation

Weight: 4
Maximum Points 40

- Degree to which application demonstrates lease or access rights to proposed station property. Stations where lease or access rights and generally cooperation and commitment by the station owner are more strongly demonstrated, through written documentation, will score higher.
- Degree to which the station provider will implement a maintenance plan. Agreements that cover station maintenance for at least 3 years, include response to station maintenance/service issues within 12 hours and a 24-hour, toll-free service telephone will be scored higher.

- Degree to which the applicant provides a plan to assure proper training and retraining over time, as practicable, for all station operators.
- Degree to which the station provider will implement procedures needed for high “up-time” that meets fill requests. Applications that describe procedures to support station “up-time” will be scored higher.
- Degree to which the station provider will implement procedures to monitor the station. Applications that describe procedures to monitor the station will be scored higher.
- Degree to which the proposal demonstrates that the proposed project will be completed in an effective and efficient manner.
- Degree to which the schedule, sequence of tasks, and appropriate objectives of the proposed project are clear, complete, and logical.
- Degree to which the project implementation plan is complete and includes plans to implement the data collection requirement as described in this solicitation. More completely planned projects that demonstrate a higher degree of potential success for project implementation will score higher.
- The development of a training documentation including updates that lead to continuous improvement so the station operates at full potential.

5. **Project Budget**

Weight:6
Maximum Points 60

- Of the ten points available under this criterion, two will be allocated based on the average loaded rates (ALR) for project labor and scored as follows:
 - ALR \$0.00-\$50.00: 2 Points
 - ALR \$50.01-\$100.00: 1 Points
 - ALR \$100.01+: 0 Points
- The average cost per kg of hydrogen dispensed for the proposed station shall be included in the application’s project budget. The Energy Commission Cost Share for a proposed station will be

divided by the daily capacity (kg) for the proposed station. Stations with a lower Energy Commission cost per kg will be scored higher.

- The degree to which the proposed station's project budget and cost are reasonable and suitable for the station's capacity.
- The degree to which the proposed match share exceeds the minimum match share requirements specified in the solicitation. Proposals with higher match share percentages and commitments will score higher.
- The degree to which state funds are necessary for the installation of the proposed project. Stations that articulate a greater need for state funds will be scored higher.

6. Economic Benefits

Weight: 2
Maximum Points 20

- The degree to which the proposed project will expand business opportunities for California-based businesses. Proposals that provide greater California economic benefits will score higher.
- The quantity, skill level(s), and locations of temporary and/or permanent jobs created as a result from the proposed hydrogen fueling station.
- Tax impacts from the station and the jobs created.

7. Location According to STREET Maps

Weight: 8
Maximum Points 80

- Using the STREET maps in Attachment 11, priority will be determined based on the following:
 - Darkest red (Highest Priority) – 10.0 points
 - One shade lighter red – 8.0 points
 - Two shades lighter red – 6.0 points
 - Three shades lighter red – 4.0 points
 - Four shades lighter red – 3.0 points
 - Lightest red – 2.0 points
 - White (Lowest Priority)– 1.0 points

- Outside the STREET map boundaries – 0.0 points

8. Location According to Intersections:

Weight: 4
Maximum Points 40

- The degree to which the proposed hydrogen fueling station demonstrates the station will be in the shortest drive time to the geographic intersection(s) identified in Attachment 11.

Proposed stations located closest to the geographic intersection(s) in terms of shortest drive time will be scored higher than stations with a longer driving time from the intersection, as follows.

- 0 to 3.0 minutes drive time to the intersection – 10.0 points
- 3.1 to 4.0 minutes drive time to the intersection – 5.0 points
- 4.1 to 5.0 minutes drive time to the intersection - 3.0 points
- More than 5 minutes drive time to the intersection – 0.0 points

9. Proposed Hydrogen Fueling Station Performance

Weight: 2
Maximum Points 20

- The degree to which the proposed station exceeds the minimum daily capacity (50 kg/day) and peak fueling rate (20 kg/hour). Projects that exceed the minimum capacity and peak fueling rate will score higher.
- The average daily station capacity (kg/day) shall be the total kg of hydrogen that can be delivered to 7 kg-capacity vehicles according to the SAE TIR J2610 Fueling Protocol over a 12 hour period. Proposals capable of delivering more kg of hydrogen per day will be scored higher than those delivering less.⁴ For purposes of evaluation, 140 kg per day is considered average.
- The degree to which the proposed station has the ability to serve the expected daily traffic count (DTC) or the amount of vehicles passing the station per day, per week, or for the time period during which the planned

⁴ Society of Automotive Engineers International (SAE) Technical Information Report (TIR) J2601-2011, Fueling Protocols for Light Duty Gaseous Hydrogen Surface Vehicles. www.sae.org

station will remain open and has higher average number of fills over both a one hour and 12-hour period. Projects demonstrating an ability to service expected DTC will be scored higher.

