



## **REQUEST FOR PROPOSALS**

**For**

**East Bay Community Energy Authority**

**Call Center and Data Management Services**

**RESPONSE DUE**

**by**

**5:00 p.m.**

**on**

**April 9, 2021**

For complete information regarding this project, see RFP posted at <https://ebce.org/solicitations/>.

**Thank you for your interest!**

**REQUEST FOR PROPOSALS**  
**SPECIFICATIONS, TERMS & CONDITIONS**  
**for**  
**East Bay Community Energy Authority:**  
**Call Center and Data Management Services**

**Table of Contents**

1.	Context for the RFP .....	2
1.1.	Background .....	2
1.2.	Current State of CCDMS and Data Analytics at EBCE.....	2
1.3.	EBCE Roadmap and Vision for the Future.....	3
2.	Services Requested .....	5
2.1.	General Overview of Services Requested .....	5
2.2.	Data Exchanges and Data Management .....	6
2.3.	Billing Transactions .....	8
2.4.	Billing Exception Management .....	9
2.5.	Call Center Services.....	11
2.6.	Vendor-Supplied CRM.....	12
2.7.	Customer Enrollment and Notifications .....	14
2.8.	Customer Programs .....	15
2.9.	SQMD and Other Settlement Services.....	16
2.10.	Financial Reporting .....	16
3.	Response Instructions.....	19
3.1.	General Instructions to Respondents .....	19
3.2.	Response Narrative Instructions.....	20
3.3.	Detailed Requirements Matrix Instructions.....	20
3.4.	Pricing Proposal Instructions .....	20
3.5.	References .....	21
4.	Response Evaluation .....	22
4.1.	Response Evaluation and Scoring Methodology.....	22
4.2.	Tentative RFP Evaluation Timeline .....	22
5.	Procedures, Terms and Conditions .....	23
5.1.	General.....	23

# 1 Context for the RFP

## 1.1 Background

### 1.1.1 About EBCE

East Bay Community Energy (EBCE) is a not-for-profit public agency that currently operates a Community Choice Energy program for Alameda County and eleven of its Incorporated Cities, serving more than 550,000 residential and commercial customers throughout the county. EBCE initiated service in June 2018 and is one of many community choice aggregation programs operating in California. EBCE will be expanding its services to serve an additional 85,000 customers in the rest of Alameda County (adding the incorporated cities of Newark and Pleasanton) and the incorporated city of Tracy (San Joaquin County), starting on April 1, 2021. EBCE's mission is to provide cleaner and cheaper electricity options to the constituents of its member communities, while furthering local investment.

### 1.1.2 About this RFP

The purpose of this RFP is to solicit proposals from qualified entities to provide Call Center and Data Management Services (CCDMS) to EBCE starting no earlier than 1/1/2022, and for a maximum term of up to 5 years (See Pricing Section).

### 1.1.3 Minimum Respondent Qualifications

In order to qualify for consideration, respondents must at a minimum have experience providing the services sought in this RFP within the PG&E service territory, either for PG&E, Electric Service Providers (ESPs), or Community Choice Aggregators (CCAs). Respondents must also have started providing such services on or before 6/1/2020.

Respondents may submit proposals where some of the services are provided by sub-contractors. However, EBCE will only consider packaged responses that meet all of the required functionality outlined in Section 2. EBCE will not accept responses to only some of the requirements, nor will it accept responses from sub-contractors.

## 1.2 Current State of CCDMS and Data Analytics at EBCE

### 1.2.1 CCDMS Since EBCE Inception

The current CCDMS provider for EBCE is the Sacramento Municipal Utility District (SMUD), which has been providing CCDMS services to EBCE since inception and is under a contract that extends at a minimum through 12/31/2021. After that date, EBCE has the option to remain under contract with SMUD until 12/31/2022.

Through this RFP, EBCE seeks to better understand whether additional capabilities and engagement models are available from the marketplace, as well as to evaluate the cost-effectiveness of its current CCDMS engagement. If an alternate option is selected, EBCE will enter into a new contract that begins no earlier than 1/1/2022.

### 1.2.2 EBCE Analytics Platform and CRM Endeavors

In addition to CCDMS, EBCE has internally developed an in-house analytics platform that complements and is integrated with CCDMS systems. EBCE has also begun the implementation of a Customer Relationship Management (CRM) solution that is owned and maintained by EBCE. Specifically:

- The **EBCE Analytics Platform (EAP)** is built on the Google Cloud Platform. This system centralizes information from most of the key data transactions processed as part of CCDMS, with the addition of external data sets such as tax assessor records, DMV records, census records, weather and market price information etc. Google BigQuery is a key component of this platform. EAP allows EBCE to perform targeted analytics that support all aspects of its operations.
- **The EBCE CRM (ECRM)** is built on Salesforce, under a direct license to EBCE. Currently, ECRM uses EAP as its underlying data lake, and ultimately aims to provide users with a 360-degree view of EBCE customers (see below for more details).

These two systems (EAP and ECRM) are currently live and operational and provide meaningful insights to EBCE staff and its partners through dashboards, reports, and automated outputs, including certain mission-critical outputs (for example short term load forecasts). Respondents should note that these two systems are fundamental to EBCE operations; respondents should address integrations with those systems in their submittal.

### 1.3 EBCE Roadmap and Vision for the Future

#### 1.3.1 CRM and the EBCE Roadmap

EBCE has developed and maintains an internal roadmap for data technology and analytics that ultimately calls for bringing all CRM functions in-house under a single CRM that is licensed and maintained by EBCE. We have taken the first step on this roadmap by initiating the development and configuration of ECRM. Ultimately, EBCE envisions ECRM as becoming *the* central CRM, and will seek to have all CCDMS functions tightly integrated with it.

EBCE began its implementation of ECRM in the Fall of 2020. At this stage ECRM mirrors data from EAP, which is mostly based on PG&E 4013 data, external data sets, and billing and usage summaries from feeds from the current CCDMS provider. ECRM is primarily used by our Marketing and Account Services team and our Local Programs team, in conjunction with other systems.

