



REQUEST FOR PROPOSAL

For

East Bay Community Energy Authority

Integrated Resource Planning Consulting Services

RESPONSE DUE

by

5:00 pm

on

October 19, 2021

For complete information regarding this project, see RFP posted at ebce.org or contact the EBCE representative listed below. Thank you for your interest!

**Marie Fontenot | Senior Director of Power Resources, EBCE
510-361-6247
PowerResources@ebce.org**

**EAST BAY COMMUNITY ENERGY
REQUEST FOR PROPOSAL
SPECIFICATIONS, TERMS & CONDITIONS
for
East Bay Community Energy Authority:**

Integrated Resource Planning Consulting Services

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STATEMENT OF WORK

A. BACKGROUND

EBCE is a not-for-profit public agency that operates a Community Choice Energy program for Alameda County and fourteen incorporated cities in Alameda County and San Joaquin County, serving more than 630,000 residential and commercial customers throughout the county. EBCE initiated service in June 2018 and is one of 19 community choice aggregation (CCA) programs operating in California. CCAs are expediting the climate action goals of their communities and those of California. EBCE is committed to providing clean power at competitive rates while reinvesting in our local communities. For more information about East Bay Community Energy, visit <https://ebce.org/>

B. TERM OF AGREEMENT

The initial term of the Agreement(s) will be for up to two years. The length of engagement will be informed by the timing and schedule of the CPUC's IRP proceeding. EBCE reserves the right to extend the agreement(s) for additional years.

C. SCOPE OF WORK

East Bay Community Energy is seeking proposals from interested and qualified parties to provide Integrated Resource Planning (IRP) Technical Consulting Services.

The following section details the scope of work and requirements EBCE seeks and is meant as an initial guide for the submitted proposal. The successful proposal submission must demonstrate that the provider has the appropriate professional and technical experience and can fulfill the stated scope of work.

- 1. Facilitate a one-day kickoff meeting followed by regular meetings** (weekly or at some other interval as appropriate) with the EBCE team to develop assumptions, goals, procurement preferences and plans, and desired sensitivity analyses that will guide creation of the IRP.
- 2. Identify, compile, and integrate inputs needed to create IRP.**
 - a. Identify necessary data and develop methods for integrating EBCE inputs.
 - b. Collect needed data from EBCE, included existing resources, contracted resources, and constraints and objectives for future procurement. Identify and provide

alternative suggestions in areas where EBCE inputs and/or constraints may be in conflict or beyond the capabilities of the modeling process.

3. Create IRPs

- a. Forecast forward requirements for Conforming and Alternative portfolios, and select appropriate resources using RESOLVE modeling based on the goals and objectives of EBCE and as required by the CPUC.
 - b. Model the portfolio performance using SERVVM or other production cost software to establish cost performance, reliability, GHG emissions, and criteria pollutant emissions.
 - c. **Create Conforming IRP** that is consistent with the CPUC reference case
 - i. Using CPUC agreed-upon assumptions, EBCE-specific data, and any other additional agreed-upon assumptions, undertake modeling to identify a plan with alternatives to allow EBCE to meet state law requirements and EBCE's GHG reduction targets.
 - ii. Work with EBCE to select an agreed-upon suite of additional resources that achieve the goals listed in i.
 - d. **Create Preferred IRP** which meets regulatory obligations in an optimal manner, subject to the constraints of EBCE goals, policies, and preferences.
 - i. Where necessary, provide guidance on assumptions around projected impact on load from initiatives such as energy efficiency, distributed generation, demand response and electrification, and realistic and acceptable alternatives that can be modeled to meet identified needs.
 - ii. Using agreed upon assumptions, undertake modeling to identify alternatives to allow EBCE to meet state law requirements, its GHG reduction targets and additional internal goals.
 - iii. Work with EBCE to select an agreed upon suite of additional resources that achieve the goals listed in ii.
4. **Create an Excel report outlining the performance of the IRP** with respect to cost, reliability, GHG emissions and local pollution impacts, including the following:
- a. Long-term Conforming IRP (2022-2032)
 - b. Alternative IRP utilizing DG/EV/DER assumptions
 - c. Rate results
 - d. GHG emissions

