



Consent Item 5

TO: East Bay Community Energy Board of Directors

FROM: Nick Chaset, Chief Executive Officer

SUBJECT: Contracts Entered Into

DATE: September 20, 2023

RECOMMENDATION

Accept the CEO's report on contracts that EBCE has entered, as required by the Administrative Procurement Policy from July 12, 2023, to September 14, 2023;

C-2023-064 AIQUEOUS, LLC Amendment 3 to the Consulting and Online Services Agreement extends the term to June 30, 2024, adds \$100,000 to the not to exceed for Fiscal Year 2023/2024 with total compensation not to exceed \$360,000, with updates to the Scope of Work and Schedule.

C-2023-065 Wilson Sonsini Goodrich Rosati Fourth Amendment to CSA extends the term through June 30, 2024, adds \$436,029 will be allocated for the term July 1, 2022, to June 30, 2023, and \$600,000 will be allocated for the term from July 1, 2023, to June 30, 2024, total compensation is not to exceed \$1,036,029.00.

C-2023-066 FinalOption (dba Pacific Printing) Fourth Amendment to CSA adding \$100,000 to the compensation and extending the term to June 30, 2023, total compensation not to exceed \$1,220,000.

C-2023-067 Pivotal Talent Search, LLC Second Amendment to CSA Extends the term through June 30, 2024, adds \$3,582.10 for services in June 2022, and \$100,000 for Fiscal Year 2023-2024, maximum total compensation for this agreement is \$203,582.10.

C-2023-068 Oakland Roots SC, LLC Sponsorship Agreement Adds additional \$100,000 in compensation and extends the term to June 30, 2024, total compensation is not to exceed \$320,000.

C-2023-069 PC Professional, Inc. Third Amendment to CSA Adds additional \$100,000 in compensation and extends the term to June 30, 2024, total compensation is not to exceed \$320,000.

C-2023-070 Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES) Memorandum of Commitment Collaboration between the Governor's Office (Go-Biz), UCOP and other organizations to build a collaborative ecosystem of technology, policy, community, and finance partners in CA to develop a proposal for a US DOE co-funded Regional Clean Hydrogen Hub (no cost).

C-2023-071 Orrick, Herrington & Sutcliffe, LLP Consulting Services Agreement Providing bond and tax counsel services related to prepay transaction, August 2, 2023, through the third anniversary of the effective date of the Agreement, and the date of issuance of the bonds, maximum compensation under this Agreement is \$250,000.

C-2023-072 Hall Energy Law PC Third Amendment to CSA extends the termination date through June 30, 2024, and adds additional \$250,000 for fiscal year 2023/2024, and \$23,900.500 for fiscal 2022/2023, maximum compensation not-to-exceed \$877,390.50.

C-2023-073 Sixth Dimension PMCM Inc. Second Amendment to CSA extends the termination date through June 30, 2024.

C-2023-074 Celery Design Collaborative Fifth Amendment to CSA extends the termination date through June 30, 2024, and adds additional \$400,000 for fiscal year 2023/2024, maximum compensation not-to-exceed \$1,745,000.

C-2023-075 PFM Financial Advisors LLC together with its affiliate PFM Swap Advisors LLC Financial Services Agreement for Financial Advisor services for a total amount of \$150,000, contingent on successful prepay execution, term of June 1, 2023, to December 31, 2023.

C-2023-076 The Understory, LLC Second Amendment to CSA extends the term through July 1, 2024.

C-2023-077 Replica, Inc. Order Form - Platform Subscription Agreement (12) Twelve Month Subscription Term from August 15, 2023, through August 14, 2024, that renews annually.

C-2023-078 Law Office of David Peffer First Amendment to CSA Extends the termination date through June 30, 2024, and adds an additional \$12,000 for fiscal year 2023/2024, maximum compensation not to exceed \$32,000. Effective January 1, 2024, David Peffer's hourly rate will increase to \$330/hr.

C-2023-079 City of Berkeley Charging Station Master Site License Agreement Fifteen-year agreement granting EBCE the rights to construct, install and maintain electrical vehicle charging stations and associated infrastructure for public use.

C-2023-080 BCAL LMP Harrison Property LLC & CSHV 1999 Harrison, LLC & Big Fish Games, Inc. SUBLEASE (1999 Harrison Street, 23rd Floor, Oakland, CA) Sublandlord (Big Fish Games), Subtenant (EBCE) and Master Landlord (BCAL LMP Harrison Property LLC, and successor in interest (CSHV 1999 Harrison, LLC) sublease agreement expires on March 31, 2025.

C-2023-081 Nixon Peabody LLP Second Amendment to Legal Services Agreement Extends the termination date through June 30, 2024, and adds an additional \$21,113.76 for Fiscal Year 2022-2023, and \$200,000 for Fiscal Year 2023-2024, maximum compensation not-to-exceed \$316,113.76.

C-2023-082 Afaf Translations LLC Third Amendment to CSA Extends the termination date through June 30, 2024, and adds \$20,000 for Fiscal Year 2023-2024, maximum compensation not-to-exceed \$70,000.

