



Legislation Details (With Text)

File #: 19-0759 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 7/22/2019 **In control:** Finance & Governance Committee

On agenda: 9/16/2019 **Final action:** 9/16/2019

Title: A resolution approving a proposed Equipment Lease Agreement between the City and County of Denver and Banc of America Public Capital Corp., for the lease purchase of new compost collection vehicles to support Public Works Solid Waste operations, citywide.
Approves a capital equipment lease agreement with Banc of America Public Capital Corp. for \$4,215,161.78 and for five years for the financing of new compost collection vehicles to support Public Works Solid Waste operations, citywide (FINAN-201951220). The last regularly scheduled Council meeting within the 30-day review period is on 10-7-19. The Committee approved filing this item at its meeting on 7-30-19.

Sponsors:

Indexes: Jonathan Griffin

Code sections:

Attachments: 1. RR19 0759 DOF Compost Trucks Equipment - Financing, 2. 19-0759 Filed Resolution_Banc of America Public Capital Corp., 201951220-00, 3. 19-0759 Equipment Lease Agreement 201951220-00, 4. 19-0759_Filed Resolution_Banc of America Public Capital Corp.pdf, 5. 19-0759 - signed.pdf

Date	Ver.	Action By	Action	Result
9/17/2019	1	Council President	signed	
9/16/2019	1	City Council	adopted	Pass
7/30/2019	1	Finance & Governance Committee	approved by consent	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 7-22-19

Requesting Agency: Finance
Division:

Subject Matter Expert Name:

Name: Beth Strauss
Email: beth.strauss@denvergov.org

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 Equipment Lease Agreement between the City and County of Denver and Banc of America Public Capital Corp., for the lease purchase of new compost collection vehicles to support Public Works Solid Waste operations, citywide.

Approves a capital equipment lease agreement with Banc of America Public Capital Corp. for \$4,215,161.78 and for five years for the financing of new compost collection vehicles to support Public Works Solid Waste operations, citywide (FINAN-201951220). The last regularly scheduled Council meeting within the 30-day review period is on 10-7-19. The Committee approved filing this item at its meeting on 7-30-19.

Affected Council District(s) or citywide? Citywide

Contract Control Number: FINAN-201951220

Vendor/Contractor Name (including any "DBA"): Banc of America Public Capital Corp.

Type and Scope of services to be performed:

This resolution seeks approval to finance the acquisition of compost collection vehicles ("Equipment") for the Department of Public Works-Solid Waste Management Division ("Public Works"). The Equipment will be incremental to the City's existing fleet. The Equipment will be financed through a capital lease purchase transaction in the principal amount not to exceed \$3,988,943. Banc of America Public Capital Corp. ("BAPCC"), selected via a competitive bid process, will serve as the lessor. The proposed financing structure will consist of a 5-year lease purchase transaction with annual lease payments of approximately \$843,035, which will be repaid from the Planned Fleet Fund, that are subject to annual appropriation by City Council. The interest rate will be locked at 1.9122% assuming closing prior to November 1, 2019, which translates to total interest cost of approximately \$226,220.

This capital lease purchase resolution request is being submitted in conjunction with two equipment procurement contract requests submitted by Public Works for delivery of the Equipment by: 1) Kois Brothers Equipment; and 2) Rush Truck Center of Colorado. Approval of the equipment resolution request will allow for the procurement of the Equipment, while the lease purchase resolution request will allow for the funding of the Equipment through a lease purchase transaction with BAPCC.

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?

Competitive process

For New contracts

Term of initial contract: 5 years

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: \$4,215,161.78

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.)