

To: Honorable Public Utilities Board

Submitted by: / S /
Vidhi Chawla
AGM-Energy Resource Planning

From: Vidhi Chawla
AGM-Energy Resource Planning

Approved by: / S /
Nicolas Procos
General Manager

Subject: By Motion, Amend Existing Confirmation No. 0186, Increasing Authorization to a Not-To-Exceed Amount of \$200,000 and Extending Services Dates to Cover Fiscal Year 2021 and 2022 for Services from Flynn Resource Consultants Inc. Through the Northern California Power Agency Support Services Program

RECOMMENDATION

By motion, amend existing confirmation no. 0186, increasing authorization to a not-to-exceed amount of \$200,000 and extending services dates to cover Fiscal Year 2021 and 2022 for services from Flynn Resource Consultants Inc. (RCI) through Northern California Power Agency (NCPA) support services program.

BACKGROUND

On June 8, 2016, the NCPA support services agreement was approved by City of Alameda Resolution No. 15154 and the designated representatives were authorized to jointly execute any given individual confirmation for support services on Alameda Municipal Power’s (AMP’s) behalf which does not exceed \$75,000. The NCPA support services program offers services such as joint purchasing, engineering services, transmission and distribution planning, power marketing and analysis, employee training, employment and human relations assistance, customer services and billing, metering and data management, power plant operations, and other forms of assistance and professional services.

In September 2016, AMP executed confirmation No. 0001 for Flynn RCI services through NCPA Support Service program for not-to-exceed amount of \$60,000. After that, AMP executed confirmation No. 0182 for not-to-exceed amount of \$40,000 for services provided in Fiscal Year (FY) 2020. Most recently, AMP executed confirmation No. 0186 for a not-to-exceed amount of \$75,000 for services provided in FY 2021. During this time, AMP received various services from Flynn RCI including services related to electric transmission issues, grid planning activities, load levels, regulatory matters, and litigation support. As of February 2021, AMP only has \$5,000 left on the existing confirmation No. 0186 and will need to amend the existing confirmation to receive continued support from Flynn RCI services for ongoing proceedings related to the Oakland Clean Energy Initiative.

DISCUSSION

The three confirmations with Flynn RCI represent defined tasks and scope of work. Staff needs to increase the authorization for confirmation No. 0186 to not-to-exceed amount of \$200,000 and extend services dates to include FY 2021 and FY 2022 to continue to receive support from Flynn RCI services. This will cover the cost of anticipated consulting work needed to support ongoing OCEI matters and other ongoing transmission related issues during the remainder of the current fiscal year and FY 2022.

NEXT STEPS

Upon Board authorization, the General Manager will execute the amended confirmation no. 0186 with a not to exceed amount of \$200,000 and extend service dates through FY 2022 to receive services from Flynn RCI through NCPA support services program.

FINANCIAL IMPACT

Sufficient funds are available in the FY 2021 budget to cover the expenses for the year and the final FY 2022 budget will include the funding required for the anticipated expenses for that year.

LINKS TO STRATEGIC GOALS AND METRICS

Issue 1: Sustainability
Issue 2: Customer Service

EXHIBITS

- A. Existing Confirmations No. 0001, No. 0182, and No. 0186
- B. Amended Confirmation No. 0186

EXHIBIT "B"

**NCPA Services Program Agreement Form of Confirmation:
CONFIRMATION UNDER THE NCPA SUPPORT SERVICES PROGRAM
AGREEMENT**

1. This is a Confirmation pursuant to the Support Services Program Agreement and subject to the terms and conditions of that agreement, except as expressly provided in this Confirmation. All capitalized terms have the meaning given to them in the Support Services Program Agreement.

