



STAFF REPORT

CITY COUNCIL OF THE CITY OF SAUSALITO

AGENDA TITLE:

Acceptance of Photovoltaic System at New Fire Station Furnished and Installed by Cupertino Electric Inc. of San José, California

RECOMMENDED MOTION:

Adopt Resolution Accepting the Photovoltaic System at New Fire Station Furnished and Installed by Cupertino Electric Inc. of San José, California and Thanking Cupertino Electric for its Service

SUMMARY

With Resolution No. 5114 of February 23, 2010 the City Council awarded a contract to furnish and install a photovoltaic (PV) system for the new Fire Station to Cupertino Electric, Inc. of San José, California for the lump sum of \$134,937 against an Engineer's Estimate of \$190,000. In that action, the Council found that the project was exempt from the California Environmental Quality Act, was consistent with the approved design review and other permits for the project, that adequate funds for construction were available and expendable from the General Obligation Bond funds for the project, and that based on a projected annual production of 28,721 kWh, the proposed installation would not only offset a significant percentage of PSF electrical demand, but would also offset approximately 37,000 pounds of carbon dioxide emissions per year.

Since that time, Cupertino Electric received Notice of Award and Notice to Proceed, and submitted plans and specifications that resulted in approval by the designer and the issuance of permits for construction. Further, Cupertino Electric has successfully furnished and installed the system in compliance with the approved plans and permits, received final approval from the City's Building Official, passed PG&E's inspections, rendered the system operational and in service and completed training of City Staff for operation and maintenance. No change order requests have been made and Cupertino Electric has confirmed that none are pending. It is anticipated that the online monitoring system to allow members of the public to monitor the output and facility consumption of electric power similar to that for the PV installation at City Hall will be fully operational by the end of October (this feature is included in the cost of the system).

On this basis, Staff respectfully recommends that Council accept the system furnished and installed by Cupertino Electric and thank them for their service. Doing so will allow Staff to issue a Notice of Completion, release retention and allow Cupertino Electric to replace its

payment and performance bonds with a maintenance bond as provided for in the Contract Documents.

BACKGROUND

As summarized for Council as item 4B5 on consent for its regular meeting of December 8, 2009, the plans for the Public Safety Facilities (PSF) include provision of conduits and space in the electrical room at the Fire Station for photovoltaic (PV) installation. The City desires to have photovoltaic electric generating capacity as part of its Public Safety Facilities Project for a number of reasons including the desire to enhance the minimum level of Leadership in Energy and Environmental Design (LEED) certification that the Project will achieve when completed.

Following Council approval of SolarCity's contract for installation of PV at City Hall, Staff provided copies of the approved building plans and requested a proposal for installation from SolarCity. Because of the small size of the system that the Fire Station can accommodate, SolarCity indicated that the financing structures available to them would not support such a proposal.

Based on concurrence from Dana Armanino, Marin Energy Management Team, Marin County Community Development Agency that outright purchase of such systems offer the best possible return on investment, Staff requested that Glass Architects provide a proposal for design of such a system. The proposal from Glass was approved and the design work authorized. Glass estimated that the construction cost for the specified system will total approximately \$190,000 and produced detailed plans and specifications that were reviewed and approved by Staff.

On December 15, 2009 Staff issued formal invitations to bid in conformance with Sausalito Municipal Code (SMC) Section 3.30.310.C. A pre-bid conference was held Thursday January 14, 2010. A total of three (3) addenda were issued, including one extending the bid opening date to February 8, 2010.

Bids were received from and in the amounts tabulated below:

Bidder	Bid (LS)
Cupertino Electric	\$134,937.00
Fresco Solar	\$139,944.00
Gamma	\$143,320.00
Fidelity Roof	\$152,785.00
System 3	\$160,864.00
Albion	\$165,307.00
Waterworks	\$176,872.00
Amana	\$279,550.00

The bid from Cupertino Electric was evaluated and found to be completely responsive to the plans and specifications issued. With Resolution No. 5114 of February 23, 2010 the City Council awarded Cupertino Electric a contract to furnish and install a photovoltaic (PV) system for the new Fire Station. In that action, the Council found that the project was exempt from the California Environmental Quality Act, was consistent with the approved design review and other permits for the project, that adequate funds for construction were available and expendable from the General Obligation Bond funds for the project, and that based on a projected annual production of 28,721 kWh, the proposed installation would not only offset a significant percentage of PSF electrical demand, but would also offset approximately 37,000 pounds of carbon dioxide emissions per year.

Since that time, Cupertino Electric received Notice of Award and Notice to Proceed, and submitted plans and specifications that resulted in approval by the designer and the issuance of permits for construction. Further, Cupertino Electric has successfully furnished and installed the system in compliance with the approved plans and permits, received final approval from the City's Building Official, passed PG&E's inspections, rendered the system operational and in service and completed training of City Staff for operation and maintenance. No change order requests have been made and Cupertino Electric has confirmed that none are pending. It is anticipated that the online monitoring system to allow members of the public to monitor the output and facility consumption of electric power similar to that for the PV installation at City Hall will be fully operational by the end of October (this feature is included in the cost of the system).

On this basis, Staff respectfully recommends that Council accept the system furnished and installed by Cupertino Electric and thank them for their service. Doing so will allow Staff to issue a Notice of Completion, release retention and allow Cupertino Electric to replace its payment and performance bonds with a maintenance bond as provided for in the Contract Documents.

ISSUES

None identified.

FISCAL IMPACT

None.

