



Legislation Details (With Text)

**File #:** O-043-20      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 1/6/2020      **In control:** Public Service Department  
**On agenda:** 1/28/2020      **Final action:** 1/28/2020

**Title:** Authorizing the Mayor to enter into an Energy Conservation and Facilities Improvement Project contract with Leopardo Companies, Inc.; authorizing the expenditure of an amount not to exceed \$292,000 from the General Fund for the purpose of payment for the detailed engineering assessment component of the Project; authorizing the implementation of the guaranteed savings performance component of the project subject to the limitation that total Project costs shall not exceed the savings and additional revenue generated by the project’s improvements over the average life of such improvements; making certain findings with respect thereto; authorizing the expenditure of funds; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bullet Points, 2. Audio: Agenda Review 1/21/2020, 3. Audio: City Council January 28, 2020

Date	Ver.	Action By	Action	Result
1/28/2020	1	City Council		
1/28/2020	1	City Council		
1/28/2020	1	City Council		

DPS Energy Conservation and Facilities Improvement Project/Leopardo, Inc. \$292,000  
Department of Public Service  
Paul M. Rasmusson, Director (x7868)  
Revised

**Authorizing the Mayor to enter into an Energy Conservation and Facilities Improvement Project contract with Leopardo Companies, Inc.; authorizing the expenditure of an amount not to exceed \$292,000 from the General Fund for the purpose of payment for the detailed engineering assessment component of the Project; authorizing the implementation of the guaranteed savings performance component of the project subject to the limitation that total Project costs shall not exceed the savings and additional revenue generated by the project’s improvements over the average life of such improvements; making certain findings with respect thereto; authorizing the expenditure of funds; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The city owns and operates 137 buildings. An initial assessment of these buildings was completed, and it has been determined that a majority of these buildings are outdated, in part obsolete, and in need of significant repairs and improvements, including improvements that will generate significant operational and energy savings and efficiencies. Due to the large scope of the assessment and implementation of the Project and budgetary constraints, the city is unable to implement the project through the employment of direct labor. In March of 2019, the Department of Public Service published a request for proposals seeking to identify vendors who could assist the city in completing the upgrades while guaranteeing energy savings. Eight buildings were

selected for the initial Project based on their age, structure, and needs. After careful review and consideration of the responses received to the requests for proposal, the administration recommends entering into a Guaranteed Savings Performance Contract with Leopardo Companies, Inc.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$292,000
- The expenditure budget line item: 1001-26100-1147014STDSTD
- New revenue generated (operation of revenue, grants, if any): Energy savings
- Revenue budget line item if any: N/A
- Are funds budgeted in the current fiscal year (yes/no?): Yes
- Is this a capital project (yes/no?): Some components of the project will be capital
- If yes, is it new or existing (new/existing?): New
- What section of the City's Strategic Plan does this support;
  - Excellence and basic services: Yes
  - Quality community investment: Yes
  - Workplace culture and customer service: Yes
  - Environment (yes/no) Yes

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1 That City Council finds and determines that Leopardo Companies, Inc., has submitted the lowest and best Energy Conservation and Facilities Improvement Project proposal most likely to result in the greatest savings considering the costs of the Project and the city's ability to pay for the improvements and that it is in the best interest of the city for the Mayor and he is so authorized to enter into a contract with Leopardo Companies, Inc. for the detailed engineering assessment.

SECTION 2. That the amount not to exceed \$292,000 is authorized for expenditure from the General Fund, account code 1001-26100-1147014STDSTD for purposes of paying for the cost of the detailed engineering assessment component of the Guaranteed Savings Performance Project.

SECTION 3. That the Director of Finance is authorized to draw his warrant or warrants against the account code in Section 2 in the amount not to exceed \$292,000 and payment for the above authorized obligation upon presentation of proper voucher or vouchers.

SECTION 4. That the Mayor is further authorized, to enter into a Guaranteed Savings Performance Contract conditioned upon the receipt and review of the detailed engineering assessment showing and containing a guarantee from Leopardo Companies, Inc. that the total cost of the project shall not exceed the amount of savings generated by operational efficiencies and recoupment of lost revenues over the average life of the improvements. The contract shall contain additional terms and conditions subject to the approval of the Director of Public Service and the Director of Law.

SECTION 5. That subject to annual appropriations and satisfaction of the condition in Section 4, the expenditure of funds to pay for the project improvements, pursuant to a Guaranteed Savings Performance Contract, are authorized against approved appropriations for a period of years not to exceed the average life of the improvements or such lesser period as savings generated from the improvements will support.

SECTION 6. That this Ordinance is declared to be an emergency measure and shall take effect and be

in force from and after its passage. The reason for the emergency lies in the fact that the same is necessary for the immediate preservation of the public peace, health, safety, and property and for further reason that the Ordinance must be immediately effective in order to promptly complete the detailed engineering assessment component of the Energy Conservation and Facilities Improvement Project in anticipation of budgeting for future appropriations needed to realize project savings,

Vote on emergency clause: yeas 11 nays 0.

Passed: January 28, 2020, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

January 28, 2020  
Wade Kapszukiewicz  
Mayor