



Consent Item 9

TO: East Bay Community Energy Board of Directors

FROM: Feliz Ventura, Resilience Program Manager

SUBJECT: Approve Resolution Authorizing EBCE CEO to Negotiate and Execute an Amendment to the Agreement with ARUP to Implement Federal Funding Application Support

DATE: March 15, 2023

Recommendation

Approve a Resolution authorizing EBCE CEO to negotiate and execute an Amendment to the Consulting Services Agreement (“Agreement”) with ARUP North America, LTD (“ARUP”) dated May 19, 2021, to provide Engineering and Project Development Services that will facilitate deployment of solar photovoltaic and battery energy storage systems at critical municipal facilities, to expand the scope, and to increase the compensation by \$200,000, for a total amount not to exceed \$580,000 through December 31, 2024.

Background and Discussion

To enhance community energy resilience, EBCE has worked with its local government partners to develop solar photovoltaic and battery energy storage systems at critical municipal facilities. Over the last 3.5 years, JPA members (e.g., cities and the county) have identified over 300 municipal facilities designated to serve the community time of emergency (e.g., extended grid outages, major events like an earthquake) and provided those details to EBCE for analysis. EBCE retained an external consultant, ARUP, to determine critical loads at these facilities based on the services that would be provided to the community, and sized solar photovoltaic and battery energy storage systems accordingly.

The primary goal of this EBCE led initiative is to deploy efficiently and successfully stand-alone solar photovoltaic and solar photovoltaic and battery energy storage systems at each of the project sites. EBCE will phase this work across critical facilities

over the coming years in collaboration with its local government partners. EBCE has successfully selected a respondent to develop the first phase of facilities under this program as of January 2023. EBCE is now focused on further development and acceleration of deployment of solar photovoltaic and solar photovoltaic and battery energy storage systems at critical facilities.

Federal Funding Support Professional Services

To support further development and accelerated deployment of solar and energy storage systems, EBCE submitted a concept paper for the use of \$35 million in federal funding to scale up solar and battery energy storage at critical facilities in EBCE's service area in response to the Department of Energy Grid Deployment Office's Grid Resilience and Innovation Partnerships (GRIP) funding opportunity announcement DE-FOA-0002740. This funding opportunity is the result of the Infrastructure Investment and Jobs Act ("IIJA"), also more commonly known as the Bipartisan Infrastructure Law. DOE reviewed and responded to EBCE's concept paper submission and encouraged EBCE to submit a full application in support of its request for federal funds.

Arup will lead the preparation of EBCE's application for federal funds, leveraging its experience with solar and battery energy storage, EBCE's Critical Municipal Facility program, and grant writing capabilities, to deliver the full federal funding application under DE-FOA-0002740.

In turn, staff is seeking authorization for the CEO to negotiate and execute an Amendment to the ARUP Agreement to expand the scope of work to include additional federal funding application services and increase the compensation by \$200,000.

Fiscal Impact

This Amendment will be funded with \$200,000 from the previously approved Local Development Budget.

Attachments

- A) Resolution of the Board of Directors of the East Bay Community Energy Authority Authorizing the CEO to Amend the Consulting Services Agreement with ARUP North America, LTD.

RESOLUTION NO. R-2023-xx_____

A RESOLUTION OF THE BOARD OF DIRECTORS

OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO AMEND THE CONSULTING SERVICES AGREEMENT WITH ARUP NORTH AMERICA, LTD.

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 On July 18, 2018, the Board approved the Local Development Business Plan (“LDBP”) and budget. The LDBP identifies a series of local development early actions, outlines a series of policy principles, and defines a set of metrics to measure the impact on Alameda County, and

WHEREAS EBCE issued a competitive Request for Proposal solicitation in April 2021 to select vendors to provide engineering and project development services that will support solar and battery energy storage system deployment, and

WHEREAS EBCE executed an agreement with ARUP North America, Ltd. (“ARUP”) dated May 19, 2021 (“Agreement”) to complete a solar and battery energy storage feasibility assessment on critical municipal facilities designated to serve the community in time of emergency, and

WHEREAS ARUP is a firm with extensive experience supporting applications for federal funding and EBCE wishes to utilize these services in addition to the solar and storage project development services already underway.

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

Section 1. The CEO is hereby authorized to execute an Amendment to the Agreement to expand the scope to provide application support to apply for federal funding via the Department of Energy’s Grid Resilience and Innovation Partnerships that will facilitate deployment of solar and battery energy storage systems at critical facilities, and to increase the total compensation by \$200,000; with total compensation not to exceed \$580,000. The CEO is further authorized to execute any clarifying or clerical changes to the Agreement, which must be approved by General Counsel.

ADOPTED AND APPROVED this 15th day of March 2023.

Elisa Marquez, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board