

**SECOND AMENDMENT TO AGREEMENT  
BETWEEN THE COUNTY OF SAN MATEO AND  
ECOLOGY ACTION**

THIS SECOND AMENDMENT TO THE AGREEMENT, entered into this 26 day of February, 2019, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Ecology Action, hereinafter called "Contractor";

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, the parties entered into an Agreement for Green Business Program services on November 1, 2017; and

WHEREAS, the parties wish to amend the Agreement to increase support for Green Business Program coordination, recruitment, certification, and marketing, including training two to four community-based organizations to assist with recruitment and certification in socially vulnerable communities increasing the amount by \$226,200 for a new not to exceed amount of \$325,633 and extending the term to October 31, 2020.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

1. Scope 1 of Exhibit A on page 10 of the agreement is amended to read as follows:

Scope 1: Business Certification and Coordination

Contractor will coordinate the Green Business Program for the County of San Mateo including the following tasks:

- Assisting businesses to green their operations and complete the Green Business application for their sector, putting them in touch with resources and agencies specific and pertinent to the County of San Mateo.
- Work to recertify the existing certified businesses as needed.
- Train County staff and other partners interested in conducting Green Business work.
- Report on the environmental outcomes of the Program to the County of San Mateo annually.

- Gain “in-kind” staff involvement and support from other environmental agencies in the region.
- Conducting marketing and recruitment to ensure a pipeline of enrolled businesses.
- Assist with events coordination.
- Strive to recognize a total of 50 businesses annually through the participant level, certified level, and recertifications, as follows: at least 20 new certified businesses, 15 recertified businesses and 15 participant level businesses.

A new staff person will be recruited to continue to do this work throughout the rest of the year.

For this task, Contractor will follow the new six-week approach to certification established in 2015 for the Green Business Program. This approach will change the process of certification by limiting it (at least in most cases) to six weeks. Following registration, businesses will be asked to sign up for a specific six-week period that is convenient for them. Expectations will be set at that time: the business has made a commitment, they have set aside time and resources, and they have a completion deadline. There will be increased effort by the County and Contractor to hold businesses to this timeline (excluding external factors, such as waiting for compliance verification, installations/upgrades to the facility, etc.). The approach will make the process much more efficient and enable more businesses to become certified faster.

Contractor will be efficient in all business contacts. Most of the coordination and technical assistance to businesses will be done over the phone and electronically using the database as a tracking and communication tool. However, approximately 20-30% of the time allotted is spent meeting with business owner/managers at their location, providing technical assistance and verifying green practices. Where possible, auditors from participating agencies and utilities will be used to maximize the number of businesses that are able to be served with the existing budget. All work done on-site is tracked on a tablet on the database, avoiding data entry time.

Online Tool Familiarity – Contractor will assist the County with the transition to the new database tool, GREENBizTracker, including compiling and recreating “checklists” to meet the needs of County businesses, and assisting the County with updating and re-entering auditors and inspectors. This will be an opportunity to renew relationships with auditors and inspectors and ensure that the ones listed in the system are active and engaged in the program.

**2. Scope 5 of Exhibit A on page 14 of the agreement is amended to read as follows:**

**Scope 5: Reporting and Billing**

Contractor will provide quarterly reports on the activities of the program. The reports will include tasks accomplished, status of deliverables, successes and challenges of the past month, and businesses that were recognized at the participant level, certified, and recertified. Contractor will also provide an annual report, summarizing the monthly reports and business metrics collected over the past year, and any program developments. Contractor will process the collection of fees from businesses online and deduct the amount collected from invoices. If it is determined to be the most efficient process, Contractor will also be responsible for administering rebates to businesses and managing funds allotted to the San Mateo County Green Business Program from CAGBN.

3. Scope 6 of Exhibit A of the agreement, on page 8 the First Amendment, is amended to read as follows:

Scope 6: (Rename to) Recruitment, Events and Marketing

Assist in marketing, recruitment activities and events to recruit businesses to enroll in the program. The following tasks will be accomplished:

- Hold at least one “Lunch and Learn”, with door to door recruitment, social media and other advertisements leading up to the events to recruit participation. This strategy will be tested for effectiveness after the first lunch and learn. If it does not yield significant enrollment, then it will be assessed for a potential replacement strategy.
- Present at business events where possible, such as chamber or business association events. Partner with program partners such as small business development centers, economic development groups, chambers of commerce and others to broadcast the event and the Green Business Program widely through their online channels.
- MailChimp Newsletter- Develop and mail quarterly newsletter with relevant content for San Mateo County Green Businesses and program partners.
- Using material from a previously completed local business photoshoot, create imagery for other promotional campaigns on Facebook, Twitter, Next Door and Social Media Content Creation and Management. Specifically develop posts and ads that will be shared via the San Mateo County Facebook Page and other social media outlets. This could include basic short form video as well.
- Design and coordinate digital (online) and print ads. Create advertising for online and print advertising for key outlets.
- Shop Green Week coordination and design of campaign materials - This involves a push to encourage the public to shop green, a mixer, and additional efforts to recruit new businesses. This would include promotion in a specific area or downtown area, online and print advertising, and boosting the County’s certified businesses; for example, developing

banners, flags, table tents, and more that can be displayed by certified Green Businesses. In addition, Contractor will develop a Green Business campaign tailored to San Mateo County that aligns with Earth Month. The first year of the extended contract, Contractor will promote the idea through various marketing channels County-wide, such as Facebook and Earth Day promotions. If recruitment efforts are successful and Contractor certifies a significant number of retail neighborhood businesses in one or more business districts by December 2019, then in the second year of the extended contract, the Contractor will enlist a shopping district or association to partner with where there is a significant concentration of Green Businesses. Contractor will generate marketing materials to promote Green Businesses in the area and shop green week in the region. A mixer will be held in the area and will be open to the public. Contractor will advertise materials in Earth Week promotions, FB, google ads and other channels. Otherwise, remaining Shop Green funds will be spent on recruitment.