- e. Reliability/ renewable integration needs
 - f. Assumptions data
 - g. Graphical summarization and charts
5. **Create a report** in PowerPoint format describing:
 - a. IRP modeling techniques, assumptions, and goal refinement and recommended procurement results
 - b. Rate, GHG, reliability, and criteria pollutant results
 6. **Create a narrative describing the IRP modeling, assumptions, and results** that can be used by EBCE to populate the appropriate sections of the IRP to be submitted to the CPUC
 7. **Participate in external stakeholder meetings** and provide iterations to the models if or as necessary based on stakeholder feedback
 8. **Populate the CPUC IRP Excel spreadsheets** to be submitted to the CPUC by EBCE for both the conforming and alternative versions.
 9. **Create reports** in PowerPoint format describing EBCE's recommended procurement results.

D. STATEMENT OF REQUIREMENTS

The successful proposal submittal(s) must demonstrate that the Consultant has the appropriate professional and technical background as well as access to adequate resources to fulfill the stated scope of work.

In order to be considered, all proposals must be submitted by the deadlines listed in the RFP schedule included herein. When completing the Consultant's RFP response, Consultant must include the following detail:

- Background and Experience
- Understanding of California CCAs
- Understanding of CPUC-jurisdictional load-serving entity IRP requirements
- Specific experience developing IRPs for CPUC-jurisdictional entities, for CA non-CPUC jurisdictional entities, and for non-CA entities and familiarity with CPUC IRP tools
- Develop a process to deliver the scope of work
 - The scope of work represents EBCE's idea of how the IRP Technical Consulting Services would work. In your own words, please describe the process you would use when delivering this service. Please describe your approach to:

- Initially aggregating EBCE’s needs
 - Understanding EBCE’s values and incorporating those values into the model
 - Accounting for EBCE loads and load profiles
 - Incorporating EBCE resources and commitments
 - Assembling information including identifying which information is needed
 - Selecting an appropriate model and conducting modeling - if using proprietary model(s), please provide sufficient detail as to how it compares with the functionality of the models used by the CPUC
 - Optimizing resource attributes and values
 - Engaging external stakeholders
 - Accommodating centrally-mandated or IOU-mandated procurement on behalf of all customers
 - Developing a preferred IRP
 - Participating in CPUC discussions about statewide IRP needs and modeling
- Updating IRP to account for changes to CPUC 2021 reference system plan Describe how the Consultant will avoid conflicts of interest with other power providers and/or regulatory bodies while providing this service
 - Name, position, and short biography of employee(s) responsible for providing this Service
 - Three references
 - Fee schedule

E. FEE SCHEDULE

Consultant should propose to the Joint CCAs a project fixed fee proposal for two (2) scenarios:

- I. EBCE Integrated Resources Conforming Portfolio Plan Development
- II. EBCE Integrated Resources Alternative Portfolio Plan Development, including accounting for DG/EV/DERs on the programmatic side

Consultant should propose (1) a project fixed fee proposal and (2) a time and materials option for IRP development.

F. QUALIFICATIONS

a. Minimum Qualifications

- Prior experience with utility or other load-serving entity long-term planning processes
- Deep understanding of California energy markets and regulatory environment, as well as broader trends in resource costs and performance in a “High Renewables” future
- Experience with capacity expansion modeling, specifically the RESOLVE model used by the California Public Utilities Commission
- Experience developing Integrated Resource Plans that explore both demand- and supply-side resources as options to meet consumer demand

G. CONSULTANT SERVICES

- EBCE intends to award one Consulting Services Agreement based upon the highest-ranked score for each technical area described in Evaluation Criteria.

