

RESOLUTION NO. 2014-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY MAKING FINDINGS NECESSARY TO AUTHORIZE AN ENERGY SERVICES CONTRACT FOR A SOLAR POWER ROOFTOP AND CARPORT SYSTEM AT THE LIBRARY/COMMUNITY CENTER; MAKING FINDINGS RELATIVE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) THAT THE LIBRARY/COMMUNITY CENTER PROJECT IS CATEGORICALLY EXEMPT; ACCEPTING THE PROPOSAL OF AND AWARDED AN ENERGY SERVICES CONTRACT TO CUPERTINO ELECTRIC INC. IN THE AMOUNT OF \$715,671 FOR THE COMPLETE DESIGN, CONSTRUCTION AND INSTALLATION OF A SOLAR POWER ROOFTOP AND CARPORT SYSTEM AT THE LIBRARY/COMMUNITY CENTER; AND, APPROPRIATING \$1,172,000 FROM CITY CAPITAL IMPROVEMENT FUND RESERVES AND \$122,000 FROM THE BUILDING MAINTENANCE FUND FOR CAPITAL IMPROVEMENT PROJECT #301-643 LIBRARY/COMMUNITY CENTER SOLAR PROJECT

CITY OF FOSTER CITY

WHEREAS, the City is interested in installing a renewable energy generation system at the Library/Community Center in order to reduce the cost of power and demonstrate leadership to the Foster City community in the area of clean energy; and

WHEREAS, in furtherance of this goal, Foster City joined the Regional Renewable Energy Procurement collaborative to jointly issue a Request for Qualifications/Proposal, from which, proposals were ranked by a Selection Committee for the M4 (Medium Sized Solar Power Systems) bundle; and

WHEREAS, the City entered into negotiations with Cupertino Electric Inc. as the second ranked proposer after reaching an impasse over contract terms with the first ranked proposer; and

WHEREAS, Cupertino Electric Inc. has proposed a 195.2 kW DC photovoltaic system at the Foster City Library/Community Center (the Project) with a cost for design, construction and installation of the Project of \$715,671; and

WHEREAS, the City was awarded a \$147,294 incentive reservation from the Pacific Gas and Electric Company (PG&E) California Solar Initiative to be applied to the Project, based upon the actual output of the system once constructed; and

WHEREAS, in conjunction with the Library/Community Center Solar Project, the roof of the Library/Community Center will have to be replaced at an estimated cost of \$318,000; and

WHEREAS, there is funding in the Building Maintenance Fund for the Library/Community Center Roof in the amount of \$122,000; and

WHEREAS, there is funding available in the City Capital Improvement Project Fund for the remaining estimated project cost of \$1,172,000; and

WHEREAS, in addition to the design, construction and installation of the system, the City also wishes to enter into an ongoing Operations and Maintenance agreement with Cupertino Electric Inc. for the installed system; and

WHEREAS, the City of Foster City recognizes that it is in the interest of the regional, state, and national economy to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency within our jurisdiction; and

WHEREAS, the Library/Community Center Solar Project will effectively reduce electrical costs and help reduce greenhouse gas emissions associated with the production of electricity from conventional power plants; and

WHEREAS, the City of Foster City has considered the application of the California Environmental Quality Act (CEQA) to the Library/Community Center Solar Power Project; and

WHEREAS, California Government Code Section 4217.12 authorizes public agencies, including the City, to enter into an energy service contract when the anticipated cost of the conservation services provided by an energy conservation facility will be less than the anticipated marginal cost of energy that would have been consumed in the absence of the Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Foster City makes the following findings:

1. That the Solar Power Rooftop and Carport System Project includes the acquisition, design, construction and installation of equipment that reduces energy use or makes for a more efficient use of energy and thereby qualifies as "conservation measures" as that term is defined in Government Code Section 4217.11(c).
2. That the construction and installation of the Solar Rooftop and Carport System Project, which will generate energy savings, are "conservation services" as that term is defined in Government Code Section 4217.11(d).
3. That the proposed contract between the City of Foster City and Cupertino Electric Inc. for the design, construction and installation of the Solar Rooftop and Carport System Project conservation measures qualifies as an "energy services contract" as that term is defined in Government Code Section 4217.11(f).

4. That over its 20 year expected life span, the total cost of the Solar Power Rooftop and Carport System at the Library/Community Center will be less than the anticipated \$3,784,956 cost of electricity that would have been consumed by the facility in the absence of this system.
5. That the terms of the award of the contract to Cupertino Electric Inc. for the design, construction and installation of the Library/Community Center Solar Power System are in the best interest of the City of Foster City.

BE IT FURTHER RESOLVED that the City Council of the City of Foster City does hereby:

1. Accept the proposal of and award a contract to Cupertino Electric Inc. for the installation of a solar photovoltaic system at the Foster City Library/Community Center in the amount of \$715,671, and
2. Authorize the Mayor to sign the contract for the design, construction and installation of a solar photovoltaic system at the Foster City Library/Community Center on behalf of the City of Foster City, and
3. Authorize the City Manager to execute contract amendments up to the contingency amount of \$260,000; and
4. Authorize the City Manager to execute a 10-year Operations and Maintenance Agreement, to commence upon acceptance of the solar power installation.

BE IT FURTHER RESOLVED that the City Council of the City of Foster City does hereby authorize a transfer of available reserves of \$122,000 from the Building Maintenance Fund (#505) to the City Capital Improvement Fund, and hereby appropriates a total of \$1,172,000 from City Capital Improvement Fund reserves in Fiscal Year 2014-2015 for Capital Improvement Project #301-643 Library/Community Center Solar Project.

BE IT FURTHER RESOLVED that the City Council of the City of Foster City does hereby find that the approval of the Library/Community Center Solar Project is a "project" that is categorically exempt under California Code of Regulations Title 14, Section 15301 (Class 1, Minor alterations to Existing Facilities); Section 15303 (Class 3, New Construction of Small Equipment); and Section 15061(b)(3), (no potential for causing significant effect on the environment as a result of this project).

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the on the 21st day of July, 2014, by the following vote:

AYES: Councilmembers Kiesel, Okamoto, Perez, Pollard and Mayor Bronitsky

NOES: None

ABSENT: None

ABSTAIN: None



CHARLIE BRONITSKY, MAYOR

ATTEST:



DORIS L. PALMER, CITY CLERK