

**RESOLUTION NO. 4384**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD  
ACCEPTING THE WATER SYSTEM ENERGY RETROFIT PROJECT AS  
COMPLETE**

**WHEREAS**, on September 17, 2007 the City entered into a consulting services agreement with Aircon Energy Inc. for the purpose of developing a final engineered proposal and energy audit for City facilities; and

**WHEREAS**, the energy audit report prepared by Aircon Energy Inc. identified a potential area for energy savings, resulting in a project proposal that outlined an energy savings retrofit to the City's water system; and

**WHEREAS**, on August 6, 2008 the City entered into a contract with Aircon Energy Inc. contingent upon execution of an acquisition fund and account control agreement and a master equipment lease/purchase agreement between Banc of America Capital Corp for an amount not to exceed \$1,248,134 for an Energy Retrofit Project; and

**WHEREAS**, during the course of project City Staff identified a need for a Change Order to the Aircon Energy contract for three-hundred (300) additional Neptune Water Meters that needed to be purchased and installed to replace older meters to complete the City wide conversion of manual to electronic read water meters for an additional cost of \$110,220; and

**WHEREAS**, the original contract with Aircon Energy Inc. was for \$1,248,134. The contract Change Order No. 1 brought the total contract amount to \$1,358,354 and required an increase of \$48,220 in the approved project budget. The source of funding for the contract is from monies allocated from the water capital fund #719-5810-4047.

**WHEREAS**, Aircon Energy and City Staff have reported that the work has been completed in accordance with the approved plans. The final contract quantities have been measured and the contractor has agreed with the final contract quantities. The total construction cost of the Energy Retrofit Project corresponding to the agreed final quantities is \$1,348,770.

**NOW THEREFORE, BE IT HEREBY RESOLVED**, by the City Council of the City of Soledad, that the contract with Aircon Energy for the Water System Energy Retrofit Project is accepted as complete, thereby authorizing Banc of America Leasing & Capital LLC to the release of the retention amount of \$134,877 to Aircon Energy and close the Project.

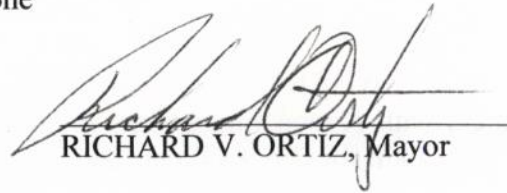
**PASSED AND ADOPTED** by the City Council of the City of Soledad at a regular meeting duly held on the 1<sup>st</sup> of July, 2009 by the following vote:

AYES, and in favor thereof, Councilmembers: Richard J. Perez, Juan Saavedra, Patricia Stephens, Mayor Pro Tem Martha Camacho, Mayor Richard Ortiz

NOES, Councilmembers: None

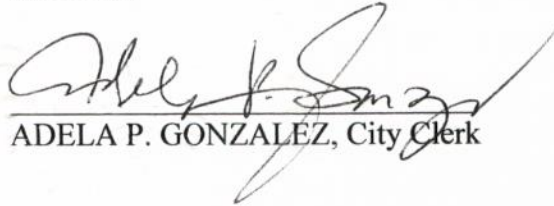
ABSENT, Councilmembers: None

ABSTAIN, Councilmembers:           None



RICHARD V. ORTIZ, Mayor

ATTEST:



ADELA P. GONZALEZ, City Clerk