



Recommendation for Council Action

Austin City Council	Item ID	25262	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of two power purchase agreements with Duke Energy Renewables, Inc. for terms of up to 25 years for up to 200 megawatts of wind-generated electricity under each agreement, in an estimated amount of \$20,000,000 per year for each agreement, for an estimated total contract amount of \$500,000,000 for each agreement.</p>				
Amount and Source of Funding				
<p>Funding will be provided through Power Supply Adjustment, Fuel Adjustment Charge and GreenChoice® revenue.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:	June 20, 2013 - Council to consider authorizing negotiation of agreements.			
For More Information:	Jeff Vice (512) 322-6087; Pat Sweeney (512) 322-6292; Cheryl Mele (512) 322-6062.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>The Austin City Council established a strategic energy policy for Austin Energy through the adoption of Resolutions 030828-38 and 030925-02. These resolutions and the Resource, Generation and Climate Protection Plan call for the development and use of clean energy by Austin Energy and set a goal to supply 35% of its energy from renewable energy sources by December 31, 2020. The recommended projects offer Austin Energy competitively priced renewable energy and environmental attributes and the opportunity to continue progress towards its renewable goal.</p> <p>These contracts will provide for the purchase of the full output of two approximately 200-megawatt (MW) wind power projects to be constructed by Duke Energy Renewables, Inc., Houston, TX, in Starr County, Texas. The first 200 MW wind project is expected online at the end of 2014 and the second wind project is expected online by June 2016.</p> <p>The agreements will run for terms of up to 25 years and will not require Austin Energy to invest any funds in the construction, operation, or maintenance of the project during that period. The agreements offer a fixed pricing</p>				

between \$23 - \$33 per megawatt-hour of energy produced, the quantity of which will vary in accordance with the actual availability of wind resources.

PRICE ANALYSIS

- a. Adequate competition.
- b. Forty-four new or existing wind projects offered, with a total of 70 different proposal variations.
- c. Proposal provides for a utility scale wind power plant.

APPROVAL JUSTIFICATION

- a. Top three evaluated proposals.
- b. The recommended proposer meets the requirements of the Request for Proposal.

draft



Recommendation for Council Action

Austin City Council	Item ID	25263	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of a power purchase agreement with E.ON Climate and Renewables North America, LLC, for a term of up to 25 years for up to 170 megawatts of wind-generated electricity in an estimated amount of \$15,500,000 per year, for an estimated total contract amount of \$387,500,000.</p>				
Amount and Source of Funding				
<p>Funding will be provided through Power Supply Adjustment, Fuel Adjustment Charge and GreenChoice® revenue.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:	June 20, 2013 - Council to consider authorizing negotiation of agreement.			
For More Information:	Jeff Vice (512) 322-6087; Pat Sweeney (512) 322-6292; Cheryl Mele (512) 322-6062.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>The Austin City Council established a strategic energy policy for Austin Energy through the adoption of Resolutions 030828-38 and 030925-02. These resolutions and the Resource, Generation and Climate Protection Plan call for the development and use of clean energy by Austin Energy and set a goal to supply 35% of its energy from renewable energy sources by December 31, 2020. The recommended project offers Austin Energy competitively priced renewable energy and environmental attributes and the opportunity to continue progress towards its renewable goal.</p> <p>This contract will provide for the purchase of the full output of an approximately 170 megawatt wind power project to be constructed by E.ON Climate and Renewables North America, LLC, Chicago, IL, and located in Nueces County, Texas. The new wind project is expected online by the end of 2014 and will comprise approximately 100 wind turbines.</p> <p>This agreement will run for a term of up to 25 years and will not require Austin Energy to invest any funds in the construction, operation, or maintenance of the project during that period. The agreement will provide for a fixed price of between \$23 and \$33 per megawatt-hour of energy produced, the quantity of which will vary in accordance with the actual availability of wind resources.</p>				

PRICE ANALYSIS

- a. Adequate competition.
- b. Forty-four new or existing wind projects offered, with a total of 70 different proposal variations.
- c. Proposal provides for a utility scale wind power plant.

APPROVAL JUSTIFICATION

- a. Top three evaluated proposals.
- b. The recommended proposer meets the requirements of the Request for Proposal.

draft



Recommendation for Council Action

Austin City Council	Item ID	25221	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with 51st LIVING LTD, to provide a performance-based incentive for the generation of solar energy at its facilities at 101 West 51st Street, Austin, TX 78751, for an estimated \$26,769 per year, for a total amount not to exceed \$267,690 over a 10-year period.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$26,769 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with 51st LIVING LTD, to provide a performance-based incentive (PBI) for an estimated \$26,769 per year, for a total amount not to exceed \$267,690 over the 10-year period for the generation of solar energy at its multi-family residential complex at 101 West 51st Street, Austin, TX 78751. The systems will be installed on six buildings with commercial meters and common area uses for the complex including the clubhouse, gym, laundry rooms, elevators, HVAC units for conditioned hallways, and parking area lighting.</p> <p>The total installation cost is \$698,000 and the incentive will cover between 38% and 44% of the cost. The PBI level for this project is \$0.12 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 1,040 solar modules rated at 250 watts and associated inverters rated at 95% and 96% efficiency. A total of 132.9 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 212,451 kWh per year—enough to provide electricity to 19 average Austin homes for a year—and produce an estimated 212 Renewable Energy Credits (RECs) per year. These savings</p>				

are equivalent to the planting of 3,277 trees or 164 acres of forest in Austin's parks or the removal of 286,423 vehicle miles or 164 cars from Austin roadways. This project will save 141 tons of Carbon Dioxide (CO₂); 177 pounds of Sulfur Dioxide (SO₂); 196 pounds of Nitrogen Oxide (NOX), and 136 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.

draft



Project Fact Sheet Solar Applications

File Number	PBI113-118
Customer Name	51 ST LIVING LTD
Facility Address	101 W 51st St Bldg 1 78751 101 W 51st St Bldg 2 78751 101 W 51st St Bldg 3 78751 101 W 51st St Bldg 4 78751 101 W 51st St Bldg 5 78751 101 W 51st St Bldg 6 78751
Customer Contact	GARY DILLARD
EMAIL ADDRESS	GARYS@VERSADEVCO.COM
Estimated Total Incentives	\$26,769 per year for 10 years
Application Received Date	5/30/2013
Number of Modules	664
Wattage per Module (STC)	260
Inverter Efficiency	95% & 96%
Solar Contractor	CIRCULAR
Contractor Contact	ERIC STANDRIDGE
Contractor Phone	512-947-5766
Installation Cost	\$698,000
Estimated kWh Savings	212,451 kWh per year
Estimated kW Demand Savings	132.9 kW-AC
Estimated Date of Completion	TBD
Site Information/Additional Comments	NEW CONSTRUCTION – COMMON AREAS OF MF COMPLEX



Recommendation for Council Action

Austin City Council	Item ID	25222	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with AMLI RESIDENTIAL, to provide a performance-based incentive for the generation of solar energy at its facility located at 300 N. Lamar Blvd., Austin, TX 78703, for an estimated \$9,599 per year, for a total amount not to exceed \$95,990 over a 10-year period.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$9,599 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with AMLI RESIDENTIAL, to provide a performance-based incentive (PBI) for an estimated \$9,599 per year, for a total amount not to exceed \$95,990 over the 10-year period for the generation of solar energy at its leasing center facility located at 300 N. Lamar Blvd., Austin, TX 78703.</p> <p>The total installation cost is \$188,028 and the incentive will cover between 49% and 56% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 196 solar modules rated at 255 watts and associated inverters rated at 95.5% efficiency. A total of 38.5 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 65,297 kWh per year—enough to provide electricity to six average Austin homes for a year—and produce an estimated 65 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 1,007 trees or 50 acres of forest in Austin's parks or the removal of 88,032 vehicle miles or 8 cars from Austin roadways. This project will save 43 tons of Carbon Dioxide (CO₂); 54 pounds of Sulfur</p>				

Dioxide (SO₂); 60 pounds of Nitrogen Oxide (NO_x), and 42 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.

draft



Project Fact Sheet Solar Applications

File Number	PBI097
Customer Name	AMLI RESIDENTIAL
Facility Address	300 N. LAMAR BLVD, 78703
Customer Contact	BRIAN RE
Phone Number	512-745-8417
Estimated Total Incentives	\$9,599 per year for 10 years
Application Received Date	5/2/2013
Number of Modules	196
Wattage per Module (STC)	255
Inverter Efficiency	95.5%
Solar Contractor	CIRCULAR
Contractor Contact	Richard D. Estrada
Contractor Phone	512-796-1719
Installation Cost	\$188,028
Estimated kWh Savings	65,297 kWh per year
Estimated kW Demand Savings	38.5 kW-AC
Estimated Date of Completion	TBD
Site Information/Additional Comments	AMLI RESIDENTIAL LEASING CENTER



Recommendation for Council Action

Austin City Council	Item ID	25223	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with the BARR MANSION, to provide a performance-based incentive for the generation of solar energy at 10463 Sprinkle Road, Austin, TX 78755, for an estimated \$11,665 per year, for a total amount not to exceed \$116,650 over a 10-year period.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$11,665 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with the BARR MANSION, to provide a performance-based incentive (PBI) for an estimated \$11,665 per year, for a total amount not to exceed \$116,650 over the 10-year period for the generation of solar energy at 10463 Sprinkle Road, Austin, TX 78755.</p> <p>The total installation cost is \$350,000 and the incentive will cover between 34% and 39% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 244 solar modules rated at 260 watts and associated inverters rated at 95% efficiency. A total of 48.9 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 79,355 kWh per year—enough to provide electricity to seven average Austin homes for a year—and produce an estimated 79 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 1,224 trees or 61 acres of forest in Austin's parks or the removal of 106,985 vehicle miles or nine cars from Austin roadways. This project will save 53 tons of Carbon Dioxide (CO₂); 66 pounds of Sulfur Dioxide (SO₂); 73 pounds of Nitrogen Oxide (NO_x), and 51 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.</p>				



Project Fact Sheet Solar Applications

File Number	PBI109-110
Customer Name	BARR MANSION
Facility Address	10463 SPRINKLE ROAD, 78755
Customer Contact	MELANIE MCAFEE
Phone Number	512-926-6907
Estimated Total Incentives	\$23,840 per year for 10 years
Application Received Date	5/7/2013
Number of Modules	244
Wattage per Module (STC)	260
Inverter Efficiency	95%
Solar Contractor	CIRCULAR
Contractor Contact	CHRIS CZICHOS
Contractor Phone	832-365-2904
Installation Cost	\$225,000
Estimated kWh Savings	43,669 kWh per year
Estimated kW Demand Savings	48.9 kW-AC
Estimated Date of Completion	TBD
Site Information/Additional Comments	Barr Mansion is the nation's first certified organic special events and wedding venue.



