



Request for Proposals

Peninsula Clean Energy, a California Joint Powers Authority, is seeking proposals from interested vendors for *Diversity, Equity, Accessibility, and Inclusion Consulting Services*.

Responses are due **June 4th at 5:00pm** Pacific Prevailing Time.

Table of Contents

Request for Proposals.....	1
1 RFP OVERVIEW	2
2. ABOUT PENINSULA CLEAN ENERGY	3
3 RFP SCHEDULE	5
RFP Schedule.....	5
4 PROPOSAL SUBMITTAL	6
5 CONTENT OF RESPONSE	7
6 REVIEW AND SELECTION PROCESS.....	9
7 AGREEMENT TERMS.....	10
8 SUPPLIER DIVERSITY	11
9 Peninsula Clean Energy LEGAL OBLIGATIONS.....	12
10 GENERAL TERMS AND CONDITIONS.....	13
11 DETAILED PROJECT DESCRIPTION AND SCOPE.....	14

1 RFP OVERVIEW

Peninsula Clean Energy Authority issues this Request for Proposals (RFP) to seek offers from qualified providers for *Diversity, Equity, Accessibility, and Inclusion Consulting Services*. Peninsula Clean Energy will evaluate the offers received from this RFP and plans to negotiate and execute a contract with the selected proposer. The contract will be taken to Peninsula Clean Energy's Board of Directors for final approval.

This RFP-

- Provides general background on Peninsula Clean Energy
- Describes the service sought by Peninsula Clean Energy (scope of work)
- Provides an opportunity for Proposers to describe their qualifications and experience and explain how they can contribute to services requested.

2. ABOUT PENINSULA CLEAN ENERGY

Peninsula Clean Energy is a Community Choice Aggregator (“CCA”) and the official electricity provider for San Mateo County and, beginning in 2022, for the City of Los Banos. Founded in 2016 by unanimous approval of the 20 cities and towns of San Mateo County with a mission to reduce greenhouse gas emissions in the county, Peninsula Clean Energy is a joint powers authority that serves 295,000 customers by providing more than 3,500 gigawatt hours annually of electricity that is 100% GHG free and at lower cost than PG&E. As a community-led, not-for-profit public agency, Peninsula Clean Energy makes significant investments in our communities to expand access to sustainable and affordable energy solutions. The agency has earned investment grade credit ratings from Moody’s and Fitch. For more information on Peninsula Clean Energy, please go to www.peninsulacleanenergy.com.

Peninsula Clean Energy is governed by a Board of Directors comprised of elected officials representing all cities, towns, the Board of Supervisors in San Mateo County and the City of Los Banos. The Board is supported by a staff of 30 expert professionals. The Peninsula Clean Energy Board of Directors appoints up to fifteen people to serve as members of a Citizens Advisory Committee that acts as a liaison to the community, engages in outreach to encourage participation in Peninsula Clean Energy offerings and programs, and provides feedback on policy and operational objectives.

In late 2019 and early 2020, Peninsula Clean Energy underwent a strategic planning process to create an organizational-wide strategic plan for years 2020-2025. The strategic plan can be found here on our website: <https://www.peninsulacleanenergy.com/strategy/>. The strategic plan forms a framework for the work that Peninsula Clean Energy staff has and will undertake from 2020-2025. Throughout the past year we have started discussing with our staff, Board of Directors, and Citizens Advisory Committee how to apply a Diversity, Equity, Accessibility, and Inclusion lens to our work to better address the needs of our community, particularly those who have been historically underserved.

Peninsula Clean Energy currently has a suite of policies that guide the day-to-day work that our staff undertake: <https://www.peninsulacleanenergy.com/policies/>. As stated in our Policy #10 *Inclusive and Sustainable Workforce Policy*, Peninsula Clean Energy recognizes that an inclusive and sustainable workforce helps our organization meet its core mission and goals more effectively, serve our customers in a more culturally sensitive manner, and reflect the businesses we partner with and the community we serve more comprehensively.

