

Association of Bay Area Governments

Administrative Committee

October 13, 2023

Agenda Item 6.e.

Bay Area Regional Energy Network (BayREN)

Subject:

Authorization to negotiate and enter into Bay Area Regional Energy Network (BayREN) contract amendments for a cumulative total amount not to exceed \$12,335,000 to provide services for BayREN including administration, marketing, implementation, incentives, and regulatory support with the following eight (8) third-party consultants in the amount following each consultant: CLEAResult Consulting, Inc., \$3,250,000; Collective Strategies Consulting LLC, \$150,000; Frontier Energy, Inc., \$25,000; Law Offices of Elizabeth Kelly, \$200,000; M.Cubed, \$100,000; Rising Sun Center for Opportunity, \$8,040,000; The Energy Coalition, \$250,000; The Regents of the University of California, \$120,000

Background:

Since 2013, the Bay Area Regional Energy Network (BayREN) has implemented a portfolio of energy efficiency programs across the region. The Association of Bay Area Governments (ABAG) serves as the program administrator and lead agency for a 10-member unincorporated association of local government entities. BayREN's programs:

- Build the green workforce.
- Advance the state's goals of:
 - doubling energy efficiency in existing buildings by 2030.
 - reducing emissions from existing buildings by at least 40 percent below 1990 levels by 2030.
 - Achieving 100 percent renewable and zero-carbon retail electricity and becoming entirely carbon neutral by 2045.
- Aid in building local capacity and serving the unique needs of each jurisdiction's residents and businesses.

On May 20, 2021, the California Public Utilities Commission (CPUC) issued Decision (D.) 21-05-031 which among other things, directed energy efficiency program administrators (PAs) by March 4, 2022, to file a strategic business plan to cover an eight-year period (2024-2031), and a four-year program portfolio (2024-2027) containing detailed sector and program strategies.¹ BayREN's filing requested \$157,085,114 for the four-year portfolio period to continue its six existing, successful programs and launch four new programs to fill gaps in energy efficiency services, pilot innovative programs, and serve hard-to-reach (HTR) customers.

ABAG, on behalf of BayREN, has contracts with member agencies and with third-party consultants to assist in the implementation of the programs.

CLEAResult Consulting, Inc. (CLEAResult) is the implementer of BayREN's Single Family Home+ Program which includes contractor and homeowner outreach, processing and payment

¹ <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M385/K864/385864616.PDF>

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of incentives, regional marketing, assistance with regulatory reporting, and filings relating to the Single Family Program. CLEAResult was selected through a Request for Proposals (RFP) process in 2021. Under the terms of the RFP, ABAG/MTC has the option to extend the contract through 2026.

Frontier Energy, Inc. (Frontier) and The Energy Coalition provide technical and regulatory reporting support for the BayREN portfolio. Both firms were awarded placement on a Technical and Regulatory Support Bench in 2022 as the result of a Request for Qualifications (RFQ). Under the terms of the bench, ABAG/MTC has the option to extend the contracts through 2025.

Rising Sun Center for Opportunity (Rising Sun) is the implementer of the Climate Careers program, and the lead agency for BayREN's Workforce Education and Training Program, which will begin in 2024. BayREN has partnered with Rising Sun since 2018 to expand the Climate Careers and Green House Call programs, which provide an "earn and learn" work experience for local youth – particularly low-income or those at-risk. This service provides energy and water efficiency services to households, a significant opportunity to build professional skills and repertoire, and can result in additional paid career exploration opportunities with trusted secondary partner organizations. Rising Sun was selected through an RFP process in 2021. Under the terms of the procurement, ABAG/MTC has the option to extend the contract through 2026.

BayREN's primary regulatory support team is composed of The Law Offices of Elizabeth Kelly (Elizabeth Kelly), which provides regulatory support through participation and representation before different state agencies including the California Public Utilities Commission and the California Energy Commission, and M.Cubed, which monitors proceedings of relevance to Regional Energy Networks, drafts regulatory briefs, and provides strategic program recommendations based on policy changes. Elizabeth Kelly is a small, woman-owned business; both firms were awarded placement on a regulatory support bench to provide support on behalf of BayREN and the Tri-County Regional Energy Network (3C-REN).² Under the terms of the bench, ABAG/MTC has the option to extend both contracts through 2025.

Collective Strategies Consulting LLC (Collective Strategies) is a small, woman-owned business led by the former Director of Climate Programs at the Regional Climate Protection Authority (RCPA). Collective Strategies will provide strategic support to the BayREN member agencies and ABAG/MTC staff. Collective Strategies currently leads BayREN's Resilient Libraries Network pilot and supports BayREN in coordinating the Environmental Protection Agency's (EPA) Climate Pollution Reduction Grant. BayREN has contracted with Collective Strategies since 2021 through a sole source authorization.

² 3C-REN serves the counties of Santa Barbara, Ventura, and San Luis Obispo. BayREN and 3C-REN frequently collaborate and uniformly have common interests. A co-funding agreement between ABAG, on behalf of BayREN, and the County of Ventura, on behalf of 3C-REN, provides a cost-share agreement for these regulatory services.

