

Approval of Amendment No. 4 BART SMSA

Facilities Committee

May 3, 2017

Background

- Pursuant to the BART SMSA, NCPA supplies certain services to BART
 - Transactional Services
 - Portfolio Management Services
 - Advisory Services
- Detailed description of services contained in Attachment A to the BART SMSA
- NCPA has entered into Third Party service contracts, on behalf of BART, pursuant to Attachment A of the SMSA

BART Services Request

- BART is requesting that Attachment A to the BART SMSA be amended to enable NCPA to contract for additional services supplied by Third Parties, on behalf of BART
- Services Requested
 - Enter into an enabling agreement with EnergyGPS to supply the following consulting services to facilitate BART's desire to acquire and/or enter into power purchase agreements for renewable energy supply:
 - Renewable resource development
 - Project evaluation
 - Portfolio modeling
 - Market risk assessment

SMSA Amendment vs. SSPA

- Programs offered by NCPA for acquiring services from a Third Party supplier
 - Support Services Program Agreement (SSPA)
 - Single Member Services Agreement (SMSA)
- NCPA staff recommendation
 - While NCPA encourages members to acquire services using the SSPA, in this unique case NCPA believes the SMSA is the appropriate contract vehicle for this request
 - Due to historical conflicts of interest related to past litigation, NCPA staff would not recommend developing a general enabling agreement with EnergyGPS for broad use by NCPA and the members, but in this case NCPA is comfortable with developing an enabling agreement with EnergyGPS for this specific scope of work

Amendment No. 4

- In order to authorize NCPA to enter into an enabling agreement with EnergyGPS, on behalf of BART, Attachment A to the BART SMSA needs to be amended
- Attachment A to the BART SMSA
 - Revised Attachment A to add Section 2.14
 - Enables NCPA to enter into an enabling agreement with EnergyGPS
 - Obligates BART for all costs associated with such service
- No other modifications to Attachment A

Recommendation

- NCPA staff recommends Facilities Committee approval and recommendation for Commission approval of Amendment No. 4 to the BART SMSA, and delegation of authority to the General Manager of NCPA to enter into Amendment No. 4 to the BART SMSA, on behalf of NCPA, including any non-substantive modifications to Amendment No. 4 to the BART SMSA approved by NCPA's General Counsel.
- NCPA staff recommends Facilities Committee approval and recommendation for Commission approval of a Consulting Services Agreement between NCPA and EnergyGPS, and delegation of authority to the General Manager of NCPA to enter into the Consulting Services Agreement, on behalf of NCPA, including any non-substantive modifications to the agreement approved by NCPA's General Counsel.

Questions / Comments