2. The Participating Members for this Confirmation are: PORT OF OAKLAND (20%) and CITY OF ALAMEDA DBA ALAMEDA MUNICIPAL POWER (80%)

3. NCPA agrees to provide the following Support Services to the Participating Members: Consulting services related to electric transmission issues including Grid Planning Activities and Transmission Studies pursuant to the Proposal received from Flynn RCI dated July 20, 2016. Billing for said services will be through the NCPA ARB for not to exceed \$60,000 to the CITY OF ALAMEDA DBA ALAMEDA MUNICIPAL POWER.

The Support Services will be contracted for by NCPA with Flynn RCI, (NCPA Contract No. ES-VEN-2016-002).

4. The Participating Members executing this Confirmation agree to pay for the Support Services in the not to exceed amounts specified in this Confirmation and in accordance with the provisions of the Support Services Program Agreement:

5. A Security Account deposit is not required for this Confirmation.

Date: 8/30/2016

Date: 9/1/16

Participating Member:
CITY OF ALAMEDA DBA
ALAMEDA MUNICIPAL POWER

NORTHERN CALIFORNIA POWER AGENCY

By its Designated Representatives:

By: Randy S Howard
Randy S. Howard, General Manager

Elizabeth Warmerdam
Elizabeth Warmerdam, Interim
General Manager

Attest:
Cary A. Padgett
Cary A. Padgett, Assistant Secretary to Commission

And
Alan M. Cohen
Alan M. Cohen, AMP General Counsel

Approved as to form:
By: [Signature]
NCPA General Counsel
Rest

Linda Stone

From: Barry Leska
Sent: Wednesday, August 31, 2016 6:07 PM
To: Linda Stone
Cc: Ken Speer
Subject: RE: SSPA - Exhibit A for Alameda & Exhibit B for Flynn Services

This fiscal year is the best I can predict.

Term: - 10 months -

From: Linda Stone [mailto:Linda.Stone@ncpa.com]
Sent: Wednesday, August 31, 2016 4:53 PM
To: Barry Leska <Leska@alamedamp.com>
Cc: Ken Speer <Ken.Speer@ncpa.com>
Subject: RE: SSPA - Exhibit A for Alameda & Exhibit B for Flynn Services

Alameda's \$60,000 billed at \$6,000/month via ARB.
This approach approved by Donna and Sandra.

Barry,
Excellent. Will do.

I have just one question regarding these services to be provided by Flynn. Do you know what the expected time frame is (start and end dates) or the term for the services to be provided?

Thank you.

Linda

Nico confirmed the same term for services through FY 17.

From: Barry Leska
Sent: Wednesday, August 31, 2016 4:43 PM
To: Linda Stone
Cc: Ken Speer
Subject: RE: SSPA - Exhibit A for Alameda & Exhibit B for Flynn Services

DS
9/1/16

Hi Linda,

Attached is a PDF of Alameda's signed Exhibit A and B.

I've mailed originals to you.

Please execute Exhibit B and return one copy to Alameda.

Thanks,
Barry

From: Linda Stone [mailto:Linda.Stone@ncpa.com]
Sent: Tuesday, August 23, 2016 3:11 PM
To: Barry Leska <Leska@alamedamp.com>
Cc: Ken Speer <Ken.Speer@ncpa.com>
Subject: SSPA - Exhibit A for Alameda & Exhibit B for Flynn Services
Importance: High

Good afternoon Barry,

Following up our telephone call this morning, attached please find Exhibit A – Signatory Member Execution Page which has been prepared for Alameda based on the information you provided and in accordance with NCPA's general counsel's instructions. As discussed, our legal counsel has approved execution of the Confirmations by Mr. Cohen as AMP's General Counsel (instead of the City Attorney) as so designated in the City's Resolution. Given the City's Resolution, and if Janet Kern signs off on the Exhibit A approving it as to form, we should be good to go and have everything we need to make the Support Services Program Agreement effective for Alameda.