Recommendation for Council Action

Austin City Council	Item ID	25224	Agenda Number	<ITEM_OUTLINE>
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with GCE VENTURES, to provide a performance-based incentive for the generation of solar energy at its facility located at 3315 Ranch Road 620 S, Austin, TX 78738, for an estimated \$14,216 per year, for a total amount not to exceed \$142,160 over a 10-year period.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$14,216 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with GCE VENTURES, to provide a performance-based incentive (PBI) for an estimated \$14,216 per year, for a total amount not to exceed \$142,160 over the 10-year period for the generation of solar energy at its facility located at 3315 Ranch Road 620 S, Austin, TX 78738.</p> <p>The total installation cost is \$346,201.44 and the incentive will cover between 39% and 45% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 208 solar modules rated at 327 watts and associated inverters rated at 95% efficiency. A total of 52.4 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 96,704 kWh per year—enough to provide electricity to nine average Austin homes for a year—and produce an estimated 97 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 1,492 trees or 75 acres of forest in Austin's parks or the removal of 130,375 vehicle miles or 11 cars from Austin roadways. This project will save 64 tons of Carbon Dioxide (CO₂); 81 pounds of Sulfur Dioxide (SO₂); 89 pounds of Nitrogen Oxide (NO_x), and 62 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.</p>				



Project Fact Sheet Solar Applications

File Number	PBI100 & PBI119
Customer Name	GCE VENTURES
Facility Address	3315 Ranch Road 620 S, 78738
Customer Contact	CARL EVERETT
Phone Number	512-413-6679
Estimated Total Incentives	\$14,216 per year for 10-years
Application Received Date	5/2/2013
Number of Modules	98
Wattage per Module (STC)	327
Inverter Efficiency	95%
Solar Contractor	CIRCULAR
Contractor Contact	VINCENT GUERRERO
Contractor Phone	512-968-0817
Installation Cost	\$346,201.44
Estimated kWh Savings	96,704 kWh per year
Estimated kW Demand Savings	52.4 kW-AC
Estimated Date of Completion	TBD
Site Information/Additional Comments	



Recommendation for Council Action

Austin City Council	Item ID	25225	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with GENERAL MOTORS, to provide a performance-based incentive for the generation of solar energy at its facility located at 7401 E. Ben White Blvd., Bldg. 3, Austin, TX 78741, for an estimated \$41,657 per year, for a total amount not to exceed \$416,570 over a 10-year period.</p>				
Amount and Source of Funding				
Funding in the amount of \$41,657 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with GENERAL MOTORS, to provide a performance-based incentive (PBI) for an estimated \$41,657 per year, for a total amount not to exceed \$416,570 over the 10-year period for the generation of solar energy at its data center facility located at 7401 E. Ben White Blvd., Bldg. 3, Austin, TX 78741.</p> <p>The total installation cost is \$668,200 and the incentive will cover between 59% and 68% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 1040 solar modules rated at 250 watts and associated inverters rated at 96% efficiency. A total of 200 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 330,610 kWh per year—enough to provide electricity to 29 average Austin homes for a year—and produce an estimated 331 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 5,100 trees or 255 acres of forest in Austin's parks or the removal of 445,723 vehicle miles or 38 cars from Austin roadways. This project will save 219 tons of Carbon Dioxide (CO₂); 276 pounds of Sulfur Dioxide (SO₂); 305 pounds of Nitrogen Oxide (NO_x), and 212 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.</p>				



Project Fact Sheet Solar Applications

File Number	PBI111
Customer Name	GENERAL MOTORS - DATA CENTER
Facility Address	7401 E BEN WHITE BLVD, BLDG 3 78741
Customer Contact	ROB THRELKELD
Phone Number	248-915-8717
Estimated Total Incentives	\$41,657 per year for 10 years
Application Received Date	5/20/2013
Number of Modules	1040
Wattage per Module (STC)	250
Inverter Efficiency	96%
Solar Contractor	MERIDIAN
Contractor Contact	JOE SCHMITZ
Contractor Phone	512-448-0055
Installation Cost	\$668,200
Estimated kWh Savings	330,610 kWh per year
Estimated kW Demand Savings	200 kW-AC
Estimated Date of Completion	TBD
Site Information/Additional Comments	DATA CENTER



Recommendation for Council Action

Austin City Council	Item ID	25226	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with GENERAL MOTORS, to provide a performance-based incentive for the generation of solar energy at its facility located at 717 E. Parmer Lane, Austin, TX 78753, for an estimated \$41,694 per year, for a total amount not to exceed \$416,940 over a 10-year period.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$41,694 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with GENERAL MOTORS, to provide a performance-based incentive (PBI) for an estimated \$41,694 per year, for a total amount not to exceed \$416,940 over the 10-year period for the generation of solar energy at its IT Innovation Center facility located at 717 E. Parmer Lane, Austin, TX 78753.</p> <p>The total installation cost is \$720,200 and the incentive will cover between 55% and 63% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 1040 solar modules rated at 250 watts and associated inverters rated at 96% efficiency. A total of 200 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 330,902 kWh per year—enough to provide electricity to 29 average Austin homes for a year—and produce an estimated 331 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 5,105 trees or 255 acres of forest in Austin's parks or the removal of 446,116 vehicle miles or 38 cars from Austin roadways. This project will save 219 tons of Carbon Dioxide (CO₂); 276 pounds of Sulfur Dioxide (SO₂); 305 pounds of Nitrogen Oxide (NO_x), and 212 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.</p>				



Project Fact Sheet Solar Applications

File Number	PBI112
Customer Name	GENERAL MOTORS – IT INNOVATION CENTER
Facility Address	717 E. PARMER LANE, AUSTIN 78753
Customer Contact	ROB THRELKELD
Phone Number	248-915-8717
Estimated Total Incentives	\$41,694 per year for 10 years
Application Received Date	5/20/2013
Number of Modules	1040
Wattage per Module (STC)	250
Inverter Efficiency	96%
Solar Contractor	MERIDIAN
Contractor Contact	JOE SCHMITZ
Contractor Phone	512-448-0055
Installation Cost	\$720,200
Estimated kWh Savings	330,902 kWh per year
Estimated kW Demand Savings	200 kW-AC
Estimated Date of Completion	TBD
Site Information/Additional Comments	IT INNOVATION CENTER



Recommendation for Council Action

Austin City Council	Item ID	25227	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with McCORMICK VISION, to provide a performance-based incentive for the generation of solar energy at its facility located at 12701 Research Blvd. #101, Austin, TX 78759, for an estimated \$8,876 per year, for a total amount not to exceed \$88,760 over a 10-year period.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$8,876 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with McCORMICK VISION, to provide a performance-based incentive (PBI) for an estimated \$8,876 per year, for a total amount not to exceed \$88,760 over the 10-year period for the generation of solar energy at its facility located at 12701 Research Blvd. #101, Austin, TX 78759.</p> <p>The total installation cost is \$236,000 and the incentive will cover between 36% and 41% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 175 solar modules rated at 260 watts and associated inverters rated at 95.5% efficiency. A total of 35 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 60,377 kWh per year—enough to provide electricity to five average Austin homes for a year—and produce an estimated 60 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 931 trees or 47 acres of forest in Austin's parks or the removal of 81,399 vehicle miles or seven cars from Austin roadways. This project will save 40 tons of Carbon Dioxide (CO₂); 50 pounds of Sulfur Dioxide (SO₂); 56 pounds of Nitrogen Oxide (NO_x), and 39 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.</p>				



Project Fact Sheet Solar Applications

File Number	PBI098
Customer Name	MCCORMICK VISION
Facility Address	12701 RESEARCH BLVD #101, 78759
Customer Contact	JOHN MCCORMICK
Phone Number	512-258-2020
Estimated Total Incentives	\$8,876 per year for 10 years
Application Received Date	5/1/2013
Number of Modules	175
Wattage per Module (STC)	260
Inverter Efficiency	95.5%
Solar Contractor	CIRCULAR
Contractor Contact	Richard D. Estrada
Contractor Phone	512-796-1719
Installation Cost	\$236,000
Estimated kWh Savings	60,377 kWh per year
Estimated kW Demand Savings	35.0 kW-AC
Estimated Date of Completion	TBD
Site Information/Additional Comments	OPTOMETRY CLINIC



Recommendation for Council Action

Austin City Council	Item ID	25228	Agenda Number	<ITEM_OUTLINE>
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with PEARSON, to provide a performance-based incentive for the generation of solar energy at its facility located at 400 Center Ridge Drive, Austin, TX 78753, for an estimated \$48,064 per year, for a total amount not to exceed \$480,640 over a 10-year period.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$48,064 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice (512) 322-6087, Debbie Kimberly (512) 322-6327, Leslie Libby (512) 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with PEARSON, to provide a performance-based incentive (PBI) for an estimated \$48,064 per year, for a total amount not to exceed \$480,640 over the 10-year period for the generation of solar energy at its educational measurement facility located at 400 Center Ridge Drive, Austin, TX 78753.</p> <p>The total installation cost is \$788,678 and the incentive will cover between 58% and 67% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 998 solar modules rated at 255 watts and associated inverters rated at 96% efficiency. A total of 196 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 326,965 kWh per year—enough to provide electricity to 29 average Austin homes for a year—and produce an estimated 327 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 5,044 trees or 252 acres of forest in Austin's parks or the removal of 440,809 vehicle miles or 38 cars from Austin roadways. This project will save 216 tons of Carbon Dioxide (CO₂); 273 pounds of Sulfur Dioxide (SO₂); 302 pounds of Nitrogen Oxide (NO_x), and 210 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.</p>				



Project Fact Sheet Solar Applications

File Number	PBI096
Customer Name	PEARSON
Facility Address	400 CENTER RIDGE, 78753
Customer Contact	JIM HUNLEY
Phone Number	512-989-5001
Estimated Total Incentives	\$48,064 per year for 10 years
Application Received Date	4/29/2013
Number of Modules	998
Wattage per Module (STC)	255
Inverter Efficiency	96%
Solar Contractor	CIRCULAR
Contractor Contact	Richard D. Estrada
Contractor Phone	512-796-1719
Installation Cost	\$788,678.00
Estimated kWh Savings	326,965 kWh per year
Estimated kW Demand Savings	196 kW-AC
Estimated Date of Completion	TBD
Site Information/Additional Comments	STUDENT EDUCATION ASSESSMENT/PERFORMANCE SCORING CENTER



Recommendation for Council Action

Austin City Council	Item ID		Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Authorize negotiation and execution of an agreement with VIEW APARTMENTS, LP, to provide a performance-based incentive for the generation of solar energy at eight facilities located in the 1900 block of Willow Creek Drive, Austin, TX 78741, for an estimated \$23,840 per year, for a total amount not to exceed \$238,400 over a 10-year period.</p>				
Amount and Source of Funding				
Funding in the amount of \$23,840 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Leslie Libby 482-5390.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to enter into an agreement with VIEW APARTMENTS, LP, to provide a performance-based incentive (PBI) for an estimated \$23,840 per year, for a total amount not to exceed \$238,400 over the 10-year period for the generation of solar energy at eight facilities within the Austin View Apartments located at 1903, 1905, 1911, 1919, 1927 (two arrays), 1929, and 1929 Unit 1 Willow Creek Drive, Austin, TX 78741. The systems will be installed on eight buildings with commercial meters and common area uses for the complex including the clubhouse, gym, laundry rooms, elevators, HVAC units for conditioned hallways, and parking area lighting.</p> <p>The total installation cost is \$688,625 and the incentive will cover between 33% and 38% of the cost. The PBI level for this project is \$0.14 per kWh for 10 years. The solar equipment, which meets Austin Energy program requirements, includes a total of 491 solar modules rated at 255 watts and associated inverters rated at 95% and 96% efficiency. A total of 96.4 kW-AC in demand savings is expected.</p> <p>This energy improvement will save an estimated 162,177 kWh per year—enough to provide electricity to 14 average Austin homes for a year—and produce an estimated 162 Renewable Energy Credits (RECs) per year. These savings are equivalent to the planting of 2,502 trees or 125 acres of forest in Austin's parks or the removal of 218,644 vehicle miles or 19 cars from Austin roadways. This project will save 107 tons of Carbon Dioxide (CO₂); 135 pounds of Sulfur Dioxide (SO₂); 150 pounds of Nitrogen Oxide (NO_x), and 104 pounds of Carbon Monoxide (CO) from being emitted into the atmosphere.</p>				



Project Fact Sheet Solar Applications

File Number	PBI101-PBI108																
Customer Name	VIEW APARTMENTS, LP																
Facility Address	<table><tr><td>1903 WILLOW CREEK DRIVE</td><td>78741</td></tr><tr><td>1905 WILLOW CREEK DRIVE</td><td>78741</td></tr><tr><td>1911 WILLOW CREEK DRIVE</td><td>78741</td></tr><tr><td>1919 WILLOW CREEK DRIVE</td><td>78741</td></tr><tr><td>1927 WILLOW CREEK DRIVE</td><td>78741</td></tr><tr><td>1927ii WILLOW CREEK DRIVE</td><td>78741</td></tr><tr><td>1929 UNIT1 WILLOW CREEK DRIVE</td><td>78741</td></tr><tr><td>1929 WILLOW CREEK DRIVE</td><td>78741</td></tr></table>	1903 WILLOW CREEK DRIVE	78741	1905 WILLOW CREEK DRIVE	78741	1911 WILLOW CREEK DRIVE	78741	1919 WILLOW CREEK DRIVE	78741	1927 WILLOW CREEK DRIVE	78741	1927ii WILLOW CREEK DRIVE	78741	1929 UNIT1 WILLOW CREEK DRIVE	78741	1929 WILLOW CREEK DRIVE	78741
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1929 UNIT1 WILLOW CREEK DRIVE	78741																
1929 WILLOW CREEK DRIVE	78741																
Customer Contact	CROSS MOCERI																
Phone Number	512-614-0758																
Estimated Total Incentives	\$23,840 per year for 10 years																
Application Received Date	5/2/2013																
Number of Modules	491																
Wattage per Module (STC)	255																
Inverter Efficiency	95.5% & 96%																
Solar Contractor	CIRCULAR																
Contractor Contact	Gavin Estenssoro																
Contractor Phone	303-704-0533																
Installation Cost	\$688,625																
Estimated kWh Savings	162,177 kWh per year																
Estimated kW Demand Savings	96.4 kW-AC																
Estimated Date of Completion	TBD																
Site Information/Additional Comments	COMMERCIAL METERS ON COMMON AREAS AT APARTMENT COMPLEX																



