

RESOLUTION NO. 2021-029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE DISPENSING WITH FORMAL BIDDING PROCEDURES PER GOVERNMENT CODE SECTIONS 4217.10 THROUGH 4217.18; AUTHORIZING THE CITY MANAGER TO EXECUTE A DESIGN-BUILD CONTRACT WITH CENTRICA BUSINESS SOLUTIONS SERVICES, INC. FOR THE DISTRICT56 SOLAR PHOTVOLTAIC (PV) SYSTEM IMPROVEMENTS PROJECT (WFC043) IN THE AMOUNT OF \$1,798,955; AUTHORIZING THE CITY ENGINEER TO APPROVE CHANGE ORDERS NOT-TO-EXCEED \$270,000; AND AMENDING THE FISCAL YEAR 2020-21 BUDGET AND 2020-2025 CAPITAL IMPROVEMENT PROGRAM BY \$546,000 (CEQA EXEMPT)

WHEREAS, the District56 Solar Photovoltaic (PV) System Improvements (WFC043) (Project) will result in the design, procurement, installation and maintenance of a ground-mounted solar PV array with a total capacity of approximately 739 kilowatts at the District56 site. The solar PV array will be comprised of three electrically independent solar PV systems serving three distinct metered areas on the site. The three systems combined will generate approximately 1.15 Million kilowatt hours (kWh) of electricity annually. The goal is to reach net-zero energy at the site, annually generating an equivalent amount of electricity from solar PV as is being consumed; and

WHEREAS, proposals were solicited through the City's website, Plan Rooms and Builders' Exchanges, and email notifications were sent to the contractors listed in the City's Pre-Qualification and Uniform Construction Cost Accounting Act (UPCCAA) Registered Contractors lists on September 11, 2020, and one responsive and responsible proposal was received on October 9, 2020; and

WHEREAS, Centrica Business Solutions Services, Inc. submitted a proposal that was responsive to the City's request for proposals; and

WHEREAS, the Project is a project under California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, hereinafter referred to as CEQA), but, for the reasons stated in the accompanying staff report, the Project is exempt from further CEQA review pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) and Section 15304 (Minor Alteration to Land); and

WHEREAS, Government Code Section 4217.12 allows the City to dispense with formal public works bidding for this energy service contract if the City Council finds it is in the best interest of the public agency and if the determination is made at a regularly scheduled public hearing, public notice of which is given at least two weeks in advance; and

WHEREAS, the anticipated cost to the City for thermal or electrical energy or conservation services provided by the energy conservation facility under the contract will be less than the anticipated marginal cost to the City of thermal, electrical, or other energy that would have been consumed by the City in the absence of those purchases; and

WHEREAS, the financial procurement options provided in the proposal are net-beneficial to the City with the cash option being the most net beneficial of the three options; and

WHEREAS, the Project is included in the approved Fiscal Year 2020-25 Capital Improvement Program and is budgeted with funds in the approved Fiscal Year 2020-21 Budget; and

WHEREAS, entering into the proposed energy services contract is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby:

- 1) Dispenses with the formal public works bidding requirements pursuant to California Government Code Sections 4217.10 through 4217.18 and finds, pursuant to Government Code section 4217.12, that entering into the proposed contract is in the best interest of the City, and that the anticipated cost to the City for electrical energy provided by the contract will be less than the anticipated marginal cost to the City of electrical, or other energy that would have been consumed by the public agency in the absence of the contract; and
- 2) Authorizes the City Manager to execute a design build contract with Centrica Business Solutions Services, Inc. in the amount of \$1,798,955; and
- 3) Authorizes the City Engineer to approve change orders not-to-exceed \$270,000; and
- 4) Authorizes an amendment to the FY 2020-2025 Capital Improvement Program and Fiscal Year 2020-21 Budget for the District56 Solar Photovoltaic (PV) System Improvements Project (WFC043) by adding \$546,000 in CFD 2005-1 Laguna Ridge (Fund 344) Fund.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 27th day of January 2021




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-029

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

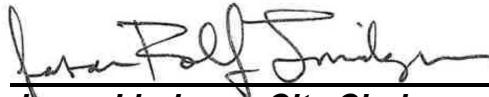
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on January 27, 2021 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Nguyen, Hume, Spease, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California