

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: 03/24/2021

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 100 LLC for construction and operation of a solar array developed and maintained by Oak Leaf Solar 100 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 25 acres, as determined by the parties and per the final site design, of the real property located at Denver International Airport (DEN) Between 112th Street and 114th 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 \$675 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.

Based on a 2% annual escalation rate, DEN would receive approximately \$500k in revenue over the 25-year term. In addition, the solar array is expected to generate over 285 million kWh of renewable electricity, nearly doubling the amount of solar interconnected to DEN's electric grid and avoiding over 257,000 tons of CO2 over its project life. This contract is 25.5 years to allow for construction. Once construction is complete the purchase agreement (PLANE-202157566) will take effect with a 25 year duration.

Total Contract Amount: \$ 500,473

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****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR21 0396

Date Entered: _____

Key Contract Terms

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 100 LLC

Contract control number:

PLANE-202157423

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>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$500,473	0	\$500,473

<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?

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 2020 Solar*Rewards Large Program RFP and awarded capacity for this project to the developer of Solar VIII. Due to these incentives being awarded to Oak Leaf, 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.

If not, why not?

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: RR21 0396

Date Entered: _____