

**9. Southern California Public Power Authority (SCPPA) Task Order No. Vernon-03 for Services by Radian Generation, LLC (Radian)**

Recommendation:

Approve and authorize the General Manager of Public Utilities to execute SCPPA Task Order No. Vernon-03 for services from Radian Generation, LLC, for regulatory compliance administrative services, including the installation, maintenance, support, document migration, content development, and use of Global Audit Ready software for a total amount not-to-exceed \$251,700, for a three-year period.

## City Council Agenda Report

Meeting Date: July 18, 2023  
From: Todd Dusenberry, General Manager of Public Utilities  
Department: Public Utilities  
Submitted by: Adriana Ramos, Administrative Analyst

### Subject

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### Background

Since 2020, Vernon Public Utilities (VPU) has utilized the services of Cooper Compliance (now Radian) to assist with the customization for compliance activities such as managing workflows, compliance tasks, document migration, content development, and more. Radian has developed a Microsoft SharePoint-based platform, Global Audit Ready (GAR), to manage compliance documents with numerous regulations, including the North American Electric Reliability Corporation (NERC). GAR assists subject matter experts in meeting deadlines and manages the workflow of compliance evidence for regulatory audits and internal compliance programs. Radian provides Compliance Administrative Services and use of the Global Audit Ready Compliance Management Software through task orders under its Master Professional Services Agreement with SCPPA dated October 17, 2019 (SCPPA Agreement).

The prior task order for these services with Radian expired on December 31, 2022. Prior to the expiration date, Staff submitted a request for a new task order from SCPPA and Radian to which the parties responded on March 14, 2023. The proposed SCPPA Task Order No. Vernon-03, has a term of January 1, 2023 through October 17, 2025, and is for a total not-to-exceed amount of \$251,700. The cost reflects discounted pricing made available through the SCPPA Agreement.

The scope of work under the proposed task order with Radian would consist of the following:

- Regulatory Compliance Administrative Services, including installation, maintenance, support, document migration, content development, and Global Audit Ready software.
- Lease of Global Audit Ready Compliance Management Software, including maintenance and support.
- Migration of Documents (Vernon's Compliance Programs, Records, and Evidence of Compliance) and Content Development (developing, drafting, inputting process narratives, workflows, and compliance tasks).
- NERC Compliance Administrative Services

As a SCPPA member, VPU has the ability to contract with vendors that have completed SCPPA's competitive bidding process for professional services. As such, Radian's services may be utilized by VPU as a participating member. SCPPA is a public entity duly organized and existing under

the Joint Exercise of Powers Act (Cal. Government Code sec. 6500 et seq.), under a Joint Powers Agreement (JPA) entered into by and among the cities of Anaheim, Azusa, Banning, Burbank, Cerritos, Colton, Glendale, Los Angeles, Pasadena, Riverside, Vernon, and the Imperial Irrigation District (Members) with authority to engage in various activities supportive of the Members' electric utilities. The SCPPA Board of Directors is responsible for the general management of the affairs of SCPPA, and under the JPA, has the power, among other things, to make and enter into contracts for services specific to electric utility needs. This allows VPU and other member agencies to benefit from economies of scale and procure goods and services with volume discounts.

Staff recommends that the City Council approve the task order with Radian to assist staff with regulatory compliance administrative services and offer maintenance and support for its management software. Since VPU is using a vendor competitively bid by SCPPA, the proposed task order is exempt from the City's competitive bidding and competitive selection requirements per Vernon Municipal Code (VMC) Section 3.32.110, subsections (A)(5) and (B)(1). The Finance Director is of the opinion that it is to the advantage of the City to contract with Radian through their existing SCPPA Agreement. Pursuant to VMC Section 3.32.030(A), City Council approval of the proposed task order is necessary since the cost exceeds \$100,000.

SCPPA Task Order No. Vernon-03 has been reviewed and approved as to form by the City Attorney's Office.

### **Fiscal Impact**

The total fiscal impact is not-to-exceed \$251,700. Sufficient funds are available in the VPU Electric Fund, Professional Services - Other Account No. 055-050-580-529215 for FY 2022-23, FY 2023-24, and will be included in subsequent FY budgets.