H. PROPOSED CALENDAR OF EVENTS

	Action	Date
1.	Issuance of RFP	September 20, 2021
2.	Deadline for questions/clarifications	October 4, 2021
3.	Question Responses posted Online	October 11, 2021
4.	Deadline to submit proposals	October 19, 2021
5.	Proposal Evaluation	October 20 - 26, 2021
6.	Finalist selection/interviews	October 27 - November 5, 2021
7.	Final Negotiations and/or Best and Final Offer	tbd
8.	Award of Contract by Board of Directors (only if required by Procurement Policy, i.e. contracts >\$100,000 for 1 yr)	tbd

I. PROCEDURES, TERMS, AND CONDITIONS

GENERAL

Incurring Cost

This RFP does not commit EBCE to award or pay any cost incurred in the submission of the proposal, or in making necessary studies or designs for the preparation thereof, nor procure

or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of a contract award.

Claims Against EBCE

Neither your organization nor any of your representatives will have any claims whatsoever against EBCE or any of its respective officials, agents, or employees arising out of or relating to this RFP or these RFP procedures, except as set forth in the terms of a definitive agreement between EBCE and your organization.

Guarantee of Proposal

Responses to this RFP, including proposal prices, will be considered firm and irrevocable for one hundred eighty (180) days after the due date for receipt of proposals.

Basis for Proposal

Only information supplied by EBCE in writing by the Contact in connection with this RFP should be used as the basis for the preparation of Consultant(s)'s proposal.

Form of Proposals

Proposals must be submitted electronically by e-mail to PowerResources@ebce.org.

Amended Proposals

Bidders may submit amended proposals before the Deadline to Submit Proposals. Such amended proposals must be complete replacements for previously submitted proposals and must be clearly identified in a written format. The Contact will not merge, collate, or assemble proposal materials.

Withdrawal of Proposal

Bidders may withdraw their proposals at any time prior to the Deadline to Submit Proposals. The Consultant(s) must submit a written withdrawal request signed by the Consultant(s)'s duly authorized representative addressed to and submitted to the Contact.

Late Responses

To be considered, proposals must be received electronically by email and (optional) in person or via courier/mail or to the place specified by September 13, 2021 at 5pm. No late responses will be considered.

California Public Records Act (CPRA)

All proposals become the property of EBCE, which is a public agency subject to the disclosure requirements of the California Public Records Act ("CPRA"). If Consultant(s) proprietary information is contained in documents submitted to EBCE, and Consultant(s) claims that such information falls within one or more CPRA exemptions, Consultant(s) must clearly mark such information "CONFIDENTIAL AND PROPRIETARY," and identify the specific lines containing the

information. In the event of a request for such information, EBCE will make best efforts to provide notice to Consultant(s) prior to such disclosure. If Consultant(s) contends that any documents are exempt from the California Public Records Act (CPRA) and wishes to prevent disclosure, it is required to obtain a protective order, injunctive relief, or other appropriate remedy from a court of law in Alameda County, before EBCE's deadline for responding to the CPRA request. If Consultant(s) fails to obtain such remedy within EBCE's deadline for responding to the CPRA request, EBCE may disclose the requested information.

Consultant(s) further agrees that it shall defend, indemnify, and hold EBCE or its agents, harmless against any claim, action, or litigation (including, but not limited to, all judgments, costs, fees, and attorney's fees) that may result from EBCE's assertion of an exemption or privilege as a basis for withholding any information marked confidential by the Consultant(s).

DO NOT MARK YOUR ENTIRE BID CONFIDENTIAL. ONLY MARK THOSE PAGES THAT YOU BELIEVE CONTAIN PROPRIETARY INFORMATION.

Confidentiality

All data and information obtained from or on behalf of EBCE by the Consultant(s) and its agents in this RFP process, including reports, recommendations, specifications, and data, shall be treated by the Consultant(s) and its agents as confidential. The Consultant(s) and its agents shall not disclose or communicate this information to a third party or use it in advertising, publicity, propaganda, or in another job or jobs, unless written consent is obtained from EBCE.