Over time, EBCE expects to continue to centralize data into ECRM, and the requirements listed in Section 2 of this RFP speak to that centralization. Below is a high-level summary of EBCE's roadmap plans (subject to change based on responses received and on-the-ground conditions):

- **Near Term Roadmap:**
  - Currently, ECRM is populated with data from the 4013 PG&E Extract, external data sources such as tax assessor records, census records, etc. and billing and usage summary details as provided by the current CCDMS data systems and other PG&E data feeds such as Item16 and Item17.
  - By the end of Q2 2021, ECRM will integrate with all existing communications channels in use at EBCE (other than the CCDMS Call Center and CCDMS enrollment forms), and will enable users to create, execute, and track marketing campaigns directly in ECRM.
  - By the end of Q3 2021, ECRM will support the use and integration of program-specific landing pages and enrollment forms, to further support the objectives of our Programs and Marketing and Account Services teams. This will include tracking of web-site visits and activities.
  - By the end of Q4 2021, if not sooner, ECRM through EAP will also ingest additional data from CCDMS systems such as call center and email interactions, to build out the 360-degree customer view in ECRM.

- **Longer Term Roadmap:**

- In 2022, EBCE will work with its CCDMS provider to enable Customer Service Representatives (CSRs) to use ECRM as part of their daily functions. For example, EBCE envisions having specialized CSRs trained to use ECRM to help answer questions related to program enrollment or other advanced inquiries (for example, TOU Bill Protection Status), and where such data is not necessarily available in CCDMS systems.
- In 2022, EBCE will also work with its CCDMS provider to consider, plan, and develop data integrations between EBCE and CCDMS systems that rely on API calls and data mirroring rather than the simpler exchange of daily or weekly CSV files.
- In 2022, EBCE and its CCDMS provider will investigate options for centralizing all customer transaction data, including billing, call center, and exception transactions in ECRM.
- By mid-2023, EBCE expects all customer transactions to be centrally managed in ECRM as the sole source of truth for enrollment, billing and billing exceptions, and interactions with EBCE customers.
- By the end of 2023, EBCE expects to have call center technology routed and supported directly by ECRM, and to sunset the use of separate customer information systems by the CCDMS provider:
  - It is expected that the CCDMS provider will still run and maintain its own billing engine, SQMD engine, and exception management systems.
  - However, all customer interactions are expected to be logged and maintained in ECRM, including call center interactions.

Providers are encouraged to consider and address the above indicative roadmap as part of their narrative response to this RFP.

### 1.3.2 Call Center Considerations

In addition to the centralization of CRM described above, EBCE also expects to evaluate the feasibility of separating Call Center Services from other CCDMS functions. To this end, EBCE is requesting a pricing structure in Section 3 that will support this objective. EBCE seeks to consider options that would allow it to outsource call center functions to a separate third-party as chosen by EBCE, bring call center functions in house, or follow a hybrid model to be determined.

Respondents are encouraged to address this consideration in their responses, and to provide pricing that will enable EBCE to evaluate its options. Since Call Center functions and CRM functions are tightly integrated, we encourage respondent to consider this in conjunction with the roadmap outlined in Section 1.3.1.

## 2 Services Requested

### 2.1 General Overview of Services Requested

The services requested by EBCE fall into several broad categories, summarized below and further outlined in the rest of this section. In general, the CCDMS provider is a key EBCE partner responsible for handling the management and processing of data to ensure accurate and complete billing of EBCE customers through PG&E's consolidated billing, operating a call center to respond to customer calls and enrollment requests, as well as ensuring accurate settlement of EBCE load with the California Independent System Operator (CAISO). This entails several functions:

- Managing the exchange and processing of numerous data feeds between EBCE and PG&E, the CAISO, and other EBCE business partners, and making sure such data feeds are readily available to EBCE for its own operations.
- Managing billing-related data and processes with PG&E to receive accurate billing determinants, calculate billing line items for inclusion by PG&E in consolidated billing, and tracking and resolving billing exceptions.
- Operating a Call Center to support customer inquiries related to enrollment in EBCE products & services, billing questions, and other matters relevant to CCDMS.
- Operating a Billing Information System (BIS) to provide Call Center staff and EBCE staff with readily available information related to billing transactions and customer enrollments.
- Managing customer enrollment forms via the EBCE website, and relating such forms to the BIS, as well as exchanging enrollment information with PG&E and EBCE.
- Calculating Settlement Quality Meter Data (SQMD) based on billing and interval data, and ensuring data integrity, managing exceptions, and submitting SQMD data to the CAISO in accordance with CAISO rules and regulations.
- Providing enrollment, billing, payment, and payment transaction reports to EBCE and its partners to support financial reports and financial audits.

In addition to the above, EBCE has identified several functions that may not be typical of CCAs but are of fundamental importance to current EBCE operations and/or to future EBCE roadmap requirements:

- Ensuring high availability and reliability of interval data, currently provided by PG&E through the Share My Data (SMD) system. Interval data is of paramount importance to EBCE for forecasting and settlement purposes, customer analytics, and the deployment of new customer products and programs. Respondents should describe how they can ensure that interval data is made available to EBCE as quickly and reliably as possible, how they manage and track exceptions to interval data, and how they incorporate or plan to incorporate such data into their business processes.
- Allowing flexibility to support the EBCE CRM via data feeds and data transactions. Per EBCE's roadmap above, EBCE currently owns and maintains its own CRM, and envisions that CRM to ultimately be the central point of information for all customer information, including information managed and processed by the CCDMS provider. Therefore, respondents should address how they can support data and systems integration to the current and future state of the EBCE CRM.
- Providing capability to support EBCE Local Programs across Billing Operations and Call Center Support. EBCE is growing a portfolio of customer-facing programs that will need to be supported

by a well-trained Call Center that can answer customer questions on Programs and help direct customers to Programs that suit their specific needs, as well as providing billing capabilities that enable program enrollment and scale.

- Providing capability to support EBCE in shifting to a cost-of-service rate model that is unique from the PG&E rate structure.

**Response Narrative:** Please provide an overview of how your solution and/or services meets the general overview outlined above.

## 2.2 Data Exchanges and Data Management

### 2.2.1 General Requirements

The management of data and data exchanges is a core function of a CCDMS provider. Responsibilities include the processing of numerous data transactions between EBCE and PG&E, the processing of data for SQMD purposes, and the storage and management of data in a manner that is secure, scalable and accessible to EBCE.

