

AMENDMENT NO. 1
To FUNDING AND IMPLEMENTATION AGREEMENT
Between ASSOCIATION OF BAY AREA GOVERNMENTS
And COUNTY OF SAN MATEO
For 2024-2027 BAY AREA REGIONAL ENERGY NETWORK (BAYREN)
PROGRAM IMPLEMENTATION PLAN

THIS AMENDMENT, effective as of January 31, 2025, is Amendment No. 1 to the Agreement by and between the Association of Bay Area Governments (“ABAG”) and the County of San Mateo (“BayREN Member Agency”), dated January 1, 2024 (collectively, “Agreement”).

NOW, THEREFORE, the parties agree to modify the subject Agreement as follows:

1. Article 3.0, Maximum Budget and Allocated Budget, is revised in part, to increase the maximum budget by three hundred thirty thousand dollars (\$330,000), bringing the Maximum Allocated Budget to a total of one million six hundred eight thousand nine hundred fifty-seven dollars (\$1,608,957).
2. Attachment 1, BayREN Portfolio Budget is deleted in its entirety and replaced with Attachment 1, BayREN Portfolio Budget (revised via Amendment 1) attached hereto as Exhibit 1, increasing the Codes and Standards budget for 2025 by \$200,000 and the budget for 2026 by \$130,000.
3. Attachment 1J, BayREN Codes & Standards Program Scope of Work, is revised in part as shown in Attachment 1J – BayREN Codes & Standards Program Scope of Work (revised via Amendment 1) attached hereto as Exhibit 2. Where modifications have been made, added text is indicated in italics, deleted text is indicated in strikethrough format.
4. Retention of Contract Provisions. Except as provided herein, all other terms and conditions of the Agreement remain unchanged.

IN WITNESS WHEREOF, this Amendment has been executed by the parties hereto as of the day and year first written above.

ASSOCIATION OF BAY AREA
GOVERNMENTS

COUNTY OF SAN MATEO
A Political Subdivision of the State of
California

Andrew Fremier, Metropolitan Transportation
Commission Executive Director, Acting Pursuant
to the Contract for Services dated May 30, 2017

David Canepa
President, Board of Supervisors, San Mateo
County

Exhibit 1
Attachment 1 – BayREN Portfolio Budget (Revised via Amendment 1)

Attachment	Subprogram	Budget Category	2024	2025	2026	2027	Contract Total
1A	-	Portfolio Administration	\$7,397	\$7,620	\$7,848	\$6,996	\$29,861
1B	BayREN Single Family	Administration	\$8,667	\$8,927	\$9,195	\$9,381	\$36,169
		Implementation	-	-	-	-	-
		Marketing	\$88,728	\$91,390	\$93,698	\$96,509	\$370,325
		Incentives	-	-	-	-	-
		Subtotal	\$97,395	\$100,317	\$102,893	\$105,890	\$406,494
1C	BayREN Green Labeling	Administration	\$1,131	\$1,165	\$1,200	\$605	\$4,101
		Implementation	\$10,000	\$10,000	-	-	\$20,000
		Marketing	\$36,595	\$37,693	\$20,000	\$20,000	\$114,288
		Incentives	-	-	-	-	-
		Subtotal	\$47,726	\$48,858	\$21,200	\$20,605	\$138,389
1D	BayREN Multifamily	Administration	\$2,055	\$2,118	\$2,181	\$441	\$6,794
		Implementation	-	-	-	-	-
		Marketing	\$29,615	\$32,003	\$20,000	\$21,000	\$102,618
		Incentives	-	-	-	-	-
		Subtotal	\$31,670	\$34,121	\$22,181	\$21,441	\$109,412
1E	BayREN Business	Administration	\$863	\$889	\$916	\$943	\$3,611
		Implementation	-	-	-	-	-
		Marketing	\$7,653	\$7,974	\$28,148	\$28,992	\$72,767
		Incentives	-	-	-	-	-
		Subtotal	\$8,516	\$8,863	\$29,064	\$29,935	\$76,378
1F	BayREN Business Refrigerant Replacement	Administration	\$863	\$889	\$916	\$943	\$3,611
		Implementation	-	-	-	-	-
		Marketing	\$8,112	\$8,448	\$28,635	\$29,480	\$74,675
		Incentives	-	-	-	-	-
		Subtotal	\$8,975	\$9,337	\$29,551	\$30,423	\$78,286
1G	BayREN Integrated Energy Services	Administration	863	889	916	\$943	\$3,611
		Implementation	3,739	3,851	3,966	4,086	\$15,642
		Marketing	5,608	5,777	1,460	1,504	\$14,349
		Incentives	-	-	-	-	-
		Subtotal	10,210	10,517	6,342	6,533	\$33,602
1H	BayREN Targeted Decarbonization Services	Administration	\$863	\$889	\$916	943	\$3,611
		Implementation	\$1,402	\$1,444	\$1,487	\$1,532	\$5,865
		Marketing	\$7,945	\$8,184	\$7,307	\$7,526	\$30,962
		Incentives	-	-	-	-	-
		Subtotal	\$10,210	\$10,517	\$9,710	\$10,001	\$40,438
1I	BayREN Water Upgrades Save	Administration	\$123	\$127	\$130	\$134	\$515
		Implementation	\$2,662	\$2,742	\$4,127	\$4,250	\$13,781
		Marketing	-	-	-	-	-
		Incentives	-	-	-	-	-
		Subtotal	\$2,785	\$2,869	\$4,257	\$4,384	\$14,296
1J	BayREN Codes & Standards	Administration	\$1,400	\$1,442	\$1,485	\$1,530	\$5,857
		Implementation	\$74,182	\$276,407	\$152,992	\$23,682	\$527,263
		Marketing	-	-	-	-	-
		Incentives	-	-	-	-	-
		Subtotal	\$75,582	\$277,849	\$154,477	\$25,212	\$533,120
1K	BayREN Workforce Education & Training	Administration	\$432	\$445	\$459	\$462	\$1,798
		Implementation	-	-	-	-	-
		Marketing	\$35,198	\$36,254	\$37,160	\$38,275	\$146,887
		Incentives	-	-	-	-	-
		Subtotal	\$35,630	\$36,699	\$37,619	\$38,737	\$148,685
		Annual Total:	\$336,096	\$547,566	\$425,139	\$300,156	\$1,608,957

