

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: 11/18/2014

ITEM SUMMARY, JUSTIFICATION and/or SPECIAL CONSIDERATIONS

Amendment of Award: Solon Corporation, headquarters at Tucson, AZ, Pimacore Contract MA 12000000000000000499 Version 10 to assign all contracted responsibilities, obligations, and rights from Solon to Sun Edison Origination1, LLC and to amend the Termination Fee Schedule and Purchase Option in the Solar Service Agreement (SSA). The award amount of \$8,192,844.00 remains unchanged. This amendment is only transferring \$4,642,883.00 of the award amount and there are no costs associated with this amendment. Fund: General Administering Department: Facilities Management

BACKGROUND

The initial award and establishment of a master agreement contract B505813 in the amount of \$1.00 was made by the County Administrator, executed by the Procurement Director on September 2, 2008. The award included and contemplated establishment of multiple and incremental solar facilities to provide electricity to Pima County operations. The initial contract was amended by the Board of Supervisors on December 16, 2008 to increase the award amount by \$3,549,960.00 to establish Pima County's first solar electric facility located at the Roger Road WRF.

On September 3, 2013 the Board of Supervisors approved the award of a twenty (20) year contract to Solon Corporation to design, finance, construct, operate and maintain solar facilities located on Pima County property to provide electricity to the Fleet Services Building and the PECOC Building in a combined award amount of \$4,642,883.00, increasing the total award amount to Solon to \$8,192,844.00. The award amount allocated to Solon PFC LLC for the Fleet Services facility was \$2,594,844.00 on MA 12000000000000000499. The award amount allocated to Solon PECOC LLC for the PECOC facility was \$2,048,039.00 on MA 14000000000000000157.

Article 18 of the Fleet and PECOC contracts contemplated and authorized the transfer of the contracted responsibilities, obligations and rights from Solon Corporation to another viable entity.

If approved, two new AMS Master Agreements, MA 15000000000000000112 in the amount of \$2,594,844.00 for the Fleet facility and MA 15000000000000000113 in the amount of \$2,048,039.00 for the PECOC facility will be created utilizing the same contract documents and scope of services as the initial award of contract, and add the attached Amendment and Waiver Agreement documents to be executed by the Chair of the Board of Supervisors, in the not to exceed cumulative amount of \$4,642,883.00 with an effective date of 09/03/2013 and termination date of 09/02/2033. The current Solon MA 14000000000000000157 for the PECOC facility will be terminated simultaneous with the creation of MA 15000000000000000113. The current Solon MA 12000000000000000499 will be reduced to \$1.00 to enable it to be used to develop additional Solar electricity projects; future projects would be submitted to and require award by the Board of Supervisors.

Effective Date:	September 3, 2013	Cont # :	<u>MA-PD-120000000000000000499</u>
New Termination Date:	September 2, 2033	Effective:	<u>09-03-2013</u>
Original Contract Amount:	\$ 1.00	Term :	<u>09-02-2033</u>
Prior Amendment Amounts:	\$8,192,844.00	Cost :	<u>0</u>
This Amendment Amount:	\$ 0.00	Rev :	<u>0</u>
Revised Contract Amount:	\$8,192,844.00	Tot :	<u>8,192,844.00</u>
		NTE :	<u>09-02-2033</u>
		Timex :	<u>ND</u>
		Renewal :	<u>09-01-2033</u>
		Term :	<u>09-02-2033</u>

Contract Officer; John Nanosky, Contracts Officer, 724-8165, Procurement Department
Payment System: AMS

CLERK OF BOARD USE ONLY: BOS MTG. _____ ITEM NO. _____
Ver. 10
Vendor -
10: CHH - 11-5-14
COR - 11-13-14
Agenda 11-18-14
Addendum

NOV 21 11:56 PM '14

Procure Dept 11/17/14 AM 10:18