



**Memorandum of Understanding  
Midwest Region Alternative Fuels Project, DE-EE0002538**

This Memorandum of Understanding (“MOU”) dated February 19, 2013, documents the intentions of Metropolitan Energy Center, a Missouri non-profit corporation with offices located at 3810 Paseo Blvd, Kansas City, MO 64109 (“MEC”) and City of Lawrence, Kans., with offices located at 6 East 6<sup>th</sup> St., Lawrence, KS 66044 (“City”) to work together in collaboration on projects related to compressed natural gas fleet deployments.

WHEREAS, MEC holds a contract with the U.S. Department of Energy (DOE) for deployment of alternative fuel vehicles and refueling equipment in the Midwest, through the Midwest Region Alternative Fuels Project, DOE Award DE-EE0002538, funded by the American Reinvestment and Recovery Act (EE0002538); and

WHEREAS, MEC has contracted with the City to deploy, monitor, and report usage data for alternative fuel vehicles under E0002538 (Agreement); and

WHEREAS, the City requests additional funds to support new compressed natural gas (CNG) alternative fuel deployments in consideration of its required cost share of \$213,000 (Project); and

WHEREAS, MEC wishes to fund the City’s CNG Project with up to \$99,000 from EE0002538, so long as the City agrees to provide required cost share of \$213,000; and

Now, THEREFORE, MEC and the City enter into an MOU for the proposed work, wherein:

1. MEC will set aside up to \$99,000 for the City’s Project until April 16, 2013, when the City will either commit to the Project or release the funds.
2. Whereupon, if the City commits to the Project, the parties will enter into a binding amendment to their Agreement to complete the Project under the terms of MEC’s agreement with DOE.
3. Or, if the City cannot commit to the Project, monies set aside will be immediately forfeited by City and assigned to another project under EE0002538.

**History and Purpose of Funds**

The City has satisfactorily fulfilled its responsibilities to date under EE0002538, and MEC was pleased to offer partial funding to the City’s application for support of its new alternative fuel Project. The City’s budget will not allow the Project to go forward with the partial funding offered by MEC on February 5, 2013; however, MEC desires to work out the existing funding gap between its offer and the City’s budget constraints, so that the City can achieve its deployment goals and MEC can continue to invest in regional efforts to support the alternative fuels marketplace and contribute to corridor development. MEC has since increased its offer to the \$99,000 stated herein, but in return requires a commitment that the fueling system purchased with the funds is substantially permanent.

The long range goal of the Project is not only a demonstration of CNG deployment in the City’s fleet but also to establish a substantially permanent CNG fueling system that will last longer than a 2-year demonstration period and provide long-term backup refueling support should the CNG deployment program expand beyond its capabilities as a primary fuel system.

**Roles and Responsibilities, Timeline**

1. The City will immediately conduct a request for proposal and other research required to determine clear costs for a substantially permanent fueling system.
2. By Friday, March 29, 2013, the City will re-submit for MEC’s review a revised budget and project plan, which MEC will respond to as quickly as possible but by Friday, April 5, 2013.
3. On Tuesday, April 16, 2013, the City council will evaluate the revised project and either reject or accept the funding at that time.

We, the undersigned, have read and agree with this MOU.

By \_\_\_\_\_  
 Robert Housh, Executive Director  
 Metropolitan Energy Center  
 Date \_\_\_\_\_

By \_\_\_\_\_  
 David L. Corliss, City Manager  
 City of Lawrence, Kansas  
 Date \_\_\_\_\_