

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

THIS FIFTH AMENDMENT TO THE AGREEMENT, entered into this 20th day of October, 2020, 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 for \$60,000 on November 1, 2017; and

WHEREAS, the Director of the Office of Sustainability authorized an amendment to the Agreement increasing the amount payable by \$39,433 to an amount not to exceed \$99,433 on August 1, 2018; and

WHEREAS, the Board of Supervisors adopted a resolution authorizing an amendment to the Agreement increasing the amount payable by \$226,200 to an amount not to exceed \$325,633 on February 26, 2019 and extended the term of the Agreement to October 31, 2020; and

WHEREAS, the parties further amended the Agreement to increase the amount payable by \$197,458, to an amount not to exceed \$523,091 on June 4, 2019; and

WHEREAS, the parties further amended the Agreement to modify the scope, with no change in payable amount on March 4, 2020; and

WHEREAS, the parties wish to amend the Agreement to extend the term to October 31st, 2021; and

WHEREAS, the parties wish to amend the Agreement increasing the amount by \$210,000 for a new not to exceed amount of \$733,091.

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

1. Original Exhibit A is amended to include the "Revised Exhibit A, (rev. September 2020)," which is attached hereto and incorporated herein by reference, and reproduced below in its entirety:

Revised Exhibit A, (rev. September 2020)

Scope 1: Green Business Program Coordination

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

- Assist businesses to green their operations and complete the Green Business Efficiency or Full Certification Process for their sector, putting them in touch with resources, including existing rebates, prebates, and incentives, and agencies specific and pertinent to the County of San Mateo
- Work to recertify the existing certified businesses whose certifications have expired or are expiring soon
- Collect demographic data on existing businesses, new businesses and prospects to evaluate equity and inclusion efforts
- Partner with County and City government programs and COVID recovery efforts, environmental agencies, local organizations, and service providers to recruit and service businesses
- Conduct marketing and recruitment to ensure a pipeline of enrolled businesses
- Certification targets are as follows:

Scenario 1: Covid-19 Shelter-in Place	Scenario 2: Business as Usual
25 Businesses as follows: <ul style="list-style-type: none">• 7 Efficiency• 8 Recertifications• 10 New Certifications Recruitment/outreach to 150 Businesses	50 Businesses as follows: <ul style="list-style-type: none">• 10 Efficiency• 12 Re-certifications• 28 New Certifications Recruitment/outreach to 225 Businesses

Contractor will collaborate with Office of Sustainability (OOS) staff to ensure that the Green Business program is integrated with other OOS service areas including:

- Working with RICAPs / Climate Team to assure that carbon reduction metrics are compatible with and support City and County Climate Action Plans
- Coordinate with Waste Team on related programmatic efforts
- Coordinate with BayREN to bring energy services to Green Business applicants
- Coordinate with OOS on Sustainable Purchasing Policy roll out to County departments
- Support additional OOS, County and Recovery initiatives as relevant

Scope 2: Marketing & Promotions

Implement marketing activities and events to recruit businesses to enroll in the program. Ensure OOS review of material before sharing publicly. Coordinate messaging and information/resource sharing to align with Business recovery efforts. The following tasks will be accomplished:

- Hold at least 4 Green Business webinars or other virtual events.
- Design and coordinate digital advertising campaigns such as “SMC Open for Business” and Spanish-language social media to promote existing businesses as well as recruit new businesses to the program, including Spanish language ads and other equity focused marketing.
- Present at business events where possible, such as chamber or business association events or small business development centers.
- Develop MailChimp Newsletter. Develop and mail quarterly newsletter with relevant content for San Mateo County Green Businesses and program partners.
- Develop consumer incentives to Shop Local, Shop Green, Support the Recovery.
- Produce in-store materials and signage.
- Incorporate videos/slideshows to promote Green Businesses / the Green Business Program.
- Purchase useful promotional giveaways.
- Website development using CAGBN template and hosting.
- Bilingual communications: where appropriate, translate above ads, webinars, presentations, materials, and website to Spanish. As needed coordinate additional translation.

Scope 3: Equity and Community-Based Organization Involvement

Contractor will employ strategies to service traditionally underserved businesses in the County such as small or medium business located in socially vulnerable communities in San Mateo County based on the County Vulnerability Index. For this work, socially vulnerable communities are defined as those which have a higher than average percentage (CVI Score 41 or above) of residents experiencing economic, health or other disparities using the County of San Mateo Vulnerability Index (CVI). Strategies will include direct outreach and marketing, employment of prebates and pre-purchased green business items, and sub-contract partnerships with community-based organizations (CBOs).

The following tasks will be accomplished:

- Develop a strategy for continued engagement and certification of traditionally underserved businesses in the County and consider strategies for aligning with economic recovery efforts.
- Release a call for proposals for additional CBOs to apply.
- Identify and sub-contract with CBOs.
- Conduct Green Business training for key CBO staff.
- Provide ongoing assistance (in Spanish and English) to support success of CBOs and work with targeted businesses.
- Conduct direct outreach, marketing, and follow-up to traditionally underserved businesses.
- Administer ‘prebates’ (items and services purchased on behalf of businesses) to help traditionally underserved businesses achieve certification at the Efficiency and/or Full Certification level.

- Identify additional service providers to assist traditionally underserved businesses.
- Identify current program demographics of Green Businesses in San Mateo County and work towards demographic representation that more closely reflects County population (see Scope 5: Reporting).
- Evaluate, continue partnerships as appropriate and put out another call for partners as needed (e.g. simplified Chinese, Coastside, North County, etc.).