- The degree to which proposed station provides retail-like characteristics, some of which could be:
 - Lighting.
 - Unobstructed ingress/egress to the fueling facility.
 - Directional signage to the nearest thoroughfare.
 - Attended by a person, when a notice is received of this need.
 - Inclusive of a self-serve, menu-driven dispenser that does not require Personal Protection Equipment (PPE).
 - Meets the local permitting requirements for public fueling stations.
 - Provides customer experience for fueling comparable to the existing gas station where the hydrogen fueling station is proposed to be located.

Stations with more, effective retail-like characteristics such as those described above will be scored higher.

- The number of vehicles that can be filled with hydrogen, simultaneously. Stations that can fill greater numbers of vehicles simultaneously will score higher.

10. **Innovation**

Weight: 2
Maximum Points: 20

- The degree to which the proposed project includes innovations or advanced features. Examples of innovations include, but are not limited to:
 - Unique or advanced features of the project or hydrogen fueling station technology.
 - How the project supports the development of a hydrogen fueling infrastructure system in California that is more cost-efficient, more capable of meeting users' needs, and/or more capable of utilizing renewable hydrogen. Applications that exceed 33% renewable hydrogen through direct physical pathways or through credits that conform to the Air Resource

Board Low Carbon Fuel Standard (LCFS) will be scored higher.

- The design and capability of the hydrogen station to scale up (“scalability”) or otherwise adapt as demand for hydrogen fuel increases.
- Station expands the use to multiple vehicle and application types including co-located retail and non-retail, and non-road applications (i.e., forklifts in warehousing and distribution centers and airport ground support equipment).
- Station uses independent hoses that work with one dispenser.

11. Sustainability

Weight:3
Maximum Points 30

- The degree to which the proposed project helps to achieve substantial reductions of greenhouse gas emissions associated with California’s transportation system to help meet the California Air Resources Board's identification of the statewide greenhouse gas emissions limit to be achieved by 2020 (which can be found at <http://www.arb.ca.gov/cc/implementation/implementation.htm>).
- Applicants shall quantify the potential greenhouse gas emissions reductions (percent reduction) of the proposed project in grams of CO2-equivalent per mega joule, total metric tons per annum, and total metric tons over the design life of the project compared to the greenhouse gas emissions reductions of the appropriate petroleum baseline listed on the Low Carbon Fuel Standard website. Applications with greater greenhouse gas emissions will be scored higher.

<http://www.arb.ca.gov/fuels/lcfs/lcfs.htm>
- Applicants are encouraged to refer to the [Alternative and Renewable Fuel and Vehicle Technology Program](#) Regulations in 3101.5 of Title 20 the California Code of Regulations.

XIII. Administrative/Miscellaneous Issues

A. Definition of Key Words

Important definitions for this solicitation are presented below:

Word/Term	Definition
APEP	Advanced Power Energy Program
Applicant	Respondent to this solicitation
Application	Formal written response to this document from Applicant
ARFVT	Alternative and Renewable Fuel and Vehicle Technology
CAM	Commission Agreement Manager
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CSA	Canadian Standards Association
DTC	Daily Traffic Count
EERE	Energy Efficiency and Renewable Energy
EIR	Environmental Impact Report
Energy Commission	California Energy Commission
FCV	Fuel Cell Vehicle
GIS	Geographic Information Systems
GO	Grants Officer
HFT	Hydrogen Fueling Technology
HGV	Hydrogen Gas Vehicle
HICEV	Hydrogen Internal Combustion Engine Vehicle
LCFS	Low Carbon Fuel Standard
NOPA	Notice of Proposed Awards
OEM	Original Equipment Manufacturer
SAE International	Society of Automotive Engineering International
State	State of California
STREET	Spatial and Temporally Resolved Energy and Environment Tool
TIR	Technical Information Report
U.S. DOE	U.S. Department of Energy
UCI	University of California Irvine

B. Cost of Developing Application

The Applicant is responsible for the cost of developing an application, and this cost cannot be charged to the State.

C. Confidential Information

No confidential information will be accepted either through the application process or through the implementation of the grant award. Applications containing or proposing to deliver confidential information will be returned without consideration.

The entire evaluation process from receipt of applications until the posting of the Notice of Proposed Award is confidential. However, applications and all submittals will become public records after the Energy Commission completes

the evaluation and/or scoring process and the Notice of Proposed Awards is posted, or this solicitation is cancelled.