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The Regents of the University of California, on behalf of the California Center for Sustainable Communities, Institute of the Environment and Sustainability at UCLA (UCLA), have partnered with BayREN since 2018 to develop and maintain a publicly accessible web-based energy usage database for the nine-county Bay Area that enables local governments and the public to perform in-depth analysis of consumption patterns by building characteristics and socio-economic patterns. UCLA is a non-profit accredited university eligible for access to account-level disaggregated utility data for research purposes. Through accessing utility data, UCLA has developed both the UCLA Energy Atlas, for Southern California, and the Bay Area Energy Atlas, for the BayREN service territory. These projects have required UCLA to develop unique solutions to problems of utility data quality and to the challenges of geocoding accounts to parcels and parcel characteristics. Given that there are no other known entities that have access to this utility data, have worked in concert with the CPUC to obtain this data, and have developed similar tools, BayREN has contracted with UCLA since 2018 through a sole source authorization.

Issues:

None

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Recommended Action:

The Administrative Committee, acting for the Executive Board, is requested to authorize the Executive Director of the Metropolitan Transportation Commission on behalf of the Association of Bay Area Governments and the Bay Area Regional Energy Network, to negotiate and enter into contract amendments for a total cumulative amount not to exceed \$12,335,000 to provide services for BayREN including administration, marketing, implementation, incentives, and regulatory support with the following eight (8) third-party consultants in the amount following each consultant, as described in Summary Sheet dated September 21, 2023: CLEAResult Consulting, Inc., \$3,250,000; Collective Strategies LLC, \$150,000; Frontier Energy, Inc., \$25,000; Law Offices of Elizabeth Kelly, \$200,000; M. Cubed, \$100,000; The Energy Coalition, \$250,000; The Regents of the University of California, \$120,000,; Rising Sun Center for Opportunity, \$8,040,000.

Attachments:

1. Attachment 1 - BayREN Third-Party Consultants, Brief Work Descriptions, and Calendar Year (CY) Budgets (\$)
 - A. Summary Approval – CLEAResult Consulting, Inc.
 - B. Summary Approval – Collective Strategies Consulting LLC
 - C. Summary Approval – Frontier Energy, Inc.
 - D. Summary Approval – Law Offices of Elizabeth Kelly
 - E. Summary Approval – M.Cubed
 - F. Summary Approval – Rising Sun Center for Opportunity
 - G. Summary Approval – The Energy Coalition
 - H. Summary Approval – The Regents of the University of California

Reviewed:



Andrew Fremier

Attachment 1

BayREN Third-Party Consultants, Brief Work Descriptions, and Calendar Year (CY) Budgets

Third-Party Consultant	Brief Work Description	Current Contract Total	CY 2023 Addition	CY 2024 Addition	CY 2025 Addition	CY 2026 Addition	Total Contract Amount
CLEAResult Consulting, Inc.	Process rebates to Bay Area single family residents undertaking home energy efficiency upgrades; assist with Contractor events; conduct marketing activities to Participating Contractors; survey existing Participating Contractors and recruit and train them to offer comprehensive home upgrades; raise energy efficiency and health impact awareness and collect data.	\$16,002,376	-	\$3,250,000	-	-	\$19,252,376
Collective Strategies Consulting LLC	Provide strategic support to BayREN member agencies and ABAG/MTC staff; lead BayREN's Resilient Libraries Network pilot; support BayREN in coordinating the EPA's Climate Pollution Reduction Grant.	\$475,000	-	\$150,000	-	-	\$625,000
Frontier Energy, Inc.	Provide ad hoc regulatory support.	\$200,000	-	\$25,000	-	-	\$225,000
Law Offices of Elizabeth Kelly	Provide regulatory support through participation and representation before the California Public Utilities Commission and California Energy Commission. BayREN assumes 50% cost sharing responsibility through a co-funding agreement.	\$450,000	-	\$100,000	\$100,000	-	\$650,000
M. Cubed	Provide regulatory support. BayREN assumes 50% cost sharing responsibility through a co-funding agreement.	\$150,000	-	\$50,000	\$50,000	-	\$250,000
Rising Sun Center for Opportunity	Lead the implementation of BayREN's Workforce, Education and Training program; coordinate with BayREN member agencies to conduct marketing activities.	\$2,823,636	-	\$2,500,000	\$2,675,000	\$2,865,000	\$10,863,636
The Energy Coalition	Lead monthly, quarterly, and annual regulatory reporting processes; participate in working groups; assist with workpaper development and data requests.	\$100,000	\$50,000	\$200,000	\$200,000	-	\$550,000
The Regents of the University of California	Maintain the Bay Area Energy Atlas including incorporating recent utility usage; refining parcel data in coordination with ABAG/MTC; updating socio-demographic data with census data as available; general accessibility improvements.	\$825,000	-	\$60,000	\$60,000	-	\$945,000
	<i>Annual Subtotal:</i>	-	\$50,000	\$6,335,000	\$3,085,000	\$2,865,000	-
	<i>Cumulative Total:</i>	\$21,026,012	\$50,000	\$6,385,000	\$9,470,000	\$12,335,000	\$33,361,012