



### **Consent Item 10**

**TO:** Ava Community Energy Authority

**FROM:** Dan Lieberman, Director of Marketing

**SUBJECT:** Consulting Service Agreement with Chen Design Associates

**DATE:** July 17, 2024

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#### **Recommendation**

Adopt a Resolution authorizing the Chief Executive Officer to negotiate and execute a Consulting Services Agreement with Chen Design Associates, with a not-to-exceed amount of \$200,000 in compensation, at an hourly rate of \$175 for Fiscal Year 2024-25.

#### **Background and Discussion**

Ava issued a formal Request for Proposal (“RFP”) for creative services on April 18, 2024. The solicitation was sent to Ava’s solicitation email list (2,114 recipients), in addition to vendors listed on the Alameda County Small, Local and Emerging Business (“SLEB”) program website with North American Industry Classification System (“NAICS”) codes for design, videography, and/or photography services (267 recipients). Ava received 27 proposals. Staff evaluated and scored the proposals, and Chen Design Associates’ proposal scored highly, showed a breadth of skill sets that matched Ava’s needs, and offered reasonable rates. Chen Design Associates is located near Ava’s office in an Oakland Disadvantaged Community, as identified by the California Environmental Protection Agency’s CalEnviroScreen Tool and is Disadvantaged Business Enterprise (“DBE”) certified, SLEB certified, and Lesbian Gay Bisexual Transgender Business Enterprise (“LGBTBE”) certified.

#### **Fiscal Impact**

There are funds in the FY2024-2025 Marketing budget to accommodate this additional amount.

**Attachments**

- A. Resolution Authorizing the Chief Executive Officer to Negotiate and Execute a Consulting Services Agreement with Chen Design Associates

**RESOLUTION NO. R-2024-XX**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF AVA COMMUNITY ENERGY AUTHORITY TO ENTER INTO A NEW**  
**CONSULTING SERVICES AGREEMENT WITH CHEN DESIGN ASSOCIATES**

**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 Ava 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. The city of Lathrop, located in San Joaquin County, was added as a member to Ava and party to the JPA in October of 2023. On October 24, 2023, the Authority legally adopted the name Ava Community Energy Authority, where it had previously used the name East Bay Community Energy Authority since its inception.

**WHEREAS** Ava issued a formal Request for Proposal (“RFP”) for creative services on April 18, 2024. Ava now has an in-house designer, but we do not have capabilities in photography videography, or booth design, and our design needs are expected to exceed our in-house capabilities.

**WHEREAS** The solicitation was sent to Ava’s solicitation email list (2,114 recipients) and also to vendors listed on the Alameda County Small, Local and Emerging Business (“SLEB”) program website with North American Industry Classification System (“NAICS”) codes for design, videography, and/or photography services (267 recipients). Ava received 27 proposals. Staff evaluated and scored the proposals, and Chen Design Associates’ proposal scored highly, showed a breadth of skill sets that matched Ava’s needs, and offered reasonable rates. Chen Design Associates is located in Oakland near Ava’s office in a Disadvantaged Community, as identified by the California Environmental Protection Agency’s CalEnviroScreen Tool and is Disadvantaged Business Enterprise (“DBE”) certified, SLEB certified, and Lesbian Gay Bisexual Transgender Business Enterprise (“LGBTBE”) certified.

**WHEREAS** Ava’s needs for creative services is immediate, as we prepare to launch new programs and expand our service in San Joaquin county.

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

Section 1. The CEO is hereby authorized to negotiate and execute a Consulting Services Agreement between Ava and Chen Design Associates, with a term covering FY2024-2025, with compensation not to exceed \$200,000, at a \$175 per hour rate. The Agreement will be approved by General Counsel.

ADOPTED AND APPROVED this 17<sup>th</sup> day of July, 2024.

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Jack Balch, Chair

ATTEST:

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Adrian Bankhead, Clerk of the Board