

ORDINANCE/RESOLUTION REQUEST

Date of Request: November 8, 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 an Energy Performance Agreement with McKinstry Essention, LLC for services related to the purchase of energy conservation measure equipment that will be purchased through both a companion capital lease purchase agreement with JPMorgan Chase Bank, N.A., and a purchase order.

3. Requesting Agency: General Services

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Kami Johle	Name: Kami Johle
Email: kami.johle@denvergov.org	Email: kami.johle@denvergov.org

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

This resolution request is to approve an Energy Performance Agreement for services related to the purchase of energy conservation measure implementation in 23 city buildings throughout the city. Energy Performance Agreements are a strategy to reduce energy use in existing buildings per the Strategic Energy Plan for City and County of Denver Municipal Facilities 100% Renewable Electricity Goal. The strategy prioritizes large buildings with high energy-use intensity (EUI). As outlined in the Strategic Energy Plan for said goal, McKinstry Essention, LLC performed an Investment Grade Audit under contract 201952928-00 resulting in a final report dated August 12, 2021. Energy Conservation Measure recommendations were reviewed by the Denver Energy Office and building stakeholders and a final list of Energy Conservation Measures for implementation was agreed upon by both parties. The equipment will be purchased through a companion capital lease agreement, payments for which will be made from utility savings. Additional funding to support the direct purchase of equipment and required professional services will be from the Climate Protection Fund and Annual Capital Improvement Program.

This request seeks approval for the expenditure of \$2,346,783 for professional services. The companion agreements include \$13,834,597 in Financed Equipment and \$735,094 in Direct Purchase of Equipment through purchase order PO-00107101, amounting to a total project cost of \$16,916,474.

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

Lindsay Carder

7. City Council District:

Citywide

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 1392

Date Entered: _____

Key Contract Terms

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

Vendor/Contractor Name: McKinstry Essention, LLC

Contract control number: GENRL-202161179-00

Location: Various City-owned buildings (1245 Champa, City and County Building, various CPD, various Fire Stations, various Safety Facilities, Denver Crime Lab, Lindsey-Flanigan Courthouse, Denver Animal Shelter, Rose Andom, Elections Building, etc.)

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):

Contract Execution – December 31, 2025

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>
0	0	\$2,346,783

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
		12/31/2025

Scope of work: This purchase agreement is for the purchase energy conservation measure implementation equipment in 23 city buildings throughout the city. See attached.

Was this contractor selected by competitive process? Yes **If not, why not?**

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

Source of funds: Annual Capital Improvement Program, Utility Savings and Climate Protection Fund

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

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WBE/MBE/DBE commitments (construction, design, Airport concession contracts): 18%

Who are the subcontractors to this contract?

ECM Holdings

ATS Rocky Mountain

Trane

Setpoint

Westover

Siemens

Haynes Mechanical

LEI Electrical

MGT Landscaping

Standard Mechanical

Murphy Company

Circuitus Energy Solutions

Titan

Jedi

Certified Balancing and Commissioning

Pella

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