

VALLEY CLEAN ENERGY ALLIANCE

Staff Report – Item 11

To: Valley Clean Energy Alliance Board of Directors

From: Mitch Sears, Interim General Manager

Subject: Receipt of signed Amendment 7 to Task Order 4 of the SMUD Professional Services Agreement extending termination date

Date: April 11, 2019

RECOMMENDATION

Receive copy of signed Amendment 7 to Task Order 4 of the Sacramento Municipal Utilities District (SMUD) Professional Service Agreement extending the termination date from February 29, 2019 to June 30, 2019.

BACKGROUND

On October 12, 2017 the VCE Board entered into a Professional Services Agreement with Sacramento Municipal Utility District (SMUD) to assist with VCE's program launch and operations. On December 12, 2017, the VCEA Board approved Task Order 4 to provide Operational Staff Services.

On October 18, 2018, the VCEA Board approved via Resolution 2018-028, Amendment 5 to Task Order 4, which amended the Scope of Services and dedicated Operational Staff and extended the termination date from December 31, 2018 to February 28, 2019.

Included within the operating budget for Fiscal Year (FY) 2018/2019, are costs for dedicated Operational Staff through June 30, 2019.

UPDATE

Task Order 4 was set to expire February 28, 2019. To continue providing services to VCE, Interim General Manager Mitch Sears extended the termination date of dedicated SMUD Operational Staff to June 30, 2019. Attached is a signed copy of Amendment 7 to Task Order 4 reflecting the extension.

Attachment

1. Amendment 7 to Task Order 4 (Operational Staff)

AMENDMENT 7 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 7 to Exhibit A, Task Order No. 4 (Amendment 7), 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 7 conflict with any general provisions in the Agreement or Task Order 4, the provisions of this Amendment 7, shall take precedence. Capitalized terms used in this Amendment which are not defined in this Amendment will have the respective meanings ascribed to them in the Agreement.

The Effective Date of this Amendment 7 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, to extend the end date:

“SMUD will provide the dedicated operational staff through June 30, 2019.”

This Amendment 7 is subject to all provisions of the Agreement and all provisions of any previous Amendments to Exhibit A, which are not expressly superseded in this Amendment 7.

(Signature Page follows)

SIGNATURES

The Parties have executed this Amendment 7, and it is effective as of the date of last signature below.

Valley Clean Energy Alliance

By:  _____

Name: MITCH SEARS

Title: INTERIM GENERAL MANAGER

Date: FEBRUARY 13, 2019

Approved as to Form: N/A


Sacramento Municipal Utility District

By:  _____

Name: ARLEN ORCHARD

Title: GENERAL MANAGER + CEO

Date: 2/15/19

Approved as to Form:  _____

LEGAL