



Legislation Details (With Text)

File #: 22-1672 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 12/19/2022 **In control:** Business, Arts, Workforce, & Aviation Services Committee

On agenda: 1/17/2023 **Final action:** 1/17/2023

Title: A resolution approving a proposed Agreement between the City and County of Denver and McKinstry Essention, LLC to provide the subscription mechanism to apply community solar bill credits to city electric meters as part of the Renewable Denver Community Solar Program. Approves a contract with McKinstry Essention, LLC for \$6,500,000 and through 11-30-2046 to provide the subscription mechanism to apply community solar bill credits to city electric meters as part of the Renewable Denver Community Solar (RDSCS) program, citywide (CASR-202266138). The Committee approved filing this item at its meeting on 1-4-2023.

Sponsors:

Indexes: Mar'quasa Maes

Code sections:

Attachments: 1. RR22-1672_CASR RDSCS Subscription Agreement, 2. RR22-1672 - RDSCS Subscriber Agmt_final, 3. RR22-1672 - RDSCS Subscriber Agmt_final, 4. 22-1672 Agreement_McKinstry Essention, LLC 202266138, 5. 22-1672 Filed Resolution_McKinstry Essention LLC 202266138_cao, 6. 22-1672 Filed Resolution_McKinstry Essention LLC, 7. 22-1672 - signed

Date	Ver.	Action By	Action	Result
1/17/2023	1	Council President	signed	
1/17/2023	1	City Council	adopted	Pass
1/4/2023	1	Business, Arts, Workforce, & Aviation Services Committee	approved for filing	Pass

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

Date Submitted: 12-26-2022

Requesting Agency: Climate Action, Sustainability and Resiliency Division:

Subject Matter Expert Name: Jonathan Rogers
Email Address: Jonathan.rogers@denvergov.org
Phone Number:

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 Agreement between the City and

County of Denver and McKinstry Essention, LLC to provide the subscription mechanism to apply community solar bill credits to city electric meters as part of the Renewable Denver Community Solar Program.

Approves a contract with McKinstry Essention, LLC for \$6,500,000 and through 11-30-2046 to provide the subscription mechanism to apply community solar bill credits to city electric meters as part of the Renewable Denver Community Solar (RDCS) program, citywide (CASR-202266138). The Committee approved filing this item at its meeting on 1-4-2023.

Affected Council District(s) or citywide? Citywide

Contract Control Number: CASR-202266138

Vendor/Contractor Name (including any "DBA"): McKinstry Essention, LLC

Type and Scope of services to be performed:

This agreement with McKinstry Essention, LLC provides the mechanism to apply community solar bill credits to City electric meters as part of the Renewable Denver Community Solar Initiative. The Renewable Denver Community Solar program structure guarantees a net utility bill cost savings for the city, while ensuring that CASR can cover the ongoing operations and maintenance costs of the solar projects.

Relevant related contracts include CASR's Solar Operator Agreement with McKinstry Essention, LLC (CASR-202160096 and CASR-202263562) and a \$1,000,000 grant award from the Colorado Department of Local Affairs (CASR-202055160).

This contract is to enable Denver's solar host facilities to receive bill credits from the Phase 1 RDCS solar projects Phase 1 project implementation details:

- Contract: CASR-202160096
- Term: Through November 30, 2046
- Ten projects totaling (4.6 MWdc; 7.3 million kWh annually)
 - The first two projects hosted at the National Western Center are anticipated to achieve commercial operation in January 2023.
 - The other eight projects will be completed on a rolling basis through 2023
- The projects include a combination of solar carports (6), rooftops (2), and ground mounted systems (2) across several City facilities
- The is power shared between host facilities (70%) and low-income Denver households (30%)
 - The low-income households can live anywhere in Denver and are being identified by Denver Public Schools, Energy Outreach Colorado, and the Denver Housing Authority.
 - CASR will provide an update on the geographic diversity and demographic information of the low-income households in the future as projects come on-line and that information is made available.

Not included in this Subscription Agreement is the eleventh project in the RDCS program (added through amendment CASR-202263562).

- The project is a 1.2 MWdc agrivoltaics (solar + farming) project in partnership with the Denver Botanic Gardens
- Chatfield Farms will donate the crops to local food pantries
- 80% of the power from this project will be donated to low-income households
- 20% of the power will be subscribed to Denver Botanic Gardens at a guaranteed utility-bill discount
- Note: The Subscription Agreement for this project will be brought to Council at a later date
- This project is expected to mobilize for installation in the summer of 2023

Location (if applicable):

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

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

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

New

Was this contractor selected by competitive process or sole source?

Competitive

For New contracts

Term of initial contract:

12/21/2022 - 11/30/2046

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:

\$6,500,000

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.)