

**ORDINANCE NO. 23-204**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LETTER OF INTENT WITH AMERESCO INC. OF WORTHINGTON, OHIO, FOR SERVICES RELATING TO SECURING AN ENERGY EFFICIENCY PROGRAM FOR OHIO COMMUNITIES GRANT THROUGH THE OHIO DEPARTMENT OF DEVELOPMENT FOR ENERGY CONSERVATION & FACILITY IMPROVEMENT MEASURES FOR CERTAIN CITY BUILDINGS; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the U.S. Department of Energy (DOE) through the Infrastructure Investment and Jobs Act (IIJA) allocated \$13,295,590 in funds to the State of Ohio and of these funds, \$8,000,000 will be used to provide energy efficiency upgrades across the State of Ohio to help local governments realize energy savings in their facilities; and

**WHEREAS**, the IIJA Energy Efficiency Program for Ohio Communities (EEPOC) is being administered by the Ohio Department of Development (Development), Office of Energy and Environment (OEE); and

**WHEREAS**, Ameresco INC. is an approved Participating Energy Audit Contractor, and will assist the City through the application process and determining the most efficient and cost-effective measures for some of the City's facilities; and

**WHEREAS**, the Letter of Intent affirms the City's desire for Ameresco, INC. to provide project development, engineering services, and grant application services for the facility improvement measures associated with City buildings described in the Scope of Work and included in the Letter of Intent; and

**WHEREAS**, 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 City securing the State of Ohio Community Grant totaling \$250,000.00; and

**WHEREAS**, in the event Ameresco INC. is successful in securing the grant on behalf of the City, it is agreed that the City will partner with Ameresco INC. on implementation of the Scope of Work in an amount not to exceed \$260,880.00 of which \$250,000.00 will be reimbursed through the State of Ohio and the remaining \$10,880.00 will be paid with issue 8 funds from the Capital Projects Fund; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the Letter of Intent and allow the grant application to be finalized and submitted prior to the October 31, 2023, deadline; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Recreation, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable

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that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission authorizes and directs the City Manager to enter into a Letter of Intent with Ameresco INC. of Worthington, Ohio, for services relating to securing an Energy Efficiency Program for Ohio Communities grant through the Ohio Department of Development for Energy Conservation & Facility Improvement Measures for certain City buildings, substantially in the same form as Exhibit "1", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City's Commission and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST:

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CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023

# Letter of Intent

September 25, 2023

John Orzech  
 City Manager  
 City of Sandusky  
 240 Columbus Avenue  
 Sandusky, OH 44870

RE: Letter of Intent for Ohio Communities Grant Projects

Dear Mr. Orzech,

This letter (the “Letter of Intent”) affirms that the City of Sandusky’s (the “Customer”) request for Ameresco, INC (“Ameresco”) to provide project development, engineering services, and State of Ohio Community grant application services (the “Services”) for the facility improvement measures associated with the City Buildings identified in the scope of work below. 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 State of Ohio Community Grant totaling \$250,000. In the event Ameresco is successful in securing the grant on behalf of the Customer, it is agreed that the Customer will partner with Ameresco on implementation of the agreed upon scope of work in an amount not to exceed \$260,880.

## Scope of Work

Ameresco will expend engineering hours to create all necessary documentation and technical information to apply for one State of Ohio Community Grant of \$250,000, to be applied to following identified scope of work. If the grant is secured for the customer, the customer agrees to implement the work with Ameresco only. Both Ameresco and the customer agree to work in a timely manner to ensure that any grant deadlines can be met.

Energy Conservation & Facility Improvement Measures Financial Analysis	Measure Investment		Annual Savings			Simple Payback (years)
	Min (w/rebate)	Max (w/rebate)	Utility	O&M	Total	
1 SFD 7	\$ 6,890	\$ 8,026	\$ 846	\$ 254	\$ 1,099	6.3 - 7.3
2 Greenhouse	\$ 8,079	\$ 9,411	\$ 434	\$ 130	\$ 564	14.3 - 16.7
3 Shoreline	\$ 18,789	\$ 21,888	\$ 3,580	\$ 1,074	\$ 4,654	4.0 - 4.7
4 SFD 1	\$ 40,606	\$ 47,304	\$ 6,299	\$ 1,890	\$ 8,189	5.0 - 5.8
5 SFD 3	\$ 17,155	\$ 19,985	\$ 1,824	\$ 547	\$ 2,371	7.2 - 8.4
6 Service Center	\$ 119,408	\$ 139,104	\$ 5,330	\$ 1,599	\$ 6,929	17.2 - 20.1
7 Lion Park	\$ 7,448	\$ 8,677	\$ 800	\$ 240	\$ 1,040	7.2 - 8.3
8 Mills Creek Golf Club	\$ 14,291	\$ 16,649	\$ 975	\$ 292	\$ 1,267	11.3 - 13.1
9 Jaycee North Park	\$ 16,668	\$ 19,418	\$ 2,948	\$ 884	\$ 3,833	4.3 - 5.1
10 Marina	\$ 7,734	\$ 9,010	\$ 291	\$ 87	\$ 378	20.5 - 23.8
<b>Total</b>	<b>\$ 223,941</b>	<b>\$ 260,880</b>	<b>\$ 18,100</b>	<b>\$ 5,430</b>	<b>\$ 23,531</b>	<b>9.5 - 11.1</b>
<b>State Grant Offset</b>	<b>\$ (250,000)</b>	<b>\$ (250,000)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>-</b>
<b>Net Total</b>	<b>\$ (26,059)</b>	<b>\$ 10,880</b>	<b>\$ 18,100</b>	<b>\$ 5,430</b>	<b>\$ 23,531</b>	<b>-1.1 - 0.5</b>

**Ameresco Fee Schedule:**

It is agreed that Ameresco will incur significant engineering costs in their effort to secure the State of Ohio Department of Energy 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 Sandusky

\_\_\_\_\_  
Dave Zehala,  
Vice President

\_\_\_\_\_  
John Orzech,  
City Manager

\_\_\_\_\_  
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.