**Response Narrative:** provide an overview of the technology you propose to use for processing, organizing, storing and securing all CCDMS data. Provide any relevant data on file management systems, retention policies, encryption, security, and data processing flows. Also describe the methods by which EBCE will have access to such data, how readily EBCE will have access to such data, and any high-level dashboards or reports you provide to track the processing of such data.

### 2.2.2 PG&E SFTP Servers Management and 4013 Data Set

EBCE will rely on the CCDMS provider to monitor, manage, organize and secure all data posted to the main PG&E SFTP servers, with special importance placed on the 4013 Data set.

**Response Narrative:** describe any salient points related to how you process or manage data on the main PG&E SFTP server, and how you handle the secure distribution of files as necessary to all parties that may require access to such data (for example item17 data, or one-off reports). Provide any further information on processes you have put in place to work with PG&E to manage exceptions to production-related data. Finally (if not addressed in the Requirements Matrix) provide details on the specific processes you have put in place related to the 4013 data set, such as:

- 4013 file checks (i.e., checks for missing files, short files, long files, corrupt files, etc.)
- 4013 content QA process (i.e., checks against past 4013 files and EDI files by rs\_cd, etc.)

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.2.3 EDI Transactions

EBCE will rely on the CCDMS provider to monitor, manage, organize, validate and secure all EDI files posted to the main PG&E EDI server.

**Response Narrative:** describe in general the way you manage, organize, validate and secure files posted to the main EDI server, with particular emphasis on how you check for missing files, corrupted files, duplicated files, etc. Provide any further information on processes you have put in place to work with PG&E to manage exceptions. Include any documentation available on reporting/dashboards you would make available to EBCE.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.2.4 Interval Data Management

As noted above, the access to and the processing of interval data (meaning hourly or 15-minute data) is of paramount importance to EBCE. While there are inherent limitations associated with PG&E's AMI infrastructure and PG&E's current Share My Data (SMD) system, EBCE expects its CCDMS provider to place special emphasis on retrieving and making available the most complete and accurate data set available.

**Response Narrative:** describe in general the systems and processes you have in place for ensuring the most complete and accurate retrieval of interval data from PG&E systems, and the ways in which you will make such data available to EBCE as quickly and reliably as possible. Provide any further information on processes you have put in place to work with PG&E to manage missing data, incomplete data, meters not reporting daily, etc. Also describe any processes you have in place to ensure data integrity and completeness. Specifically address the following points if not addressed in the Requirements Matrix:

- SMD Data Latency (i.e., how quickly you can convert SMD data to CSV data usable by EBCE)
- Support for the processing of both SMD data and EDI Interval data
- Options for improving SMD service levels and associated optional costs.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.2.5 EBCE Data Warehouse Integration

As described in Section 1 above, EBCE has built, developed and implemented an EBCE Analytics Platform (EAP) based on the Google Cloud Platform (GCP), with Google Cloud Storage and Google BigQuery as key components to that warehouse. EAP currently automatically ingests data from a variety of sources, including data from the PGE SFTP servers (4013 data for example), outputs from the current CCDMS provider (billing details, enrollment details, SMD data, etc.) as well as external sources (CAISO data, weather data, tax assessor data, energy contract data, etc.). EAP automates the ingestion of such data, generates dashboards and reports, and also produces mission-critical outputs such as the short-term load forecast used for day-ahead scheduling. It is therefore an essential component of EBCE operations.

**Response Narrative:** describe in general how you plan to integrate with EAP. EBCE welcomes alternative suggestions for how to handle exchanges of information between EAP and CCDMS Systems, under the assumption that EBCE will continue to manage EAP under GCP.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

##### 2.2.5.1 Current and Future State of EBCE CRM

The current and future states of ECRM are outlined in detail in Section 1.3.

**Response Narrative:** in this part of your response, please describe how your proposed solution would mesh with the roadmap presented in Section 1.3. Discuss any options you want to present for consideration, as well as opportunities and risks you foresee, and options to mitigate them.

##### 2.2.5.2 Integration Considerations

**Response Narrative:** please address any technological solutions or options you would like EBCE to consider as part of the technical integration of CCDMS services with ECRM.



## 2.3 Billing Transactions

### 2.3.1 General Requirements

#### 2.3.1.1 *Inbound Data Capture*

The CCDMS provider is responsible for capturing, storing and processing all inbound data necessary for the generation of billing transactions.

**Response Narrative:** provide a general overview of the processes you have in place to manage inbound billing data. Include a high-level diagram of the general and exception management process, including assessing delayed or omitted incoming data.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.3.1.2 *Outbound Data Output*

The CCDMS provider is responsible for ensuring the timely delivery of outbound data transactions to PG&E to ensure the correct inclusion of billing transactions in PG&E's consolidated billing.

**Response Narrative:** provide a general overview of the processes you have in place to manage outbound billing data. Include a high-level diagram of the general and exception management process, including quality assurance testing of blue bills. You may combine this with section 2.3.1.1.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.3.2 Managing Rates and Rate Tables

#### 2.3.2.1 *Overview of Rate Setting at EBCE*

On an annual basis, EBCE sets its value proposition for service products. The value proposition is marked to PG&E pricing. For example, the Bright Choice product is 1% less than PG&E, Brilliant 100 is at parity to PG&E, and Renewable 100 is an additional one cent per kWh. EBCE's rates are set based on each customer's PCIA vintage; currently EBCE supports rates for vintage 2017, 2018, 2019, and 2020. See section 2.3.4 for additional details.

**Response Narrative:** describe in general your billing engine's capabilities for supporting rates and any features of the billing engine that support flexibility in rate setting.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.3.2.2 *Frequency of Rate Changes*

In order to maintain this value proposition, EBCE must update rates any time there is a change in the PG&E unbundled generation rate, Power Charge Indifference Adjustment, or Franchise Fee.

**Response Narrative:** provide a general timeline for your process to update rates including basic steps, quality assurance, and time to implement.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.3.3 Processing of Billing Determinants

#### 2.3.3.1 *Support for Current and Future Billing Determinants*

EBCE matches all rate tariffs supported by PG&E. EBCE aligns billing determinants with those in the tariff, including Net Energy Metering (NEM). Any changes to billing determinants, such as a change in the time periods of peak charges or a new season being added, must be supported by the billing engine.

