

**Master City of San José Consultant Agreement
Approved Service Order
(Non-Capital Projects)**

Cover Page

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- 1a.** Intentionally Omitted **1b.** AC Contract No.: OC-000501-000
2. Approved Service Order No. 2
3. Consultant's Name: Enegeia USA, Inc. ("Consultant")
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- 4.** Project Name: Demand Side Management Analysis ("Project")
5. Project Location: San José, CA
- 6.** The Consultant and the City will implement this Approved Service Order in accordance with the Master Agreement, this cover page and Attachments "A" (Tasks), "B" (Terms and Conditions), and "C" (Compensation Table), which are incorporated herein by references.

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- 7. Budget/Fiscal:**
- a. Current **unencumbered** amount in Master Agreement: \$ 280,370
- b. **Maximum Service Order Compensation for this Approved Service Order:** \$ 25,000
- c. New unencumbered balance in Master Agreement (7.a – 7.b): \$ 255,370
- d. **Appropriation Certification:** I certify that an unexpended appropriation in the amount of the Maximum Service Order Compensation is available in the following fund(s) and that such fund(s) will be encumbered to pay for this Approved Service Order.
- | | | | |
|-------------|-------------|------------|------------------|
| Fund: 501 | Appn: 0782 | RC: 200166 | Amount: \$25,000 |
| Fund: _____ | Appn: _____ | RC: _____ | Amount: \$ _____ |
| Fund: _____ | Appn: _____ | RC: _____ | Amount: \$ _____ |

Han Nguyen

Email: han.nguyen@sanjoseca.gov
Date: 03/01/2023 GMT

Authorized Signature: _____

Han Nguyen, Financial Analyst

8. Division Analyst Approval:

Monica Gorham

Email: monica.gorham@sanjoseca.gov
Date: 03/01/2023 GMT

Monica Gorham

9. Consultant Approval:

Ceri Beeman

Email: cwalbran@enegeia-usa.com
Date: 03/01/2023 GMT

Ceri Beeman, President and CEO

10. Approval as to Form (City Attorney):

- Service Order Form Approved by the Office of the City Attorney
(Maximum Service Order Compensation is \$100,000 or less, and the provisions of the service order form are not altered.)

Approved as to Form:

(Sr.) Deputy City Attorney

11. City Director Approval:

Lori Mitchell

Email: lori.mitchell@sanjoseca.gov
Date: 03/02/2023 GMT

Lori Mitchell, Director of Community Energy

Attachment A: Tasks

The Consultant shall provide the services and deliverables set forth in this **Attachment A**. The Consultant shall provide all services and deliverables required by this **Attachment A** to the satisfaction of the City's contract manager.

General Description of Project for which Consultant will Provide Services: General program development support and advising

- Advise SJCE on an ideal customer pool to target and assist with analysis where applicable
- Recommend potential triggers for calling Demand Response events
- Propose an ideal incentive structure based on the pool of customers, the expected number of events, and the total incentive budget.

Task No.

1: Provide guidance and support on various items for startup of SJCE's Phase 1A Demand Response program launching in 2023, including identifying an ideal pool of customers to target, potential triggers for calling events, and an incentive structure to maximize participation.

A. Services: The Consultant and City's Contract Manager will collaborate during the startup of Phase 1A to:

- Identify an ideal pool of customers for enrollment based on AMI data for medium and large commercial customers:
 - Consultant will recommend a minimum peak load to be considered as well as ideal customer sectors to target based on both experience and summarized AMI data provided by SJCE.
 - Consultant will confirm/identify load profiles that are not ideal or would not benefit from a demand response program.
 - Consultant will advise on an effective outreach strategy to the selected pool of customers.
- Recommend an event structure that strikes a balance between maximizing incentives on grid emergency event days and making efficient use of the total incentive budget on non-grid emergency days
- Recommend potential triggers for calling Demand Response events:
 - Consultant shall recommend the ideal trigger at which a Demand Response event should be called to maximize value to SJCE. Trigger may be based on a minimum market price for energy a day ahead peak load forecast, or a combination of the two.
 - The City's Contract Manager may request consultant work with internal procurement staff and the load forecasting consultant (NCPA) to inform the event trigger recommendation and to establish mechanisms for SJCE procurement staff and NCPA to monitor and call on an event.
- Propose an ideal incentive structure for program participants
 - Consultant shall consider various incentive structures that produce meaningful reductions for SJCE on event days and provide value for program participants and provide several options for consideration
- Document key processes for each of the services mentioned above to have a record of all decisions

B. Deliverable: The Consultant will provide the following to the City's Contract Manager: Recommendations and guidance on the above, as well as a table with 3 potential options for an incentive structure, the pros and cons for each, and a recommended ideal option.

