

RESOLUTION NO. R-2022-206

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN ENERGY SERVICES AGREEMENT WITH NORESKO, LLC FOR ENERGY PERFORMANCE SERVICES ASSOCIATED WITH THE CITY'S ENERGY PERFORMANCE PROGRAM OVER A 20 YEAR PERIOD.

WHEREAS, the Department of Public Works ("Department") desires to enter in an agreement with Noresko, LLC ("Noresko") to perform investment grade performance audits and comprehensive energy management and energy-related capital improvement services for various City buildings, structures, lighting and facilities for the City's energy performance program, financed through guaranteed cost savings achieved from the improvements ("Energy Performance Services"); and

WHEREAS, the Energy Performance Services include the evaluation of all City facilities and resources to recommend and potentially implement energy savings associated with street lights, HVAC units, electrical systems, EV chargers and other energy efficient adjustments to other City assets; and

WHEREAS, on May 4, 2022, the City Commission passed and adopted Resolution No. R-2022-129, authorizing appropriate City officials to negotiate an agreement with Noresko for the desired Energy Performance Services for consideration and approval by the City Commission at a later date; and

WHEREAS, the Department has negotiated the attached Energy Services Agreement, which shall serve as the master agreement that establishes the terms and conditions for various audit and construction work essential for the implementation of the desired Energy Performance Services; and

WHEREAS, the period of performance for the Energy Services Agreement is over a 20 year period for amounts that will be defined at a later time in individual project attachments to the Energy Services Agreement; and

WHEREAS, the Energy Services Agreement includes Audit Work Order No. 1 to complete street light upgrades throughout the City, with expenses in the amount of \$136,860.00 due to Noresko upon completion of the audit; however, those costs will be waived if the City pursues moving forward with the audit results and the resulting Construction Work Order with costs that will be determined after the audit and paid in monthly progress payments throughout completion of the project; and

WHEREAS, the Director of the Department recommends that the City Commission approve and authorize the execution of the Energy Services Agreement with Noresco over a 20 year period; and

WHEREAS, the timing in which the City will be required to pay for services rendered as part of the detailed energy audit, construction costs for the demonstration projects, other energy conservation measure projects, and the performance period fee will vary depending on the City's decision to proceed with the individual projects; and

WHEREAS, during its consideration of the proposed Energy Performance Services offered by Noresco, the City Commission approved a limited audit focusing only upon the street light pilot project, and indicated that staff shall bring back a revised agreement concerning the audit of the City's HVAC units, electrical systems, EV charges and other potential energy efficient adjustments to other City assets for Commission consideration; and

WHEREAS, additional analysis will be conducted by City staff to evaluate financing options as decisions are made on the energy conservation measure projects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached Energy Services Agreement with Noresco, LLC, pertaining to the street light pilot project, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

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PASSED AND ADOPTED this 6 day of July, 2022.


Caryn Shubert, Vice Mayor
JOSH LEVY, MAYOR

ATTEST:

Patricia A. Cerny
PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

Douglas R. Gonzales
DOUGLAS R. GONZALES
CITY ATTORNEY