Generally, each proposal and all documentation, including financial information, submitted by a Consultant(s) to EBCE is confidential until a contract is awarded, when such documents become public record under State and local law, unless exempted under CPRA.

Electronic Mail Address

Most of the communication regarding this procurement will be conducted by electronic mail (e-mail). Potential Bidders agree to provide the Contact with a valid e-mail address to receive this communication.

EBCE Rights

EBCE and its Contact reserve the right to do any of the following at any time:

- a. Reject any or all proposal(s), without indicating any reason for such rejection;
- b. Waive or correct any minor or inadvertent defect, irregularity, or technical error in a proposal or the RFP process, or as part of any subsequent contract negotiation;
- c. Request that Bidders supplement or modify all or certain aspects of their proposals or other documents or materials submitted;
- d. Terminate the RFP, and at its option, issue a new RFP;
- e. Procure any equipment or services specified in this RFP by other means;

- f. Modify the selection process, the specifications or requirements for materials or services, or the contents or format of the proposals;
- g. Extend a deadline specified in this RFP, including deadlines for accepting proposals;
- h. Negotiate with any or none of the Bidders;
- i. Modify in the final agreement any terms and/or conditions described in this RFP;
- j. Terminate failed negotiations with any Consultant(s) without liability, and negotiate with other Consultant(s);
- k. Disqualify any Consultant(s) on the basis of a real or apparent conflict of interest, or evidence of collusion that is disclosed by the proposal or other data available to EBCE;
- l. Eliminate, reject, or disqualify a proposal of any Consultant(s) who is not a responsible Consultant(s) or fails to submit a responsive offer as determined solely by EBCE or its representative; or
- m. Accept all or a portion of a Consultant(s)'s proposal.

Supplier Diversity

Pursuant to California Senate Bill 255, Community Choice Aggregators (CCAs) are required to report to the California Public Utilities Commission on their diverse suppliers, as defined by CPUC General Order 156. Consistent with the California Public Utilities Code and California Public Utilities Commission policy objectives, Bidders that execute a contract with EBCE will be required to complete a Supplier Diversity Questionnaire. EBCE will not consider race, sex, color, ethnicity, or national origin in procurement decisions; providing such information will not impact the selection process or good standing of executed contracts.

EBCE encourages all eligible parties to get certified with the CPUC as a women, minority, disabled veteran and/or LGBT owned business enterprise (WMDVLGBTBE).

For overview information on the CPUC Supplier Diversity Program, please visit the program homepage (<https://www.cpuc.ca.gov/supplierdiversity/>). For information on the certification process and requirements, please visit the Certifications page (<https://www.cpuc.ca.gov/Certifications/>).

EVALUATION CRITERIA

Evaluations will be based upon the information provided in the proposals and such other information requested by Contact or EBCE, or as deemed appropriate by EBCE. Proposals must provide clear, concise information and sufficient detail to enable reviewers/evaluators to evaluate the responsiveness and quality of the proposals to all RFP requirements. Evaluators will also review the proposals for format to ensure conformance with the RFP requirements. Proposals that fail to meet RFP requirements could be rejected. The Contact or EBCE may waive minor irregularities in proposals if doing so would be in the best interest of EBCE.

Evaluators may recommend discontinuing evaluation of any proposal that is considered not in compliance with the RFP requirements.

The review/evaluation team will select the proposal that offers the greatest value to EBCE based on an analysis of the following criteria:

	Technical Evaluation Criteria	Points
1.	Experience and Qualifications <ul style="list-style-type: none"> ● Bidder should provide qualifications and experience relevant to developing IRPs, particularly for California CPUC-jurisdictional entities ● Experience using RESOLVE, models ● Bidder must address all functions described in the “Statement of Requirement” section, above. 	25
2.	Pricing <ul style="list-style-type: none"> ● Fee Schedule ● Bidder should describe the method of compensation. 	25
3.	Methodology/Approach <ul style="list-style-type: none"> ● Process, methods, and schedule used to develop IRPs 	40
4.	References	10
	TOTAL	100

In addition to these technical evaluation criteria, EBCE will also consider a set of Special Procurement Preferences, outlined in our Administrative Procurement Policy.