While Peninsula Clean Energy has made consistent efforts to ensure diversity and inclusion in our recruitment, employee retention, program development, and supplier network, the Peninsula Clean Energy Board of Directors believes that the creation of a Diversity, Equity, Accessibility,

and Inclusion Policy, action plan, and accountability metrics to evaluate our work on an ongoing basis are necessary to foster a more inclusive organizational culture.

3 RFP SCHEDULE

RFP Schedule

Event	Date
Peninsula Clean Energy issues RFP	May 5 th , 2021
Questions from potential respondents on RFP due to Peninsula Clean Energy	May 21 st , 2021
Peninsula Clean Energy posts responses on website to questions from potential respondents	May 28 th , 2021
RFP Responses Due	June 4 th , 2021, 5:00 pm Pacific Prevailing Time
Top respondents interviewed by Peninsula Clean Energy Diversity, Equity, Accessibility, and Inclusion Board Subcommittee	Week of June 14 th or June 21 st , 2021
Peninsula Clean Energy DEAI Subcommittee Selects Consultant	Week of June 14 th or June 21 st , 2021
Peninsula Clean Energy Board of Directors Approves Contract	July 22 nd , 2021
Project Start	July or August 2021

- **Question & Answer:** Proposers may submit questions concerning the RFP at strategy@peninsulacleanenergy.com on or prior to May 21st, 2021
- **Offers Due:** Participants’ Offers must be submitted by June 4th, 2021, 5:00pm Pacific Prevailing Time and must include the required documents described below.
- **Offer Review:** Peninsula Clean Energy will evaluate all Offers according to the criteria listed below.
- **Contract Redline:** Prior to interview, each shortlisted participant will provide a redline of Peninsula Clean Energy’s standard contract terms.
- **Interviews with Shortlisted Participants:** Peninsula Clean Energy anticipates conducting interviews with Shortlisted Parties via videoconference during the week of June 14th or June 21st, 2021.

4 PROPOSAL SUBMITTAL

Proposals must be received on or before the above deadline and submittal must be by email to strategy@peninsulacleanenergy.com with the subject "Proposal - <Vendor Name> - DEAI RFP.

By participating in Peninsula Clean Energy's RFP process, a Proposer acknowledges that it has read, understands, and agrees to the terms and conditions set forth in these RFP instructions. Peninsula Clean Energy reserves the right to reject any offer that does not comply with the requirements identified herein. Furthermore, Peninsula Clean Energy may, in its sole discretion and without notice, modify, suspend, or terminate the RFP without liability to any organization or individual. The RFP does not constitute an offer to buy or create an obligation for Peninsula Clean Energy to enter into an agreement with any party, and Peninsula Clean Energy shall not be bound by the terms of any offer until Peninsula Clean Energy has entered into a fully executed agreement. Only electronic submittals will be accepted.

5 CONTENT OF RESPONSE

Interested vendors must submit the following documents (except those marked “Optional”) to be considered for awarding of this proposal:

1. **Cover Letter with the following elements (1 page):**

- Reference to this RFP
- Legal business name, address, telephone number, and business status (corporation, limited partnership, individual, etc.).
- Name of vendor’s representative with respect to this RFP along with telephone number and email address.
- A signature of an authorized individual.

2. **Approach (4 pg. max):**

- Describe how you would achieve the Scope of Work described in Section 11 below.
- Goals and measurable objectives.
- Management approach.
- Key challenges and resolutions.
- Timeline

3. **Qualifications and Experience (4 pg. max):** Submit the following information –

- A brief summary of vendor’s history and background
- A summary of similar projects completed or worked on within the last 2 years for similar types of organizations nationwide, in California and/or within San Mateo County
- Identification of relevant licenses and certifications

4. **References:**

- Contact information for three (3) references from work performed in the last three years. Please include scope of work, dates of contract, contract amount, contact person, telephone number, and email address

5. **Certificates of Insurance for the following coverages:**

- Commercial General Liability – for bodily injury, property damage, and personal injury \$1,000,000 – each occurrence \$2,000,000 – in aggregate
- Business Automobile Liability – “any auto” (Company Vehicles) – At least \$1,000,000
- Personal Automobile Liability – “any auto” (Personal Vehicles) – At least \$500,000
- Worker’s Compensation and Employer’s Liability (EPL)– injury or death, each accident At least \$1,000,000 (EPL not required for Sole Proprietor)

6. **Supplier Diversity Questionnaire (Optional):** Peninsula Clean Energy’s Supplier Diversity Questionnaire can be downloaded at: <https://www.peninsulacleanenergy.com/wp-content/uploads/2020/05/Peninsula-Clean-Energy-Supplier-Diversity-Questionnaire.docx>.