STAFF RECOMMENDATIONS

Adopt Resolution Accepting the Photovoltaic System at New Fire Station Furnished and Installed by Cupertino Electric Inc. of San José, California and Thanking Cupertino Electric for its Service

ATTACHMENTS:

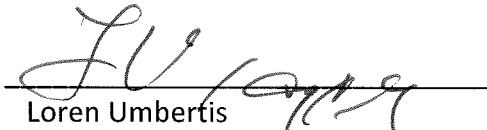
A Resolution of the City Council of the City of Sausalito Accepting the Photovoltaic System at New Fire Station Furnished and Installed by Cupertino Electric Inc. of San José, California and Thanking Cupertino Electric for its Service

PREPARED BY:



Jonathon Goldman
Director of Public Works

REVIEWED BY:



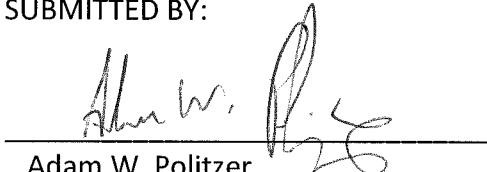
Loren Umbertis
Project Manager, SMC

REVIEWED BY:



Mary Anne Wagner, Esq.
City Attorney

SUBMITTED BY:



Adam W. Politzer
City Manager

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
ACCEPTING THE PHOTOVOLTAIC SYSTEM AT NEW FIRE STATION
FURNISHED AND INSTALLED BY CUPERTINO ELECTRIC INC. OF SAN JOSÉ,
CALIFORNIA AND THANKING CUPERTINO ELECTRIC FOR ITS SERVICE**

WHEREAS, by Minute Order adopted on the 23rd day of September, 2008 the City Council of the City of Sausalito awarded Alten Construction, Inc. of Richmond, California (“Alten”) a contract for BID NUMBER F-141, THE SAUSALITO PUBLIC SAFETY FACILITIES PROJECT NEW CONSTRUCTION (the “Project”); and

WHEREAS, the plans for the Project included provision of conduits and space in the electrical room at the Fire Station for photovoltaic (“PV”) installation but do not include the PV installation itself; and

WHEREAS, the City desired to have photovoltaic electric generating capacity as part of its PSF Project for a number of reasons including the desire to enhance the minimum level of Leadership in Energy and Environmental Design (“LEED”) certification that the Project will achieve when completed.; and

WHEREAS, the installation of PV at the PSF was consistent with the approved design review and other permits for the Project; and

WHEREAS, adequate funds for PV installation were available and expendable from the General Obligation Bond funds for the Project; and

WHEREAS, the City recognized that the projected annual production of 28,721 kWh would not only offset a significant percentage of PSF electrical demand, but would also offset approximately 37,000 pounds of carbon dioxide emissions per year; and

WHEREAS, Glass Architects (the Project Architect of record) and its Electrical Engineering subconsultant (O’Mahony and Myer) prepared plans, specifications and a cost estimate for the desired installation of PV; and

WHEREAS, City Staff reviewed, approved and issued plans and specifications attached with an invitation to bid and addenda in conformance with formal bidding requirements for Public Work set forth in Sausalito Municipal Code (SMC) Section 3.30.310.C; and

WHEREAS, with Resolution No. 5114 of February 23, 2010 the City Council of the City of Sausalito found that the furnishing and installation of said PV system was statutorily exempt from the California Environmental Quality Act (CEQA) (14 CCR § 15268); as a discretionary action, and categorically exempt from CEQA under 14 CCR § 1530, Existing

Facilities, in that it consisted of an improvement to an existing public facility involving negligible or no expansion of use; and further awarded the contract for furnishing and installation of said PV system to the lowest responsible, responsive bidder, Cupertino Electric, Inc. under the terms and conditions of the relevant and applicable Contract Documents; and

WHEREAS, following adoption of said Resolution No. 5114, Cupertino Electric Inc. received Notice of Award, Notice to Proceed and in fact furnished and installed all of the PV system required in conformance with the Contract Documents, as well as having passed all required inspections; and

WHEREAS, Staff, in collaboration with the City's consulting construction manager, Swinerton Management Consulting, and the aforementioned designers, Glass Architects and O'Mahony & Myer, having determined that Cupertino Electric, Inc. has satisfied its obligations under the contract approved under said Resolution No. 5114 respectfully recommends that Council accept the PV system furnished and installed by Cupertino Electric as complete, thank Cupertino Electric for its service and direct that a Notice of Completion be issued, retention be released and require that Cupertino Electric Inc. replace any payment and performance bonds with a maintenance bond as provided for in the Contract Documents.

NOW, THEREFORE, the City Council of the City of Sausalito does hereby resolve as follows:

1. Cupertino Electric, Inc. has satisfied its obligations under the contract approved under Resolution No. 5114 and the Contract Documents incorporated by reference thereunder and the City Council of the City of Sausalito hereby accepts the photovoltaic system furnished and installed by Cupertino Electric, Inc. as complete.
2. The City Council of the City of Sausalito thanks Cupertino Electric, Inc. for its service to the people of Sausalito in this matter.
3. Staff is directed to issue a Notice of Completion, release retention, and require that Cupertino Electric, Inc. replace payment and performance bonds with a maintenance bond as provided for in the Contract Documents.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito on the 19th day of October, 2010, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSTAIN: Councilmembers:
ABSENT: Councilmembers:

MAYOR OF THE CITY OF SAUSALITO

ATTEST:

CITY CLERK

