

**PUBLIC WORKS DEPARTMENT**  
**MEMORANDUM #2010 – 70**

**DATE:** December 16, 2010

**TO:** Honorable Mayor Joyce Downing and City Council Members

**FROM:** William A. Simmons, City Manager *WAS*  
David H. Willett, P.E., Director of Public Works *DHW*  
Amanda J. Peterson, Director of Parks, Recreation and Cultural Services *ajp*  
Amy Ward, P.E., Civil Engineer II

**SUBJECT:** CR-172-Amendment to the Energy Performance Contracting through the Governor's Energy Office

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**BACKGROUND:** The City Council approved a Memorandum of Understanding (MOU) with the Governor's Energy Office (GEO) to participate in the Energy Performance Contracting Program in 2009. On January 28, 2010, City Council approved a contract with Johnson Controls, Inc. to prepare a Technical Energy Audit, the preliminary stage of the Energy Performance Contracting. The Technical Energy Audit included City Hall, the Recreation Center, the Water Treatment Plant and the Wastewater Treatment Plant.

Johnson Controls has completed the evaluation for all four facilities, and is preparing a presentation for City Council to review and discuss the recommendations. The contract with Johnson Control terminates at the end of the year. Staff is recommending extending the contract until May 30, 2011 to allow for Johnson Controls to present the information to City Council with additional time allowed should City Council choose to proceed forward with the performance contracting stage of the program. The presentation has been tentatively scheduled for the Study Session on February 17, 2011.

**BUDGET/TIME IMPLICATIONS:** There will be no impacts to the budget with the approval of the attached Resolution. This contract amendment only extends the ending date of the contract from December 31, 2010 to May 30, 2011.

**RECOMMENDATION:** Attached to this memorandum is a Council Resolution which, if approved would authorize the Mayor to execute an amendment to the contract between the City of Northglenn and Johnson Controls, Inc. (Johnson Controls) extending the contract time for the Technical Energy Audit. Staff recommends approval of the proposed resolution.

**STAFF REFERENCE:**

David H. Willett, P.E., Director of Public Works  
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SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-172  
Series of 2010

\_\_\_\_\_  
Series of 2010

A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE CONTRACT BETWEEN THE CITY OF NORTHGLENN AND JOHNSON CONTROLS, INC. FOR A TECHNICAL ENERGY AUDIT AND PROJECT PROPOSAL FOR THE RECREATION CENTER, CITY HALL, THE WASTEWATER TREATMENT FACILITY AND THE WATER TREATMENT FACILITY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Amendment No. 1 to the Contract between the City of Northglenn and Johnson Controls, Inc., attached hereto as **Exhibit A**, for a technical energy audit and project proposal for the Governor's Energy Office Performance Contracting Program is hereby approved and the Mayor is authorized to execute same on behalf of the City.

DATED at Northglenn, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney

## Amendment 1 Technical Energy Audit Scope Change

### 1.0 PURPOSE OF AMENDMENT

This Amendment to the Technical Energy Audit and Project Development Contract dated January 28, 2010 provides for the extension of the contract schedule for delivery of the Draft/Final Technical Energy Audit and Project Proposal.

### 2.0 ADJUSTMENT TO CONTRACT SUM

The Contract Sum shall be unchanged for this Amendment as detailed below:

1. ADD	\$0
2. DEDUCT	(\$0)
<b>TOTAL ADJUSTMENT FOR THIS AMENDMENT:</b>	<b>\$0</b>

CURRENT CONTRACT SUM	\$21,665
<b>ADJUSTED CONTRACT SUM FOR THIS AMENDMENT</b>	<b>\$21,665</b>

### 3.0 ADJUSTMENT TO CONTRACT SCHEDULE

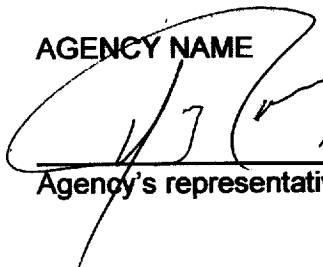
The due dates for deliverables under the original Contract shall be adjusted as follows:

Existing Due Date:	December 31, 2010
Revised Due Date:	May 31, 2011

### 4.0 SIGNATURES

In witness thereof, the parties to the Energy Performance Contract, either personally or through their duly authorized representatives, have executed this Amendment on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Amendment.

AGENCY NAME

 / Sales Manager  
 \_\_\_\_\_  
 Agency's representative/title

12/3/10  
 \_\_\_\_\_  
 Date

ENERGY SERVICE COMPANY (ESCO)

\_\_\_\_\_  
 ESCO's representative/title

\_\_\_\_\_  
 Date