Subcontracted tasks for CBOs will include:

- Utilize existing relationships and trusted messengers to engage community businesses.
- Develop and deploy cultural and linguistic best practices and COVID-19 compatible outreach practices, materials, webinars and digital content.
- Recruit businesses from target populations and communities, assess their eligibility for incentives and facilitate their successful completion of Efficiency or Full Certification by Contractor.
- Assist with improving program accessibility, responsiveness and relevance.
- Identify needs, gaps and opportunities to improve services to traditionally under-represented businesses.

Scope 4: Reporting and Billing

Contractor will provide quarterly reports on the activities of the program, including tasks accomplished, status of deliverables, successes and challenges. Contractor will also provide an annual report, summarizing collected business metrics and program developments. Each report will include demographic data and progress towards equity and inclusion goals as well as greenhouse gas emissions reduction progress. Contractor will provide timely monthly invoices with a brief report of progress to date by scope and including status of deliverables.

2. Original Exhibit B is amended to include the "Revised Exhibit B, (rev. September 2020)," which is attached hereto, incorporated herein by reference, and reproduced below in its entirety:

Revised Exhibit B, (rev. September 2020)

In consideration of the services provided by Contractor described in Revised Exhibit A, (rev. September 2020) 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 work completed by task, including percentage complete, 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 \$733,091 during the term of the agreement.

	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021	May 2021	Jun 2021	July 2021	Aug 2021	Sep 2021	Oct 2021
Scope 1: Business Certification & Coordination	x	x	x	x	x	x	x	x	x	x	x	x	x
Scope 2: Marketing & Promotions: GB Webinars		x		x		x		x			x		
Scope 2: Marketing & Promotions-Ad Campaign			x	x	x	x		x	x				
Scope 2: Marketing & Promotions-Newsletter		x				x			x			x	
Scope 2: Marketing & Promotions-Website Dev	x	x	x	x									
Scope 2: Marketing & Promotions-Other	x	x		x	x	x	x	x	x	x	x	x	x
Scope 3: Equity-Subcontract CBOs		x		x	x	x							
Scope 3: Equity-CBO Training & Support				x	x	x	x	x	x	x	x	x	x
Scope 3: Equity-Direct Outreach, Prebate Coordination		x		x	x	x	x	x	x	x	x	x	
Scope 3: Equity-Identify Services		x		x	x	x			x	x			
Scope 3: Equity-Evaluate Additional Service Partnerships	x	x		x	x	x	x				x	x	x
Scope 4 Reporting & Billing	x	x	x	x	x	x	x	x	x	x	x	x	x

Previous Budget: \$523,091						
Budget Extension: \$210,000						
San Mateo Green Business Program, Oct 20th, 2020 – Oct 31st, 2021						
Green Business Task	Description	Est Hours	Personnel Costs	Marketing & Materials	Subcontract	Total
Scope1 - Business Certification and Coordination						
Green Business Coordinators	Lawrence Nussbaum (@\$100/hr)	1124	\$112,400			\$112,400
Green Business Assistance	Junior Associate @\$50/hr	200	\$10,000			\$10,000
Travel				\$ 2,000		\$2,000
Subtotal Scope 1						\$124,400

Green Business Task	Description	Est Hours	Personnel Costs	Marketing & Materials	Subcontract	Total
Scope2 - Marketing & Promotions						
Green Business Marketing Coordination	Shawn Orgel-Olson @\$100/hr	80	\$8,000			\$8,000
Ad Buys				\$9,000		\$9,000
Materials, signage, printing				\$3,000		\$3,000
Subtotal Scope 2						\$20,000

Green Business Task	Description	Est Hours	Personnel Costs	Marketing & Materials	Subcontract	Total
Scope 3 - Equity & CBO Engagement						
Green Business Coordinators	Lawrence Nussbaum @\$100/hr	80	\$8,000			\$8,000
Green Business Spanish Coordinator	Maria Corona @\$100/hr	220	\$22,000			\$22,000
CBO sub-grants	2 - \$10,000 Subcontracts with CBOs				\$20,000	\$20,000
Prebates & Materials Purchase				\$10,000		\$10,000
Subtotal Scope 3						\$60,000

Green Business Task	Description	Est Hours	Personnel Costs	Marketing & Materials	Subcontract	Total
Scope 4 - Reporting and Billing						
Contract Administration & Tracking	Lynda Lloyd and Liz Sullivan @\$100/hr	40	\$4,000			\$4,000
GBP coordinator reporting	Lawrence Nussbaum @\$100/hr	16	\$1,600			\$1,600
		Subtotal Scope 5				\$5,600

Green Business Task	Description	Est Hours	Personnel Costs	Marketing & Materials	Subcontract	Total
	TOTALS	1760	\$166,000	\$ 24,000	\$ 20,000	\$210,000
	TOTAL PERSONNEL					\$166,000
	TOTAL SUBCONTRACTS					\$20,000
	TOTAL MARKETING & PROGRAM EXPENSES					\$24,000
	NOT TO EXCEED PROJECT COSTS					\$733,091

3. All other terms and conditions of the agreement dated 1st day of November 2017, and amended on the 1st day of August 2018, the 26th day of February 2019, 4th day of June 2019, and the 4th day of March 2020, between the County and Contractor shall remain in full force and effect.

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



23 September 2020

Kirsten Liske, VP Community Programs

Contractor Signature

Date

Contractor Name (please print)

COUNTY OF SAN MATEO

By:
President, Board of Supervisors, San Mateo County

Date:

ATTEST:

By:
Clerk of Said Board