C-2023-083 Bentham Paulos Third Amendment to CSA Extends the termination date through June 30, 2024, and adds \$45,000 for Fiscal Year 2023-2024, maximum compensation not-to-exceed \$180,000.

C-2023-084 BCAL LMP HARRISON PROPERTY LLC & BIG FISH GAMES, INC. CONSENT TO SUBLEASE AGREEMENT - Landlord and Tenant consent to sublease Suite 2300, (23rd) floor of the building located at 1999 Harrison Street, Oakland, CA to EBCE.

C-2023-085 BCAL LMP HARRISON PROPERTY LLC AMENDMENT TO LICENSE AGREEMENT Allows EBCE to terminate the License Agreement at 1999 Harrison Suite 810 with (15) fifteen days prior written notice.

C-2023-086 BCAL LMP HARRISON PROPERTY LLC LAKE MERRITT PLAZA OFFICE LEASE Seven (7) year and Seven (7) month lease; from April 1, 2025, through October 31, 2023, for 1999 Harrison Suite 2300.

C-2023-087 Salesforce, Inc. Order Form Q-07457967 (12) Twelve Month Subscription Term from August 15, 2023, through August 14, 2024 that automatically renews for additional one year terms. Total amount not to exceed \$91,830.38.

C-2023-088 California State University, East Bay Facility Use Agreement Two (2) events; the first room rental is on September 5, 2023 (\$425), and the second room rental is on September 6, 2023 (\$325). The total rental is \$750.

C-2023-089 CLEAResult Consulting Services Agreement (Portland) for Ride Electric Bike Adoption Program through January 15, 2027, with compensation not to exceed \$10,000,000.

C-2023-090 MissionCTRL Second Amendment to CSA extends the term through June 30, 2024, and adds \$98,000 to the compensation for thought leadership services, for a total amount not to exceed \$296,000.

C-2023-091 Bay Area News Group Advertising Agreement Advertising space in publications and digital ads for Fremont Argus, Daily Review, and Oakland Tribune for the term on July 1, 2023, to June 30, 2024.

C-2023-092 Chapman and Cutler Consulting Services Agreement legal advice related to prepay transaction, total cost not to exceed \$175,000 for the term through June 30, 2024.

C-2023-093 Alameda County Transportation Commission Project Funding Agreement for the Ride Electric Program \$4,000,000 to be provided to EBCE's eBike Incentive program in Alameda County, with EBCE providing \$6,000,000.

C-2023-094 Los Angeles Cleantech Incubator Transportation Electrification Partnership Letter EBCE will provide \$25,000 is sponsorship and will gain access to advisory group meeting and

activities, working groups, and others to advance policies and funding related to Transportation Electrification.

C-2023-095 Sound of Hope Radio Network 4th Amendment to CSA adds \$15,000 for advertising and translation services and extends the term through June 30, 2024, total compensation is not to exceed \$75,000.

C-2023-096 Thrive Mind Collaborative 1st Amendment to MSA adds \$130,000 in compensation for Leadership coaching services.

C-2023-097 The Law Office of Joseph F. Wiedman 3rd Amendment to CSA adds \$40,000 and extends the term through June 30, 2024, total compensation is not to exceed \$104,000.

C-2023-098 Clean Energy Regulatory Research 4th Amendment to CSA adds additional compensation in the amount of \$49,500 for a total amount not to exceed \$176,500, updates to the scope of work, extends the term through June 30, 2024.

C-2023-099 InsideSource Credit Terms and Terms and Conditions of Sale purchase, delivery, and installation of desk dividers and removal of excess desks in new office location at 1999 Harrison St. Suite 2300, total cost not to exceed \$71,511.05.

C-2023-100 InsideSource Order Form purchase, delivery, and installation of desk dividers and removal of excess desks in new office location at 1999 Harrison St. Suite 2300, total cost not to exceed \$71,511.05.

C-2023-101 Davis Wright Tremaine Fourth Amendment to CSA extends the term through June 30, 2024, expands the scope of work, updates the hourly rate of compensation, and adds \$340,000 in compensation (across the Public Policy, Marketing, Power Resources, and Local Development Departments) with total compensation not to exceed \$742, 804.

C-2023-102 Landscape Studio Addendum 2 to CSA adds and additional \$17,500 in compensation for new logo exploration.

C-2023-103 Richards Watson and Gershon Third Amendment to CSA adds \$400,000 in additional compensation, with total compensation not to exceed \$1,575,000, updates the hourly rates of compensation, and extend the term through June 30, 2024.

C-2023-104 Docusign Order Form Adds Premier Support and 2000 additional digital envelopes to existing plan through April 2024 at a cost of \$2,000.

C-2023-105 Comcast Business Move/Upgrade Service Form Moving services from 1999 Harrison Suite 810 to Suite 2300 and upgrading services.

C-2023-106 Comcast Business Service Order Agreement Monthly cost will be \$189.99 per month.

C-2023-107 Valley Relocation and Storage Move Agreement Moving services from 1999 Harrison Suite 810 to Suite 2300, cost was quoted at \$7,180.