



Consent Item 12

TO: East Bay Community Energy Board of Directors

FROM: Helen Mejia, Building Electrification Program Analyst

SUBJECT: Amendment to Consulting Services Agreement with Action for a Healthy Planet (“Acterra”)

DATE: May 17, 2023

Recommendation

Adopt a Resolution authorizing the CEO to negotiate and execute a Third Amendment to the Consulting Services Agreement between East Bay Community Energy (“EBCE”) and Action for a Healthy Planet (“Acterra”) for administration of EBCE’s Induction Cooktop Lending Program, to increase the compensation amount by \$300,000 for a total amount not to exceed \$585,000, and to update and expand the Scope of Work.

Background and Discussion

Acterra was selected as EBCE’s program administrator through a competitive selection process. On December 23, 2021, EBCE’s CEO, authorized by the Board of Director’s executed a Consulting Services Agreement (“CSA”) with Acterra for program implementation and administration. Acterra has provided induction cooktop lending and outreach services, and the program has received over 600 applications submitted from customers from all cities in EBCE’s service area. Over 261 lending sessions have been completed across the 11 lending locations or “hubs,” which include local libraries and neighborhood resource centers. The CSA was amended twice, most recently July 2022, for the purpose of increasing the total compensation, adding additional induction kits, expanding the scope of work, and extending the term.

Overall, the program continues to be successful, and many sites have been oversubscribed due to the popularity of the program and interest from the community. The program’s pre and post-lending surveys show that most borrowers have positive experiences with the program; the surveys also show a substantial positive impact on borrowers’ perception of cooking with induction technology and their willingness to purchase induction technology in the future.

This proposed Third Amendment to the CSA with Acterra will increase the compensation amount to account for continued program administration and the expansion of the program and will extend the term of the CSA. EBCE is aiming to continue the program and expand the program to include additional induction lending “hubs” and outreach support; thus, EBCE staff seek to increase the amount of this CSA by \$300,000 to account for the additional cost of these services, for a total amount not to exceed \$535,000. EBCE is also seeking to extend the term of the CSA to December 31, 2024.

Fiscal Impact

All program costs will be funded through the Local Development budgets already authorized for this fiscal year.

Attachments

- A. Resolution of the Board of Directors Authorizing the CEO to Negotiate and Execute a Third Amendment to the Consulting Services Agreement with Acterra: Action for a Healthy Planet

RESOLUTION NO. R-2023-XX

A RESOLUTION OF THE BOARD OF DIRECTORS

OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO NEGOTIATE AND EXECUTE A THIRD AMENDMENT WITH ACTERRA: ACTION FOR A HEALTHY PLANET

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. The city of Stockton located in San Joaquin County, was added as a member of EBCE in December of 2022.

WHEREAS Acterra was selected as EBCE’s program administrator for the Cooktop Lending Program through a competitive selection process,

WHEREAS On December 23, 2021, EBCE’s CEO, authorized by the Board of Director’s executed a Consulting Services Agreement (“CSA”) with Acterra for program implementation and administration, and that Consulting Services Agreement was amended twice, most recently in July 2022 to increase the compensation, with total compensation not to exceed \$285,000,

WHEREAS Acterra developed the Induction Cooktop Lending Program and has operated the program with a high degree of satisfaction from EBCE under the existing contract,

WHEREAS EBCE seeks to continue the Induction Cooktop Lending Program and increase the number of hubs and kits in circulation, which will require increasing the total amount of compensation of the Agreement by \$300,000 to account for the additional cost of these services, and extend the term of the Agreement to December 31st, 2024

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 negotiate and execute a Third Amendment to the Consulting Services Agreement between East Bay Community Energy (“EBCE”) and Action for a Healthy Planet (“Acterra”) for administration of EBCE’s Induction Cooktop Lending Program, to extend the term of the Agreement to December 31st,

2024, to update and expand the Scope of Work, and to increase the compensation amount by \$300,000 for a total amount not to exceed \$585,000.

ADOPTED AND APPROVED this 17th day of May, 2023.

Elisa Márquez , Chair

ATTEST:

Adrian Bankhead, Clerk of the Board