

# ORDINANCE/RESOLUTION REQUEST

All Fields must be completed

Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: June 1, 2020

Please mark one:  Bill Request or  Resolution Request

## 1. Type of Request:

- Contract/Grant Agreement  Intergovernmental Agreement (IGA)  Rezoning/Text Amendment  
 Dedication/Vacation  Appropriation/Supplemental  DRMC Change  
 Other:

## 2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Approves contract execution for a Lease and License Agreement with Oak Leaf Solar XVIII LLC for construction and operation of a solar array developed and maintained by Oak Leaf Solar XVIII LLC. Contract Control Number: PLANE-202053422

## 3. Requesting Agency:

Department of Aviation

## 4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Scott Morrissey	Name: Angela Casias
Email: Scott.Morrissey@flydenver.com	Email: Angela.Casias@flydenver.com

## 5. General description or background of proposed request. Attach executive summary if more space needed:

This requests initiation of a ground lease of approximately 40 acres, as determined by the parties and per the final site design, of the real property located at Denver International Airport (DEN) south of 112th Street and east of N Trussville St. or a mutually agreeable location, as a suitable location to construct a solar array. Oak Leaf Solar XVIII, LLC (Oak Leaf) will pay DEN \$525 per acre (prorated for any fractional acre) per year and a \$2,500 annual access license fee. Lease and license payments will begin at the Effective Date, defined as date the City executes this Agreement.

The solar array is expected to generate over 571 million kWh of renewable electricity, nearly doubling the amount of solar interconnected to DEN's electric grid and avoiding over 514,000 tons of CO2 over its project life.

Total Contract Amount: \$ 771.611

## 6. City Attorney assigned to this request (if applicable):

Debra Overn

## 7. City Council District:

District 11

## 8. **\*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\*** **Key Contract Terms**

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR20 0528

Date Entered: \_\_\_\_\_

**Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):**  
Lease of Real Property

**Vendor/Contractor Name:**  
Oak Leaf Solar XVIII LLC

**Contract control number:**  
PLANE-202053422

**Location:**  
Denver International Airport

Is this a new contract?  Yes  No Is this an Amendment?  Yes  No If yes, how many? \_\_\_\_\_

**Contract Term/Duration (for amended contracts, include existing term dates and amended dates):**  
25.5 Years

**Contract Amount (indicate existing amount, amended amount and new contract total):**

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$771,611	0	\$771,611

  

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
25.5 Years	0	2046

**Scope of work:**

Lease of Real Property for construction and operation of a solar array to provide electricity for Denver International Airport.

**Was this contractor selected by competitive process?**

**If not, why not?**

No, this procurement qualifies for the Sole Source exception under Memorandum No. 8B and will not be competitively procured. Large solar photovoltaic projects such as this are dependent on incentives provided by Xcel Energy. Xcel completed a competitive procurement process through their 2019 Solar\*Rewards Large Program RFP and awarded 100% of their available capacity to the developer of Solar VII. Due to these incentives only being awarded to Oak Leaf Solar XVIII, LLC, no other solar developer has the ability to develop a solar project of this size within Xcel's solar incentive program under these financial terms.

Has this contractor provided these services to the City before?  Yes  No

Source of funds: N/A, Revenue

Is this contract subject to:  W/MBE  DBE  SBE  XO101  ACDBE  N/A

**WBE/MBE/DBE commitments (construction, design, Airport concession contracts):**

**Who are the subcontractors to this contract?**

---

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: RR20 0528

Date Entered: \_\_\_\_\_