Please note, your response (or lack thereof) will have no impact on your contract status or eligibility to work with Peninsula Clean Energy in accordance with state law.

7. **Proposed Schedule** (table or chart, 1 pg. max)
8. **Cost Proposal** (2 pg. max, include rate schedule, if applicable)
 - Budget with a breakout by major task and deliverable, detailing estimated hours per task and hourly rates by individual (or by job classification)
9. **Confirmation of acceptance of contract terms** or explanation of proposed contract modifications (see Section 7 below, Agreement Terms)

6 REVIEW AND SELECTION PROCESS

Evaluation will be based on a combination of quantitative and qualitative criteria. Peninsula Clean Energy will evaluate each Offer against these criteria and select a subset of Offers to move to the Shortlist phase. The most qualified individual or firm will be recommended by the RFP Evaluation Committee based on the overall strength of each proposal, and is not restricted to considerations of any single factor such as cost. Peninsula Clean Energy's Diversity, Equity, Accessibility, and Inclusion Subcommittee of its Board of Directors will evaluate the proposals along with Peninsula Clean Energy's CEO and select staff. The criteria used as a guideline in the evaluation will include, but not be limited to, the following:

- 6.1. Qualifications and experience of the entity, including capability and experience of key personnel and experience with other public and/or private agencies to provide these services
- 6.2. Consistent with its Policy 10 *Inclusive and Sustainable Workforce Policy*, Peninsula Clean Energy has preference for direct use of local businesses.
- 6.3. History of successfully performing services for public and/or private agencies and other CCA's
- 6.4. Financial viability of proposer
- 6.5. Completeness of the proposed approach, including clarity of understanding of the scope of services to be provided and appropriateness of the proposed solution/services
- 6.6. Ability to meet any required timelines or other requirements
- 6.7. Existence of and circumstances surrounding any claims and violations against you or your organization
- 6.8. Cost to Peninsula Clean Energy for the primary services described by this RFP
- 6.9. References

7 AGREEMENT TERMS

Awardees will be required to enter into a contract using Peninsula Clean Energy's standard contract terms. Modification of the contract terms may be proposed by the Proposer for consideration by Peninsula Clean Energy but are not guaranteed to be accepted. Rejection of the final terms from Peninsula Clean Energy is grounds for disqualification. Shortlisted participants will be required to provide any redlines to the standard terms ahead of the interview phase.

Peninsula Clean Energy's standard contract terms are available for review here:

<https://www.peninsulacleanenergy.com/wp-content/uploads/2021/04/Contract-1-STANDARD-Template-January-2021.pdf>

8 SUPPLIER DIVERSITY

Consistent with its strategic goals, Peninsula Clean Energy has a strong commitment to foster a work environment that espouses sustainable business practices and cultivates a culture of innovation, diversity, transparency, integrity, and commitment to the organization's mission and the communities it serves. As part of that goal, Peninsula Clean Energy strives to ensure its use of vendors and suppliers who share its commitment to sustainable business and inclusionary practices.

To help ensure an inclusive set of vendors and suppliers, Peninsula Clean Energy's policy requires it to:

1. Strive to use local businesses and provide fair compensation in the purchase of services and supplies;
2. Proactively seek services from local businesses and from businesses that have been Green Business certified and/or are taking steps to protect the environment; and
3. Engage in efforts to reach diverse communities to ensure an inclusive pool of potential suppliers.

