ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by **9:00am on Friday.** Contact the Mayor's Legislative team with questions

Date of Request: March 27, 2024

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.)

Amends the Master Operator Agreement with McKinstry Essention, LLC, adding the amount of $10,900,000.00 for the term ending November 30, 2046, for the design, development, installation, operation, and maintenance of community solar photovoltaic generating facilities and electric vehicle chargers owned by the City as part of the Renewable Denver Community Solar initiative. Third amendment to Contract Control Number: CASR-202473215-03_CASR-202160096-03.

3. Requesting Agency: Climate Action, Sustainability, and Resiliency (CASR)

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Jonathan Rogers	Name: Jonathan Rogers
Email: jonathan.rogers@denvergov.org	Email: jonathan.rogers@denvergov.org

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

This amendment adds project Tranche 4 to the 25-year Master Operator Agreement with McKinstry Essention, LLC, for the design, development, installation, operation, and maintenance of community solar photovoltaic generating facilities and electric vehicle chargers owned by the City as part of the Renewable Denver Community Solar Initiative.

Project Tranche 4 is for four (4) solar carports with co-located EV charging at DPS high schools totaling 1,000 kWac of solar capacity. The project adds Manual HS (district 9), North HS (district 1), JFK HS (district 2), and Thomas Jefferson HS (district 4) to the Renewable Denver Community Solar portfolio and the City's collaborative partnership with Denver Public Schools. 100% of the bill credits generated from this array will be donated to lower the utility bills of approximately 200 low-income DPS families in need spanning all city council districts. Additionally, the team will provide community engagement and workforce benefits including, but not limited to Installation Basics Training; a target of at least 10% of the solar workforce hired from underserved communities in Denver; presentation of the Solar Futures curriculum to DPS students; and STEM Mentoring and Internship offerings for DPS students.

CASR continues to submit applications to Xcel Energy to approve additional solar projects across the city for Denver's solar portfolio. The above project represents projects thirteen to sixteen in the Renewable Denver Community Solar Initiative.

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

7. City Council District: All

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: Date Entered: _____

8. **<u>For all contracts,</u> fill out and submit accompanying Key Contract Terms worksheet**

Key Contract Terms

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

Vendor/Contractor Name: McKinstry Essention, LLC

Contract control number: Third Amendment CASR-202473215-03_CASR-202160096-03.

Location: Manual HS (district 9), North HS (district 1), JFK HS (district 2), and Thomas Jefferson HS (district 4), as part of a Citywide solar portfolio. Solar bill credits are donated to low-income DPS families across all council districts.

Is this a new contract? ☐ **Yes** ☒ **No** **Is this an Amendment?** ☒ **Yes** ☐ **No** **If yes, how many? __3___**

Contract Term/Duration (for amended contracts, include <u>existing</u> term dates and <u>amended</u> dates):
Existing Term Dates: November 30, 2021 to November 30, 2046
Amended Term Dates: No change to existing term dates

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

Current Contract Amount (A)	***Additional Funds (B)***	***Total Contract Amount (A+B)***
$33,400,000	$10,900,000	$44,300,000

Current Contract Term	***Added Time***	***New Ending Date***
11/30/2021 – 11/30/2046	n/a	11/30/2046

Scope of work:

This amendment adds project Tranche 4—1,000 kWac across four solar carport projects at Denver Public School High Schools—to the 25-year Master Operator Agreement with McKinstry Essention, LLC, for the design, development, installation, operation, and maintenance of community solar photovoltaic generating facilities and electric vehicle chargers owned by the City as part of the Renewable Denver Community Solar Initiative.

Was this contractor selected by competitive process? YES **If not, why not?** N/A

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

Source of funds: Climate Protection Fund

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? N/A

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: Date Entered: _____