

**BERKELEY UNIFIED SCHOOL DISTRICT
BERKELEY, CALIFORNIA**

RESOLUTION NO. 22-015

**RESOLUTION TO MAKE FINDINGS TO AUTHORIZE ENTERING INTO
AN ENERGY SERVICE CONTRACT WITH SYSERCO, INC.
FOR DISTRICT-WIDE ENERGY EFFICIENCY PROJECT**

WHEREAS, Government Code section 4217.12(a)(1) authorizes a public agency to enter into an energy service contract with respect to an energy conservation facility on terms that the public agency's governing board determines are in the best interests of the public agency so long as the governing board of the agency finds that the anticipated cost to the public agency for the energy provided by the energy conservation facility will be less than the anticipated marginal cost to the public agency of thermal, electrical or other energy that would have been consumed by the public agency in the absence of those purchases;

WHEREAS, Berkeley Unified School District ("District") staff reviewed the qualifications and recommendations presented by Syserco, Inc. ("Syserco") to design, install, and implement certain energy conservation measures on a District-wide basis including, without limitation, work involving LED lighting and controls retrofit, new building automation controls and motor replacement at Berkeley High School, transformer upgrades, refrigeration controls, hydronic system thermal efficiency, building envelope, HVAC coil rejuvenation and refrigerant system optimization, HVAC unit replacement, water efficiency measures, and controls upgrade at Oxford Elementary School (collectively, the "Project");

WHEREAS, Syserco's qualifications appear bona fide and adequate, and Syserco has provided the District with its energy cost savings analysis showing the benefits of proceeding with the Project, which analysis is attached as **EXHIBIT A** and made a part hereof by reference;

WHEREAS, on October 6, 2021, at least two weeks prior to the regularly scheduled public meeting of the District's Board of Education ("Board"), the District posted a notice of its intent to conduct a public hearing and take public comment upon the subject matter of this Resolution, as required by Government Code section 4217.12;

WHEREAS, on October 20, 2021, pursuant to Government Code section 4217.12, the Board held a public hearing at its regularly scheduled Board meeting and provided an opportunity for public comment on the Project and on the question of the District entering into an Energy Service Contract with Syserco;

WHEREAS, based on the attached analysis, the anticipated cost to the District for the energy or conservation services provided by the proposed Project will be less than the anticipated marginal cost to the District of the electrical or other energy that would have been consumed by the District in the absence of the Project; and

WHEREAS, District desires to enter into an Energy Service Contract with Syserco, through which Syserco would design, install, and implement the Project pursuant to the terms and conditions of the Energy Service Contract.

NOW, THEREFORE, BE IT RESOLVED that it is found, determined, and resolved by the Board of Education of the District as follows:

1. That the above recitals are true and correct.

2. That this Resolution is adopted following a public hearing at a regularly scheduled meeting of the Board for which a minimum of two weeks public notice has been duly given.

3. That pursuant to Government Code section 4217.12, and based upon all available information, including but not limited to the attached analysis at **EXHIBIT A**, the Board hereby determines that the cost of the Energy Service Contract to the District for the conservation services provided thereunder is less than the anticipated marginal cost to the District of other energy that would have been consumed by the District in the absence of the Energy Service Contract and that it is in the best interests of the District to enter into an Energy Service Contract with Syserco to implement the Project.

4. The District's Superintendent, and designees of the Superintendent, are hereby authorized to negotiate and finalize the Energy Service Contract with Syserco, and to do all things that are necessary and proper to carry out or give effect to this Resolution, and take all steps and perform all actions necessary to enter into the Energy Service Contract with Syserco, and to take any actions deemed necessary to protect the best interests of the District.

PASSED AND ADOPTED by the Board of Education of the Berkeley Unified School District at a regular meeting held on October 20, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

DATED: _____

BERKELEY UNIFIED SCHOOL DISTRICT

By: _____
President, Board of Education

I, _____, Clerk of the Board of Education, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Education of the Berkeley Unified School District at the regular meeting on October 20, 2021, which resolution is on file in the office of said Board.

DATED:

SIGNED:

Clerk, Board of Education

EXHIBIT A

Energy Cost Savings Analysis

The energy cost savings analysis provided below shows the Project will be cost neutral at year 9.5 and achieve net savings in years 10 to 25.

Annual Escalator		4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
	2022	2023	2024	2025	2026	2027	2028	2029	2030
Utility Savings	\$ 186,223	\$ 372,445	\$ 387,343	\$ 402,837	\$ 418,950	\$ 435,708	\$ 453,136	\$ 471,262	\$ 490,112
Operational Savings		\$ 111,000	\$ 115,440	\$ 120,058	\$ 124,860	\$ 129,854	\$ 135,048	\$ 140,450	\$ 146,068
Project Cost	\$ (5,588,733)								
Annual Savings	\$ (5,402,511)	\$ 483,445	\$ 502,783	\$ 522,894	\$ 543,810	\$ 565,562	\$ 588,185	\$ 611,712	\$ 636,181
Net Savings	\$ (5,402,511)	\$ (4,919,066)	\$ (4,416,283)	\$ (3,893,389)	\$ (3,349,579)	\$ (2,784,016)	\$ (2,195,832)	\$ (1,584,120)	\$ (947,939)

Annual Escalator	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17
	2031	2032	2033	2034	2035	2036	2037	2038	2039
Utility Savings	\$ 509,717	\$ 530,105	\$ 551,310	\$ 573,362	\$ 596,296	\$ 620,148	\$ 644,954	\$ 670,752	\$ 697,583
Operational Savings	\$ 151,911	\$ 157,988	\$ 164,307	\$ 170,879	\$ 177,715	\$ 184,823	\$ 192,216	\$ 199,905	\$ 207,901
Project Cost									
Annual Savings	\$ 661,628	\$ 688,093	\$ 715,617	\$ 744,241	\$ 774,011	\$ 804,971	\$ 837,170	\$ 870,657	\$ 905,483
Net Savings	\$ (286,311)	\$ 401,782	\$ 1,117,399	\$ 1,861,640	\$ 2,635,651	\$ 3,440,623	\$ 4,277,793	\$ 5,148,450	\$ 6,053,933

Annual Escalator	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
	Year 18	Year 19	Year 20	Year 21	Year 22	Year 23	Year 24	Year 25
	2040	2041	2042	2043	2044	2045	2046	2047
Utility Savings	\$ 725,486	\$ 754,505	\$ 784,685	\$ 816,073	\$ 848,716	\$ 882,664	\$ 917,971	\$ 954,690
Operational Savings	\$ 216,217	\$ 224,866	\$ 233,860	\$ 243,215	\$ 252,943	\$ 263,061	\$ 273,583	\$ 284,527
Project Cost								\$ -
Annual Savings	\$ 941,703	\$ 979,371	\$ 1,018,546	\$ 1,059,288	\$ 1,101,659	\$ 1,145,725	\$ 1,191,554	\$ 1,239,217
Net Savings	\$ 6,995,636	\$ 7,975,007	\$ 8,993,553	\$ 10,052,840	\$ 11,154,499	\$ 12,300,225	\$ 13,491,779	\$ 14,031,450