As reflected in the Evaluation Criteria, contract award will not be based solely on cost, but on a combination of factors as determined to be in the best interest of EBCE. EBCE will not be bound to award the contract(s) based solely on the lowest bid submitted.

EBCE’s form of a Consulting Services Agreement is attached as **Attachment A** and includes EBCE’s current insurance requirements. Please note that these requirements are subject to change by EBCE prior to execution of a contract with a selected Bidder and may require annual updating during the term of a Consulting Services Agreement. Bidders are expected to note any exceptions to the Consulting Services Agreement in the Bidder’s response and failure to do so may preclude consideration of any requested change at a later date.

After evaluating the proposals and discussing them further with the Finalists or the tentatively selected Consultant(s), EBCE reserves the right to further negotiate the proposed work and/or method and amount of compensation. EBCE further reserves the right to consider the changes make to the Consulting Services Agreement in its evaluation and selection.

INSTRUCTIONS TO BIDDERS

EBCE CONTACT

The evaluation phase of the competitive process will begin upon receipt of bids until a contract has been awarded. Bidders must not have any contact with EBCE personnel nor should they lobby evaluators or any member of the staff or Board of Directors during the evaluation process. Any communications outside of the procedures set forth in this RFP may result in disqualification of bidder.

All questions regarding these specifications, terms and conditions are to be submitted in writing, via e-mail, by 5:00 p.m. PST on October 4, 2021 to:

Attn: Marie Fontenot
East Bay Community Energy
E-Mail: PowerResources@ebce.org

The EBCE website will be the official notification posting place of all Requests for Interest, Proposals, Quotes and Addenda. Go to <http://www.ebce.org/solicitations> to view current opportunities.

SUBMITTAL OF PROPOSALS

All bids must be received at East Bay Community Energy by 5:00 p.m. on October 19, 2021. Bids will be received only at the addresses shown below any bid received after that time and date or at a place other than the stated address will not be considered and will be returned to the bidder unopened. **Electronic bids must be submitted in a non-alterable format such as a .pdf.**

1. Bidders **must** submit an electronic copy of their proposal via email to the following:
 - a. Marie Fontenot, Senior Director - EBCE: PowerResources@ebce.org
2. Bidders are responsible for all of their costs required for the preparation and submission of a bid.
3. Only one bid response will be accepted from any one person, partnership, corporation, or other entity; however, several alternatives may be included in one response. For purposes of this requirement, “partnership” means, and is limited to, a legal partnership formed under one or more of the provisions of the California or other state’s Corporations Code or an equivalent statute.

4. All other information regarding the bid responses will be held as confidential until the Review Committee has completed its evaluation, a recommended award has been made by the EBCE Board of Directors, and the contract has been fully negotiated.
5. California Government Code Section 4552: In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2, commencing with Section 16700, of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder.
6. Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms “claim” and “knowingly” are defined in the California False Claims Act, Cal. Gov. Code, §12650 et seq.), EBCE will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Consultant(s) may be subject to criminal prosecution.
7. The undersigned Bidder certifies that it is, at the time of bidding, and throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Bid Documents.
8. It is understood that EBCE reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of one-hundred and eighty (180) days, unless otherwise specified in the Bid Documents.

RESPONSE FORMAT

1. Bid responses are to be straightforward, clear, concise, and specific to the information requested.
2. **Objections for the form of Consulting Services Agreement:** Bidders must provide any and all specific objections to the Form Consulting Services Agreement in order for any changes to be considered. Stating an objection does not guarantee that EBCE will accept such changes.

REQUIRED DOCUMENTATION AND SUBMITTALS

All of the specific documentation listed below is required to be submitted in order for a bid to be deemed complete. Bidders shall submit all documentation, in the order listed below and clearly label each section with the appropriate title (i.e. Table of Contents, Letter of Transmittal, Key Personnel, etc.).