C. Completion Time: The Consultant must complete the services and deliverables for this task in accordance with whichever one of the following time is marked:

- On or before the following date: May 30th, 2023.

On or before _____ business days from contract execution_____.

Attachment B: Terms and Conditions

1. **City's Contract Manager:** The City's contract manager for this Approved Service Order is:

Name: Kate Ziemba	Phone No.: 408-535-4889
Department: Community Energy	Email: kate.ziemba@sanjoseca.gov
Address: 200 E Santa Clara St, San José 95113	

2. **Consultant's Contract Manager and Other Staffing:** Identified below are the following: (a) the Consultant's contract manager for this Approved Service Order, and (b) the Consultant(s) and/or employee(s) of the Consultant who will be principally responsible for providing the services and deliverables. ***If an individual identified below does not have a current Form 700 on file with the City Clerk for a separate agreement with the City, and is required to file a Form 700, the Consultant must comply with the requirements of Subsection 17.2 of the Master Agreement, entitled "Filing Form 700."***

		<u>Required to File Form 700?</u>			
		Yes Already Filed (Date Filed)	Yes Need to File	No	
<u>Consultant's Contract Manager</u>					
Name:	Phone No.:				
Address:	Email:				
<u>Other Staffing</u>					
<u>Name:</u>	<u>Assignment:</u>	<u>Email:</u>			
1.					
2.					
3.					

3. Subconsultants: Whichever of the following is marked applies to this Approved Service Order:

- The Consultant can **not** use any subconsultants.
- The Consultant can use the following subconsultants to assist in providing the required services and deliverables:

<u>Subconsultant's Name</u>	<u>Area of Work</u>
1.	
2.	
3.	

4. Reimbursable Expenses: If the Compensation Table set forth in **Attachment C** of this Approved Service Order states that the City will reimburse the Consultant for expenses, then only the expenses identified in Subsection 10.5.3 of the Master Agreement are Reimbursable Expenses unless the following box is marked and additional reimbursable expenses are set forth:

- In addition to the expenses identified in Subsection 10.5.3 of the Master Agreement, the following expenses are Reimbursable Expenses:

<u>Additional Reimbursable Expense(s)</u>	<u>Mark-up</u>
1. _____	_____
2. _____	_____
3. _____	_____

Notwithstanding the foregoing, any additional reimbursable expense(s) set forth in the above table will be disregarded if the Compensation Table states that the City will *not* reimburse the Consultant for any expenses.

Attachment C: Compensation Table

The City will compensate the Consultant for providing the services and deliverables set forth in **Attachment A** in accordance this Compensation Table. This Compensation Table is subject to the terms and conditions set forth in the Master Agreement, including without limitation Section 10 of the Master Agreement.

Part 1 – Compensation for Services and Deliverables			
Column 1	Column 2	Column 3	Column 4
Task Nos. from Attachment A	Basis of Compensation	Invoice Period	Compensation
1	<input checked="" type="checkbox"/> Time & Materials <input type="checkbox"/> Fixed Fee	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$25,000
Part 2 – Reimbursable Expenses			
<input checked="" type="checkbox"/> No expenses are separately reimbursable. The amount(s) in Column 4 of Part 1 include(s) payment for all expenses.		<input type="checkbox"/> Expenses are separately reimbursable in the maximum amount of:	\$0.00
Part 3 – Subconsultant Costs			
<input checked="" type="checkbox"/> Subconsultant costs are not separately compensable. The amount(s) in Column 4 of Part 1 include(s) subconsultant costs.		<input type="checkbox"/> Subconsultant costs are separately compensable in the maximum amount of:	\$0.00
Maximum Service Order Compensation (sum of Parts 1 through 3):			\$25,000