General Order 156 (GO 156) is a California Public Utilities Commission ruling that requires utility entities to procure at least 21.5% of their contracts with majority women-owned, minority-owned, disabled veteran-owned and LGBT-owned business enterprises' (WMDVLGBTBEs) in all categories. Qualified businesses become GO 156 certified through the CPUC and are then added to the GO 156 Clearinghouse database.

The CPUC Clearinghouse can be found here: www.thesupplierclearinghouse.com. Peninsula Clean Energy's policies and commitment to diversity are consistent with the principles of GO 156, and, therefore, respondents to this RFP are asked to voluntarily disclose their GO 156 certification status as well as their efforts to work with diverse business enterprises, including those owned or operated by women (WBE), minorities (MBE), disabled veterans (DVBE), and lesbian, gay, bisexual, or transgender people (LGBTBE).

As a public agency and consistent with state law, Peninsula Clean Energy will not use any such provided information in any part of its decision-making or selection process. Rather, Peninsula Clean Energy will use that information solely to help evaluate how well it is conforming to its own policies and goals. Pursuant to California Proposition 209, Peninsula Clean Energy does not give preferential treatment based on race, sex, color, ethnicity, or national origin.

9 Peninsula Clean Energy LEGAL OBLIGATIONS

Peninsula Clean Energy is not obligated to respond to any offer submitted as part of the RFP. All parties acknowledge that Peninsula Clean Energy is a public agency subject to the requirements of the California Public Records Act, Cal. Gov. Code section 6250 et seq. Peninsula Clean Energy acknowledges that another party may submit information to Peninsula Clean Energy that the other party considers confidential, proprietary, or trade secret information pursuant to the Uniform Trade Secrets Act (Cal. Civ. Code section 3426 et seq.), or otherwise protected from disclosure pursuant to an exemption to the California Public Records Act (Government Code sections 6254 and 6255) ("Confidential Information"). Any such other party acknowledges that Peninsula Clean Energy may submit to the other party Confidential Information. Upon request or demand of any third person or entity not a party to this RFP ("Requestor") for production, inspection and/or copying of information designated as Confidential Information by a party disclosing such information ("Disclosing Party"), the party receiving such information ("Receiving Party"), as soon as practical but within three (3) business days of receipt of the request, shall notify the Disclosing Party that such request has been made, by telephone call, letter sent via email and/or by US Mail to the address or email address listed on the cover page of the RFP. The Disclosing Party shall be solely responsible for taking whatever legal steps are necessary to protect information deemed by it to be Confidential Information and to prevent release of information to the Requestor by the Receiving Party. If the Disclosing Party takes no such action, after receiving the foregoing notice from the Receiving Party, the Receiving Party shall be permitted to comply with the Requestor's demand and is not required to defend against it.

10 GENERAL TERMS AND CONDITIONS

1. **Peninsula Clean Energy's Reserved Rights:** Peninsula Clean Energy may, at its sole discretion: withdraw this Request for Proposal at any time, and/or reject any or all materials submitted. Respondents are solely responsible for any costs or expenses incurred in connection with the preparation and submittal of the materials for this RFP.
2. **Public Records:** All documents submitted in response to this RFP will become the property of Peninsula Clean Energy upon submittal and will be subject to the provisions of the California Public Records Act and any other applicable disclosure laws.
3. **No Guarantee of Contract:** Peninsula Clean Energy makes no guarantee that a contractor and/ or firm added to the qualified vendor list will result in a contract.
4. **Response is Genuine:** By submitting a response pursuant to this RFP, Respondent certifies that this submission is genuine, and not sham or collusive, nor made in the interest or on behalf of any person not named therein; the submitting firm has not directly or indirectly induced or solicited any other submitting firm to put in a sham bid, or any other person, firm or corporation to refrain from submitting a submission, and the submitting firm has not in any manner sought by collusion to secure for themselves an advantage over any other submitting firm.

11 DETAILED PROJECT DESCRIPTION AND SCOPE

Scope of Work:

This scope of work calls for designing and facilitating a process for the Board of Directors and staff of Peninsula Clean Energy to A) gain an understanding of the priority DEAI issues to be addressed by the organization, B) create and update policies to address these issues, and C) support staff in operationalizing these policies. We envision a process that lasts from 4-6 months, with the process beginning in July or August 2021. The end product of this process will be the adoption of a Diversity, Equity, Accessibility, and Inclusion Policy and Action Plan by the Board of Directors, and accountability metrics to evaluate staff's work on an annual basis.

