



## Staff Report Item 6

**TO:** East Bay Community Energy Board of Directors

**FROM:** Bruce Jensen, Alameda County Community Development Agency (CDA)

**SUBJECT:** Informational Item – County Staff Updates

**DATE:** February 15, 2017

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### **Staff Recommendation**

Accept Staff Reports on update items below.

#### **Multiservices Bid Challenge Status**

Each of the bids for the three Service Categories described in the RFP No. 16-CCA-1, Multiservices, have been protested or appealed by a non-winning bidder, and County Staff is following the procedure established and described in the RFP to process these protests. The Board may recall that the Service Categories included:

- SC-1: Energy and Technical Services
- SC-2: Community Outreach, Marketing and Customer Notification
- SC-3: Data Management and Call Center Services

County Staff at our General Services Agency has advised us that, in cases where bid scores are calculated to be very close, as they have been here, protests and appeals to the winning bids and scores are common; thus, the challenges we are experiencing are not unusual.

Staff will process these protest / appeals as expeditiously as possible, and we will report out to your Board as soon as possible; however, the result of the protest process will be that these contracts will not be heard by the Alameda County Board of Supervisors by our original date of February 21; our goal is to complete the appeals in time to have them on the Board of Supervisors' agenda by March 7. In any case, this delay in hiring the Service Category 1 vendor will also make draft composition of the EBCE Implementation Plan by early April unattainable, and the 90-day CPUC review and certification timeline associated with the delay of this required document will make a 2017 program launch highly unlikely.

#### **Implementation Timeline (Gantt Chart)**

Staff received a request from Director Pilch for a Gantt Chart for the EBCE launch timeline. A Gantt Chart tracks in very granular detail the work expected to be completed in certain periods of time in relation to the ultimate end date for project delivery. Staff and the consultant team have prepared such charts for our internal use and for the Steering Committee on a few occasions, and we can do so again.

However, as noted above, the timing of several key actions and events is currently in flux. Staff requests that the Board permit us to allow these events to play out before we revise the chart again, lest it become obsolete rather quickly. Staff will present some slides on this matter and will bring a fully updated timeline/gantt chart to its next meeting.

#### Local Development Business Plan (LDBP) Bid Status

The Board will recall from last month that County Staff had initiated the procurement process for the LDBP vendor teams. Since that time, Staff has received bids from five (5) qualified vendors, and has assembled a County Selection Committee (CSC) consisting of five interested persons, four of which served on the Steering Committee and one of which assisted in creating the scope of work for the LDBP RFP. The CSC includes a representative of Local Clean Energy Alliance, City of Fremont Staff, a representative of CWA, a resident of Oakland and employee of Marin Clean Energy, and an individual whose advocacy includes many vital organizations.

The list of qualified bidder teams includes the following:

- ALH Economics
- Raimi & Associates
- Strategen Consulting (the only bidder with no Small, Local or Emerging Business [SLEB] inclusion, would require a SLEB waiver)
- Energy Resources Integration (ERI)
- DNV-GL (KEMA, Inc.) (Non-SLEB, but has a SLEB subcontractor at the required 20%)

All of the bids came in at costs just below the stated cap of \$500,000. Interviews for this RFP are on track for Thursday, February 16, 2017. As required by the JPA Agreement and RFP, the goal is to have this document completed by October 30, the 8-month anniversary of your Board's first meeting. Staff will keep the Board updated on the procurement process and critical tasks of the LDBP as they happen.

#### Community Advisory Committee (CAC) Update

Staff has begun the task of collecting nominations for the CAC. The final self nomination form is attached, and has been sent out to the entire EBCE mailing list of well over 1,000 individuals. We are collecting these nominations through February 21, after which we will put the names and general qualifications into a matrix for the 5-person CAC Selection Committee appointed by your Board last month. We will also work with the Board subcommittee to craft a CAC scope for approval by the full Board at its March meeting.

#### Board Committees and Subcommittees

A few EBCE Board members inquired about the possibility of additional committees and subcommittees of the Board to assist in certain task areas. Staff recommends that, for now, we focus on getting the Community Advisory Committee up and running before developing any new formal committees. We will also consider the creation of short-term, ad hoc committees as may be needed for specific actions such as the CAC selection process, CEO/executive search, and banking and credit negotiations. In the longer term, it may be wise for the Board to consider a permanent Executive Committee that focuses on Agency operational issues as well as a Technical Committee that would focus on power contracting, energy programs and procurement issues. For now, however, we feel it most prudent to start with the CAC and remain focused on critical path tasks before adding additional committees and administration requirements.

#### CEO Search/Human Resources Support

At the Board's direction, Staff has begun the task of planning for CEO recruitment. Staff requested assistance from partner cities regarding the hiring process for EBCE staff, but did not receive responses.

Since that time, the County Human Resource Department helped staff identify an option to recruit and hire the CEO by April. Using this method, the County can temporarily employ the CEO under contract for EBCE until a permanent arrangement with salary and benefits is developed, at which time the CEO will “switch over” to employment by the JPA. This approach provides salary options that are competitive in the industry and can be negotiated with your Board during the recruitment and negotiation process. Staff is recommending formation of an ad-hoc Board subcommittee to assist with the executive search process.

In addition, Staff is determining if an outside human resource firm will be necessary to recruit future EBCE staff that will be hired after the CEO is in place. Staff will bring back a proposed CEO job description and details on the hiring process at the next Board meeting on March 1st.