



Consent Item 7

TO: East Bay Community Energy Board of Directors

FROM: Kelly Brezovec, Senior Manager of Account Services

SUBJECT: Printing and Mailing Services

DATE: May 19, 2021

Recommendation

Adopt a Resolution authorizing the CEO to negotiate and execute a Second Amendment to the Consulting Services Agreement with FinalOption Corp, dba Pacific Printers, to extend the contract from June 30, 2021 to June 30, 2022 and add an additional \$395,000 in compensation for total compensation not to exceed total \$800,000.

Background and Discussion

In June 2018, a competitive solicitation was issued for a vendor to provide printing and mailing services to EBCE. The solicitation was posted to the EBCE website, circulated to the Board of Directors, and emailed to the vendors used by other Bay Area Community Choice Energy programs as well as appropriate companies that were designated as Small, Local, Emerging Businesses within Alameda County. A total of five proposals were received. A team of four EBCE staff and consultants reviewed and scored the proposal. FinalOption Corp, dba Pacific Printing, a union shop based in San Jose, was among the highest scoring proposals and was ultimately selected to meet EBCE's high demand of print and mail needs.

FinalOption Corp and EBCE entered into a Consulting Services Agreement on July 27, 2020, with compensation not to exceed \$100,000 through June 30, 2021. The Board of Directors approved an Amendment to the Agreement on September 16th, increasing the compensation to an amount not to exceed \$405,000.

FinalOption Corp's union team has executed each project to EBCE's specification and timeline.

Over the next year, EBCE must provide multiple customer notifications that require the services of a printer and mailer. Notifications include:

Project	Schedule
-150,000 Power Content Label postcards	Oct 2021 (estimated)
New customer notifications	Ongoing
Default product changes for cities	September 2021, potentially March 202
Brilliant 100 sunset noticing	January 2022
-150,000 Joint Rate Mailer postcards	June 2022

EBCE staff would like to amend the existing Agreement with FinalOption Corp to add an additional \$395,000 in compensation to the agreement to cover customer notifications through June 30, 2022.

EBCE retains the right to solicit competitive bids for any printing and mailing project.

Fiscal Impact

The cost of these customer notifications will be included in the Marketing budget for Fiscal Year 2021-2022.

Attachment

- A. Resolution of the Board of Directors Authorizing the CEO to negotiate and execute a Second Amendment to the Consulting Services Agreement for Print and Mailing Services with FinalOption Corp

RESOLUTION NO. __

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO
NEGOTIATE AND EXECUTE A SECOND AMENDMENT TO THE CONSULTING SERVICES
AGREEMENT FOR PRINTING AND MAILING SERVICES
WITH FINALOPTION CORP**

WHEREAS The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, Under the Joint Exercise of Power Act, California Government Code sections 6500 et seq., among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

WHEREAS in July 2018, following a public Request for Proposal process, the Board of Directors authorized the CEO to execute an Agreement with FinalOption Corp for Printing and Mailing Services for the period of September 26, 2018 through December 31, 2019, in an amount not to exceed \$925,000;

WHEREAS in December 2019 the Board of Directors authorized the CEO to execute a First Amendment to the Consulting Services Agreement with FinalOption Corp for Printing and Mailing Services to extend the duration of the agreement through June 30, 2020 and update the Scope of Work;

WHEREAS in July 2020 the CEO executed a Consulting Services Agreement with FinalOption Corp for Printing and Mailing Services with compensation not exceed \$100,000 through June 30, 2021;

WHEREAS in September 2020 the Board of Directors authorized the CEO to execute a First Amendment to the Consulting Services Agreement with FinalOption Corp for Printing and Mailing Services to increase the total compensation by \$305,000, for a total amount not to exceed of \$405,000; and

WHEREAS staff has found FinalOption Corp’s union team consistently meets, or exceeds, the work product expectations as outlined in the Scope of Work and continues to require its services for the printing and mailing of required customer notifications and other related services and would like to engage them for the next Fiscal Year 2021-2022.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Board of Directors hereby authorizes the CEO to negotiate and execute a Second Amendment to the Consulting Services Agreement with FinalOption Corp to increase the total compensation by \$395,000, for a total amount not to exceed \$800,000, and extend the duration of the agreement through June 30, 2022.

ADOPTED AND APPROVED this 19th day of May, 2021.

Dan Kalb, Chair

ATTEST:

Adrian Bankhead, Assistant Clerk of the Board