Exhibit 2
Attachment 1J - BayREN Codes & Standards Program
Scope of Work
(Revised via Amendment 1)

The BayREN Member Agencies will provide services in their jurisdictions to support the BayREN Codes & Standards Program. These tasks include: coordination with the BayREN Codes and Standards Committee and Coordinating Circle; promotion of trainings, over the counter and electronic compliance improvement tools, regional forums, and reach code and zero net energy (ZNE) policy resources; and engagement with the Bay Area chapters of the International Code Council (ICC), City and County Board of Supervisors, local governments within their respective County and other key stakeholders (local contractor and building professional groups/associations, property owner and building operator associations, etc.). Tasks below are assigned based on local budget and capacity to deliver services.

Admin - County Lead for BayREN Member Agency

Purpose: Representing BayREN Member Agency context within BayREN.

Role Accountabilities:

- Removing constraints within BayREN that limit its ability to collaborate and deliver effective programs
- Seeking to understand Tensions conveyed by any of BayREN Member Agency stakeholders applicable to the BayREN programs, and discerning those appropriate to channel into Coordinating Circle for processing
- Sharing the perspective of BayREN Member Agency stakeholders
- Communicating with BayREN Member Agency stakeholders about BayREN programs and activities
- Sharing progress, performance, and strategic data and information with the Coordinating Circle
- Coordinating with local PG&E energy efficiency programs, applicable CCA/CCE programs, and other BayREN Member Agency programs.
- Establishing that member has been selected by its county to act on its behalf
- Ensuring that member has expertise and experience in energy-related project management and implementation
- Ensuring invoices and reporting are submitted to Program Administrator in a timely manner
- Developing and reviewing program performance, and program and pilot recommendations
- Reviewing and authorizing program changes
- Implementing BayREN communication strategies in BayREN Member Agency
- Developing specific goals for BayREN Member Agency in line with the BayREN Business Plan, including strategies for managing and operating BayREN efforts more effectively and leveraging other programs within the county

Implementation – Local Outreach for BayREN Member Agency

Purpose: Support the Codes & Standards program at the county level.

