

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL**

AN ORDINANCE

**AUTHORIZING THE EXECUTION OF A MASTER SERVICES
AGREEMENT WITH GS SOLAR, LLC D/B/A BIG SUN SOLAR, FOR THE
DESIGN AND INSTALLATION OF MUNICIPAL ON-SITE SOLAR
PHOTOVOLTAIC (PV) SYSTEMS IN THE AMOUNT OF \$30,772,879.00
WITH AN OPTION FOR SUPPLEMENTAL \$10,000,000.00 FOR
ADDITIONAL SOLAR PROJECTS AND TO PROVIDE THE SERVICING
OVER THE LIFE OF THE PROJECT**

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WHEREAS, in 2019, the City of San Antonio (CoSA) adopted SA Climate Ready, its first Climate Action & Adaptation Plan (CAAP). In the CAAP, CoSA maps out an equitable pathway to achieving net carbon neutrality by 2050, prioritizing clean air, public health, water quality, water conservation, good jobs, transportation options, clean and secure energy, and emergency preparedness; and

WHEREAS, SA Climate Ready identifies the reduction of building energy consumption as a driver for achieving our community's climate goals, noting that 48% of San Antonio's greenhouse gas (GHG) emissions come from buildings and over half of that energy use (27%) is attributed to commercial and industrial buildings specifically.; and

WHEREAS, to reach the goal of carbon neutrality by 2050, emissions contributed by the building energy sector must be reduced 41% by 2030 and 74% by 2040. The production and procurement of renewable energy such as solar is a key strategy to meeting this goal; and

WHEREAS, On August 22, 2022, the City released the Municipal On-site Solar Request for Proposal (RFP 22-075), soliciting proposals from qualified solar photovoltaic (PV) providers to design, engineer, build, operate, maintain, and decommission a turn-key installation of multiple rooftop parking and park canopy solar PV projects at more than eighty municipal sites; and

WHEREAS, this RFP was a two-phased process. Proposals for the first phase were due on October 17, 2022, and following a review of Phase 1 proposals, the number of sites were reduced to forty-two (42) municipal facilities for Phase 2 proposals that would deliver a target amount of 13.06 MW. Proposals were received and deemed eligible for review. The evaluation committee met to review and discuss responses on November 9, 2022. GS Solar, LLC d/b/a Big Sun Solar, a local business, was selected as most qualified vendor and the Audit and Accountability Committee received a post solicitation briefing on September 12, 2023; and

WHEREAS, this ordinance authorizes the execution of a Master Services Agreement with BG Solar, LLC d/b/a Big Sun Solar, in the amount of \$30,772,879.00 to provide and install roof top parking and park canopy solar PV systems at 42 municipal facilities to deliver a target of 13.06 MW with a supplemental \$10,000,000.00 for additional solar projects and provide for the servicing

of the projects over the projected 25-year life span. Exhibit A of the Master Services Agreement sets out a Statement of Work that will be executed for each individual project establishing the location and cost. Exhibit B sets out the Operation and Maintenance Agreement to be executed with the Master Services Agreement for the services provided over the life of the project. Such costs will be billed and paid quarterly; and

WHEREAS, these projects align with the city's CAAP goal of being carbon neutral by 2050. As a result of the installation of these solar systems, it is estimated that the annual utility savings from these 42 projects is \$1.8 Million. These savings will be used to fund the operations and maintenance of the solar PV systems and the principal and interest payment on the debt issued for this project; and

WHEREAS, there are available State Energy Conservation Office (SECO) Loans and Clean Energy Tax Credits which are available to help fund this project; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. BG Solar, LLC d/b/a Big Sun Solar, is hereby selected to provide services in relation to the "Municipal On-site Solar Request for Proposal" (RFP 22-075) for the City of San Antonio as the most qualified respondent to the Request for Proposals.

SECTION 2. The City Manager, or his designee, may execute the Master Services Agreement with BG Solar, LLC d/b/a Big Sun Solar, for a term of five years, with the option for the City to extend the contract for one additional two-year term under the same terms and conditions along with the Exhibit A – Statement of Work, that will be executed for each project, and Exhibit B – Operation & Maintenance Agreement. The initial term of the Agreement shall begin after approval by the City. The Master Services Agreement shall contain two exhibits which will be used in this project. A copy of the Agreement, in substantially final form, is attached and incorporated herein for all purposes as **Attachment I**. The execution authority granted by this ordinance shall expire 60 days from the effective date.

SECTION 3. The City Manager or his designee may apply for available State Energy Conservation Office (SECO) Loans and Clean Energy Tax Credits which are available to help fund this project.

SECTION 4. Funds in the amount of \$30,772,879.00 for this ordinance is funds are authorized to be appropriated in Fund 40099000, WBS element 80-xxxxx-xx-xx, and General Ledger 5201140 and amends the Fiscal Year 2024 Adopted Budget.

SECTION 5. Funding for the Operation and Maintenance Agreement in the amount of \$195,000.00 for this ordinance is available in Fund 11001009, Cost Center 8055070001 and General Ledger 5204050 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

SECTION 6. Additional funding is contingent upon City Council approval of the Fiscal Year 2025 and subsequent budgets that fall within the contract terms of this ordinance.

SECTION 7. Payment in the amount of \$30,772,879.00 is authorized to Big Sun Solar and should be encumbered with a purchase order or Statement of Work as set out in the Master Services Agreement.

SECTION 8. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 9. This ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this ____ day of November, 2023.

M A Y O R
RON NIRENBERG

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney