

James Richmond
President
First Note Finance Inc.

Cal-Shape home page

<https://www.energy.ca.gov/programs-and-topics/programs/california-schools-healthy-air-plumbing-and-efficiency-program>

This is the Cal-Shape Registration and Application page

<https://calshape.energy.ca.gov/Account/Login>

Ventilation program guidelines document:

<https://www.energy.ca.gov/publications/2021/california-schools-healthy-air-plumbing-and-efficiency-ventilation-program>

The supporting AB-841 legislation is here:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB841

Your schools qualify as underserved.

The AB-841 Cal-Shape stimulus grant program began taking Plumbing fixture grant applications online on Aug. 31st. We are anticipating the Ventilation Study grant applications by the end of this month (Sept. 2021).

The application instructions have made requirements for the following attachments that will have to be signed by your school and returned to us, then uploaded along with your Ventilation program application. Additionally, we have attached an Addendum to our Prop-39 Independent Contractor Agreement that will need to be signed as well.

ACTION ITEMS: Documents needed to submit application

1. Proof of ownership or complying lease (*not attached – you will need to attach yours back to us*)
2. Certificate of Good Standing – Charter Schools only
3. Letter of authorization – third-party applicants only
4. Payee Data Record – STD 204
5. Addendum to FNF Independent Contractor Agreement

We recommend working with EMCOR Services on the Ventilation study. EMCOR has an engineering division and a contracting division. The Program Guidelines do not require competitive bids, and the Public Works requirements have been waived by Governor Newsom due to Covid, however, some of our school clients have internal procurement rules that do require competitive bids.

(Note: If your school has more specific procurement requirements than this, we will try to accommodate those additional procurement requirements after the applications have been submitted, preferably at the front of the line. The funding goes first-come, first-served, and the funds for Tier-1 schools are somewhat limited. We are unfortunately pressed for time on this.)

Some of you may have questions such as how much money is the grant going to be? We are working on that now with the contractors, and will be better be able to answer that question accurately for each of your schools in the coming days as we receive the contractor estimates. In the meantime, it will be very important to complete the ACTION ITEMS 1-5 above. It will be impossible to submit an application without having received these signed forms back from you. *(I anticipate a ventilation grant for AIM about \$50K, which would include the professional ventilation study, as well as installation of CO2 monitors in each classroom, and our development, management, and reporting fee.)*

ATTACHMENT 8B

Certificate of Good Standing for Charter School Applicants

_____ [AUTHORIZER]
CERTIFICATE OF GOOD STANDING

The undersigned, on behalf of _____ [AUTHORIZER], hereby certifies that the statements contained herein with respect to _____ [SCHOOL] ("School") are true and correct in all material respects on and as of the date hereof, unless otherwise noted below:

1. The School is operating pursuant to a valid active charter, the charter has not been abandoned, and the School is authorized to exercise all of its rights and privileges under its charter.
2. Neither the Authorizer, nor to Authorizer's knowledge has any other governmental agency or body, issued any Notice of Violation, Notice to Cure, Notice of Intent to Revoke, Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety, or any similar notice (collectively "Disciplinary Action"), with respect to the School, nor is the Authorizer aware of any circumstances that exist that would give rise to any Disciplinary Action. Nothing herein shall be interpreted as limiting or prohibiting the Authorizer from taking any Disciplinary Action.
3. To Authorizer's knowledge, the School is not currently and has not been within the last three years, under review, investigation or audit by the Authorizer or any other governmental agency or body (e.g., FCMAT, CDE, SBE).
4. Starting Date of charter _____
Ending Date of charter _____
5. If any of the above statements is untrue or incorrect in any material respect, please describe:

[AUTHORIZER]

By: _____

Name: _____

Title: _____

Date: _____

ATTACHMENT A

Letter of Authorization for 3rd Party Applicant

_____ [SCHOOL]
LETTER OF AUTHORIZATION

The undersigned, on behalf of _____ [SCHOOL], hereby authorizes James Richmond of First Note Finance *inc*, a California corporation [CONSULTANT], the limited authority to apply on the SCHOOL's behalf for the California AB-841 *Cal-Shape* stimulus grants on the SCHOOL's behalf, including grants for the SNPFA Plumbing Replacement Program, and the SRVEVR Ventilation Improvements Program for school re-opening.