Role Accountabilities:

- Attending and participating in Codes & Standards calls and meetings, including sharing information on relevant county projects, best practices, and similar codes-related topics
- Providing Program Lead with local information, contacts and data to support the Program
- Recruiting local governments for hosting BayREN trainings, ensuring that all arrangements are made for training sessions, and providing feedback from participants
- Promoting quarterly Forum events, including providing email, phone, and other marketing assistance
- Supporting energy policy consideration and adoption at the local government level
- Providing local coordination and assistance for jurisdictions that may benefit from or be interested in BayREN compliance improvement tools
- Coordinating with local CCAs and other program implementers in BayREN Member Agency
- Analyzing local program performance to identify gaps and make recommendations to Program Lead

Implementation – Codes Committee Secretary

Purpose: Support C&S program administration.

Role Accountabilities:

- Drafting minutes for Codes & Standards Committee calls and meetings to create a record of discussions and decisions for use by committee members and other BayREN members

(AMENDED) Implementation – Streamlined Permitting (Codes Project 2024-20265)

Purpose: Develop an improved and more consistent approach to permitting.

Role Accountabilities:

- *Researching current permitting requirements for heat pump water heaters in all 21 San Mateo County jurisdictions, gather related documents and conduct stakeholder interviews in order to carry out a comparative analysis and assess barriers and bottlenecks for each jurisdiction. Providing a comprehensive report as well as a one-page report for each jurisdiction.*
- *Developing a proposed simplified permitting process that integrates with existing building permit processes used by jurisdictions in the county. ~~standard submittal package for permitting electrification projects~~*
- *Gathering information on permit fees in each jurisdiction, together with information on the fee justification process for each jurisdiction in order to develop a proposed single permit fee structure for heat pump water heater permits in all jurisdictions across the county.*
- *Providing a report documenting the recommended process and recommended single permit fee structure.*

- Working with County *and jurisdiction* staff to implement the *approach in approximately 10 jurisdictions* in the county as a pilot, *including providing comprehensive training sessions and resources such as checklists, guidelines, and instructions, and supporting jurisdiction staff throughout the pilot period*
- Encouraging a consistent approach in other cities within the county
- *Monitoring and evaluating the pilot project, including gathering feedback from staff, contractors, and customers to identify areas for further improvement and refinement.*
- Collaborating with other BayREN counties working on similar efforts
- Providing ~~an annual~~ *a final report evaluating the pilot project and recommending refinements, as well as* ~~and~~ annual presentations to a BayREN committee

Implementation – Reach Code & Policy Working Group

Purpose: Develop and implement reach code and policy priorities for BayREN.

Role Accountabilities:

- Participating in Reach Code & Policy Working Group calls and meetings
- Exploring, identifying, and supporting activities to encourage and enable adoption and implementation of local government reach codes and other local, regional and state energy policies.
- Providing support for local governments within San Mateo County interested in adopting a reach code or energy policy
- Sharing information with the Working Group regarding local interests and activities related to reach codes and energy policies
- Contributing to the design of BayREN activities to support reach codes and energy policies

Implementation – Forum Planning Committee

Purpose: Prioritize, design, and deliver high quality regional meetings addressing the most pressing energy topics for local governments.

Role Accountabilities:

- Leading efforts to organize one of the Codes & Standards Forums
- Securing speakers and content to present appropriate and compelling information
- Providing input to ensure events are not duplicative of events hosted by other groups
- Assisting with outreach as needed, including working with consultants to develop meeting-specific invitation lists for target audiences
- Providing support and assistance at Forum events as needed
- Developing and maintaining an energy topic list for future Forum events

Implementation – Codes Organization Liaison

Purpose: Build relationships with local code official organizations.

Role Accountabilities:

- Attending monthly meetings, and building or strengthening relationships with members
- Representing BayREN at local ICC chapters, code official associations and similar organizations

- Providing information about BayREN Codes program offerings, such as trainings and Forums, at meetings and with members as appropriate
- Sharing with the Codes and Standards Committee information from meetings and ideas for supporting local governments to improve code compliance

Implementation – Codes Project Lead

Purpose: Day-to-day management of a Codes project.

Role Accountabilities:

- Developing a workplan and schedule for the project in consultation with the Codes and Standards Program Lead
- Allocating resources for project activities within the approved budget
- Assigning roles for project implementation and managing subconsultant activities
- Coordinating activities with Codes and Standards Program Lead and other program activities
- Obtaining input from Codes & Standards Circle on program design options
- Adapting and adjusting program design and details as needed
- Ensuring timely completion of deliverables
- Reporting on progress to Codes and Standards Circle
- Documenting program challenges, successes, and key information