Recommendation for Council Action

Austin City Council	Item ID	25232	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Approve issuance of a rebate to MANOR ROAD PARTNERS, LTD, for performing comprehensive energy efficiency upgrades at the Archway Apartments located at 2504 Manor Road, Austin, Texas 78722, in an amount not to exceed \$102,000.</p>				
Amount and Source of Funding				
Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice (512) 322-6087, Debbie Kimberly (512) 322-6327, Fred Yebra, P.E. (512) 482-5305.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to issue a rebate to Manor Road Partners, LTD, in an amount not to exceed \$102,000 for performing comprehensive energy efficiency upgrades at the Archway Apartments in accordance with the City of Austin's Multi-Family Rebate Program guidelines. The upgrades include duct diagnostics and sealing, air sealing, and the installation of compact fluorescent light bulbs, domestic water heater pipe insulation and water saving aerators and showerheads. This program is one element of Austin Energy's comprehensive Resource, Generation and Climate Protection Plan to 2020, approved by City Council in April 2010, designed to reduce local air pollution through energy conservation, to reduce peak demand, and to assist customers in reducing electric consumption.</p> <p>Archway Apartments is located at 2504 Manor Road, Austin, Texas 78722. The property is comprised of two buildings containing 102 apartment units with 38,352 square feet of conditioned space. The total cost of this project is \$114,750 and the rebate will cover 89% of the cost. The demand (kW) savings associated with this comprehensive energy efficiency project is estimated at 104 kW, at a program cost of \$981 per kW saved. The avoided kWh, estimated at 380,000 kWh per year, represents a major benefit to the local environment. This project will prevent the emission of the following air pollutants: 228.2 metric tons of Carbon Dioxide (CO₂), 0.159 metric tons of Nitrogen Oxides (NO_x), and 0.144 metric tons of Sulfur Dioxide (SO₂).</p> <p>In addition to the reduced air and toxic pollution, the project savings are also equivalent to an estimated 512,309 vehicle miles traveled, the removal of 43.7 cars from our roadways, or the planting of 5,862 trees or 293 acres of forest in Austin's parks.</p>				

RCA PROJECT FACT SHEET

Customer Name: Archway Apartments
Property Owner: Manor ROAD Partners, LTD
Property Management Company: Roscoe Properties

Facility Address: 2504 Manor Road Austin, TX 78722

Customer Contact: Jaime Johnson

Estimated Rebate: Not to exceed \$102,000

Equipment Installed: Duct diagnostic and sealing, air sealing, compact fluorescent light bulbs, domestic water heater pipe insulation and water saving aerators and showerheads.

Demand Savings: 104 kW – estimated

KWh Savings: 380,000 kWh - estimated

Cost per kW: \$981

Estimated Project Cost: \$114,750

Estimated Completion Date: No later than three months after LOI

Site Information: Archway Apartments, 2504 Manor Road, Austin, TX 78722.

Comments:
Archway Apartments is located at 2504 Manor Rd. in Austin, Texas. The property is comprised of two buildings containing 102 apartment units, with 38,352 square feet of living space.



Recommendation for Council Action

Austin City Council	Item ID	25233	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Approve issuance of a rebate to WILTEX PROPERTY, for performing duct diagnostics and improvements at the Riverlodge Apartments located at 10301 Ranch Road 2222, Austin, TX 78730, in an amount not to exceed \$174,051.</p>				
Amount and Source of Funding				
<p>Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice (512) 322-6087, Debbie Kimberly (512) 322-6327, Fred Yebra, P.E. (512) 482-5305.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to issue a rebate to Wiltex Property in an amount not to exceed \$174,051 for performing duct diagnostics and improvements at the Riverlodge Apartments in accordance with the City of Austin's Multi-Family Rebate Program guidelines. This program is one element of Austin Energy's comprehensive Resource, Generation and Climate Protection Plan to 2020, approved by City Council in April 2010, designed to reduce local air pollution through energy conservation, to reduce peak demand, and to assist customers in reducing electric consumption.</p> <p>The Riverlodge Apartments are located at 10301 Ranch Road 2222, Austin, Texas 78730. The property comprises 24 buildings containing 498 apartment units, with 494,718 square feet of conditioned space. The total cost of this project is \$193,391 and the rebate will cover 90% of the cost. The demand (kW) savings associated with this energy efficiency project is estimated at 242 kW, at a program cost of \$600 per kilowatt saved. The avoided kWh, estimated at 363,274 kWh per year, represents a major benefit to the local environment. This project will prevent the production of the following air pollutants from being emitted: 218.1 metric tons of Carbon Dioxide (CO₂), 0.152 metric tons of Nitrogen Oxides (NO_x), and 0.138 metric tons of Sulfur Dioxide (SO₂).</p> <p>In addition to the reduced air and toxic pollution, the project savings are also equivalent to an estimated 489,760 vehicle miles traveled, the removal of 41.8 cars from our roadways, or the planting of 5,604 trees or 280 acres of forest in Austin's parks.</p>				

RCA PROJECT FACT SHEET

Customer Name: Riverlodge Apartments
Property Owner: Wiltex Property
Property Management Company: Greystar

File Number: 860

Facility Address: 10301 Ranch Road 2222, Austin, TX 78730

of Dwelling Units: 498

Customer Contact: Michael Brooks

Estimated Rebate: Not to exceed \$174,051

Rebate Offering: Duct Diagnostic & Improvement Program – Uncased
Fancoils & Upflows

Demand Savings: 242 kW – estimated

KWh Savings: 363,274 kWh - estimated

Cost per kW: \$600

Project Cost: \$193,391

- *The rebate amount for this energy efficiency improvement is 90% of the total cost of the project.*
- *This energy efficiency improvement qualifies at rebate levels of \$.25 / 3600 square feet of conditioned space and \$.35 / 494,718 square feet of conditioned space.*
- *The average rebate per apartment unit is \$349.*
- *The average system leakage is 57%, Program guidelines require final leakage of < 15%.*
- *This project passes cost benefit analysis.*
- *In addition to kW savings, this efficiency measure improves both comfort and indoor air quality for all residents.*

Estimated Completion Date: No later than three months after issuance of the LOI.

Site Information: Riverlodge Apartments, 10301 Ranch Road 2222, Austin, TX 78730.

Comments:

Riverlodge Apartments is located at 10301 Ranch Road 2222 in Austin, Texas. The property comprises 24 buildings containing 498 apartment units, with 494,718 square feet of conditioned space.



Recommendation for Council Action

Austin City Council	Item ID	25279	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Approve issuance of a rebate to SAMSUNG AUSTIN SEMICONDUCTOR, for the installation of energy efficient lighting and equipment at its facility located at 12100 Samsung Blvd., Austin, TX 78754, in an amount not to exceed \$77,464.</p>				
Amount and Source of Funding				
Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice 322-6087, Debbie Kimberly 322-6327, Fred Yebra, P.E., 482-5305.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to issue a rebate to Samsung Austin Semiconductor in an amount not to exceed \$77,464 for the installation of energy efficient lighting and Uninterruptible Power Supply (UPS) system upgrades in accordance with the City of Austin's Commercial Rebate Program guidelines. This program is one element of Austin Energy's comprehensive Resource, Generation and Climate Protection Plan to 2020, approved by City Council in April 2010, designed to reduce local air pollution through energy conservation, to reduce peak demand, and to assist customers in reducing electric consumption.</p> <p>Samsung Austin Semiconductor's 2.3 million-square-foot complex is located at 12100 Samsung Blvd., Austin, TX 78754. The total cost of this project is \$4,109,371 and the rebate will cover 1.9% of the cost. The demand (kW) savings associated with this energy efficiency project is estimated at 289.26 kW, at a program cost of \$267.80 per kilowatt saved. The avoided kWh, estimated at 2,535,268 kWh per year, represents a major benefit to the local environment. This project will prevent the following air pollutants from being emitted: 1,522.3 metric tons of Carbon Dioxide (CO₂), 0.960 metric tons of Sulfur Dioxide (SO₂), and 1.061 metric tons of Nitrogen Oxides (NO_x).</p> <p>In addition to the reduced air and toxic metals pollution, the project savings are also equivalent to an estimated 3,418,004 vehicle miles traveled, the removal of 291.6 cars from our roadways, or the planting of 39,109 trees or 1,955 acres of forest in Austin's parks.</p>				

RCA PROJECT FACT SHEET

Customer Name: Samsung Austin Semiconductor

File Number: 4176-01-028

Facility Address: 12100 Samsung Blvd., Austin, TX 78754

Customer Contact: Jung Kim

Phone: 512-672-3511

Estimated Rebate: \$77,463.51

Equipment Installed: Energy Efficient Lighting and Uninterruptible Power Supplies (UPS)

Demand Savings: 289.26 kW

KWh Savings: 2,535,268 kWh

Cost per kW: \$267.80

Estimated Project Cost: \$4,109,371

Estimated Completion Date: May 2013

Site Information: Samsung Austin Semiconductor (SAS) is located at 12100 Samsung Blvd. in northeast Austin. At this location is a 2.3-million-square-foot semiconductor complex.

Comments: Samsung Austin Semiconductor (SAS) is owned by Samsung Electronics and is the company's only semiconductor manufacturing plant located outside Korea. The complex has one of the most advanced semiconductor plants in the United States where state-of-the-art NAND Flash memory chips are made. This project includes an energy efficient lighting retrofit in both Fab 1 & 2 and the upgrade of Uninterruptible Power Supplies.



Recommendation for Council Action

Austin City Council	Item ID	25234	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
Approve issuance of a rebate to STATE FARM INSURANCE COMPANY, for the installation of energy efficient lighting at its facility located at 8900 Amberglen Blvd., Austin, TX 78729, in an amount not to exceed \$74,908.				
Amount and Source of Funding				
Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy.				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jeff Vice (512) 322-6087, Debbie Kimberly (512) 322-6327, Fred Yebra, P.E. (512) 482-5305.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013 and by the Resource Management Commission on June 18, 2013.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>Austin Energy requests authorization to issue a rebate to the State Farm Insurance Company in the amount of \$74,908 for energy efficient lighting upgrades in accordance with the City of Austin's Commercial Rebate Program guidelines. This program is one element of Austin Energy's comprehensive Resource, Generation and Climate Protection Plan to 2020, approved by City Council in April 2010, designed to reduce local air pollution through energy conservation, to reduce peak demand, and to assist customers in reducing electric consumption.</p> <p>State Farm Insurance Company is located at 8900 Amberglen Blvd., Austin, TX 78729. The total cost of this project is \$204,187 and the rebate will cover 36% of the cost. The demand (kW) savings associated with this energy efficiency project is estimated at 296.56 kW, at a program cost of \$252.59 per kilowatt saved. The avoided kWh, estimated at 1,079,493 kWh per year, represents a major benefit to the local environment. This project will prevent the following air pollutants from being emitted: 648.2 metric tons of Carbon Dioxide (CO₂), 0.409 metric tons of Sulfur Dioxide (SO₂), and 0.452 metric tons of Nitrogen Oxides (NO_x).</p> <p>In addition to the reduced air and toxic metals pollution, the project savings are also equivalent to an estimated 1,455,354 vehicle miles traveled, the removal of 124.2 cars from our roadways, or the planting of 16,652 trees or 833 acres of forest in Austin's parks.</p>				

RCA PROJECT FACT SHEET

Customer Name: State Farm Insurance Company

File Number: 9314-01-005

Facility Address: 8900 Amberglen Blvd.