**Response Narrative:** provide a description of your NEM billing functionality.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.3.3.2 *Special Rates*

EBCE currently provides or plans to provide several billing configurations that may require special rates. Specifically, EBCE offers a non-standard rate to certain commercial customers that is a fixed rate per kWh. EBCE also offers some unique rates for certain NEM customers (see full policy and tariff [here](#)). EBCE is interested in participating in future real time pricing rates.

**Response Narrative:** provide a general description of your billing engine architecture and how it can support special rates. Specifically note if you can already support real time pricing.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.3.4 Calculation of Billing Line Items

#### 2.3.4.1 *Bill Presentment*

EBCE bills customers at the equivalent PG&E generation rate based on their rate tariff, but then applies credits for the Power Charge Indifference Adjustment (PCIA) and Franchise Fee, and finally applies a discount or adder to account for rate cost variations between products. Each of these credits, discounts, and adders appear as an individual line item on the bill.

The Bright Choice discount is calculated based on the PG&E Rate less the PCIA and Franchise Fee credits multiplied by 1%. This allows for EBCE to meet the value proposition for each customer regardless of PCIA vintage. An example of the bill presentation is available [here](#).

**Requirements Matrix:** submit responses to all requirements for this section.

#### 2.3.4.2 *How EBCE Handles PCIA*

The PCIA credit is calculated based on the customer's specific vintage year, the corresponding PCIA, and kWh usage.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

## 2.4 Billing Exception Management

### 2.4.1 Standard Billing QA Checks

EBCE utilizes the bill-ready approach with PG&E for customer billing. As such, it is critical that the bill calculation and data transaction accurately reflect customer charges.

#### 2.4.1.1 *Billing Determinant Data Validation*

EBCE matches the rate tariffs, and therefore billing determinants, of PG&E.

**Response Narrative:** provide a description of your quality assurance process for billing determinant data.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### *2.4.1.2 Calculated Line Item Data Validation*

Rates and billing charges were described in Section 2.3.4.

**Response Narrative:** Based on how EBCE calculates its customer bills, describe your quality assurance process of calculated line items. Describe how this process would apply to changes in rates such as new billing determinants or the introduction of new rate schedules. Include a standard timeline for the QA of new calculated billing line items.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### *2.4.2 Handling Standard Billing Exceptions*

EBCE currently processes over 30,000 bills per day. Given this volume, errors and anomalies are bound to occur. EBCE will rely on a CCDMS provider to have a robust process for identifying, addressing, and resolving billing exceptions. Billing exceptions must be dealt with in a timely manner to avoid improper customer billing and a poor customer experience.

##### *2.4.2.1 Missing / Late Billing Determinants*

**Response Narrative:** Describe your process for identifying, addressing, and resolving missing, incorrect, and/or late billing determinant data. In particular, indicate any special process in place for key customer accounts.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

##### *2.4.2.2 Bill Calculation Errors*

**Response Narrative:** Describe your process for identifying, addressing, and resolving bill calculation errors, including situations when the PG&E-billed rate schedule does not match the EBCE-billed rate schedule. Indicate any special process in place for key customer accounts.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

##### *2.4.2.3 Other On-Bill Data*

**Response Narrative:** Describe your process for offering bill credits, such as one-time courtesy credits, updating the in-line bill message, and naming of EBCE products.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

##### *2.4.2.4 Programs Billing Options*

EBCE is planning to facilitate program participation by providing on-bill repayment for investments in distributed energy resources (DERs) such as: solar, batteries, electric vehicle charging stations, building electrification and energy efficiency investments.

**Response Narrative:** Describe your process for billing for non-energy payments that may be fixed or variable, including bill messaging and product descriptions. Please include timing requirements for receiving data from a third party (such as a Solar PV system operator) such that billing data can be accurately processed. In addition, please describe how partial bill payments in these cases are treated.

#### 2.4.2.5 Cancel / Rebill Transactions

EBCE maintains its own policy of when to cancel a bill and/or rebill a customer. A CCDMS provider must be able to override any automated systems that do not align with the EBCE policy.

**Response Narrative:** Describe your standard process for dealing with canceled or rebilled transactions. Describe how your billing engine architecture is flexible and can be adjusted to align with additional processes.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.4.3 Bill Reversals

When the error is on the PG&E side, EBCE will (almost always) receive updated billing information from PG&E. EBCE will cancel the erroneous bill and replace it, or rebill, just like PG&E is doing on their portion of the bill. Because of this relationship, EBCE will follow the requirements outlined PG&E's [Electric Rule 17.1](#) regarding adjustment to bills for billing errors.

If the error is due to EBCE's mistake, EBCE will submit a cancellation of incorrect billing segments and rebill with updated information following specific guidelines based on customer class and bill impact thresholds.

**Response Narrative:** Describe your standard process for bill reversal transactions and your billing engine's flexibility regarding when bill reversals are implemented.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.5 Call Center Services

EBCE will rely on the CCDMS provider to provide best in class call center services. In time, EBCE may wish to bring all call center services in house. For the immediate future, EBCE is interested in three potential call center configurations as outlined in Section 2.5.1.

#### 2.5.1 Call Center Options for EBCE

EBCE must have the ability to facilitate some level of call center support via in-house staff and/or within our service territory at some time to be determined.

A CCSMS provider must be able to support one or more of the following options upon contract start, or an agreed upon date:

- Brick and Mortar: Operate a call center within EBCE service territory fully staffed by vendor agents.
- WFT (Working From Territory): Place remote vendor agents within EBCE service territory,
- Staff: Support a limited number of EBCE-employed agents that supplement a call center.

**Response Narrative:** Describe how you would provide one or more of the above options for call center services. Please also include languages supported.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.5.2 Example Service Metrics

Supervision, quality assurance, training, and performance must be consistent and best in class in each of the three options noted in Section 2.5.1.

**Response Narrative:** Describe the supervisory and training structure for each option you could support. Describe your quality assurance processes. Describe your standard service level agreements such as speed to answer and abandonment rate.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.5.3 Call Center Technology

EBCE relies on multiple technology streams for customer call center support, including telephony, interactive voice recording, integrated language support and web forms. Additionally, any CRM maintained by the vendor (distinct from ECRM) must provide EBCE direct access to its customer information within the CRM. This includes, but is not limited to: customer name, rate, billing history, payment history, blue bills, enrollment status, and interaction records. The CRM must also provide a visual dashboard of key metrics which may include but are not limited to enrollment status, interaction report, and product selection.

