RESOLUTION 01-04

TO AUTHORIZE THE CITY TO ENTER INTO A "GUARANTEED ENERGY SAVINGS CONTRACT" WITH ENERGY SYSTEMS GROUP FOR IMPROVEMENTS AT THE FRANK SOUTHERN CENTER

WHEREAS, the provisions of Indiana Code Section 36-1-12.5 permit units of local government to enter into "Guaranteed Energy Savings Contracts" with providers of various energy savings services and capital improvements; and

WHEREAS, in accordance statutorily required procedures, the City of Bloomington Parks and Recreation Department has negotiated a Guaranteed Energy Savings Contract with Energy Systems Group, Inc., a qualified supplier of energy savings-related capital improvements for services and improvements at the Frank Southern Center; and

WHEREAS, the services and capital improvements which Energy Systems Group has agreed to provide are included in a proposal and will, as required by statute, produce guaranteed energy savings as well as operational savings, and the contract includes provisions for financing the up-front costs of the project; and

WHEREAS, the above mentioned proposal offers a total project cost of $250,463 to be financed over ten years at 5.30% and demonstrates a cumulative project savings of $372,541; and

WHEREAS, staff review of the proposal indicates that it is in the best interest of the City of Bloomington to enter into a Guaranteed Energy Savings Contract with Energy Systems Group as the provider for badly needed improvements to the Frank Southern Center; and

WHEREAS, the Board of Park Commissioners of the City of Bloomington has adopted a resolution recommending that the City enter into such a Guaranteed Energy Savings Contract with Energy Systems Group as the provider; and

WHEREAS, the Common Council finds after reviewing the report issued by Energy Systems Group and upon recommendation of staff that:

a) the amount the city would spend on the proposed conservation measures is not likely to exceed the amount to be saved in energy conservation or operating costs for the length of the contract;

b) Energy Services Group has submitted a written guarantee that the savings in energy conservation measures will cover the payments for the measures and that Energy Services Group will reimburse the city for the differences between the guaranteed savings and actual savings;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. The City of Bloomington shall enter into a Guaranteed Energy Savings Contract with Energy Systems Group as the provider pursuant to the provisions of Indiana Code Section 36-1-12.5 allowing such projects.

SECTION II. The Common Council hereby approves the Recommendations for the Frank Southern Center dated March 8, 2001 and the documents attached hereto, which establish the terms and conditions of the contract and financing for the project.

SECTION III. The Common Council hereby authorizes the Mayor to execute any and all documents necessary to enter into said contractual relationship on behalf of the City of Bloomington.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 4th day of April, 2001.

Patricia Cole
PATRICIA COLE, President
Bloomington Common Council

ATTEST:

Regina Moore
REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 5th day of April, 2001.

Regina Moore
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 5th day of April, 2001.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This resolution authorizes the City to enter into a "Guaranteed Energy Savings Contract" with Energy Systems Group as the provider, pursuant to the provisions of Indiana Code Section 36-1-12.5, which permits the financing of the initial costs of such a project and requires that the cost of the project be recouped within a ten-year period from savings realized from the project. The terms and conditions of the contract and financing for the project are approved and the Mayor is authorized to execute documents on behalf of the City.

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