



Consent Item 12

TO: Ava Community Energy Board of Directors

FROM: Lori Bilella, Director, Clean Energy Services

SUBJECT: Approve Resolution Authorizing Ava CEO to Negotiate and Execute an Amendment to the Agreement with Arup to Provide Grant Writing Support and General Technical Consulting Services

DATE: February 21, 2024

Recommendation

Approve a Resolution authorizing Ava CEO to negotiate and execute an Amendment ("Amendment") to the Consulting Services Agreement ("Agreement") with Arup North America, LTD ("Arup") dated May 19, 2021, and amended March 16, 2023, to expand the scope to provide grant writing support to five (5) member jurisdictions, Berkeley, Oakland, Livermore, Hayward, and Alameda County, enabling each jurisdiction to submit a proposal to the California Energy Commission (CEC) for funding support to deploy transportation electrification infrastructure, and to increase the compensation to Arup by \$300,000, for a total amount not to exceed \$880,000 through December 31, 2024.

Background and Discussion

The CEC is offering a grant that will provide funding to jurisdictions for support in the deployment of transportation electrification infrastructure. Ava has conducted Electric Vehicles (EV) fleet evaluations of five (5) jurisdictions that meet the requirements of the CEC grant.

The grant requires a jurisdiction to be the lead applicant on the grant. Therefore, Ava is unable to apply for the grant on behalf of these jurisdictions. In speaking with our member jurisdictions, they expressed interest in participating in the grant, but have bandwidth constraints in being able to prepare a grant submission in the timeline

required. Applications for the grant are due in April 2024. Jurisdictions confirmed that if Ava engaged a consultant on their behalf to prepare the grant submission, the jurisdictions would be able to provide the necessary information to the consultant for their respective grant submission. As a result of this feedback, Ava desires to engage Arup for the grant writing and grant submission preparation on behalf of each of the five (5) jurisdictions.

If awarded, this grant funding will help subsidize the cost of deployment transportation electrification, and it will more easily enable Ava to provide cost effective Charging as a Service (Caas) offerings to each of these jurisdictions. As a result, each jurisdiction will have more funds available for the purchase of EVs to utilize the charging infrastructure that Ava could assist in deploying.

Additionally, and separately, Ava has an existing scope of work in place with Arup to provide technical consulting services to support the Critical Municipal Facilities (CMF) RFO. Ava seeks additional budget for the continued support by Arup in this work as we move into the bid review process. Ava will need technical support to review proposals and select a partner for this work.

Arup has the necessary skillset to support the work of both initiatives and Ava seeks to amend the existing Agreement to amend the scope of work and increase the budget to support the additional scope of work.

Grant Writing Support

Ava has completed EV fleet assessments for the majority of our jurisdictions. The CEC has an open grant solicitation to provide funds to jurisdictions that want to deploy transportation electrification infrastructure. Of the EV fleet reports Ava has completed, five (5) of our member jurisdictions meet the necessary requirements of the open CEC grant: Berkely, Oakland, Livermore, Hayward, and Alameda County.

Due to bandwidth constraints of each of the five (5) jurisdictions, Ava plans to engage Arup to prepare the grant applications on behalf of these five (5) jurisdictions. If the funds are secured, Ava can assist in the development and operation of EV charging through our Charging as a Service (CaaS), reducing the cost of cities and the County to convert their gas power fleet vehicles to electric. This will expedite the adoption of EV fleets across these five (5) jurisdictions.

Technical Consulting Services for Critical Municipal Facilities (CMF)

Arup has been supporting Ava on the CMF project for several years. Ava has now entered a new phase of the program as we select a development partner to build and operate the Resilience Hubs. Ava requires the continued support of Arup in evaluating bid responses and assisting Ava in the selection of a partner. Arup is already contracted for this scope of work in the existing CSA but needs additional budget for the work.

In turn, staff is seeking authorization for the CEO to negotiate and execute an Amendment to the Agreement to expand the Scope of Work to include additional Grant Writing Support for the five (5) jurisdictions and increase the compensation by \$300,000.

Fiscal Impact

This Amendment will be funded with \$300,000 from the previously approved Local Development Budget.

Attachments

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

RESOLUTION NO. R-2024-xx
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE AVA COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO AMEND
THE CONSULTING SERVICES AGREEMENT WITH ARUP NORTH AMERICA, LTD.

WHEREAS The Ava Community Energy Authority (“Ava”) 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 Ava and party to the JPA in September of 2022.

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

WHEREAS Ava 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 On March 16, 2023, Ava executed a certain First Amendment to the Agreement with Arup for the purposes of expanding the Agreement’s Scope of Work and adding additional compensation for a total compensation amount not to exceed five-hundred eighty thousand dollars (\$580,000), and

WHEREAS Ava desires to expand the Scope of Work to include Arup providing support to the member jurisdictions of Berkeley, Oakland, Livermore, Hayward, and Alameda County to apply for a CEC grant that will provide funding to jurisdictions for support in the deployment of transportation electrification infrastructure;

WHEREAS Ava desires to increase the budget of the Agreement to allow Arup to continue to support the Critical Municipal Facilities (CMF) RFO; and

WHEREAS Arup is a firm with extensive experience supporting grant writing submission preparation and Ava wishes to utilize these services in addition to the CMF RFO support services already underway.

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

Section 1. The CEO is hereby authorized to negotiate and execute an Amendment to the Agreement, in consultation with staff and General Counsel, to expand the Scope of Work to provide grant writing support to five jurisdictions, which will facilitate deployment of transportation electrification infrastructure, and increase the total compensation by \$300,000; with total compensation not to exceed \$880,000. The CEO is further authorized to execute any additional clarifying or clerical changes to the Agreement, which must be approved by General Counsel.

ADOPTED AND APPROVED this 21st day of February 2024.

Elisa Márquez, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board