Customer Contact: Tom Raufer, Electrical Engineer III

Phone: 309-766-1456

Estimated Rebate: \$74,907.90

Equipment Installed: Energy Efficient Lighting

Demand Savings: 296.56 kW

KWh Savings: 1,079,493 kWh

Cost per kW: \$252.59

Estimated Project Cost: \$204,187

Estimated Completion Date: April 2013

Site Information: State Farm Insurance is located at 8900 Amberglen Blvd, Austin, Texas.

Comments: State Farm Insurance Company is a group of insurance and financial services companies located at 8900 Amberglen Boulevard in Austin, Texas. State Farm is upgrading their existing lighting system to a more energy efficient system throughout their facility. The project includes retrofitting from a T8 magnetic lighting system to a more energy efficient T8 electronic system.

A U S T I N C I T Y C O U N C I L				
A G E N D A				
				
Recommendation for Council Action (Purchasing)				
Austin City Council	Item ID:	25250	Agenda Number	
Meeting Date:	June 27, 2013			
Department:	Purchasing			
Subject				
<p>Authorize award, negotiation, and execution of four 12-month requirements service contracts with ATLAS EFFICIENCY SOLUTIONS, LLC; ATS ENGINEERS, INSPECTORS, SURVEYORS; TEXAS GREEN VENTURES, LLC and FOX ENERGY SPECIALISTS, or one of the other qualified offerors to RFP No. TVN0029, to provide test-out energy audit services for Austin Energy, in an amount not to exceed \$150,000 each and combined, with one 12-month extension option in an amount not to exceed \$150,000 each and combined, for a total contract amount not to exceed \$300,000 each and combined.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$25,000 is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy. Funding for the remaining nine months of the original contract period and extension option is contingent upon available funding in future budgets.</p>				
Fiscal Note				
<p>There is no unanticipated fiscal impact. A fiscal note is not required.</p>				
Purchasing Language:	Best evaluated proposals received.			
Prior Council Action:				
For More Information:	Terry Nicholson, Sr. Buyer, 512-322-6586			
Boards and Commission Action:	June 17, 2013 - To be reviewed by the Electric Utility Commission. June 18, 2013 – To be reviewed by the Resource Management Commission.			
MBE / WBE:	This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.			
Related Items:				
Additional Backup Information				

This contract will provide Austin Energy with additional capacity to perform on-site home energy efficiency final inspections for 600 homes a year for two years. The inspections will verify appropriate building tightness levels, carbon monoxide levels, and comprehensive air infiltration levels were attained as determined by the National Energy Audit Tool (NEAT) and the Manufactured Home Energy Audit (MHEA) systems, and all work has been completed to standards identified within the solicitation. The "Test-Out" final inspection performed on each home will determine that approved weatherization construction measures and improvements were completed correctly and ensure that a savings-to-investment ratio greater than or equal to one is achieved. The goal of this program is to increase the energy efficiency of the homes, increase the comfort level for inhabitants, reduce energy consumption, lower utility bills, and improve the health and safety of residents.

An Austin Energy evaluation team with expertise in this area evaluated the proposals and unanimously chose these four proposals as the best to provide these services. Evaluation criteria used to evaluate the proposals included cost, experience, qualifications, capacity and local business presence.

This request allows for the development of an agreement with four qualified offerors that Council selects. If the City is unsuccessful in negotiating satisfactory agreements with the selected offerors, negotiations will cease with those providers. Staff will return to Council so that Council may select other qualified offerors and authorize contract negotiations with those providers.

MBE/WBE solicited: 3/6

MBE/WBE bid: 0/0

PRICE ANALYSIS

- a. Adequate competition.
- b. One hundred and seven notices were sent, including three MBEs and six WBEs. Eleven proposals were received, with no response from the MBE/WBEs.
- c. The pricing offered represents a 0% increase to the last contract awarded in February 2010.

APPROVAL JUSTIFICATION

- a. Best evaluated proposals. Fox Energy Specialists were a provider on the previous contract for these services.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.

EVALUATION FACTORS FOR: RFP TVN00029

EVALUATION CRITERIA		Total Points	Atlas Austin, TX	ATS Austin, TX	Texas Green Ventures Austin, TX	Fox Energy Specialists Fort Worth, TX	A-Plus Austin, TX	IBTS Ashburn, VA
1	Demonstrated Applicable Experience	20	16	18	16	18	12	15
2	Personnel Qualifications	20	19	18	14	18	19	19
3	Equipment & Facilities	25	24	24	24	24	24	24
4	Total Evaluated Cost	25	19	21	15	19	17	17
5	Local Business Presence	10	10	0	10	10	0	0
GRAND TOTAL SCORE		100	88	81	79	79	76	75

EVALUATION CRITERIA		Total Points	Energy Guys Austin, TX	Viaverde Austin, TX	Climate Mechanical Austin, TX	Positive Energy Austin, TX	Eco-Synergy Advisors San Antonio, TX
1	Demonstrated Applicable Experience	20	12	11	13	14	11
2	Personnel Qualifications	20	14	14	15	17	17
3	Equipment & Facilities	25	23	24	21	24	22
4	Total Evaluated Cost	25	15	25	10	13	15
5	Local Business Presence	10	10	0	10	0	0
GRAND TOTAL SCORE		100	74	74	69	68	65

NOTE: As per Section 252.049 of the local government code, contents of a proposal shall remain confidential until a contract is awarded or as directed by the Texas Attorney General's Office. Therefore, the matrix will include points awarded for price but exact pricing will not be disclosed.



Recommendation for Council Action

Austin City Council	Item ID	24307	Agenda Number	
Meeting Date:	6/20/2013		Department:	Austin Energy
Subject				
<p>Approve an ordinance amending City Code Chapter 15-9 regarding utility service, billing and adjustments, and administrative reviews and hearings.</p>				
Amount and Source of Funding				
Fiscal Note				
<p>There is no unanticipated financial impact. A fiscal note is not required.</p>				
Purchasing Language:				
Prior Council Action:				
For More Information:	Jawana Gutierrez, Vice-President, Customer Care, 322-6956.			
Boards and Commission Action:	June 12, 2013 - To be reviewed by the Water and Wastewater Commission. June 17, 2013 - To be reviewed by the Electric Utility Commission.			
MBE / WBE:				
Related Items:				
Additional Backup Information				
<p>The proposed amendments to the Utility Service Regulations set forth in City Code Chapter 15-9 clarify language and revise the administrative review and hearing processes.</p> <p>The proposed amendment to Section 15-9-37 updates terminology to better clarify customer responsibilities regarding equipment.</p> <p>The proposed amendment to Section 15-9-135 removes the word “Residential” when referring to Multi-family to coincide with customer classes as stated in the water service rate.</p> <p>The proposed amendment to Section 15-9-140 eliminates references to the narrow scope of incidences qualifying for billing adjustments and clarifies language regarding the billing adjustment process.</p> <p>The proposed amendment to City Code Chapter 15-9, Article 12 repeals this Article regarding utility administrative reviews and hearings and replaces it with a new Article that updates business processes of the utility departments. The new Article includes two significant changes: 1) water conservation and sewage disputes will be handled in accordance with their respective City Code sections; and 2) customers will be able to dispute utility diversion charges through the administrative hearing process when the offense is not pursued through criminal charges.</p>				

ORDINANCE NO.**AN ORDINANCE AMENDING CITY CODE CHAPTER 15-9 REGARDING UTILITY SERVICE, BILLING ADJUSTMENTS, AND ADMINISTRATIVE REVIEWS AND HEARINGS.****BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

PART 1. Subsection (A) of City Code Section 15-9-37 (*Customer's Responsibilities*) is amended to read:

§ 15-9-37 CUSTOMER'S RESPONSIBILITIES.

- (A) A customer is responsible for utility service provided on the customer's side of the point of delivery, including:
- (1) excessive consumption caused by faulty equipment or settings on equipment;
 - (2) damage caused by an open valve or circuit after service initiation; or [and]
 - (3) a violation of this chapter, including utility service diversion, unlawful use of service, or damage to City utility equipment.

PART 2. City Code Section 15-9-135 (*Multifamily Residential Utility Service Rate*) is renamed to read:

§ 15-9-135 MULTIFAMILY ~~[RESIDENTIAL]~~ UTILITY SERVICE RATE.

PART 3. Subsections (A) and (B) of City Code Section 15-9-140 (*Billing Adjustments*) are amended to read:

§ 15-9-140 BILLING ADJUSTMENTS.

- (A) Subject to Subsection (B), the City shall adjust a customer's account and issue a corrected bill if it determines that it has overbilled or underbilled the customer for utility service. ~~[because of:~~
- ~~(1) a meter's failure to meet the accuracy standards of the American National Standards Institute or the American Water Works Association, as applicable;~~
 - ~~(2) the application of an incorrect rate to the customer's account;~~

~~(3) an erroneous meter reading or the reading of a meter other than that through which the customer actually received service; or~~

~~(4) the failure of the City to include the utility service in the customer's account.]~~

(B) No billing adjustment shall be made, and no backbill or refund shall be issued, with respect to utility service provided:

(1) more than four years before the date the error or inaccuracy is discovered if the error or inaccuracy caused the customer to be overbilled;

(2) more than twelve months before the date the error or inaccuracy is discovered if the error or inaccuracy caused the customer to be underbilled, or, in the case of a [residential] customer billed at a residential rate, more than six months before the date the error or inaccuracy is discovered, unless the billing adjustment is for taxes;

(3) to any customer other the customer currently receiving service at the service address to which the adjustment pertains; or

(4) under an account that has become an inactive account and for which a final bill was issued more than 90 days before the error or inaccuracy was discovered.

PART 4. City Code Chapter 15-9, Article 12 (*Administrative Review and Hearing*) is repealed and replaced to read:

ARTICLE 12. ADMINISTRATIVE REVIEW AND HEARING.

§ 15-9-191 ADMINISTRATIVE REVIEW.

(A) Except as provided in Subsections (B), (C), and (D), before requesting an administrative hearing, a person who disputes an action, policy, decision, or invoice relating to utility service must contact the director of the utility providing the service no later than the 90th day after the date of the notice of violation or the date the customer knew or should have known about the subject of the dispute.

(B) Before requesting an administrative hearing, a customer who disputes an action, policy, decision, or application related to the drainage fee or the transportation user fee shall request an administrative review from the director of the Watershed Protection Department or the Public Works Department, respectively. These administrative reviews are authorized by

Chapters 14-10 (*Transportation User Fee*) and 15-2 (*Drainage Utility*) of the Code. If requested by a customer, the department director shall provide a customer with a copy of the department's Appeals Rules and Procedures.

- (C) A customer who disputes an action, policy, or decision by a utility related to compliance with Title 25 (*Land Development Code*) or Title 30 (*Austin/Travis County Subdivision Regulations*) of the Code shall follow the procedures prescribed in the applicable title.
- (D) A customer who disputes an action, policy, or decision related to compliance with Chapter 6-4 (*Water Conservation*) of the Code shall follow the procedures prescribed in Article 3 of that chapter. A customer who disputes an action, policy, or decision related to compliance with Chapter 15-5 (*On-Site Sewage Facilities*) of the Code shall follow the procedures prescribed in that chapter. A customer who disputes an action, policy, or decision related to compliance with Chapter 15-11 (*Private Lateral Sewer Lines*) of the Code shall follow the procedures prescribed in that chapter.
- (E) The director of a utility shall attempt to resolve the customer's dispute. If the director of a utility cannot resolve the dispute through an administrative review, the director shall:
 - (1) communicate the administrative review decision to the customer including the reason for the dispute and if applicable, the disputed amount; and
 - (2) if applicable, inform the customer that the customer has a right to request an administrative hearing and provide the customer instructions how to request an administrative hearing.
- (F) If a customer is informed of his right to a hearing, the customer must request that hearing not later than 30 days after the date of the notice.

§ 15-9-192 RESTRICTION ON ADMINISTRATIVE HEARING.