**Response Narrative:** Describe the technology and reporting systems used and how they integrate for superior customer service. Describe how these systems could be utilized in each option you could support, as identified in Section 2.5.1

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.5.4 CRM Integration Roadmap

EBCE recently established an internal CRM to be the system of record. This system should contain authoritative data on customer information, usage, billing history, marketing interactions, program participation, call center interactions, and a myriad of other data. The optimal system would be connected to any external CRM that is used by a call center. Please see section 1.3 for more information.

**Response Narrative:** Describe the process and timeline by which your CRM could be integrated with the EBCE system of record and provide feedback on how this integration would impact call center functionality.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate

## 2.6 Vendor-Supplied CRM

### 2.6.1 Vendor CRM vs. ECRM

EBCE expects the CCDMS provider to offer access to a CRM system which may offer some basic CRM functions, but which should be considered distinct from the EBCE CRM (ECRM). The CCDMS CRM should

provide access to all current, past and eligible EBCE customers and should include enrollment information, billing information, customer interactions, and reports.

**Response Narrative:** provide an overview of your CRM or other Customer Information System.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.6.2 Integration with EBCE CRM

As noted in Sections 1.3, EBCE is also deploying its own CRM application and expects to have CCDMS systems, including vendor CRM, integrate with ECRM as noted above.

**Response Narrative:** address the proposed integration with EBCE CRM.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.6.3 Integration with Call Center

The vendor CRM should integrate with the CCDMS call center to provide basic information about customers to call center operators, and allow them to perform basic CCDMS functions such as enrollment actions, bill credit actions, etc.

**Response Narrative:** address how your CRM and CCDMS call center functions are integrated.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.6.4 Specific Requirements

##### 2.6.4.1 Billing Data Access

**Response Narrative:** please describe how billing data will be stored and accessed in CRM. Indicate the level of detail available, the amount of history available, and any reports associated with billing data and billing transactions.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

##### 2.6.4.2 Customer Blue Bills

PG&E provides copies of customer bills (Blue Bills) in PDF format. The vendor CRM should include access to those bills and have those bills associated with each customer and EBCE staff requires access to these Blue Bills via a simple search function, such as search by address or Service Account ID.

**Response Narrative:** please explain the process for managing, storing and retrieving customer bills in BIS. Describe any processes in place to match bills and verify or QA bills.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

##### 2.6.4.3 Exceptions

There will invariably be exceptions associated with some billing transactions, and vendor systems should allow users to understand and view those exceptions.

**Response Narrative:** please explain the process for storing bill exception information in the vendor CRM, and the type of exceptions available (for example, rebill transactions, reversals, VEE checks/failure).

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.6.4.4 Customer Interactions

The vendor CRM should also enable users to view past customer interactions, such as enrollment actions taken over the phone or online or calls completed through the call center.

**Response Narrative:** please explain the process for storing customer interaction information in the vendor CRM, and the type of interactions available (for example, enrollment interactions, call interactions, bill credit interactions, etc.)

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.6.4.5 Reports

The vendor CRM system should provide basic reports to both call center operators and EBCE users.

**Response Narrative:** please describe the standard reports available in the vendor CRM, as well as the capabilities of CRM to support custom or user-defined reports.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

#### 2.6.5 Roadmap Considerations

As noted above, EBCE's roadmap calls for the progressive centralization of customer information and interactions in its own ECRM.

**Response Narrative:** In this section, please describe any considerations worth noting related to the integration of your CRM with EBCE's roadmap. You may reference responses provided in other sections.

### 2.7 Customer Enrollment and Notifications

EBCE must follow relevant statute and regulatory requirements for customer enrollment and notifications. Customer enrollment and notifications fall into three categories: A) single event new service expansion, B) on-going and annual for existing service territory, C) mass product changes, either at the discretion of the local jurisdiction or to support EBCE product offerings.

#### 2.7.1 Web Enrollment Forms Support

EBCE will rely on the CCDMS provider to create online forms that support customer product selection including the ability to opt up or down to different service products, opt out to return to PG&E service, or opt back in to return to EBCE service after an initial opt out. For category A, forms must support new customers that have yet to receive service at least 60 days prior to start of service. Form functionality must support the requirements of CPUC Code 366.2. For category B, the forms must continue to allow for customer choice indefinitely and continue to support the requirements of CPUC Code 366.2.

**Response Narrative:** Describe your process for integrating web enrollment forms with the EBCE website.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.7.2 Enrollment Notifications Support

EBCE may rely on the CCDMS provider to generate customer lists, including all customer characteristics needed for mail and email, for requirement notifications for both category A and category B as defined in Section 2.7. Category A requires that the CCDMS provider generate a list from the 4013 (CRCR) file of customers to be enrolled for service – this list must be generated a minimum of four times to account for changes in customer product selection (i.e. opt outs, which may also be identified through the CCDMS’s CRM). Category B requires a biweekly list of customers that have newly started service within our territory. Category C is not an on-going customer notification list; it may be required at such a time when a mass product change occurs.

**Response Narrative:** Describe your standard process for generating and providing customer lists for various notifications. Describe how you prepare a call center for potential call volume increase related to notification activities.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.7.3 Annual Notification Support

EBCE may rely on the CCDMS provider to generate customer lists, including all customer characteristics needed for mail and email, for requirement annual notifications such as the Power Content Label mailer, which goes to any customer served during a specific time period, or the Joint Rate Comparison Mailer, which goes to all currently enrolled customers.

**Response Narrative:** Describe your standard process for generating and providing customer lists for annual notifications. Describe how you prepare a call center for potential call volume increase related to notification activities.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.7.4 Mass Enrollment Support

When expanding into new service territories, EBCE will rely on the CCDMS provider to facilitate the mass enrollment process with PG&E.