As for Exhibit B, I've prepared that as well per our discussion. Please have both Exhibits A and B signed by the appropriate person above the signature lines and return the originals to me. In the interests of time, please also scan a copy of the documents to me so I'm able to move forward with working toward issuance of the Purchase Order to Flynn for their services. I've exchanged emails today with Nico and he is very anxious also that the PO be issued in light of the meeting scheduled for Monday.

Finally, I've attached a copy of the Support Services Program Agreement which has now been executed by Randy Howard on behalf of NCPA and approved as to form by Mike Dean. The SSPA is now a viable agreement with the City of Redding being the first signatory member. Once the paperwork is completed for Alameda and the Port, you both will be receiving from me an updated copy of the SSPA which includes both of the Exhibit A documents.

I appreciate your assistance with getting the signatures on the Exhibits this week. Please do not hesitate to contact me if you have any questions or I may be of any help.

Thank you,

Linda A. Stone

Northern California Power Agency

A Public Agency

651 Commerce Drive

Roseville, CA 95678-6411

(916) 781-4248 Phone

(916) 783-7693 FAX

www.ncpa.com

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CONFIRMATION UNDER THE NCPA SUPPORT SERVICES PROGRAM AGREEMENT

1. This is a Confirmation pursuant to the Support Services Program Agreement and subject to the terms and conditions of that agreement, except as expressly provided in this Confirmation. All capitalized terms have the meaning given to them in the Support Services Program Agreement.

2. The Participating Member for this Confirmation is the CITY OF ALAMEDA DBA ALAMEDA MUNICIPAL POWER in the total amount of not-to-exceed \$40,000.00 for the Flynn Resources Consultants, Inc. (Flynn RCI) services described in paragraph 3.

3. The Participating Member requests the following described Support Services in the dollar amount specified. NCPA agrees to provide the following Support Services to the Participating Member:

Flynn RCI has provided services related to electric transmission issues including Grid Planning Activities and Transmission Studies pursuant to the Proposal received from Flynn RCI dated July 20, 2016, under Confirmation No. 0001. The funds authorized by Confirmation 0001 are exhausted. Flynn RCI has provided additional services requested by the Participating Member during May and June, 2020, of approximately \$40,000 through fiscal year 2020.

4. The Participating Member agrees to pay for the Support Services in the amount set forth in paragraph 2 above; plus the administrative fees in the amount not-to-exceed \$685 for development of the Confirmation and first month's processing, in accordance with the provisions of the Support Services Program Agreement. The total amount expended under this Confirmation will not exceed \$40,685.00.

5. A Security Account deposit is not required for this Confirmation.

Date: _____

Date: 9/21/20

Participating Member:
CITY OF ALAMEDA DBA
ALAMEDA MUNICIPAL POWER

NORTHERN CALIFORNIA POWER AGENCY

By its Designated Representatives:

By: Randy S. Howard
Randy S. Howard, General Manager

Nico Procos
Nico Procos, General Manager

Attest:

Cary A. Padgett
Cary A. Padgett, Assistant Secretary to Commission

And

Alan M. Cohen
Alan M. Cohen, AMP General Counsel

Approved as to form:
Jane E. Luckhardt
Jane E. Luckhardt, NCPA General Counsel

Linda Stone

From: Cary Padgett
Sent: Thursday, September 17, 2020 5:28 PM
To: *Admin Assts
Cc: Randy Howard; Jane Luckhardt; Monty Hanks
Subject: RE: Signature authority

Hi,

I am out of the office September 18 and 21.

During my absence, Linda will have signature authority on my behalf.

Have a good rest of your week,
Cary

CONFIRMATION UNDER THE NCPA SUPPORT SERVICES PROGRAM AGREEMENT

1. This is a Confirmation pursuant to the Support Services Program Agreement and subject to the terms and conditions of that agreement, except as expressly provided in this Confirmation. All capitalized terms have the meaning given to them in the Support Services Program Agreement.