A customer may not request an administrative hearing if:

- (1) the utility did not conduct an administrative review;
- (2) the customer did not timely request an administrative hearing;
- (3) criminal charges are pursued for the occurrence of utility service diversion, unlawful use of service, damage to City utility equipment, unauthorized sale of utility service or other violation of law; or

- 1 (4) the customer is disputing:
- 2 (a) the terms or denial of a deferred payment agreement;
- 3 (b) the customer's financial inability to pay for utility services
- 4 provided by the City;
- 5 (c) the rate schedule;
- 6 (d) unexplained high utility consumption if a meter has been tested
- 7 and is determined to be accurate or under-registering in
- 8 accordance with the American Water Works Association
- 9 standards or the American National Standard Institute standard;
- 10 (e) denial or discontinuance of utility service based on a danger to
- 11 public health or safety;
- 12 (f) a matter subject to a court decision;
- 13 (g) the application or amount of a credit security deposit; or
- 14 (h) a decision by the City regarding a claim for property damage or
- 15 personal injury.

16 § 15-9-193 ADMINISTRATIVE HEARING.

- 18 (A) Except as provided in Section 15-2-14 (*Adjustments*), a hearing under this
- 19 article shall be held by a hearings officer appointed by the city manager. A
- 20 hearings officer may not be an employee of a utility.
- 21 (B) A customer who disagrees with an administrative review decision by the
- 22 director of a utility may request an administrative hearing. The customer
- 23 shall request the administrative hearing in writing no later than the 30th day
- 24 after the director of a utility informed the customer of the right to request a
- 25 hearing in accordance with Subsection (E) of Section 15-9-191
- 26 (*Administrative Review*). The customer requesting the hearing shall have the
- 27 burden of proof to prove the City's position is in error.
- 28 (C) Not later than the third day before the date of an administrative hearing, the
- 29 director of a utility shall provide the customer with notice of the time, date,
- 30 and location of the hearing either in person, by telephone, by confirmed
- 31 facsimile transmission, by electronic mail, or by mail to the customer's last
- 32 known address.

- (D) Except as provided in Subsection (E), if the customer fails to appear at an administrative hearing, the hearings officer may enter a default decision against the customer.
- (E) The City and the customer may agree to waive appearance at an administrative hearing and submit the dispute to the hearings officer in writing.
- (F) The customer may appear in person and may be represented by counsel. If a customer is represented by counsel, the customer must notify the City at least two business days before the hearing. If the City does not receive notice under this subsection, the City may reschedule the administrative hearing.
- (G) The customer may make one request to reschedule an administrative hearing for a period not to exceed 30 days from the date of the original hearing before the City reinstates utility service termination procedures. The City may agree to the date and time of a hearing rescheduled under this subsection to a date later than 30 days after the date of the original hearing. If a customer makes a second request to reschedule an administrative hearing, the City may terminate the customer's utility service.
- (H) If the City does not agree to a customer's second or later request to reschedule, the City shall not reschedule the administrative hearing and the hearings officer shall issue a decision on the merits.
- (I) The hearings officer may deliver an oral decision at the close of a hearing and shall deliver a written decision not later than:
- (1) the 10th day after the close of the hearing; or
 - (2) if the hearings officer requests additional information from the parties, a date agreed to by the parties.

§ 15-9-194 RESULTS OF HEARINGS.

- (A) If a hearings officer rules against a customer, the hearings officer's decision shall include:
- (1) the actions to be taken by the customer to continue utility service; and
 - (2) a deadline for performance by the customer that is consistent with the deferred payment agreement policies of the utility and the requirements of this chapter.

- 1 (B) If a hearings officer rules completely or partly in favor of a customer, the
2 hearings officer's decision shall include:
- 3 (1) the actions to be taken by the City and the customer to continue or
4 reconnect utility service; and
- 5 (2) deadlines for performance by the City and the customer that are
6 consistent with the deferred payment agreement policies of the utility
7 and the requirements of this chapter.
- 8 (C) A hearings officer shall not base the officer's decision on a judicial decision
9 from a case to which the City was not a party.

10 **§ 15-9-195 CONTINUITY OF SERVICE DURING APPEAL.**

- 11 (A) Before a hearing under this article, the City shall continue to provide a
12 customer with utility service, unless:
- 13 (1) the service was disconnected before the customer requested a hearing;
14 (2) the customer fails to pay an invoice for utility services provided after
15 a hearing was requested;
16 (3) the customer's service is transferred; or
17 (4) termination is required to protect public health and safety.
- 18 (B) If a customer's utility service is disconnected before the customer requested
19 a hearing, the City shall reconnect utility service after the customer pays all
20 amounts owed for utility service less the amount disputed in the requested
21 hearing.
- 22 (C) The City shall not continue or reconnect utility service if the connection:
23 (1) allows utility service diversion;
24 (2) creates a dangerous condition;
25 (3) allows an unlawful use of service;
26 (4) allows unauthorized remetering, sub-metering, or resale of utility
27 service; or
28 (5) violates Title 25 (*Land Development*) of the Code or a City ordinance
29 relating to the utility service.

PART 5. This ordinance takes effect on _____, 2013.

PASSED AND APPROVED

_____, 2013 §
 §
 §

Lee Leffingwell
Mayor

APPROVED: _____

Karen M. Kennard
City Attorney

ATTEST: _____

Jannette S. Goodall
City Clerk

Section	Current Text	Proposed Text	Changes
15-9-37 Customer's Responsibility	(A) A customer is responsible for utility service provided on the customer's side of the point of delivery, including: (1) excessive consumption caused by faulty equipment; (2) damage caused by on open valve or circuit after service initiation; and (3) a violation of this chapter, including utility service diversion, unlawful use of service, or damage to City utility equipment.	(A) A customer is responsible for utility service provided on the customer's side of the point of delivery, including but not limited to: (1) excessive consumption caused by faulty equipment, or settings on equipment; (2) damage caused by on open valve or circuit after service initiation; and (3) a violation of this chapter, including utility service diversion, unlawful use of service, or damage to City utility equipment.	Added words in bold and underlined for clarity
15-9-135 Multifamily Residential Utility Service Rate	15-9-135 Multifamily Residential Utility Service Rate	15-9-135 Multifamily Utility Service Rate	Removed the word "Residential" from City Code Section name
15-9-140 Billing Adjustments	(A) Subject to subsection (B), the City shall adjust a customer's account and issue a corrected bill if it determines that it has overbilled or underbilled the customer for utility service because of: (1) a meter's failure to meet the accuracy standards of the American National Standards Institute of the American Water Works Association, as applicable; (2) the application of an incorrect rate to the customer's account; (3) an erroneous meter reading or the reading of a meter other than that through which the customer actually received service; or (4) the failure of the City to include the utility service in the customer's account.	(A) Subject to subsection (B), the City shall adjust a customer's account and issue a corrected bill if it determines that it has overbilled or underbilled the customer for utility service.	Removed the bullets 1, 2, 3 and 4

Section	Current Text	Proposed Text	Changes
15-9-140 Billing Adjustments	<p>(B) No billing adjustment shall be made, and no backbill or refund shall be issued, with respect to utility service provided:</p> <p>(1) more than four years before the date the error or inaccuracy is discovered if the error or inaccuracy caused the customer to be overbilled;</p> <p>(2) more than twelve months before the date the error or inaccuracy is discovered if the error or inaccuracy caused the customer to be underbilled, or, in the case of a residential customer, more than six months before the date the error or inaccuracy is discovered;</p> <p>(3) to any customer other the customer currently receiving service at the service address to which the adjustment pertains; or</p> <p>(4) under an account that has become an inactive account and for which a final bill was issued more than 90 days before the error or inaccuracy was discovered.</p>	<p>(B) No billing adjustment shall be made, and no backbill or refund shall be issued, with respect to utility service provided:</p> <p>(1) more than four years before the date the error or inaccuracy is discovered if the error or inaccuracy caused the customer to be overbilled;</p> <p>(2) more than twelve months before the date the error or inaccuracy is discovered if the error or inaccuracy caused the customer to be underbilled, or, in the case of a customer inaccurate at a residential rate, more than six months before the date the error or inaccuracy is discovered;</p> <p>(3) to any customer other the customer currently receiving service at the service address to which the adjustment pertains; or</p> <p>(4) under an account that has become an inactive account and for which a final bill was issued more than 90 days before the error or inaccuracy was discovered.</p>	<p>Added clarity to the regulation.</p> <p>Added words in bold and underlined</p>
15-9-191 Administrative Review	<p>(A) Except as provided in Subsections (B) and (C), before requesting an administrative hearing, a person who disputes an action, policy, decision, or invoice relating to utility service shall contact the director of the utility providing the service and request an administrative review.</p> <p>(B) Before requesting an administrative hearing, a customer who disputes an action, policy, or application related to the drainage fee or the transportation user fee may request an administrative review from the fee administrator at the Watershed Protection and Development Review Department as authorized by <u>Chapters 14-10 (Transportation User Fee)</u> or <u>15-2 (Drainage Utility)</u> of the Code. If requested by a customer, the fee administrator shall provide a customer with a copy of the department's Appeals Rules and Procedures.</p>	<p>(A) Except as provided in Subsections (B), (C) and (D), before requesting an administrative hearing, a person who disputes an action, policy, decision, or invoice relating to utility service shall contact the director of the utility providing the service on or before the 90th day following the date of the notice of violation or the date the customer knew or should have known about the subject of the dispute.</p> <p>(B) Before requesting an administrative hearing, a customer who disputes an action, policy, decision, or application related to the drainage fee or the transportation user fee shall request an administrative review from the director of the Watershed Protection Department or the Public Works Department, respectively. These administrative reviews area authorized by Chapters 14-10 (Transportation User Fee) and 15-2 (Drainage Utility) of the Code. If requested by a customer, the department director shall provide a customer with a copy of the department's Appeals Rules and Procedures.</p>	<p>Added words in bold and underlined</p> <p>Added a timeframe to paragraph A of 90 days to prevent an administrative review being requested possibly way out in the future</p> <p>Removed mention of fee administrator and substituted director throughout the entire Article 12</p>

Section	Current Text	Proposed Text	Changes
15-9-191 Administrative Review	(C) A customer who disputes an action, policy, or decision by a utility related to compliance with Title 25 (Land Development Code) or Title 30 (Austin/Travis County Subdivision Regulations) of the Code shall follow the procedures prescribed in the applicable title. (D) A request for administrative review under this section shall include: (1) the utility service involved; (2) the reason for the dispute; and (3) if applicable, the disputed amount.	(C) A customer who disputes an action, policy, or decision by a utility related to compliance with Title 25 (Land Development Code) or Title 30 (Austin/Travis County Subdivision Regulations) of the Code shall follow the procedures prescribed in the applicable title. <u>(D) A customer who disputes an action, policy, or decision related to compliance with Chapter 6-4 (Water Conservation) of the Code shall follow the procedures prescribed in Article 3 of that chapter. A customer who disputes an action, policy, or decision related to compliance with Chapter 15-5 (On-Site Sewage Facilities) of the Code shall follow the procedures prescribed in that chapter. A customer who disputes an action, policy, or decision related to compliance with Chapter 15-11 (Private Lateral Sewer Lines) of the Code shall follow the procedures prescribed in that chapter.</u>	Replaced wording for paragraph D for further clarification
15-9-191 Administrative Review	(E) The director of a utility or the fee administrator shall attempt to resolve the customer's dispute. If the director of a utility or the fee administrator cannot resolve the dispute through an administrative review, the director or fee administrator shall: (1) inform the customer that the customer may request an administrative hearing; (2) provide the customer with instructions on how to request an administrative hearing.	(E) The director of a utility shall attempt to resolve the customer's dispute. If the director of a utility cannot resolve the dispute through an administrative review, the director shall: <u>(1) communicate the administrative review decision to the customer including the reason for the dispute and if applicable, the disputed amount; and</u> <u>(2) if applicable, inform the customer that the customer has a right to request an administrative hearing and provide the customer instructions on how to request an administrative hearing.</u>	Removed the words (or the fee administrator) throughout the Article Reworded bullets (1) and (2)

