

VALLEY CLEAN ENERGY ALLIANCE

Staff Report – Item 10

To: Valley Clean Energy Alliance Board of Directors

From: Mitch Sears, Interim General Manager
Lisa Limcaco, Director of Finance and Operations

Subject: Approval of Amendment 6 to SMUD Services Agreement Task Order 4 Related to VCE Organizational Staffing

Date: December 13, 2018

RECOMMENDATION

1. Adopt a resolution authorizing the Interim General Manager to sign Amendment 6 to SMUD Services Agreement Task Order 4 to extend the Task Order to March 1, 2019.

BACKGROUND AND ANALYSIS

On October 12, 2017 the VCE Board approved a Professional Services Agreement with the Sacramento Municipal Utility District (SMUD) to provide launch and operational services for VCE. A series of Task Orders implemented the Agreement, including Task Order 4 for Operational Staff Services which was approved by the Board in December 2017.

Task Order 4 is scheduled to expire on December 31, 2018. The recommended action would approve an amendment to extend Task Order 4 from December 31, 2018 to March 1, 2019 – all other terms and conditions would remain the same. This short-term extension allows VCE and SMUD to analyze PG&E's 2019 rate changes and factor them in to any modifications to Task Order 4 going forward.

The staffing costs associated with the recommended Task Order extension are consistent with the adopted VCE budget.

CONCLUSION

Staff is recommending the VCE Board adopt the attached resolution authorizing the Interim General Manager to approve and sign Task Order 4, Amendment 6 in substantially the same form as attached.

Attachments

1. Resolution Approving VCE-SMUD Master Services Agreement Task Order 4, Amendment 6
2. Professional Services Agreement - Task Order 4, Amendment 6

VALLEY CLEAN ENERGY ALLIANCE

RESOLUTION NO. 2018- _____

**A RESOLUTION OF THE VALLEY CLEAN ENERGY ALLIANCE APPROVING AMENDMENT 6
TO THE SACRAMENTO MUNICIPAL UTILITIES DISTRICT PROFESSIONAL SERVICES
AGREEMENT FOR OPERATIONAL STAFF SERVICES TASK ORDER 4**

WHEREAS, the Valley Clean Energy Alliance (“VCEA”) is a joint powers agency established under the Joint Exercise of Powers Act of the State of California (Government Code Section 6500 et seq.) (“Act”), and pursuant to a Joint Exercise of Powers Agreement Relating to and Creating the Valley Clean Energy Alliance between the County of Yolo (“County”), the City of Davis (“Davis”), and the City of Woodland (“City”) (the “JPA Agreement”), to collectively study, promote, develop, conduct, operate, and manage energy programs; and

WHEREAS, on August 31, 2017, the VCEA Board considered a proposal by the Sacramento Municipal Utilities District (“SMUD”) to provide program launch and operational services and subsequently directed VCEA staff to negotiate a services agreement between VCEA and SMUD for consideration and action by the VCEA Board;

WHEREAS, on September 21, 2017, the SMUD Board of Directors authorized its CEO to enter into a contract with VCEA to provide CCA support services;

WHEREAS, On October 12, 2017 the VCEA Board approved the Master Professional Services Agreement and Task Order 1 and Task Order 2 to provide program launch and operational services consistent with the SMUD proposal and VCEA Board direction;

WHEREAS, On November 16, 2017 the VCEA Board approved Task Order 3 to provide Wholesale Energy Services consistent with the SMUD proposal and VCEA Board direction;

WHEREAS, on December 12, 2017, the VCEA Board approved Task Order 4 to provide Operational Staff Services to VCEA for program launch and operations;

WHEREAS, on May 10, 2018, the VCEA Board approved Task Order 5 to provide long term renewable procurement services;

WHEREAS, on October 18, 2018, the VCEA Board approved via Resolution 2018-028, Amendment 5 to Task Order 4, which amended Section 1.2 Scope of Services, and Section 4.1.1 Dedicated Operational Staff;

WHEREAS, Task Order 4, expires on December 31, 2019 and VCEA and SMUD mutually agree to extend the Task Order to March 1, 2019.

NOW, THEREFORE, the Board of Directors of the Valley Clean Energy Alliance resolves as follows:

1. The VCEA Interim General Manager is authorized to sign Amendment 6 to SMUD Services Agreement Task Order 4 to extend the Task Order to March 1, 2019.

ADOPTED, this ____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lucas Frerichs, VCEA Chair

Alisa M. Lembke, VCEA Board Secretary

EXHIBIT A - Amendment 6 to Master Professional Services Agreement Task Order 4

EXHIBIT A

AMENDMENT 6 TO TASK ORDER 4 - OPERATIONAL STAFF SERVICES

AMENDMENT 6 TO EXHIBIT A: Scope of Services

A.4 Task Order 4 – Operational Staff Services

SMUD and VCEA agree to the following services, terms, and conditions described in this Amendment 6 to Exhibit A, Task Order No. 4 (Amendment 6), the provisions of which are subject to the terms and conditions of the Master Professional Services Agreement (Agreement) between the Parties. If any specific provisions of this Amendment 6 conflict with any general provisions in the Agreement or Task Order 4, the provisions of this Amendment 6, shall take precedence.

The Effective Date of this Amendment 6 is the date of last signature below.

The Parties hereto mutually agree to the following changes to Task Order No. 4:

A. Amend Section 4, Term and Termination. Sub-section 4.1.1, Dedicated Operational Staff, Paragraph 1 is replaced in its entirety with the following:

“Notwithstanding Section 4.1, Term of Task Order 4, SMUD will assign dedicated operational staff as described in Section 1.1 of this Task Order 4 for Finance and Operations and Customer Care and Communications to be available onsite at VCEA offices. SMUD will provide the dedicated operational staff through February 28, 2019. The Parties may mutually agree to extend or modify any portion of the operational staff services as provided in Section 4.2.1 of Task Order No. 4.”

SIGNATURES

The Parties have executed this Amendment 6, and it is effective as of the date of last signature below.

Valley Clean Energy Alliance

By: _____

Name: _____

Title: _____

Date: _____

**Approved as
to Form:** _____

Sacramento Municipal Utility District

By: _____

Name: _____

Title: _____

Date: _____

**Approved as
to Form:** _____