

SILICON VALLEY CLEAN ENERGY AUTHORITY

RESOLUTION NO. 2019-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY DELEGATING AUTHORITY TO THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE COST-SHARING AND REIMBURSEMENT AGREEMENT BETWEEN THE PENINSULA CLEAN ENERGY AUTHORITY, THE SILICON VALLEY CLEAN ENERGY AUTHORITY, CITY OF SAN JOSE, ADMINISTRATOR OF SAN JOSE CLEAN ENERGY, THE EAST BAY COMMUNITY ENERGY AUTHORITY AND MONTEREY BAY COMMUNITY POWER AUTHORITY AND TO EXECUTE AN ADDENDUM FOR RESOURCE ADEQUACY SERVICES WITH THE ALLIANCE FOR COOPERATIVE ENERGY SERVICES POWER MARKETING LLC

THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the Silicon Valley Clean Energy Authority (“SVCE”) was formed on March 31, 2016, pursuant to a Joint Powers Agreement to promote, develop, conduct, operate, and manage energy programs in Santa Clara County;

WHEREAS, launch of service for Phase I occurred in April 2017, and launch of service for the remaining Phases occurred in July 2017;

WHEREAS, SVCE has a need to rapidly advance its portfolio management and retail pricing capabilities with the goals of reducing costs, managing risk and enhancing value for its customers in order to further the Board’s Strategic Plan;

WHEREAS, consistent with its mission of reducing greenhouse gas emissions and offering customer choice at competitive rates, SVCE has engaged several consultants to provide support services and enhance SVCE’s internal capabilities;

WHEREAS, SVCE along with Peninsula Clean Energy Authority (PCE), City of San Jose, Administrator of San Jose Clean Energy (SJCE), East Bay Community Energy Authority (EBCE) and Monterey Bay Community Power Authority (MBCP), collectively referred to as Joint CCAs, have a desire to reduce the cost of providing services to their customers related to procuring electricity and resource adequacy, compliance requirements and management of data through the joint procurement of such services (“Services”);

WHEREAS, to enable the joint procurement of Services, the Joint CCAs desire to enter into the Cost-Sharing and Reimbursement Agreement (“Cost-Sharing Agreement”);

WHEREAS, the first service the Joint CCAs desire to procure is for Resource Adequacy (“RA”) management and related services (“RA Services”) provided by the Alliance for Cooperative Energy Services Power Marketing LLC., (ACES);

WHEREAS, MBCP issued a request for proposal (RFP) for RA related services on behalf of the Joint CCAs and ACES was determined by the Joint CCAs to have provided the best proposal;

WHEREAS, PCE has agreed to be the Responsible Party for an agreement with ACES for RA Services and is currently negotiating the terms of the agreement which will form the basis for the first addendum to the Cost Sharing Agreement;

WHEREAS, in order to expedite the commencement of necessary consultant services, the Board wishes to delegate to the Chief Executive Officer the authority to approve any non-material changes, additions, variations or deletions (“Changes”) to the Cost-Sharing Agreement and to execute this Agreement;

WHEREAS, the execution of the Cost-Sharing Agreement does not commit SVCE to any expenditure of funds without the execution of addenda to the Cost-Sharing Agreement for Services;

WHEREAS, the Board also wishes to delegate to the Chief Executive Officer, or his or her designee, authority to execute the addendum for RA Services with ACES with a cost not exceed one-hundred and fifty-thousand dollars, for three years from the execution date;

WHEREAS, no commitment of funds shall be made without the appropriation of such funds by the Board.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SILICON VALLEY CLEAN ENERGY AUTHORITY DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The Board hereby delegates authority to the Chief Executive Officer to execute the Cost-Sharing Agreement and the addendum for RA Services with ACES with terms consistent with those presented to the Board, in a form approved by the General Counsel, subject to Changes that the Chief Executive Officer may deem necessary or appropriate. SVCE’s total expenditures under the first addendum to the Cost-sharing Agreement shall not exceed one-hundred, fifty-thousand dollars for three years from the execution date subject to sufficient appropriations being approved by the Board in each fiscal year.

Section 2. The Board hereby delegates authority to the Chief Executive Officer to execute one or more additional addenda to the Cost-Sharing Agreement for Services provided that each additional addendum falls within the Chief Executive Officer’s Board approved procurement authority and subject to sufficient appropriations being approved by the Board in each fiscal year.

ADOPTED AND APPROVED this 8th day of May 2019, by the following vote:

JURISDICTION	NAME	AYE	NO	ABSTAIN	ABSENT
City of Campbell	Director Gibbons	✓			
City of Cupertino	Director Sinks	✓			
City of Gilroy	Director Tovar				✓
City of Los Altos	Director Bruins	✓			
Town of Los Altos Hills	Alternate Director Tyson	✓			
Town of Los Gatos	Director Sayoc	✓			
City of Milpitas	Director Nuñez	✓			
City of Monte Sereno	Director Ellahie	✓			
City of Morgan Hill	Director Martinez Beltran	✓			
City of Mountain View	Director Abe-Koga	✓			
County of Santa Clara	Director Ellenberg	✓			
City of Saratoga	Director Miller	✓			
City of Sunnyvale	Director Smith	✓			


 Chair

ATTEST:


 Clerk