This limited authority is provided for and governed by an Independent Contractor Agreement between the SCHOOL and the CONSULTANT.

If/when such grants are subsequently awarded to the SCHOOL, the SCHOOL may grant additional limited authority to CONSULTANT to provide SCHOOL with additional management services related to the implementation of the work funded by the grant programs.

Such additional limited authority is provided for and governed by an Independent Contractor Agreement between the SCHOOL and the CONSULTANT.

[SCHOOL]

By: _____

Name: _____

Title: _____

Date: _____



Addendum to
INDEPENDENT CONTRACTOR AGREEMENT
For AB-841 Stimulus Grant Development and Management Services

Between:

American Indian Model Schools
and First Note Finance inc

ICA Agreement Date: April 11, 2017

Today's Date: September 10, 2021

The Prop-39 INDEPENDENT CONTRACTOR AGREEMENT provides for a fundraising and financing development fee of 6.5%.

FUNDRAISING DEVELOPMENT FEE (6.5%)

First Note Finance inc (FNF) has surveyed the Plumbing Fixtures and HVAC Systems for the LEAs listed above. FNF will apply for California Energy Commission AB-841 Stimulus grants on behalf of the LEAs, under programs called SEES and/or CAL-Shape. There are two applications: 1) the SNPFA Program for plumbing fixture replacements, and 2) the SRVEVR Program for HVAC Ventilation study and improvements related to schools re-opening. The LEAs agree to compensate FNF on a performance basis, a fixed-fee equivalent of 6.5% of the AB-841 grant funding secured for the schools. (See Exhibit AB-841, pp.2, for Price and Payment terms, milestones and deliverables.)

PROJECT IMPLEMENTATION MANAGEMENT SERVICES FEE (7.5% - optional)

Project Implementation Management Services are not included in the 6.5% fundraising development fee. If the schools would like FNF to provide Project Implementation Management Services, FNF will apply an additional fee of 7.5% for Project Implementation Management Services based on quarterly project progress milestones. (See Exhibit AB-841, pp.2, for Price and Payment terms, milestones and deliverables.)

_____ Initial here if (optional) *Project Implementation Management Services* are wanted

The LEA(s) listed above hereby authorize First Note Finance *inc* as an independent 3rd Party provider of the services described herein, and authorizes First Note Finance *inc* to develop the described AB-841 grant funding on its behalf. If no funding is developed and awarded to the LEA under the AB-841 program, the LEA will owe nothing to First Note Finance *inc*.

Other applicable terms of the Prop-39 INDEPENDENT CONTRACTOR AGREEMENT remain in effect.

Agreed on this _____ day of _____, 2021.

First Note Finance *inc*

American Indian Model Schools

By: James Richmond

By: Maya Woods-Cadiz

(signature)

(signature)

Addendum to
 INDEPENDENT CONTRACTOR AGREEMENT
 For AB-841 Stimulus Grant Development and Management Services
 (continued)

**Exhibit AB-841
 Price and Payment Terms**

PROGRAM	FUNDRAISING DEVELOPMENT FEE	PROJECT IMPLEMENTATION MANAGEMENT FEE
AB-841 Cal-Shape SNPFA Plumbing Fixtures and Appliances Replacement Program	6.5%	7.5%
AB-841 Cal-Shape SRVEVR Ventilation Study and Improvements Program	6.5%	7.5%

#	Milestone / Deliverable	Included in FUNDRAISING DEVELOPMENT FEE (6.5%)		Included in PROJECT IMPLEMENTATION MANAGEMENT FEE (7.5%)	
1	Site Survey / Plan Review	YES	No cost to LEA	NO	
2	Develop Equipment List				
3	Solicit Contractor Estimates				
4	Prepare Grant Applications				
5	Secure Grant Awards on behalf of LEA	YES	75% progress		
6	Quarterly Reports to CEC	YES	5% progress per Quarter to 100% completion		
7	Assist LEA with Periodic Reimbursement Invoices to CEC & Funds Disbursement	YES			
8	Coordinate Project and Contractor Schedules	NO		YES	20% progress per Quarter to 90% progress
9	Review Contractor Invoices and Verify Work Progress, Secure Contractor Paperwork and Lien Releases			YES	
10	Site Inspections and Punch Lists Items Management			YES	
11	Amendments			YES	
12	Final Reports to CEC			YES	

Payment terms are net-30 days upon receipt of Invoices.