Section	Current Text	Proposed Text	Changes
15-9-192 Restriction On Administrative Hearing	<p>A person may not request an administrative hearing if:</p> <p>(1) the person did not request and receive an administrative review;</p> <p>(2) the customer did not request an administrative hearing on or before the 90th day after the customer knew or should have known about the subject of the dispute; or</p> <p>(3) the person is disputing:</p> <p>(a) the terms or denial of a deferred payment agreement;</p> <p>(b) the customer's financial inability to pay for utility services provided by the City;</p> <p>(c) the rate schedule;</p> <p>(d) the occurrence of a utility service diversion, unlawful use of service, damage to City utility equipment, unauthorized sale of utility service, or violation of law;</p> <p>(e) the amount of undercharged costs or charges assessed for a utility service diversion, unlawful use of service, or damage to City equipment;</p>	<p>A <u>customer</u> may not request an administrative hearing if:</p> <p><u>(1) the utility did not conduct an administrative review;</u></p> <p>(2) the customer did not request an administrative hearing on or before the <u>30th day following the date customer was given notice of the right to have an administrative hearing; unless a waiver is granted by the director of a utility;</u></p> <p><u>(3) criminal charges are pursued for the occurrence of utility service diversion, unlawful use of service, damage to City utility equipment, unauthorized sale of utility service or other violation of law; or</u></p> <p><u>(4) the customer is disputing:</u></p> <p><u>(a) the terms or denial of a deferred payment agreement;</u></p> <p><u>(b) the customer's financial inability to pay for utility services provided by the City;</u></p> <p><u>(c) the rate schedule;</u></p> <p><u>(d) unexplained high utility consumption if a meter has been tested and is determined to be accurate or under-registering in accordance with the American Water Works Association standards or the American National Standard Institute standard;</u></p> <p><u>(e) denial or discontinuance of utility service based on a danger to public health or safety;</u></p>	<p>Rearranged and Reworded most of the information.</p> <p>Bullet (2) was corrected to read 30th day instead of the 90th day.</p> <p>Paragraph (3) (d and e) were modified to allow customers an ability to have an administrative hearing even though account may have certain utility diversion charges</p> <p>Current regulations do not allow for an administrative hearing if account has any type of diversion charges</p>
15-9-192 Restriction On Administrative Hearing	<p>(f) unexplained high utility consumption if a meter has been tested and is determined to be accurate;</p> <p>(g) denial or discontinuance of utility service based on a danger to public health or safety;</p> <p>(h) a matter subject to a court decision; or</p> <p>(i) the application or amount of a credit security deposit.</p>	<p><u>(f) a matter subject to a court decision;</u></p> <p><u>(g) the application or amount of a credit security deposit;</u></p> <p><u>(h) a decision by the City regarding a claim for property damage or personal injury.</u></p>	<p>Rearranged and Reworded the information</p>

Section	Current Text	Proposed Text	Changes
15-9-193 Administrative Hearing	<p>(A) A hearing under this article shall be held by a hearings officer appointed by the city manager. A hearings officer may not be an employee of a utility.</p> <p>(B) A person may appeal an administrative review by filing a written appeal on or before the deadline established in the City's instructions.</p> <p>(C) Not later than the third day before the date of an administrative hearing, the director of a utility or the fee administrator of the Watershed Protection and Development Review Department shall provide an appellant with notice of the time, date, and location of the hearing either in person, by telephone, by confirmed facsimile transmission, or by mail to the person's last known address. The City and the appellant may agree to the date and time of an administrative hearing.</p> <p>(D) Except as provided in Subsection (E), if an appellant fails to appear at an administrative hearing, the hearings officer may enter a default judgment against the appellant.</p>	<p><u>(A) Except as provided in Section 15-2-14,</u> a hearing under this article shall be held by a hearings officer appointed by the city manager. A hearings officer may not be an employee of a utility.</p> <p><u>(B) A customer who disagrees with an administrative review decision by the director of a utility may request an administrative hearing. The customer shall request the administrative hearing in writing no later than the 30th day after the director of a utility informed the customer of the right to request a hearing in accordance with Section 15-9-191 (E). The customer requesting the hearing shall have the burden of proof to prove the City's position is in error.</u></p> <p><u>(C) Not later than the third day before the date of an administrative hearing, the director of a utility shall provide the customer with notice of the time, date, and location of the hearing either in person, by telephone, by confirmed facsimile transmission, by electronic mail, or by mail to the customer's last known address.</u></p>	<p>Changed words, such as, person and appellant to customer</p> <p>Placed a time frame of 30 days on paragraph B to keep the hearing process moving without delay</p> <p>Rearranged and reworded some of the language in paragraph (C) for clarity</p>
15-9-193 Administrative Hearing	<p>(E) The City and the appellant may agree to waive appearance at an administrative hearing and submit the dispute to the hearings officer in writing.</p> <p>(F) The appellant may appear in person and may be represented by counsel. If an appellant is represented by counsel, the appellant must notify the City on or before the second day before the hearing. If the City does not receive notice under this subsection, the City may reschedule the administrative hearing.</p> <p>(G) The customer may make one request to reschedule an administrative hearing before the City reinstates utility service termination procedures for a period not to exceed 30 days from the date of the original hearing. The City may agree to the date and time of a hearing rescheduled under this subsection on a date after the 30th day after the date of the original hearing. If a customer makes a second request to reschedule an administrative hearing, the City may terminate the customer's utility service.</p>	<p><u>(D)</u> Except as provided in Subsection (E), if <u>the customer</u> fails to appear at an administrative hearing, the hearings officer may enter a default <u>decision</u> against the <u>customer</u>.</p> <p><u>(E)</u> The City and the <u>customer</u> may agree to waive appearance at an administrative hearing and submit the dispute to the hearings officer in writing.</p> <p><u>(F)</u> The <u>customer</u> may appear in person and may be re+C10presented by counsel. If <u>a customer</u> is represented by counsel, the <u>customer</u> must notify the City on or before the second day before the hearing. If the City does not receive notice under this subsection, the City may reschedule the administrative hearing.</p>	<p>Changed words like person and appellant to customer</p>

Section	Current Text	Proposed Text	Changes
15-9-193 Administrative Hearing	<p>(H) If the City does not agree to a customer's second or later request to reschedule, the hearings officer may not reschedule as administrative hearing and shall issue a decision on the merits.</p> <p>(I) The hearings officer may deliver an oral decision at the close of a hearing and shall deliver a written decision not later than:</p> <p>(1) the 10th day after the close of the hearing; or</p> <p>(2) if the hearings officer requests additional information from the parties, a date agreed to by the parties.</p>	<p><u>(G)</u> The customer may make one request to reschedule an administrative hearing <u>for a period not to exceed 30 days from the date of the original hearing before the City reinstates utility service termination procedures.</u> The City may agree to the date and time of a hearing rescheduled under this subsection on a date after the 30th day after the date of the original hearing. If a customer makes a second request to reschedule an administrative hearing, the City may terminate the customer's utility service.</p> <p><u>(H)</u> If the City does not agree to a customer's second or later request to C12reschedule, <u>the City shall not reschedule the administrative hearing and the hearings officer</u> shall issue a decision on the merits.</p> <p>(I) The hearings officer may deliver an oral decision at the close of a hearing and shall deliver a written decision not later than:</p> <p>(1) the 10th day after the close of the hearing; or</p> <p>(2) if the hearings officer requests additional information from the parties, a date agreed to by the parties.</p>	<p>Changed words like person and appellant to customer.</p> <p>Rearranged and rewrote some of the language.</p>
15-9-194 Results of Hearings	<p>(A) If a hearings officer rules against a customer, the hearings officer's decision shall include:</p> <p>(1) the actions to be taken by the customer to continue utility service; and</p> <p>(2) a deadline for performance by the customer that is consistent with requirements of this chapter.</p> <p>(B) If a hearings officer rules completely or partly in favor of a customer, the hearings officer's decision shall include:</p> <p>(1) the actions to be taken by the City and the customer to continue or reconnect utility service; and</p> <p>(2) deadlines for performance by the City and the customer that are consistent with the requirements of this chapter.</p> <p>(C) A hearings officer may not base the officer's decision on a judicial decision from a case to which the City was not a party.</p>	<p>(A) If a hearings officer rules against a customer, the hearings officer's decision shall include:</p> <p>(1) the actions to be taken by the customer to continue utility service; and</p> <p>(2) a deadline for performance by the customer that is consistent with <u>the deferred payment agreement policies of the utility and</u> the requirements of this chapter.</p> <p>(B) If a hearings officer rules completely or partly in favor of a customer, the hearings officer's decision shall include:</p> <p>(1) the actions to be taken by the City and the customer to continue or reconnect utility service; and</p> <p>(2) deadlines for performance by the City and the customer that are consistent with <u>the deferred payment agreement policies of the utility and</u> the requirements of this chapter.</p> <p>(C) A hearings officer <u>shall</u> not base the officer's decision on a judicial decision from a case to which the City was not a party.</p>	<p>Added words in bold and underlined for further clarification</p>

Section	Current Text	Proposed Text	Changes
<p>15-9-195 Continuity Of Service During Appeal</p>	<p>(A) Before a hearing under this article, the City shall continue to provide a customer with utility service, unless:</p> <ul style="list-style-type: none"> (1) the service was disconnected before the customer requested a hearing; (2) the customer fails to pay an invoice for utility services provided after a hearing was requested; (3) the customer's service is transferred; or (4) termination is required to protect public health and safety. <p>(B) If a customer's utility service is disconnected before the customer requested a hearing, the City shall reconnect utility service if the customer pays the fees authorized in the rate schedule. The City shall refund the reconnection fee if the hearings officer rules in favor of the customer.</p>	<p>(A) Before a hearing under this article, the City shall continue to provide a customer with utility service, unless:</p> <ul style="list-style-type: none"> (1) the service was disconnected before the customer requested a hearing; (2) the customer fails to pay an invoice for utility services provided after a hearing was requested; (3) the customer's service is transferred; or (4) termination is required to protect public health and safety. <p>(B) If a customer's utility service is disconnected before the customer requested a hearing, the City shall reconnect utility service <u>after</u> the customer pays <u>all amounts owed for utility service less the amount disputed in the requested hearing.</u></p>	<p>Added words in bold and underlined for further clarification</p>
<p>15-9-195 Continuity Of Service During Appeal</p>	<p>(C) The City may not continue or reconnect utility service if the connection:</p> <ul style="list-style-type: none"> (1) allows utility service diversion; (2) creates a dangerous condition; (3) allows an unlawful use of service; (4) allows unauthorized remetering; sub-metering, or resale of utility service; or (5) violates Title 25 (<i>Land Development Code</i>) of the Code or a City ordinance relating to the utility service. 	<p>(C) The City may not continue or reconnect utility service if the connection:</p> <ul style="list-style-type: none"> (1) allows utility service diversion; (2) creates a dangerous condition; (3) allows an unlawful use of service; (4) allows unauthorized remetering; sub-metering, or resale of utility service; or (5) violates Title 25 (<i>Land Development Code</i>) of the Code or a City ordinance relating to the utility service. 	<p>No changes</p>

City Code Chapter 15-9, Article 12. Administrative Review and Hearing.
Staff recommends this section be repealed and replaced with new language contained in the draft ordinance.

ARTICLE 12. ADMINISTRATIVE REVIEW AND HEARING.

§ 15-9-191 ADMINISTRATIVE REVIEW.

(A) Except as provided in Subsections (B) and (C), before requesting an administrative hearing, a person who disputes an action, policy, decision, or invoice relating to utility service shall contact the director of the utility providing the service and request an administrative review.

(B) Before requesting an administrative hearing, a customer who disputes an action, policy, or application related to the drainage fee or the transportation user fee may request an administrative review from the fee administrator at the Watershed Protection and Development Review Department as authorized by [Chapters 14-10](#) (*Transportation User Fee*) or [15-2](#) (*Drainage Utility*) of the Code. If requested by a customer, the fee administrator shall provide a customer with a copy of the department's Appeals Rules and Procedures.

(C) A customer who disputes an action, policy, or decision by a utility related to compliance with [Title 25](#) (*Land Development Code*) or [Title 30](#) (*Austin/Travis County Subdivision Regulations*) of the Code shall follow the procedures prescribed in the applicable title.

(D) A request for administrative review under this section shall include:

- (1) the utility service involved;
- (2) the reason for the dispute; and
- (3) if applicable, the disputed amount.