### **Attachments**

1. Task Order No. Vernon-03 - Southern California Public Power Authority

# TASK ORDER No.: Vernon-03

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**Date:** 3/14/2023

**Project Description:** Compliance Administrative Services and Global Audit Ready Compliance Management Software

**Participating Member:** Vernon Public Utilities

**Consultant:** Radian Generation LLC (“Consultant”)

Consultant, SCPPA and the Participating Member (“Participant”) identified above agree that Consultant shall provide the Services specified herein pursuant to the terms and conditions of the Master Professional Services Agreement (“Agreement”) between SCPPA and Cooper Compliance Corporation (“Cooper”) dated October 17, 2019, and as amended on April 15, 2021, and on May 19, 2022, except as specifically modified herein. In a letter agreement dated November 17, 2022, SCPPA consented to Cooper’s assignment of Cooper’s obligations under the Agreement to Consultant. Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Agreement.

## Scope of Services

Regulatory Compliance Administrative Services including the installing, maintenance, support, document migration, content development, and use of Global Audit Ready software.

**Task 1:** Lease of Global Audit Ready Compliance Management Software, including maintenance and support.

**Task 2:** Migration of Documents (Vernon’s Compliance Programs, Records and Evidence of Compliance) and Content Development (developing, drafting, inputting process narratives, workflows and compliance tasks. (Est. 300 hours @ \$185/hr)

**Task 3:** NERC Compliance Administrative Services

## Term

This Task Order shall be effective from January 1, 2023 through October 17, 2025 (“Task Order Termination Date”). Any services provided by Consultant after the Task Order Termination Date, and without prior execution of an amendment hereto by the Parties, shall be at Consultant’s sole risk and without payment.

## Compensation

### Year 1

Lease of Global Audit Ready Compliance Management Software	\$2,200/mo; \$26,400/year
Gas Regulations Database	\$0

Document Migration and Content Development (Est. 300 hours @ \$185/hr; Senior Project Manager at discounted rate)	\$55,500
Compliance Administrative Services (minimum cost)	\$3,250/mo; \$39,000/year
<b>Total Not-To-Exceed</b>	<b>\$120,900/year</b>

### **Year 2-3**

Lease of Global Audit Ready Compliance Management Software	\$2,200/mo; \$26,400/year
Gas Regulations Database	\$0
Compliance Administrative Services (minimum cost)	\$3,250/mo; \$39,000/year
<b>Total Not-To-Exceed</b>	<b>\$65,400/year</b>

Consultant shall provide notice to SCPA and Participating Member prior to and upon reaching the Not to Exceed Amount. Any services provided by Consultant in excess of this authorization, and without prior execution of an amendment hereto by the Parties, shall be at Consultant's sole risk and without payment. For avoidance of doubt SCPA and Participating Member shall not be liable for any unauthorized excess billings whatsoever.

### **Representative of Participating Member**

**Angela Kimmey**  
Deputy City Administrator  
4305 S Santa Fe Ave.  
Vernon, CA  
akimmey@cityofvernon.org  
(323) 583-8811 ext 876

**Lisa Umeda**  
Utilities Compliance Administrator  
4305 S Santa Fe Ave.  
Vernon, CA  
lumeda@cityofvernon.org  
(323) 583-8811 ext 561

***[SIGNATURE PAGE FOLLOWS]***

IN WITNESS WHEREOF, the parties have signed this Task Order as of the date first written above.

## **SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY**

By: \_\_\_\_\_

MICHAEL S. WEBSTER  
Executive Director

Approved as to Legal Form:

\_\_\_\_\_  
ARMANDO ARBALLO  
Assistant General Counsel

## **RADIAN GENERATION, LLC.**

By: \_\_\_\_\_

JOE KASTNER  
Chief Executive Officer

## **Participant's Acknowledgement and Agreement**

The undersigned hereby attests that he or she has the requisite authority to bind the Participant to the obligations set forth in this Task Order. Participant agrees to be responsible for any and all fees, costs and expenses invoiced to SCPPA by Consultant for work performed on behalf of, or for the benefit of, Participant pursuant to the Agreement.

Participant agrees to indemnify, defend and hold harmless SCPPA, all other members and their respective directors, officers, agents, representatives, employees, successors and assigns from and against any and all losses, injuries, costs and expenses, damages, liens, claims, or liabilities, including reasonable attorney's fees, incurred by SCPPA in connection with the work performed for the benefit of, or on behalf of, Participant pursuant to the Agreement, except for the gross negligence or willful misconduct of SCPPA or such other SCPPA members, and their officers, agents, representatives or employees.

## **VERNON PUBLIC UTILITIES**

By: \_\_\_\_\_

Todd Dusenberry  
General Manager