



**Contra  
Costa  
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: August 16, 2016

Subject: Contract with MRW for Community Choice Energy Technical Study

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a contract with MRW, LLC, in an amount not to exceed \$174,800 to complete a technical study of Community Choice Energy for the period August 17, 2016 through August 16, 2017.

**FISCAL IMPACT:**

The cost of this contract will be shared between the County and nine cities within the County that have agreed to participate in the cost of the technical study of Community Choice Energy. The County and these nine cities will each contribute financially towards the cost of the technical study in an amount proportional to that jurisdiction's population size. The County's contribution towards the cost of the technical study is estimated to not exceed \$50,673. The County's costs related to this contract can be offset by the unspent portion of the \$200,000 in General Fund revenues budgeted in FY 2015-2016 for the newly created position of County Sustainability Coordinator, which was not filled until late in the fiscal year.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **08/16/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Mary N. Piepho, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 16, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Chris Heck, Deputy

Contact: Jason Crapo,  
674-7723

cc:

## BACKGROUND:

Community Choice Energy (CCE) is described in State law as Community Choice Aggregation. CCE involves cities, counties, or a joint powers authority (JPA) comprised of cities and/or counties, pooling ("aggregating") retail electricity customers for the purpose of procuring and selling electricity. Under a CCE program, the CCE entity would become the default electricity provider to all electricity customers within the service area. Customers would have the ability to opt out of service from the CCE program and return to service from the incumbent electrical utility. In Contra Costa County, the incumbent electrical utility is Pacific Gas and Electric (PG&E).

Following the successful launch of CCE programs in Marin County in 2010 and Sonoma County in 2014, most other counties in the Bay Area and many counties throughout California are now in the process of implementing or studying the creation of CCE programs. The City and County of San Francisco launched its CCE program in May 2016. San Mateo County is scheduled to launch its program in October 2016. Alameda County and Santa Clara County are both in the process of establishing JPAs for this purpose, with the intent to launch programs in 2017.

On March 15, 2016, the Contra Costa County Board of Supervisors (Board) directed County staff to work with interested cities within Contra Costa County to conduct a technical study of Community Choice Energy (technical Study). The Board directed County staff to request that each participating city contribute financially towards the cost of the technical study in an amount proportional to the size of that city's population.

During the spring of 2016, County staff negotiated a memorandum of understanding (MOU) with the 14 cities within the County that are not currently members of a CCE program (five cities within the County are members of the CCE program initiated in Marin County known as MCE Clean Energy). The MOU was approved by the Board of Supervisors on June 21, 2016, and has been executed by 12 of the 14 cities named in the MOU. The cities of Orinda and Pinole have not decided to become parties to the MOU at this time. The City of Pinole will consider becoming a party to the MOU at the meeting of its City Council on August 16, 2016.

Nine of the cities that are parties to the MOU are designated in the MOU as Funding Cities and have agreed to contribute financially towards the cost of the technical study in an amount proportional to their population size. As described in the MOU, the County will enter into a contract with the selected consultant and Funding Cities will reimburse the County for their share of the cost following completion of the technical study. Of the 14 cities within the County that are not currently members of a CCE program, the nine cities contributing towards the cost of the technical study are Brentwood, Clayton, Concord, Danville, Martinez, Moraga, Pittsburg, Pleasant Hill and San Ramon. The cities not contributing funds towards the technical study are Antioch, Hercules, Oakley, Orinda and Pinole.

MRW has been identified as the preferred consultant to perform the technical study through a competitive process following the release of a Request for Proposals (RFP) that was administered by the County's Purchasing Division in the Public Works Department. As specified in the MOU, responses to the RFP were reviewed by an Evaluation Committee comprised of representatives from the County Department of Conservation and Development, the County Administrator's Office, and the cities of Brentwood, Danville and Pittsburg. The Evaluation Committee was unanimous in its view that MRW is the most qualified of the responsive firms to perform the technical study.

Consistent with direction County staff received from the Board when the Board authorized the technical study on March 15, 2016, the study will analyze electrical load data that the County has requested and obtained from PG&E for the unincorporated area and the 14 cities within the County that are not members of a CCE program. The technical study will provide these 15 jurisdictions information concerning the projected electricity rates that might be charged by a CCE program and the revenues that such a program might generate, the potential for a CCE program to lower greenhouse gas emissions generated from energy use within the participating jurisdictions, and the extent to which a CCE program could stimulate economic activity within the County through implementation of local renewable energy generation projects. Similar technical studies have been performed recently in other Bay Area Counties that are in the process of implementing Community Choice Energy programs, such as Alameda County, San Mateo County and Santa Clara County.

The technical study will compare 3 different CCE program models that could be implemented by participating jurisdictions in Contra Costa County. These are: forming a new joint powers authority (JPA) of interested jurisdictions within Contra Costa County, forming a similar JPA in partnership with jurisdictions in Alameda County, and joining the CCE program initiated in Marin County known as MCE Clean Energy.

#### CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve the recommended action the County will not be able to contract with MRW, LLC to perform a technical study of Community Choice Energy in partnership with the cities that have agreed to participate in the study.

#### CHILDREN'S IMPACT STATEMENT:

N/A