(E) The director of a utility or the fee administrator shall attempt to resolve the customer's dispute. If the director of a utility or the fee administrator cannot resolve the dispute through an administrative review, the director or fee administrator shall:

- (1) inform the customer that the customer may request an administrative hearing; and
- (2) provide the customer with instructions on how to request an administrative hearing.

§ 15-9-192 RESTRICTION ON ADMINISTRATIVE HEARING.

A person may not request an administrative hearing if:

- (1) the person did not request and receive an administrative review;
- (2) the customer did not request an administrative hearing on or before the 90th day after the customer knew or should have known about the subject of the dispute; or
- (3) the person is disputing:
 - (a) the terms or denial of a deferred payment agreement;
 - (b) the customer's financial inability to pay for utility services provided by the City;
 - (c) the rate schedule;
 - (d) the occurrence of a utility service diversion, unlawful use of service, damage to City utility equipment, unauthorized sale of utility service, or violation of law;
 - (e) the amount of undercharged costs or charges assessed for a utility service diversion, unlawful use of service, or damage to City equipment;

- (f) unexplained high utility consumption if a meter has been tested and is determined to be accurate;
- (g) denial or discontinuance of utility service based on a danger to public health or safety;
- (h) a matter subject to a court decision; or
- (i) the application or amount of a credit security deposit.

§ 15-9-193 ADMINISTRATIVE HEARING.

(A) A hearing under this article shall be held by a hearings officer appointed by the city manager. A hearings officer may not be an employee of a utility.

(B) A person may appeal an administrative review by filing a written appeal on or before the deadline established in the City's instructions.

(C) Not later than the third day before the date of an administrative hearing, the director of a utility or the fee administrator of the Watershed Protection and Development Review Department shall provide an appellant with notice of the time, date, and location of the hearing either in person, by telephone, by confirmed facsimile transmission, or by mail to the person's last known address. The City and the appellant may agree to the date and time of an administrative hearing.

(D) Except as provided in Subsection (E), if an appellant fails to appear at an administrative hearing, the hearings officer may enter a default judgment against the appellant.

(E) The City and the appellant may agree to waive appearance at an administrative hearing and submit the dispute to the hearings officer in writing.

(F) The appellant may appear in person and may be represented by counsel. If an appellant is represented by counsel, the appellant must notify the City on or before the second day before the hearing. If the City does not receive notice under this subsection, the City may reschedule the administrative hearing.

(G) The customer may make one request to reschedule an administrative hearing before the City reinstates utility service termination procedures for a period not to exceed 30 days from the date of the original hearing. The City may agree to the date and time of a hearing rescheduled under this subsection on a date after the 30th day after the date of the original hearing. If a customer makes a second request to reschedule an administrative hearing, the City may terminate the customer's utility service.

(H) If the City does not agree to a customer's second or later request to reschedule, the hearings officer may not reschedule an administrative hearing and shall issue a decision on the merits.

(I) The hearings officer may deliver an oral decision at the close of a hearing and shall deliver a written decision not later than:

- (1) the 10th day after the close of the hearing; or
- (2) if the hearings officer requests additional information from the parties, a date agreed to by the parties.

§ 15-9-194 RESULTS OF HEARINGS.

(A) If a hearings officer rules against a customer, the hearings officer's decision shall include:

- (1) the actions to be taken by the customer to continue utility service; and
- (2) a deadline for performance by the customer that is consistent with the requirements of this chapter.

(B) If a hearings officer rules completely or partly in favor of a customer, the hearings officer's decision shall include:

(1) the actions to be taken by the City and the customer to continue or reconnect utility service; and

(2) deadlines for performance by the City and the customer that are consistent with the requirements of this chapter.

(C) A hearings officer may not base the officer's decision on a judicial decision from a case to which the City was not a party.

§ 15-9-195 CONTINUITY OF SERVICE DURING APPEAL.

(A) Before a hearing under this article, the City shall continue to provide a customer with utility service, unless:

(1) the service was disconnected before the customer requested a hearing;

(2) the customer fails to pay an invoice for utility services provided after a hearing was requested;

(3) the customer's service is transferred; or

(4) termination is required to protect public health and safety.

(B) If a customer's utility service is disconnected before the customer requested a hearing, the City shall reconnect utility service if the customer pays the fees authorized in the rate schedule. The City shall refund the reconnection fee if the hearings officer rules in favor of the customer.

(C) The City may not continue or reconnect utility service if the connection:

(1) allows utility service diversion;

(2) creates a dangerous condition;

(3) allows an unlawful use of service;

(4) allows unauthorized remetering, sub-metering, or resale of utility service; or

(5) violates [Title 25](#) (*Land Development Code*) of the Code or a City ordinance relating to the utility service.



Recommendation for Council Action (Purchasing)

Austin City Council	Item ID:	25246	Agenda Number	
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Meeting Date:	June 27, 2013
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Department:	Purchasing
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Subject

Authorize award, negotiation and execution of a ten-year requirements service contract with LANDIS + GYR for utility automated meter infrastructure (AMI) services for Austin Energy in an amount not to exceed \$60,102,752.

Amount and Source of Funding

Funding is available in the Fiscal Year 2012-2013 Operating Budget of Austin Energy. Funding for future years is contingent upon available funding in future budgets.

Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

Purchasing Language:	Sole Source.
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Prior Council Action:	
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For More Information:	Art Acuña, Senior Buyer/512-322-6307
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Boards and Commission Action:	June 17, 2013 - To be reviewed by Electric Utility Commission.
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MBE / WBE:	This will be awarded in compliance with City Code MBE/WBE Ordinance Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.
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Related Items:	
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Additional Backup Information

This service contract with LANDIS + GYR (L+G), Alpharetta, GA, is for automated metering infrastructure (AMI) services. These services are used by Austin Energy (AE) to capture automated meter-read services data, acquire and manage advanced meter data for high-end user services, and support customer services including billing and collections.

The relationship began between AE and a firm subsequently acquired by L+G on April 22, 2002, when AE entered into a contract for one-way automated meter reading services for approximately a third of our service territory. These services have been enhanced as well as expanded system wide since that time, migrating from a strict one-way

network, to a blended one-way/two-way network and meter population.

This replacement contract for continuation of these services will provide full two-way automated metering infrastructure services. The contractor will provide daily meter reading data for use in billing residential and commercial customers for electricity consumption. In addition, L+G will provide meter diagnostic data to be used as the basis for several AE customer service driven programs including supervisory control and data acquisition (SCADA) for distribution automation and management, outage and restoration management support, remote service connection and disconnection, real time and historical meter read data, theft and diversion protection, meter maintenance, and other related activities.

Due to the proprietary nature of the L+G technology already in use by AE throughout its service territory and through each of its approximately 428,000 smart meters, this contract will be executed as a Sole Source contract because the manufacturer of this technology has no distributors or service providers that are authorized to provide these services.

The proprietary services provided by L+G, enable AE to perform critical meter operational control functions of AMI devices required by the billing system, fully leverage advanced distribution management, and provide for utility customer service management. Without the ability to utilize the AMI services, AE would be required to manually gathering basic meter read data (physical examination of meters and their electrical usage) and to abandon or replace existing system functionality for customer billing and service and smart grid.



Recommendation for Council Action (Purchasing)

Austin City Council

Item ID:

25247

Agenda Number

Meeting Date:

June 27, 2013

Department:

Purchasing

Subject

Authorize award and execution of a 12-month requirements service contract through the Texas Multiple Award Schedule (TXMAS) with JOHNSON CONTROLS, INC. for preventative and corrective maintenance services and upgrades on 17 chillers in an amount not to exceed \$415,774, with one 60-month extension option in an amount not to exceed \$2,168,721, for a total contract amount not to exceed \$2,584,495.

Amount and Source of Funding

Funding in the amount of \$131,914.49 is available in the Fiscal Year 2012-2013 Operating Budget for Austin Energy and \$100,000 is available in the Fiscal Year 2012-2013 Capital Budget of Austin Energy. Funding for the remaining nine months and extension options is contingent upon available funding in future budgets.

Fiscal Note

A fiscal note is attached.

Purchasing Language:

Cooperative Purchase.

Prior Council Action:

For More Information:

Oralia Jones, Senior Buyer/322-6594

Boards and Commission Action:

June 17, 2013 - To be reviewed by the Electric Utility Commission.

MBE / WBE:

This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

Related Items:

Additional Backup Information

This contract will provide for the preventative and corrective maintenance and improvements and upgrades on 17 Austin Energy chillers located at Paul Robbins District Cooling Plant, District Cooling Plant 2, and the Domain District Cooling Plant. The contractor will perform operational inspections and preventative maintenance on the chillers. A detailed inspection of the compressor-motor assemblies, compressor oil systems, control panels, condensers, water flow, switch operation, and refrigerant levels will be conducted on an annual basis, and include written reports for each system. In addition to preventative maintenance, this contract will provide corrective maintenance for needed repairs.

Furthermore, this contract will allow Austin Energy's On-Site Energy Resources staff to enhance the operating efficiency of the chillers by directing the contractor to implement improvements and upgrades. These specific services are estimated at \$300,000 annually. The annual preventative maintenance services will cost \$115,774 for the first year with annual average increases of 4.75%. All of these services will ensure Austin Energy's ability to provide uninterrupted chilled water service to customers, as required by service agreements, and protect its investment in the chiller equipment.

Johnson Controls is under contract through TXMAS to provide these services to other public entities state-wide. The cooperative purchasing program is coordinated by the State of Texas Comptroller of Public Accounts, and allows the City to use TXMAS contracts that have been developed from contracts that were competitively bid and awarded by the General Services Administration Federal Supply.

draft



Recommendation for Council Action

Austin City Council	Item ID	25260	Agenda Number	
Meeting Date:	6/27/2013		Department:	Austin Energy
Subject				
<p>Approve an ordinance authorizing the negotiation and execution of a Developer Participation Agreement with Seaholm Power, LLC, for construction of chilled water utilities to serve several facilities in the Seaholm Development District, in an amount not to exceed \$3,400,000.</p>				
Amount and Source of Funding				
<p>Funding is available in the Fiscal Year 2012-2013 Capital Budget of Austin Energy.</p>				
Fiscal Note				
<p>A fiscal note is required.</p>				
Purchasing Language:				
Prior Council Action:	December 6, 2012 – Authorized reimbursement to Seaholm Power, LLC, for design and engineering services for chilled water lines and a mechanical room necessary for chilled water service connections.			
For More Information:	Jeff Vice (512) 322-6087, Jim Collins (512) 322-6426.			
Boards and Commission Action:	To be reviewed by the Electric Utility Commission on June 17, 2013.			
MBE / WBE:	This contract will be awarded in compliance with the City of Austin Third Party Resolution No. 20120112-058.			
Related Items:				
Additional Backup Information				
<p>Austin Energy seeks authorization to negotiate and execute a Developer Participation Agreement with Seaholm Power, LLC, for reimbursement of construction costs associated with the installation of chilled water lines to serve several facilities in the Seaholm Development District, in an amount not to exceed \$3,400,000. The proposed agreement, pursuant to Section 212.071 of the Texas Government Code, includes the installation of transmission and distribution lines and mechanical room equipment necessary to deliver chilled water services to the former Seaholm Power Plant facility and a high-rise project. The transmission line constructed under this agreement will be part of a larger line that will eventually serve the new Central Library and, possibly, development on the Green Water Treatment Site.</p> <p>Austin Energy would recover design and construction costs for service connections over time as part of a chilled water service agreement with Seaholm Power, LLC. In addition, Austin Energy expects to reduce costs and avoid delays through use of the proposed agreement which allows the developer's General Contractor to install chilled water lines in concurrence with other construction work at the site.</p>				

On December 6, 2012, City Council authorized reimbursement of \$210,840 to Seaholm Power, LLC, for design and engineering services for the installation of these chilled water lines and the mechanical room. Austin Energy will be responsible for the installation of piping, heat exchangers and controls for the mechanical room.

Connection of new customers to Austin Energy's District Cooling (chilled water) system increases the potential electrical peak demand shift capability of the downtown system as well as increases gross revenue and profitability.

draft

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE NEGOTIATION AND EXECUTION OF A DEVELOPER PARTICIPATION AGREEMENT WITH SEAHOLM L/R, LLC, FOR COST PARTICIPATION IN THE CONSTRUCTION OF AUSTIN ENERGY CHILLED WATER SYSTEM INFRASTRUCTURE AND SERVICE IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$3,400,000.00.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1.

