

THREE VILLAGE CENTRAL SCHOOL DISTRICT  
SETAUKET, NEW YORK



**BOARD OF EDUCATION AGENDA MATERIALS**

DATE OF BOARD MEETING: June 8, 2016

DATE MATERIAL SUBMITTED: June 3, 2016

OFFICE OF ORIGIN: Business Services

CATEGORY OF ITEM: Action

<b>TITLE: Approval of Energy Services Performance Contract – Solar Panels</b>
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**STAFF RECOMMENDATION:**

Upon the recommendation of the Superintendent of Schools be it resolved that the Board of Education approve the attached *Performance Contract* with Johnson Controls, Inc., as stated in the attached resolution and furthermore, that the President of the Board of Education be authorized to execute same.

**BACKGROUND - RATIONALE:**

Under the provisions of the law indicated above, school districts may utilize the services of an energy services company (ESCO) to provide a variety of measures to reduce energy use and expense and share the costs and savings with the school district.

***NOT AN OFFICIAL RECORD; SUBJECT TO CHANGE***



**Resolution**  
**Johnson Controls – Energy Performance Contract**

**WHEREAS**, the Three Village Central School District solicited proposals for an Energy Performance Contract for building upgrades and installation of equipment to improve the energy efficiency of the District's building;

**WHEREAS**, the District intends to implement various energy savings projects (the "Projects") District wide including but not limited to installation of Photovoltaic Electric Generation arrays;

**WHEREAS**, Johnson Controls, Inc. performed, at no cost to the District, a Detailed Energy Audit which identified the scope of the above projects and the associated energy savings;

**WHEREAS**, by the District entering into an energy performance contract with Johnson Controls, Inc., it will enable the District to accomplish these goals pursuant to a cost effective solution;

**WHEREAS**, based upon Johnson Controls, Inc.'s Assured Performance Guarantee attached to the energy performance contract, such contract will be implemented in a manner that results in all of the District's costs associated with this contract, being completely offset by the resulting energy cost savings;

**WHEREAS**, the Projects will be implemented and the parties will proceed with their duties and obligations under the energy performance contract, contingent upon the District receiving approval from the New York State Education Department and the parties executing such contract, which shall be reviewed and approved by District counsel and the District Architect; and

**NOW THEREFORE BE IT RESOLVED** that Johnson Controls, Inc. shall be appointed as the Energy Service Company ("ESCO") for the coordination and implementation of the Projects for a fee not to exceed \$7,707,518, pursuant to the contract to be entered into between the parties;

**BE IT FURTHER RESOLVED** that the President of the Board of Education is authorized to sign such contract on behalf of the school district; and

**BE IT FURTHER RESOLVED**, the Board of Education hereby authorizes administration to take all necessary steps to obtain approval of the Energy Performance Contract by the Commissioner of Education and to procure financing and implement the Energy Performance Contract on behalf of the Board.