2. The Participating Member for this Confirmation is the CITY OF ALAMEDA DBA ALAMEDA MUNICIPAL POWER in the total amount of not-to-exceed \$72,500.00 for the Flynn Resources Consultants, Inc. (Flynn RCI) services described in paragraph 3.

3. The Participating Member requests the following described Support Services in the dollar amount specified. NCPA agrees to provide the following Support Services to the Participating Member:

Flynn RCI shall provide services related to electric transmission issues, grid planning activities, load levels, regulatory matters, litigation support, and other services as requested by the Participating Member in fiscal year 2021.

4. The Participating Member agrees to pay for the Support Services in the amount set forth in paragraph 2 above; plus the administrative fees in the amount not-to-exceed \$685.00 for development of the Confirmation and first month's processing, plus \$165.00 per month for each additional month administrative costs are actually incurred), in accordance with the provisions of the Support Services Program Agreement. The total amount expended under this Confirmation will not exceed \$75,000.00.

5. A Security Account deposit is not required for this Confirmation.

Date: _____

Date: 9/21/20

Participating Member:
CITY OF ALAMEDA DBA
ALAMEDA MUNICIPAL POWER

NORTHERN CALIFORNIA POWER AGENCY

By its Designated Representatives:

By: Randy S. Howard
Randy S. Howard, General Manager

Nico Proops
Nico Proops, General Manager

Attest:
Cary A. Padgett
Cary A. Padgett, Assistant Secretary to Commission

And
Alan M. Cohen
Alan M. Cohen, AMP General Counsel

Approved as to form:
Jane E. Luckhardt
Jane E. Luckhardt, NCPA General Counsel

Linda Stone

From: Cary Padgett
Sent: Thursday, September 17, 2020 5:28 PM
To: *Admin Assts
Cc: Randy Howard; Jane Luckhardt; Monty Hanks
Subject: RE: Signature authority

Hi,

I am out of the office September 18 and 21.

During my absence, Linda will have signature authority on my behalf.

Have a good rest of your week,
Cary

AMENDED CONFIRMATION UNDER THE NCPA SUPPORT SERVICES PROGRAM AGREEMENT

1. This is an Amended Confirmation pursuant to the Support Services Program Agreement and subject to the terms and conditions of that agreement, except as expressly provided in this Confirmation. All capitalized terms have the meaning given to them in the Support Services Program Agreement.

2. The Participating Member for this Amended Confirmation is the CITY OF ALAMEDA DBA ALAMEDA MUNICIPAL POWER in the total amount of not-to-exceed \$197,500 for the Flynn Resources Consultants, Inc. (Flynn RCI) services described in paragraph 3. This Support Services amount includes the original Confirmation amount of \$72,500 plus the additional amount of \$125,000.

3. The Participating Member requests the following described Support Services in the dollar amount specified. NCPA agrees to provide the following Support Services to the Participating Member:

Flynn RCI shall provide services related to electric transmission issues, grid planning activities, load levels, regulatory matters, litigation support, and other services as requested by the Participating Member in fiscal years 2021 and 2022.

4. The Participating Member agrees to pay for the Support Services in the amount set forth in paragraph 2 above; plus, the administrative fees in the amount not-to-exceed \$685 for development of the Confirmation and first month's processing, plus \$165 per month for each additional month administrative costs are actually incurred), in accordance with the provisions of the Support Services Program Agreement. **The total amount expended under this Confirmation will not exceed \$200,000.**

5. A Security Account deposit is not required for this Confirmation.

Date: _____

Date: _____

Participating Member:
CITY OF ALAMEDA DBA
ALAMEDA MUNICIPAL POWER

NORTHERN CALIFORNIA POWER AGENCY

By its Designated Representatives:

By: _____
Randy S. Howard, General Manager

Attest:

Nico Procos, General Manager

Cary A. Padgett, Assistant Secretary to Commission

And

Approved as to form:

Alan M. Cohen, AMP General

Jane E. Luckhardt, NCPA General Counsel