

Sponsor: ELLIOH / Crabtree

RESOLUTION NO. 53-23

A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ENTER INTO AN AGREEMENT WITH AMERESCO TO WRITE AND SUBMIT APPLICATIONS FOR GRANT FUNDS TO BE USED FOR LED STREET LIGHTING UPGRADES AND DECLARING AN EMERGENCY.

WHEREAS, the City administration has determined retaining the services of a professional grant writer, Ameresco, will increase the likelihood that the City will receive grants for LED street lighting upgrades; and

WHEREAS, Ameresco is uniquely qualified to write grant applications for which the cost shall not exceed \$15,000 if the application is successful, as set forth in the Letter of Intent attached hereto; and

WHEREAS, this matter constitutes an emergency which is necessary for the preservation of the public's health, safety and welfare as a timely application will increase the odds of an award and it is necessary that the preparation of the application begin at the earliest possible date.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The legislative authority of the City of Jackson hereby authorizes the Director of Service and Public Safety, being the executive head of the Street Department, to enter into the agreement attached hereto for the professional services of Ameresco.

Section 2. This matter is hereby declared to be an emergency necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, Ohio, for the reasons set forth herein, in order to maintain the safety of the City and its residents.

Section 3. In the event this Resolution receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Resolution shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Resolution were adopted in an open meeting of this council and that the deliberations of the council and any of its committees resulted in such formal action, wherein meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 27th day of November, 2023.

David R. Fulmer
President of Council

ATTEST:

Cindi Kuhn
Clerk of the Legislative Authority

Approved this 27th day of November, 2023.

BAUDY WINSUP
Mayor

Letter of Intent

November 22, 2023

David Swackhammer
Service, Safety Director
City of Jackson
145 Broadway St
Jackson, OH 45640

RE: Letter of Intent for City of Jackson, OH Grant Funded LED Streetlight Upgrade

Dear Mr. Swackhammer,

This letter (the “Letter of Intent”) affirms the City of Jackson, OH (the “Customer”) request for Ameresco, INC (“Ameresco”) to provide project development, engineering services, grant applications services for the IJA funded Brightening Ohio Communities (BOC) program, and project management services (the “Services”) for an LED street lighting upgrade project at the City of Jackson, OH. It also outlines the scope of work and the terms and conditions associated with the Services that Ameresco will perform for the Customer. The objective of these Services is to move forward with all critical path project development, engineering, and application activities to improve the likelihood of the Customer securing the grant. In the event Ameresco is successful in securing the grant on behalf of the Customer, it is agreed that the City of Jackson, OH will partner with Ameresco on implementation of the agreed upon scope of work in an amount not to exceed **\$500,000**. This grant is a reimbursement grant.

Scope of Work

Ameresco will expend engineering hours to create all necessary documentation and technical information to ensure a grant application can be submitted as quickly as possible. Therefore, both Ameresco and the Customer agree to work in a timely manner to ensure that deadline can be met.

- Develop a clearly defined and feasible schematic design that will serve as a reliable basis for analyzing the cost and savings of the project including:
 - develop equipment and material basis of design
 - define site constraints
 - develop electrical engineering requirements
 - provide schematic level drawings as required
- Refine project budgets, savings, and final scope of work to incorporate into a guaranteed maximum pricing proposal.
- Update project schedules to account for identification of critical path items that can impact project completion milestones including but not limited to: (i) availability of equipment and material; (ii) supply chain risk and/or opportunity; (iii) status of the contractor pool available for projects; and (iv) revising schedules to account for sequencing the work.

- The scope of work for the City of Jackson, OH's streetlight retrofit project is focused first on the federally designated Disadvantaged Community(DAC) portion of the city including the two baseball fields shown in exhibit A. The streetlights on the additional streets highlighted and not in the DAC portion of the city are the secondary priority. This prioritization is based upon the goal of having at least 51% of the cost be related to the DAC, in order to score as high as possible on the grant application.

Ameresco Fee Schedule:

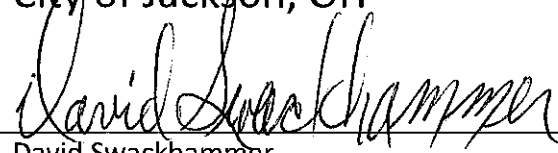
It is agreed that Ameresco will incur significant engineering costs in their effort to secure the IJA/Department of Energy Brightening Ohio Communities Grant on behalf of the Customer. In the event Ameresco is successful in securing the grant, and the Customer does not partner on the implementation with Ameresco, the Customer agrees to reimburse Ameresco time and material for their efforts in an amount not to exceed \$15,000. In the event Ameresco is unsuccessful in securing the grant on behalf of the Customer, Ameresco agrees to waive all fees associated with the scope of work described herein.

Intent to Proceed

Ameresco

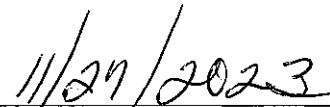
City of Jackson, OH

 Dave Zehala,
 VP and General Manager - SBS



 David Swackhammer,
 Service, Safety Director

 Date



 Date

The services covered under the terms of this Letter of Intent consist only of those provided in the "Scope of Work" herein, which are the delivery of complete Schematic Design documents, a proposed Project Budget, and a proposed Project Schedule to the Customer.

No further Services will be provided by Ameresco, and no additional compensation owed by the Customer, without an additional, fully executed agreement between the Parties.