D. Solicitation Cancellation and Amendments

It is the policy of the Energy Commission not to solicit proposals unless there is a bona fide intention to award an Agreement. However, if it is in the State's best interest, the Energy Commission reserves the right to do any of the following:

- Cancel this solicitation.
- Revise the amount of funds available under this solicitation.
- Amend this solicitation as needed.
- Reject any or all Applications received in response to this solicitation.

If this solicitation is amended, the Energy Commission will send an addendum to all parties who requested the solicitation and will also post it on the Energy Commission's website at www.energy.ca.gov/contracts.

E. Errors

If an Applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the solicitation, the Applicant shall immediately notify the Energy Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the solicitation, without divulging the source of the request for clarification. The Energy Commission shall not be responsible for failure to correct errors.

F. Modifying or Withdrawal of Application

An Applicant may, by letter to the Contact Person at the Energy Commission, withdraw or modify a submitted Application before the deadline to submit applications. Applications cannot be changed after that date and time. An Application cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the solicitation: "This application and the cost estimate are valid for 60 days."

G. Immaterial Defect

The Energy Commission may waive any immaterial defect or deviation contained in an Applicant's application. The Energy Commission's waiver shall in no way modify the application or excuse the successful Applicant from full compliance.

H. Disposition of Applicant's Documents

On the Notice of Proposed Award posting date, all applications and related material submitted in response to this solicitation become a part of the property of the State and become a public record. Applicants who want any work examples they submitted with their applications returned to them shall make this request and provide either sufficient postage or a Courier Charge Code to fund the cost of returning the examples.

I. Applicants' Admonishment

This solicitation contains the instructions governing the requirements for a firm quotation to be submitted by interested Applicants, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Applicant responsibilities. Applicants must take the responsibility to carefully read the entire solicitation, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the solicitation are followed and appropriately addressed, and carefully reread the entire solicitation before submitting an application.

J. Grounds to Reject an Application

An Application shall be rejected if:

- It is received after the due date and time specified in this solicitation.
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Applicant.
- The Application is intended to erroneously and fallaciously mislead the State in its evaluation of the Application and the attribute, condition, or capability is a requirement of this solicitation.
- The Application does not contain a letter of support from the gas station owner.
- The Application contains confidential information.
- The Application does not disclose the source, and document match share funds of at least 35% of the total project costs.
- The Attachment 1 (Application Form) is not signed by the Applicant's authorized representative.
- The applicant is not eligible to apply under this solicitation.
- The applicant's key personnel do not have 3 years of experience designing, planning, constructing, testing, operating or maintaining gaseous fueling stations.
- The project is not an eligible activity.
- The Project is not located in an existing fueling station or is not publicly accessible. (Not applicable to projects to install hydrogen dispensing equipment for road application co-located with a non-road application hydrogen station).
- Project does not meet the technical requirements.

An Application may be rejected if:

- It is not prepared in the format described.

- It does not literally comply or contains caveats that conflict with the solicitation and the variation or deviation is not material, or it is otherwise non-responsive.
- The budget forms are not filled out correctly or completely.
- The Application is not complete because it does not contain all of the information identified in the application requirements.

K. Agreement Requirements

The content of this solicitation shall be incorporated by reference into the final agreement. See the sample agreement Terms and Conditions which are included in this solicitation (Attachments 12 and 13).

The Energy Commission reserves the right to negotiate with Applicants to modify the project scope, the level of funding, or both. If the Energy Commission is unable to successfully negotiate and execute a funding agreement with an Applicant, the Energy Commission, at its sole discretion, reserves the right to cancel the pending award and fund the next highest ranked eligible project.

The Grant Agreement will be scheduled and heard at an Energy Commission Business Meeting for approval.

Public agencies that receive funding under this solicitation must provide an authorizing resolution approved by their governing authority to enter into an Agreement with the Energy Commission and designating an authorized representative to sign.

The Energy Commission will send the approved Grant Agreement, including the general Terms and Conditions and any additional terms and conditions, to the grant recipient for review, approval, and signature. Once the grant recipient signs, the Energy Commission will fully execute the Grant Agreement. Recipients are approved to begin the project only after full execution of the Grant Agreement.

L. No Agreement Until Signed and Approved

No agreement between the Energy Commission and the successful Applicant is in effect until the agreement is signed by the Recipient, approved at an Energy Commission Business Meeting, and signed by the Energy Commission representative. The Energy Commission reserves the right to modify the award documents prior to executing the Agreement.

M. Agreement Amendment

The agreement executed as a result of this solicitation will be able to be amended by mutual consent of the Energy Commission and the Recipient. The agreement may require amendment as a result of project review, changes and additions, changes in project scope, or availability of funding.