

DAVIS JOINT UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 43-19

**INTENT TO AUTHORIZE ACQUISITION UNDER GOVERNMENT CODE
SECTION 4217**

WHEREAS, section 4217.10 *et seq.* of the Government Code authorizes and encourages public agencies, including the Davis Joint Unified School District (“district”), to develop “energy conservation facilities” at the public agency’s facilities; and

WHEREAS, “energy conservation facilities” include energy conservation measures located in public buildings; and

WHEREAS, a survey has been performed identifying energy inefficiencies in lighting systems in district campuses and proposed energy conservation measures anticipated to result in cost savings from replacing existing lighting systems with energy efficient lighting systems; and

WHEREAS, the district has prepared and submitted applications to the California Energy Commission (CEC) for energy savings projects to be funded under the provisions of the California Clean Energy Jobs Act (Proposition 39); and

WHEREAS, the district’s applications include the retrofit of interior and exterior to LED lighting at five (5) district facilities (Da Vinci Charter Academy, Holmes Junior High School, Birch Lane Elementary School, César Chávez Elementary School, and North Davis Elementary School; and

WHEREAS, as a condition of approval, all energy savings plans are required by Proposition 39 to meet or exceed a savings to investment ratio of 1.01; and

WHEREAS, the CEC has approved the energy expenditure plans and has confirmed the savings to investment ratio of each plan meets or exceeds 1.01; and

WHEREAS, Government Code section 4217.12 requires the anticipated cost to the district of implementing the energy conservation facilities will be less than the anticipated marginal cost to the district of energy that it would have consumed in the absence of implementing the energy conservation facility; and

WHEREAS, a savings to investment ratio of greater than 1.00 meets the cost savings requirement of Government Code section 4217.12; and

WHEREAS, it is in the district’s best interest to enter into energy service contracts to implement the projects identified by the district and approved by CEC; and

WHEREAS, the district has provided public notice at least two weeks prior to this regularly scheduled meeting that it would hold a hearing to consider proposed energy conservation facilities and of its intent to authorize proceeding under Government Code sections 4217.10 *et seq.* if the information presented at the hearing should establish required energy cost savings; and

WHEREAS, Proposition 39 does not allow for the “sole source” award of energy service contracts; and

WHEREAS, the district issued a Request for Qualifications for energy service contracts and selected a pool of qualified contractors to avoid the sole source restriction; and

WHEREAS, all firms being considered for an award of a energy service contract are in the qualified pool; and

WHEREAS, funding for the construction of the energy service contracts will be provided by the California Clean Energy Jobs Act (Proposition 39)

NOW, THEREFORE, the District Board hereby finds, determines, declares and resolves as follows:

- I. All of the recitals set forth above are true and correct and the Board finds and determines.
- II. To enter into energy service agreements with a contractor with Efficient Lighting Design for the retrofit to the interior and exterior LED lighting at five district sites in the amount of \$777,696.
- III. This Resolution shall be effective as of the date of its adoption.

APPROVED, PASSED AND ADOPTED by the Governing Board of the Davis Joint Unified School District this 6th day of June 2019, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

President of the Governing Board of
Davis Joint Unified School District

Attest:

Secretary of the Governing Board
Davis Joint Unified School District