



Legislation Details (With Text)

File #: 20-0973 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 9/14/2020 **In control:** Business, Arts, Workforce, Climate & Aviation Services Committee

On agenda: 10/5/2020 **Final action:** 10/5/2020

Title: A resolution approving a proposed First Amendment between the City and County of Denver and Oak Leaf Solar XVIII, LLC concerning the purchase of electricity from a solar array at Denver International Airport.
Amends a lease and license agreement with Oak Leaf Solar XVIII LLC by clarifying termination language as required for Oak Leaf Solar XVIII, LLC to obtain financing for the project for the purchase of electricity from a solar array at Denver International Airport. No change to agreement amount or duration (PLANE-202055787-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-26-20. The Committee approved filing this item at its meeting on 9-23-20.

Sponsors:

Indexes: John Mahoney

Code sections:

Attachments: 1. RR20 0973 DIA Solar VII Lease and License Agreement, 2. 20-0973 Filed Resolution_Oak Leaf Solar XVIII, 3. 20-0973 Contract_Oak Leaf Solar XVIII, 4. 20-0973 Filed Resolution_Oak Leaf Solar XVIII, 5. 20-0973 - signed

Date	Ver.	Action By	Action	Result
10/5/2020	1	Council President	signed	
10/5/2020	1	City Council	adopted	Pass
9/23/2020	1	Business, Arts, Workforce, Climate & Aviation Services Committee	approved by consent	

[Contract Request Template \(Contracts; IGAs; Leases\)](#)

Date Submitted: 9-14-20

Requesting Agency: Denver International Airport
Division:

Subject Matter Expert Name:

Name:	Angela Casias
Email:	Angela.Casias@flydenver.com

Item Title & Description:

*(Do not delete the following instructions)
These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any*

time delete the red "title" or "body" markers from this template.

A resolution approving a proposed First Amendment between the City and County of Denver and Oak Leaf Solar XVIII, LLC concerning the purchase of electricity from a solar array at Denver International Airport.

Amends a lease and license agreement with Oak Leaf Solar XVIII LLC by clarifying termination language as required for Oak Leaf Solar XVIII, LLC to obtain financing for the project for the purchase of electricity from a solar array at Denver International Airport. No change to agreement amount or duration (PLANE-202055787-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-26-20. The Committee approved filing this item at its meeting on 9-23-20.

Affected Council District(s) or citywide? Council District 11

Contract Control Number: PLANE-202055787-01

Vendor/Contractor Name (including any "DBA"): Oak Leaf Solar XVIII LLC

Type and Scope of services to be performed:

This request is for a 1st amendment to the lease and license agreement to add clarifying language in the event that Denver International Airport (DEN) elects to permanently revoke the access license. This clarifying language does not alter DEN's original understanding of the business arrangement but is required for Oak Leaf Solar XVIII LLC (Oak Leaf) to obtain financing for the project. In consideration for this amendment, Oak Leaf has agreed to further lower the rate DEN pays for electricity under the associated Power Purchase Agreement (PPA), saving DEN approximately \$650k over the twenty-five-year term compared to the original 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

Location (if applicable):

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):

Are WBE/MBE/DBE goals met (if applicable)?

Is the contract new/a renewal/extension or amendment?

Was this contractor selected by competitive process or sole source?

For New contracts

Term of initial contract:

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?
Term of any renewals (i.e. 1 year each):

Cost of initial contract term:

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?

If length changing

What was the length of the term of the original contract?

What is the length of the extension/renewal?

What is the revised total term of the contract?

If cost changing

What was the original value of the entire contract prior to this proposed change?

What is the value of the proposed change?

What is the new/revised total value including change?

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)