- Contractor will assist with the coordination of events. Tasks may include helping with venue and catering research, and general event support.

4. Exhibit A is amended to add Scope 7:

Scope 7: Community Based Organization Involvement

Contractor will facilitate, train, and coordinate the involvement of two to four competitively selected community-based organizations (CBOs) through sub-contracts. The CBOs in turn would recruit businesses and complete the participant level certification in socially vulnerable communities. The ideal CBOs will be organizations that already provide workforce development and youth leadership programs in socially vulnerable areas. The participants would ideally gain skills that could make them more competitive for jobs in green business programs, energy efficiency, etc. At least one or two CBOs will have a Spanish or other language outreach emphasis, allowing the San Mateo Green Business Program capacity to serve business owners that do not speak English.

The following tasks will be accomplished:

- Identify appropriate CBO(s) to subcontract with through a competitive application process.
- Train CBOs on Green Business Program.
- CBO to collaborate with Contractor to create culturally & linguistically appropriate training for canvassing and participant level certification.
- Where necessary, CBO to translate materials.
- CBO to identify participants (could be existing talent within their program areas or new talent to be trained).
- Contractor, San Mateo County staff and CBO trains participants.
- CBO to coordinate and supervise participants in completing canvassing and participant level certifications (Pay will be consistent with the County's living

wage ordinance. As participants build capacity to manage participant level, Contractor will provide them with a raise).

- CBO will interview business owners or hold at least one focus group to identify roadblocks and possible incentives to participating in program.
- Contractor and CBO will help County develop an incentive program to pay for some of the certification costs for underserved businesses. This includes Contractor paying directly for approved items, including retrofits or supplies.
- CBO identifies promising SMC-based talent from socially vulnerable communities for development to be able to certify businesses. This could serve as a potential pipeline for a future role as SMC employed Green Business employee.
- Contractor will work with CBO to translate materials where necessary.

5. Exhibit B is amended to read as follows:

**Revised Exhibit B, (rev. January 2019)**

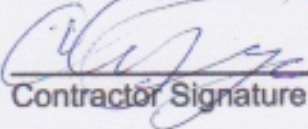
In consideration of the services provided by Contractor described in Revised Exhibit A (rev. January 2019) and subject to the terms of the Agreement, County shall pay Contractor based on the following fee schedule and terms:

Contractor shall not begin work on a task until a task order has been given by the County. Contingency funds and task(s)/deliverable(s) must be pre-approved by the County prior to commencing said task or deliverable.

Contractor shall bill the San Mateo County Office of Sustainability on a monthly basis for work completed the previous month. Billing shall include names of staff, a summary of tasks completed, payment/hourly rates, hours billed per staff with subtotals, additional non-labor costs, and a final total cost of the invoice. Invoices will be reviewed by County staff and processed by the Department's fiscal team within 30 days of approval of invoice by the County. The total amount of this contract will not exceed \$325,633 during the term of the agreement.

In witness of and in agreement with this Agreement's terms, the parties, by their duly authorized representatives, affix their respective signatures:

For Contractor: Ecology Action

  
Contractor Signature

2/1/19  
Date

Chuck Tremper  
Contractor Name (please print)

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COUNTY OF SAN MATEO

By:  
President, Board of Supervisors, San Mateo County

Date:

ATTEST:

By:  
Clerk of Said Board

Green Business Tasks	Proposed Personnel	Est. Hrs	Hrly Rate	Cost
<b>Scope 1: Business Coordination and Certification</b>				
Assist up to 70 businesses to green their operations (30 new, 20 recertifications, 20 participant level). Estimated 12 hours/business.	GBP Coordinator: Shawn Orgel-Olson, Sheila Peck, New Green Business Coordinator	910	\$100	\$91,000
<b>Scope 6: Recruitment, Events and Marketing</b>				
Business recruitment	GBP Coordinator: Shawn Orgel-Olson, New Green Business Coordinator	200	\$100	\$20,000
Lunch and Learns and other community presentation opportunities (Volunteer training, stakeholder events, chamber meetings, key business outlets, etc.)	GBP Marketing and Coordinator: Shawn Orgel-Olson, New Green Business Coordinator	130	\$100	\$13,000
Shop Green Week	GBP Marketing and Coordinator: Shawn Orgel-Olson	60	\$100	\$6,000
Digital Marketing	GBP Marketing and Coordinator: Shawn Orgel-Olson	80	\$100	\$8,000
Newsletter	GBP Marketing and Coordinator: Shawn Orgel-Olson	50	\$100	\$5,000
Green Business Mixer/Chamber Networking Support	GBP Marketing and Coordinator: Shawn Orgel-Olson	30	\$100	\$3,000
<b>Scope 7: CBO Engagement</b>				
CBO Training, Engagement and Oversight	Jo Fleming	200	\$100	\$21,000
CBO Subcontracts	2-4 x \$10,000 - \$20,000 Subcontracts			\$40,000
Material Translation and Oversight	Shawn Orgel-Olson, Translator	20	\$100	\$2000
<b>Scope 5: Reporting and Invoicing</b>				
Quarterly and Annual Reports	GBP Coordinator: Shawn Orgel-Olson, Sheila Peck, New Green Business Coordinator	100	\$100	\$10000
Invoicing	Fiscal Manager: Evan Parker	40	\$100	\$4000
<b>Total Personnel Costs</b>	\$223,000			
<b>Materials, and Expenses (mileage, certificate frames, misc. small event expenses)</b>	\$3,200			
<b>Not to Exceed Project Cost</b>	<b>\$226,200</b>			