**Response Narrative:** Describe your experience in conducting a mass enrollment with PG&E and provide any issues you have experienced with the process.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

## 2.8 Customer Programs

### 2.8.1 Customer Program Enrollment Support

In order to support EBCE Local Programs, EBCE will rely on the CCDMS provider to educate and enroll customers in EBCE programs. CSRs will need to be able to discuss programs in detail and walk customers through enrollment processes. EBCE would provide standard operating procedures and program descriptions for eligible programs.

**Response Narrative:** Describe your experience in supporting customer program education and enrollments, including out-bound calls to enroll customers in programs.



**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

## 2.9 SQMD and Other Settlement Services

The posting of SQMD data to the CAISO is an important function of a CCDMS provider. EBCE expects SQMD data to be calculated using interval meter data for the meters in its service territory where available.

### 2.9.1 SQMD Data Processing

**Response Narrative:** please describe in general the process for calculating SQMD data. Describe how actual interval meter data is used when available. Describe how the process handles meters without interval data, as well as meters where billing data is late or missing.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.9.2 SQMD QA and Exception Management

**Response Narrative:** please describe in general the process for validating SQMD data prior to posting and how exceptions to data are handled. Describe general procedures for handling situations where required data is missing, and the settlement period is closing.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.9.3 Resettlement Business Processes

**Response Narrative:** please describe how provider handles situations where late data has a material impact on settled SQMD data. Define materiality threshold if possible.

## 2.10 Financial Reporting

EBCE will rely upon the CCDMS for various financial reporting and data management functions. While not limited to the following 2.10 sectional aspects, it is expected this discussion presents the bare minimum of EBCE's financial data needs.

### 2.10.1 General Reporting Requirements

In general, EBCE will require timely and accurate financial reports. Timeliness is of course dependent upon processes in place, but those processes are expected to be automated with a consistent day of delivery, such as the first Monday of a month. Accuracy should be verifiable through contributing data and reconcilable across reports.

**Response Narrative:** please describe how provider handles situations when automated reporting systems fail, in both timeliness and accuracy. How would EBCE be notified of a delay in reporting? How does the provider monitor accuracy in its reports?

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.10.2 Banking and Accountant Transactions and Reports

EBCE will require the provider to send to the accountant a summarized account of the invoice detail report it sends to PG&E for invoice generation.

EBCE will require a Daily Payment Report to be distributed which reports customer account balances and payments. This report should be a combination of and a reconciliation between PG&E's UDC report submitted to the provider and the 820 Report of deposit data submitted to EBCE's bank. It is expected that the provider will identify and resolve discrepancies at least weekly.

The Daily Payment Report should feed a monthly Transaction Summary Report of aggregated customer balance activity of invoices, adjustments, and payments by charge code or another relevant accounting category.

Both the Daily Payment Report and the Transaction Summary are expected to reconcile with aging reports, NEM balance reports, and other balance reports month-to-month.

EBCE will also require the provider to track and report user utility tax (UUT) monthly collections by jurisdiction for remittance as well as supporting data requested by the taxing authority.

**Response Narrative:** please describe which reports the provider currently provides to clients, ability to meet EBCE's reporting requirements in this category, any challenges to meet these requirements, and expected timeline to begin delivery of reports if selected.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.10.3 Aging Reports & NEM Balances

EBCE requires the provider to deliver standardized aging reports at least monthly. These reports should account for outstanding balances by customer in both Bill Date and Due Date methodologies and should break out the balances in 30 day buckets up to 180 days and higher, and include accurate, timely NEM balances to date reconciled with cash received to EBCE's accounts.

In congruence with the Aging Report, the CCDMS will provide on-going data support and reporting with NEM cash-out/accruals. This data should align with all other data sources and other required reports discussed and be consistent with 4013 reports.

**Response Narrative:** please describe the provider's experience with aging reports and NEM balance tracking. What processes are in place to ensure accuracy with source and billing data? Are there any challenges to providing these reports?

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

### 2.10.4 Audit Requirements

EBCE's fiscal year runs from July 1<sup>st</sup> through June 30<sup>th</sup>. EBCE's annual audit kicks off on the first business day of the new fiscal year and seeks to conclude within 75 days (mid-September). EBCE will require CCDMS financial data support and cooperation for its annual audit processes during this period. This will include comprehensive aging and payment analysis for a randomly selected sample of customers, as well as providing batch blue bill histories, receipt sampling, invoicing, and aging balances for any time in the previous fiscal year.

Although not required, EBCE would like to know if the provider is Service Organization Control (SOC) certified.

**Response Narrative:** please describe the services provided to support other customer audits. Have there been any issues with timeliness in providing batch historical data, or reconciling samples? Has there ever been a significant delay in fulfilling auditor requests? If so, please describe the issue, how it was resolved, and what has been changed to prevent the issue in the future? Please state if SOC certified.

**Requirements Matrix:** submit responses to all requirements for this section. Reference the response narrative as appropriate.

## 3 Response Instructions

### 3.1 General Instructions to Respondents

#### 3.1.1 EBCE Contact

The evaluation phase of the competitive process will begin upon receipt of bids and until a contract has been awarded. Respondents must not have any contact with EBCE personnel in regard to the evaluation of this RFP, nor should they lobby evaluators or any member of the staff or Board of Directors during the evaluation process. Any communications outside of the procedures set forth in this RFP may result in disqualification of the respondent.

All questions regarding these specifications, terms and conditions are to be submitted in writing, via e-mail, by 5:00 p.m. PST on March 26, 2021:

Attn: Gabrielle Ruxin  
East Bay Community Energy  
E-Mail: [ccdms-rfp@ebce.org](mailto:ccdms-rfp@ebce.org)

The EBCE website will be the official notification posting place of all Requests for Interest, Proposals, Quotes and Addenda. Go to <https://ebce.org/solicitations/> to view current opportunities.