- (A) Seaholm, L/R, LLC, (“Seaholm”) is currently constructing a mixed use project on and adjacent to the site of the City’s former Seaholm Power Plant (the “Project”).
- (B) Seaholm has offered, through a Community Facilities Agreement, to participate in the construction of certain Austin Energy chilled water infrastructure in connection with providing chilled water service to a portion of the Project.
- (C) Pursuant to the authority of Section 212.071, et seq., of the Texas Local Government Code, the City desires to participate in modifying and oversizing the scale, scope, and size of the chilled water construction to include transmission line improvements necessary to serve the Project and extend the chilled water system to anticipate other future development in the area.
- (D) The City Council previously approved funding for the design of the chilled water improvements in the amount of \$210,840.00.
- (E) Seaholm will provide for the bidding of the chilled water improvements described herein (the “Improvements”) through its construction manager and construct the improvements for a not-to-be-exceeded cost of \$3,400,000.00.
- (F) The City will reimburse Seaholm for its costs of constructing the improvements and Seaholm will, over time, reimburse the City for the cost of the chilled water infrastructure providing service to a portion of the Project through its chilled water service agreement charges.

(G) Participating in the construction and costs of the improvements will serve the public interest by providing for the expedited improvement of a section of the chilled water system infrastructure and the installation of distribution lines and building service improvements at a significant saving of City funds and resources.

PART 2. The Council authorizes the City Manager or his designee to negotiate and execute a Community Facilities Agreement with Seaholm in accordance with the findings set forth above.

PART 3. This ordinance takes effect on _____, 2013.

PASSED AND APPROVED

June 27, 2013

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Lee Leffingwell
Mayor

APPROVED: _____

Karen M. Kennard
City Attorney

ATTEST: _____

Jannette S. Goodall
City Clerk



Recommendation for Council Action (Purchasing)

Austin City Council	Item ID:	25111	Agenda Number	
Meeting Date:	June 20, 2013			
Department:	Purchasing			
Subject				
<p>Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with PHILPOTT MOTORS, LTD., for the purchase of 38 medium-duty vehicles in an amount not to exceed \$2,103,767.81.</p>				
Amount and Source of Funding				
<p>Funding in the amount of \$46,613.60 is available in the Fiscal Year 2012-2013 Capital Budget of the Aviation Department. Funding in the amount of \$511,022.70 is available in the Fiscal Year 2012-2013 Capital Budget of Austin Energy. Funding in the amount of \$165,121.60 is available in the Fiscal Year 2012-2013 Capital Budget of Austin Resource Recovery Department. Funding in the amount of \$156,921.40 is available in the Fiscal Year 2012-2013 Capital Budget of Austin Water Utility. Funding in the amount of \$96,446.80 is available in the Fiscal Year 2012-2013 Operating Budget of the Building Services Department. Funding in the amount of \$429,299.67 is available in the Fiscal Year 2012-2013 Capital Budget of the Public Works Department. Funding in the amount of \$71,596.00 is available in the Fiscal Year 2012-2013 Capital Budget of Transportation Department. Funding in the amount of \$217,690.57 is available in the Fiscal Year 2012-2013 Capital Budget of the Watershed Protection Department. Funding in the amount of \$409,055.47 is available in the Fiscal Year 2012-2013 Operating Budget of the Vehicle Acquisition Fund.</p>				
Fiscal Note				
A fiscal note is required.				
Purchasing Language:	Cooperative Purchase.			
Prior Council Action:				
For More Information:	Jeff Dilbert, 974-2021			
Boards and Commission Action:	To be reviewed by the Water and Wastewater Commission on June 12, 2013; Zero Waste Advisory Commission June 12, 2013; and the Electric Utility Commission on June 17, 2013.			
MBE / WBE:	This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.			
Related Items:				
Additional Backup Information				

This contract is for the purchase of seven new and 31 replacement medium-duty vehicles to be distributed among Austin Energy, Austin Fire Department, Library Department, Austin Resource Recovery, Austin Water Utility, Aviation Department, Building Services Department, Fleet Services, Parks and Recreation Department, Public Works Department, Transportation Department, and the Watershed Protection Department.

Included in this purchase are the following vehicles:

Austin Energy

- 7 Ford F450 Regular Cab Service Truck– Replacement
- 1 Ford F350 Regular Cab 4x4 - Replacement

Austin Water Utility

- 2 Ford F550 Extended Cab Service Truck - Replacement

Aviation

- 1 Ford F350 Crew Cab Service Truck – Replacement

Austin Resource Recovery

- 4 Ford F450 Regular Cab Platform Truck – 1 New, 3 Replacement

Building Services

- 2 Ford F350 Extended Cab Service Truck – New
- 1 Ford F350 Extended Cab Service Truck – Replacement

Fire

- 1 Ford F550 Regular-Remount Body – Replacement

Fleet Services

- 1 Ford F350 Extended Cab Pickup – Replacement
- 1 Ford F550 Extended Cab Service Truck – Replacement

Library

- 1 Ford F350 Regular Cab Service Truck – Replacement

Parks and Recreation

- 1 Ford F450 Crew Cab 2-yd Dump Bed – Replacement
- 1 Ford F450 Extended Cab 2-yd Dump Bed – Replacement
- 1 Ford F350 Extended Cab Service Truck – Replacement

Public Works

- 2 Ford F550 Crew Cab 2-yd Dump Bed - New

Transportation

- 3 Ford F450 Extended Cab Service Truck– Replacement
- 1 Ford F250 Extended Cab Service Truck– Replacement
- 1 Ford F550 Crew Cab Platform Truck – New
- 2 Ford Focus 5-Door Hatchback – Electric - Replacement

Watershed Protection

- 1 Ford F450 Crew Cab 2-yd Dump Bed – Replacement
- 1 Ford F450 Crew Cab 2-yd Dump Bed – New
- 1 Ford F450 Crew Cab Service Truck – Replacement
- 1 Ford F450 Extended Cab Platform Truck – Replacement

Fleet Services and the Office of Sustainability have worked together to develop a vehicle/equipment purchasing process to progress towards our citywide objective of obtaining carbon neutrality by 2020. The purchasing criteria incorporate criteria pollutant and greenhouse gas emissions impact, available technologies on the market, physical

demands on the vehicle/equipment, service application, and life-cycle cost. These criteria are applied to all vehicle/equipment purchase requests submitted to Fleet and all of vehicles/equipment purchased in this request are alternative fueled.

Thirty-four of these vehicles/equipment are powered with engines capable of operating on B20 biodiesel (20% biodiesel blended with 80% petro-diesel). The B20 biodiesel that the City of Austin currently purchases is Texas Low Emission Diesel (TXLED) Program compliant, ultra-low sulfur diesel, with the Texas Commission on Environmental Quality (TCEQ) approved Kern JC-747 additive. A new technology vehicle/equipment operating on B20 produces at least 10% less particulate matter, at least 10% less carbon monoxide, and at least 10% less unburned hydrocarbons from running on petro-diesel, while also reducing life cycle greenhouse gas emission by at least 15%.

Two of these vehicles are electrically powered. Electric vehicles contribute to the City's goal of making its vehicle fleet carbon-neutral by 2020. They emit zero tailpipe emissions. In addition, electric vehicles charged on the Austin Energy Plug-in EVerywhere™ network are powered using GreenChoice® (100% renewable energy) power, eliminating criteria air pollutant and greenhouse gas emissions.

Two of these vehicles are flex fuel vehicles that are capable of operating on gasoline (typically 6-10% ethanol) up to E85 (85% ethanol blended with 15% gasoline). A new-technology flex fuel vehicles operating on E85 produces tailpipe NOx, carbon monoxide, and non-methane hydrocarbon levels no different from running on gasoline while also reducing life cycle greenhouse gas emissions by at least 20%.

The vehicles/equipment in this RCA have been recommended for purchase utilizing a process that involves the Fleet Officer, affected Department Directors, and Assistant City Managers (ACMs). ACM approval is required for all new additions to the City's fleet prior to any requests being made to the Purchasing Office.

Departments reviewed the list of vehicles/equipment determined eligible for replacement by Fleet Services based on mileage, hours of use, and maintenance costs. From that list, priority uses were determined within the departments, and the proposed vehicles/equipment were reviewed by the Fleet Service Center Manager to ensure the specified vehicle/equipment is appropriate for the use.

All of the replacement vehicles/equipment have met the Fleet Officer's eligibility criteria for replacement. The Fleet Service Center Managers have inspected each vehicle/equipment to be replaced, and determined that the mileage or hours of use of each vehicle/equipment proposed for replacement cannot be increased without risking a significant increase in repair costs and loss of productivity due to down time.

PHILPOTT MOTORS, LTD is contracted through BuyBoard to supply these types of vehicle/equipment to other public entities statewide as a result of a competitive bidding process. Utilizing these cooperative contracts provides for volume discount pricing as well as the earliest opportunity to place the City's vehicle/equipment orders.



Recommendation for Council Action (Purchasing)

Austin City Council	Item ID:	25241	Agenda Number	
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Meeting Date:	June 27, 2013
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Department:	Purchasing
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Subject

Authorize award and execution of a 24-month requirements service contract for delivery services through Texas Procurement and Support Services with FEDERAL EXPRESS CORPORATION, in an amount not to exceed \$280,320, with three 12-month extension in an amount not to exceed \$140,160 per extension period, for a total contract amount not to exceed \$700,800.

Amount and Source of Funding

Funding in the amount of \$35,040 is available in the Fiscal Year 2012-2013 Operating Budget of various City departments. Funding for the remaining 21 months of the original contract period and extension options is contingent upon available funding in future budgets.

Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

Purchasing Language:	Cooperative Purchase
Prior Council Action:	
For More Information:	Terry Nicholson, Sr. Buyer, 512-322-6586
Boards and Commission Action:	
MBE / WBE:	This contract will be awarded in compliance with City Code Chapter 2-9C (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.
Related Items:	

Additional Backup Information

This contract is for the purchase of Overnight, Second Day, and Ground delivery services from Federal Express Corporation, through TPASS (Texas Procurement and Support Services). If during the term of the contract, the City needs to purchase these delivery services from a cooperative purchasing organization other than the TPASS cooperative, Staff will return to Council so that Council may authorize a contract with that cooperative purchasing organization.

This contract will provide for overnight and second day air and ground delivery services at fixed prices determined by weight and ship-to location for various City departments on an as needed basis. City departments will have the

flexibility to utilize delivery services from Federal Express that best meet the immediate requirement for delivery of letters, packages, boxes, and tubes, based upon the geographic destination, delivery method, and item weight for each mailing.

Federal Express Corporation, Memphis, TN, is under contract through TPASS to provide these services to any Texas State agency, university or Texas Cooperative Purchasing members as a result of a competitive bidding process. Utilizing the TPASS contract provides for volume discount pricing as well as quicker delivery services.

FedEx - Annual usage estimates by Department are listed below:

Department Name	Dept	Amount
AE	1100	\$ 30,000.00
ARR	1500	\$ 1,000.00
Code Enforcement	1600	\$ 2,000.00
AWU	2200	\$ 29,000.00
ATD	2400	\$ 1,500.00
Office of Real Estate	4300	\$ 550.00
Economic Development	4500	\$ 7,000.00
Municipal Court	4600	\$ 150.00
CTM	5600	\$ 800.00
Law	5700	\$ 1,000.00
HRD	5800	\$ 7,000.00
Public Works	6000	\$ 10,000.00
PW Street and Bridge	6200	\$ 1,000.00
WPD	6300	\$ 2,000.00
CMD	6500	\$ 1,000.00
OCA	7100	\$ 200.00
NHCD	7200	\$ 200.00
FSD-Controller's	7400	\$ 500.00
FSD-Purchasing	7400	\$ 200.00
BSD	7500	\$ 1,000.00
Fleet	7800	\$ 15,000.00
Aviation	8100	\$ 5,000.00
ACCD	8200	\$ 1,000.00
AFD	8300	\$ 11,000.00
APL	8500	\$ 2,500.00
PARD	8600	\$ 3,000.00
APD	8700	\$ 6,360.00
EMS	9300	\$ 200.00
Total		\$ 140,160.00