- 1. Review Relevant DEAI Legislation and Regulatory Requirements.** Work with staff to review relevant legislation and regulatory reporting requirements for Peninsula Clean Energy regarding DEAI and identify best practices to improve performance on these metrics to be integrated into the policies and practices below. At a minimum this should include [Senate Bill 255 \(Bradford\)](#), [General Order 156 of the California Public Utilities Commission](#), and Proposition 209. Peninsula Clean Energy filed its [first GO 156 procurement report](#) in March 2021. More information on the California Public Utilities Commission's Supplier Diversity Program can be found here: <https://www.cpuc.ca.gov/supplierdiversity/>

Deliverable: Brief report identifying organization-specific areas for improvement and recommendations.

- 2. Conduct DEAI organizational needs assessment.** Create and facilitate a process to assess specific organizational needs and room for improvement on DEAI issues by surveying Peninsula Clean Energy staff, Board Members, Citizens Advisory Committee members, and key community stakeholders. Report on findings and identify priority DEAI topics and issues to address in steps 3, 4, and 5 below. This assessment should at a minimum cover:
 - a) Identifying opportunities for enhancing equity fluent leadership within the organization
 - b) Identifying norms and processes that may contribute to implicit bias in contracting, employment, HR practices, and internal organizational culture
 - c) Identifying issues of environmental and social justice related to Peninsula Clean Energy's operations, emphasizing equitable access to clean and lower priced energy in the organization's customer offerings, programs, and benefits

Deliverable: Detailed presentation to Board of Directors and/or its DEAI subcommittee of results of survey, priority issues identified, and recommendations for the process moving forward based on these findings.

3. **Create organizational DEAI statement or policy.** Based on findings from the external and internal evaluations described above, facilitate the DEAI Subcommittee of the Board of Directors in developing a Diversity, Equity, Accessibility and Inclusion statement or policy to be adopted by the Peninsula Clean Energy Board of Directors. This process should take into account and build on the [Draft Equity Statement](#) approved by the Peninsula Clean Energy Citizens Advisory Committee and accepted by the Board of Directors.

Deliverable: Peninsula Clean Energy Board of Directors approves an organizational DEAI statement or policy, an action plan to implement this policy.

4. **Update relevant organizational policies.** Facilitate a process with staff and the DEAI Subcommittee of the Board of Directors to review Peninsula Clean Energy's existing policies and update them as needed to align with the new DEAI statement/policy. At a minimum this should include:
 - a) Peninsula Clean Energy's [Strategic Plan](#)
 - b) Peninsula Clean Energy's Employee Handbook
 - c) Peninsula Clean Energy's [Policy #9 Ethical Vendor Standards](#)
 - d) Peninsula Clean Energy's [Policy #10 Inclusive and Sustainable Workforce Policy](#)

Deliverable: Updated versions of policies listed above are approved by Peninsula Clean Energy's Board of Directors.

5. **Create organizational departmental goals, practices, and metrics to operationalize DEAI policies.** Develop organization-specific diagnostic analyses to establish baseline metrics to grade how the organization is performing against DEAI policies, a description of actions to implement these policies, and specific processes, tools, and templates to evaluate and report on this work on an annual basis. Support senior staff in integrating these metrics into departmental goals and workplans. Support individual staff in integrating DEAI departmental goals and metrics into individual workplans and tasks as needed.

Deliverables:

- a) Updated contracting and grant processes, including language for requests for proposals and contract templates, approved and adopted by staff
- b) Updated processes for designing customer programs and communications approved and adopted by staff
- c) Improved organizational performance in regulatory reporting, including General Order 156, approved and adopted by staff
- d) Updated hiring and other HR processes approved and adopted by staff
- e) Training plan for PCE Board Members, staff, and CAC members completed
- f) Updated specific Key Performance Indicators in staff workplans approved and adopted by staff