#### 3.1.2 Submittal of Proposals

All bids must be received by East Bay Community Energy by 5:00 p.m. on April 9, 2021. Bids will be received only at the addresses shown below. Any bid received after that time and date or at a place other than the stated address will not be considered and will be returned to the respondent unopened. Electronic bids must be submitted in a non-alterable format such as a PDF. Specific instructions are as follows:

1. Respondents must submit an electronic copy of their proposal via email to the following:
  - a. Email address: [ccdms-rfp@ebce.org](mailto:ccdms-rfp@ebce.org)
  - b. Email title: CCDMS RFP Response – Respondent’s Name
2. Respondents are responsible for all of their costs required for the preparation and submission of a bid.
3. Only one bid response will be accepted from any one person, partnership, corporation, or other entity; however, several alternatives may be included in one response. For purposes of this requirement, “partnership” means, and is limited to, a legal partnership formed under one or more of the provisions of the California or other state’s Corporations Code or an equivalent statute.
4. All other information regarding the bid responses will be held as confidential until the Review Committee has completed its evaluation, a recommended award has been made by the EBCE Board of Directors, and the contract has been fully negotiated.
5. California Government Code Section 4552: In submitting a bid to a public purchasing body, the respondent offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2, commencing with Section 16700, of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the respondent for sale to the purchasing body pursuant to the bid. Such

assignment shall be made and become effective at the time the purchasing body tenders final payment to the respondent.

6. Respondent expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms “claim” and “knowingly” are defined in the California False Claims Act, Cal. Gov. Code, §12650 et seq.), EBCE will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Consultant(s) may be subject to criminal prosecution.
7. The undersigned Respondent certifies that it is, at the time of bidding, and throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents. Respondent further certifies that it is regularly engaged in the general class and type of work called for in the Bid Documents.
8. It is understood that EBCE reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of one-hundred and eighty (180) days, unless otherwise specified in the Bid Documents.

### 3.2 Response Narrative Instructions

Respondents are instructed to submit a response narrative. The response narrative should include:

- An executive summary detailing the salient points of the respondent’s proposal, including a cost summary.
- A general overview of the respondent’s qualification in providing CCDMS to EBCE, along with key responses to the goals and objectives of EBCE as set forth throughout this RFP document.
- Detailed responses to requests for descriptions or explanations as set forth in Section 2 of this document, where requested.

### 3.3 Detailed Requirements Matrix Instructions

Respondents are also instructed to fill out the Detailed Requirements Matrix included as Appendix A of this document. Provide complete but succinct responses and include a summary rating of each response to the requirements. The requirements matrix references Section 2 of this RFP.

### 3.4 Pricing Proposal Instructions

Respondents must also submit a pricing proposal narrative and price table. While respondents are given leeway to structure their pricing proposal as they see fit, note that EBCE will seek to compare price proposals in the following ways:

- By evaluating a price/enrolled service point/month, for each month of the engagement.
- By calculating the total cost of the contract over the term of the contract.

EBCE also seeks to evaluate pricing proposals for varying terms:

- At a minimum, all respondents should provide pricing for a 3-year term for all of the services required in Section 2.
- Respondents are encouraged to submit pricing for longer terms of up to 5 years, and to describe any cost or savings advantage associated with longer terms.
- Respondents are also encouraged to submit pricing for terms as short as 1 year, and to describe which components of the requirements in Section 2 would be excluded (if any) from the pricing for shorter terms.

Finally, EBCE seeks to understand how the cost of call center services can be separated from other CCDMS functions. Respondents are therefore asked to provide pricing for:

- The full suite of required services outlined in Section 2.
- Pricing that separates Call Center services from the remainder of the services. Respondents should indicate here any assumptions or conditions associated with the separation of such services, including whether transition costs are included in the pricing.
- Further breakdown of costs by CCDMS functions are also welcome but not required.

Finally, as you consider the roadmap outlined in Section 1, please provide pricing options that can help EBCE determine the most cost-effective course of action. EBCE expects costs associated with conforming to its roadmap to be separate and additional to those associated with providing the standard CCDMS functions outlined in Section 2. Respondents are encouraged to provide options for EBCE consideration, and where feasible, an estimate of associated costs for those options.

Respondents should document any services, processes, options etc. that are not included in the overall fee. This may be done by referencing the Requirements Matrix and/or by listing out those items that are either excluded from the overall price and/or are considered separate options. Here respondents are encouraged to price such options in a way that still enables EBCE to evaluate and compare proposals as noted above.

### 3.5 References

Respondents shall also provide a list of current clients as references. References must be satisfactory as deemed solely by responsible EBCE staff.

References must include company name, contact person (name and email), address, telephone number, date of services, and description of services provided. Respondents must verify the contact information for all references provided is current and valid.

Respondents are encouraged to notify all references that responsible EBCE staff may be contacting them to obtain a reference.

EBCE staff may contact some or all of the references provided in order to determine Respondent's performance record on work similar to that described in this request. EBCE staff reserves the right to contact references other than those provided in the Response and to use the information gained from them in the evaluation process.

## 4 Response Evaluation

### 4.1 Response Evaluation and Scoring Methodology

Evaluations of the responses will be based upon the information provided in the proposals and such other information requested by EBCE, or as deemed appropriate by EBCE. Proposals must provide clear, concise information and sufficient detail to enable reviewers/evaluators to evaluate the responsiveness and quality of the proposals to all RFP requirements. Evaluators will also review the proposals for format to ensure conformance with the RFP requirements. Proposals that fail to meet RFP requirements could be rejected. EBCE may waive minor irregularities in proposals if doing so would be in the best interest of EBCE. Evaluators may recommend discontinuing evaluation of any proposal that is considered not in compliance with the RFP requirements.

The review/evaluation team will select the proposal that offers the greatest value to EBCE based on an analysis of the following criteria:

<b>Criterion</b>	<b>Score</b>
Response is complete	Pass / Fail
Respondent has addressed all required services outlined in Section 2	Pass / Fail
Response fit with EBCE requirements	50%
Response fit with EBCE Roadmap	10%
References	10%
Price and Pricing Options	30%

As reflected in the Evaluation Criteria, contract award will not be based solely on cost, but on a combination of factors as determined to be in the best interest of EBCE. EBCE will not be bound to award the contract(s) based solely on the lowest bid submitted.

### 4.2 Tentative RFP Evaluation Timeline

<b>Action</b>	<b>Date</b>
Issuance of RFP	March 12, 2021
Deadline for questions/clarifications	March 26, 2021
Question Responses posted online	No Later Than April 2, 2021
Deadline to submit proposals	April 9, 2021
Finalist selection/interviews	April 26 – 30, 2021
Target respondent selection deadline	May 7, 2021
Tentative contract finalization date	August 6, 2021

## 5 Procedures, Terms and Conditions

### 5.1 General

#### 5.1.1 Incurring Cost

This RFP does not commit EBCE to award or pay any cost incurred in the submission of the proposal, or in making necessary studies or designs for the preparation thereof, nor procure or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of a contract award.