- 1. **Table of Contents:** Bid responses shall include a table of contents listing the individual sections of the proposal/quotation and their corresponding page numbers. Tabs should separate each of the individual sections.
- 2. **Letter of Transmittal:** Bid responses shall include a description of Bidder's capabilities and approach in providing its services to the EBCE and provide a brief synopsis of the highlights of the Proposal and overall benefits of the Proposal to the EBCE. This synopsis should not exceed three pages in length and should be easily understood.
- 3. **Key Personnel:** Bid responses shall identify the lead contact and include a complete list of all key personnel associated with the RFP. This list must include all key personnel, and a description of their qualifications, who will provide services/training to EBCE staff and all key personnel who will provide maintenance and support services. For each person on the list, the following information shall be included:
 - a) The person's relationship with Bidder, including job title and years of employment with Bidder;
 - b) The role that the person will play in connection with the RFP;
 - c) Address, telephone, fax numbers, and e-mail address;
 - d) Person's educational background; and
 - e) Person's relevant experience, certifications, and/or merits.
- 4. **Supplemental Questionnaire:** Bidder shall include responses and supporting documentation for Attachment A: Supplemental Questionnaire
- 5. **Costs:** To the extent costs are associated with different levels of service, Bidder shall clearly identify cost structure and indicate EBCE's ability to select "a la carte" service components
- 6. **Overview of the Organization**
 - a) Provide a brief description of your organization.
- 7. **References:**

Bidders are to provide a list of at least three current clients. References must be satisfactory as deemed solely by responsible EBCE staff. References should have similar scope, volume, and requirements to those outlined in these specifications, terms and conditions.

References must include: company name, contact person (name and email), address, telephone number, date of services, and description of services provided. Bidders must verify the contact information for all references provided is current and valid.

Bidders are encouraged to notify all references that responsible EBCE staff may be contacting them to obtain a reference.

EBCE staff may contact some or all of the references provided in order to determine Bidder's performance record on work similar to that described in this request. EBCE staff reserves the right to contact references other than those provided in the Response and to use the information gained from them in the evaluation process.

Attachment A
Required Response Information

- A. Please provide an organizational description and qualifications including:
 - a. Bidders general size, resources and organizational structure with respect to the proposal.
 - b. Audited financial statements for the past three (3) years
 - c. Listing of key staff and credentials
 - d. Listing of three (3) similar engagements with reference information.
 - e. Responses that address all elements of the “Statement of Requirements” in Section D of this document.

- B. Please provide the approach as response to this proposal including:
 - a. Presentation of well-conceived work plan for implementation
 - b. Show how the work plan will meet EBCE’s objectives and schedule.
 - c. Suggestion of innovations, additional or modifications to the scope of this proposal including any additional value the Bidder can create to the scope of the proposal.

- C. Please provide a schedule with key implementation milestones or benchmarks along with required levels of EBCE staff time.

- D. Please provide cost estimates including:
 - a. Bidder fee structure. Identify any changes to pricing associated with future EBCE expansion.
 - b. Direct and reimbursable expenses, if any
 - c. Details of cost by service for which the Bidder is responding to
 - d. Include costs for implementation and operations and maintenance post-implementation
 - e. Flexibility or additional cost to locate some portion of personnel in EBCE service territory.
 - f. Cost for any innovative components added to the scope of the proposal

- E. Comprehensive list of all California LSEs currently served, LSEs in the United States that are currently served, and California LSEs historically served in the last 10 years.

- F. Identification of potential or perceived conflicts
 - a. Indicate if respondent’s organization trades on a proprietary basis. If so what is the dollar and load size of this portfolio. How does respondent propose managing competing goals across their proprietary portfolio and other clients?

G. The preceding page limits are recommendations. The proposal in its entirety may not exceed 25 pages.

Attachment B
EBCE Consulting Services Agreement