#### 5.1.2 Claims Against EBCE

Neither your organization nor any of your representatives will have any claims whatsoever against EBCE or any of its respective officials, agents, or employees arising out of or relating to this RFP or these RFP procedures, except as set forth in the terms of a definitive agreement between EBCE and your organization.

#### 5.1.3 Guarantee of Proposal

Responses to this RFP, including proposal prices, will be considered firm and irrevocable for one hundred eighty (180) days after the due date for receipt of proposals.

#### 5.1.4 Basis for Proposal

Only information supplied by EBCE in writing in connection with this RFP should be used as the basis for the preparation of Consultant(s)'s proposal.

#### 5.1.5 Form of Proposals

Proposals must be submitted electronically by e-mail to [ccdms-rfp@ebce.org](mailto:ccdms-rfp@ebce.org).

#### 5.1.6 Amended Proposals

Respondents may submit amended proposals before the Deadline to Submit Proposals. Such amended proposals must be complete replacements for previously submitted proposals and must be clearly identified in a written format. EBCE will not merge, collate, or assemble proposal materials.

#### 5.1.7 Withdrawal of Proposal

Respondents may withdraw their proposals at any time prior to the Deadline to Submit Proposals. The Consultant(s) must submit a written withdrawal request signed by the Consultant(s)'s duly authorized representative addressed to and submitted to EBCE.

#### 5.1.8 Late Responses

To be considered, proposals must be received electronically by email and (optional) in person or via courier/mail or to the place specified by Date Time. No late responses will be considered.

#### 5.1.9 California Public Records Act (CPRA)



All proposals become the property of EBCE, which is a public agency subject to the disclosure requirements of the California Public Records Act (“CPRA”). If Consultant(s) proprietary information is contained in documents submitted to EBCE, and Consultant(s) claims that such information falls within one or more CPRA exemptions, Consultant(s) must clearly mark such information “CONFIDENTIAL AND PROPRIETARY,” and identify the specific lines containing the information. In the event of a request for such information, EBCE will make best efforts to provide notice to Consultant(s) prior to such disclosure. If Consultant(s) contends that any documents are exempt from the California Public Records Act (CPRA) and wishes to prevent disclosure, it is required to obtain a protective order, injunctive relief, or other appropriate remedy from a court of law in Alameda County, before EBCE’s deadline for responding to the CPRA request. If Consultant(s) fails to obtain such remedy within EBCE’s deadline for responding to the CPRA request, EBCE may disclose the requested information.

Consultant(s) further agrees that it shall defend, indemnify, and hold EBCE or its agents, harmless against any claim, action, or litigation (including, but not limited to, all judgments, costs, fees, and attorney’s fees) that may result from EBCE’s assertion of an exemption or privilege as a basis for withholding any information marked confidential by the Consultant(s).

DO NOT MARK YOUR ENTIRE BID CONFIDENTIAL. ONLY MARK THOSE PAGES THAT YOU BELIEVE CONTAIN PROPRIETARY INFORMATION.

#### 5.1.10 Confidentiality

All data and information obtained from or on behalf of EBCE by the Consultant(s) and its agents in this RFP process, including reports, recommendations, specifications, and data, shall be treated by the Consultant(s) and its agents as confidential. The Consultant(s) and its agents shall not disclose or communicate this information to a third party or use it in advertising, publicity, propaganda, or in another job or jobs, unless written consent is obtained from EBCE.

Generally, each proposal and all documentation, including financial information, submitted by a Consultant(s) to EBCE is confidential until a contract is awarded, when such documents become public record under State and local law, unless exempted under CPRA.

#### 5.1.11 Electronic Mail Address

Most of the communication regarding this procurement will be conducted by electronic mail (e-mail). Potential Respondents agree to provide EBCE with a valid e-mail address to receive this communication.

#### 5.1.12 EBCE Rights

EBCE reserves the right to do any of the following at any time:

- a. Reject any or all proposal(s), without indicating any reason for such rejection;
- b. Waive or correct any minor or inadvertent defect, irregularity, or technical error in a proposal or the RFP process, or as part of any subsequent contract negotiation;
- c. Request that Respondents supplement or modify all or certain aspects of their proposals or other documents or materials submitted;
- d. Terminate the RFP, and at its option, issue a new RFP;
- e. Procure any equipment or services specified in this RFP by other means;

- f. Modify the selection process, the specifications or requirements for materials or services, or the contents or format of the proposals;
- g. Extend a deadline specified in this RFP, including deadlines for accepting proposals;
- h. Negotiate with any or none of the Respondents;
- i. Modify in the final agreement any terms and/or conditions described in this RFP;
- j. Terminate failed negotiations with any Consultant(s) without liability, and negotiate with other Consultant(s);
- k. Disqualify any Consultant(s) on the basis of a real or apparent conflict of interest, or evidence of collusion that is disclosed by the proposal or other data available to EBCE;
- l. Eliminate, reject, or disqualify a proposal of any Consultant(s) who is not a responsible Consultant(s) or fails to submit a responsive offer as determined solely by EBCE or its representative; or
- m. Accept all or a portion of a Consultant(s)'s proposal.

#### 5.1.13 Supplier Diversity

Pursuant to California Senate Bill 255, Community Choice Aggregators (CCAs) are required to report to the California Public Utilities Commission on their diverse suppliers, as defined by CPUC General Order 156. Consistent with the California Public Utilities Code and California Public Utilities Commission policy objectives, Respondents that execute a contract with EBCE will be required to complete a Supplier Diversity Questionnaire. EBCE will not consider race, sex, color, ethnicity, or national origin in procurement decisions; providing such information will not impact the selection process or good standing of executed contracts.

EBCE encourages all eligible parties to get certified with the CPUC as a women, minority, disabled veteran and/or LGBT owned business enterprise (WMDVLGBTBE).

For overview information on the CPUC Supplier Diversity Program, visit the program homepage (<https://www.cpuc.ca.gov/supplierdiversity/>). For information on the certification process and requirements, visit the Certifications page (<https://www.cpuc.ca.gov/Certifications/>).