

RESOLUTION NO. R-2019-_____

A RESOLUTION ratifying the City Manager's execution of Change Order No. 1 of City Contract 2016-238 for the completion of the City-wide LED Street Light Upgrade Project.

WHEREAS, the City of Yakima (City) began a City-wide effort in upgrading its high-pressure sodium street lights to LED in order to provide the community better quality of lighting, reduction in crimes of opportunity, security for our residents and the reduction of energy costs by 50% to 60%; and

WHEREAS, the City entered into Agreement No. 2017-142 A (1) with the Department of Enterprise Services (DES) and selected Ameresco, a contractor with DES, to provide a detailed audit of the City's lighting system, cost estimates, construction and project management; and

WHEREAS, approximately 4,700 street lights were to be upgraded with the project beginning in May, 2017 and projected to be complete December, 2017, at an estimated cost of \$2.4 million dollars; and

WHEREAS, approximately halfway into the project, it became known to Ameresco and the City that there was an issue involving Washington State Labor and Industries (L&I) and National Electrical Code compliance during the lighting project; L&I required re-wiring from all Utility-owned poles and that all City-owned wooden light poles have a service disconnect device installed between the power source and the light fixture.; Pacific Power owned 1,400 wooden poles and the City owned approximately 900 wooden light poles; and

WHEREAS, the L&I service disconnect requirement added significant time and an additional \$1.7 million dollars to the cost of the project, causing the project to come to a complete stop while the parties negotiated the allocation of the additional expenses; and

WHEREAS, during the negotiation period HB 1594 was signed by the Governor near the end of April 2019, eliminating L&I's regulatory authority over utility poles owned by Pacific Power and thereby reducing the number of disconnects and additional wiring required, as well as the amount in estimated additional costs; and

WHEREAS, L&I remains the control authority over the wooden utility poles owned by the City that require the additional service disconnects and grounding requirements; and

WHEREAS, the additional cost for the required service disconnects and grounding conductors for approximately 900 City-owned poles was estimated at \$1,011,420; and

WHEREAS, through extensive negotiations with Ameresco and DES, the additional cost to the City was reduced to \$579,749; and

WHEREAS, Change Order No. 1 of City Contract 2016-238 allows for the LED Upgrade project to proceed with a scheduled completion date of October 2020; and

WHEREAS, DES has agreed to waive their Project Management Fee in the amount of \$60,000 to assist in further reducing the financial burden endured by the City for the extra work required to complete the project, further reducing the additional cost to \$519,749; and

WHEREAS, to expedite this long-delayed project and to get the contractors working as soon as possible as to complete the lighting installation and more quickly appreciate the full potential savings in electrical costs, attached and incorporated the Change Order was signed ahead of the next City Council meeting and now requires ratification by City Council; and

WHEREAS, the City Council finds that it is in the best interest of the City of Yakima to proceed with completing the City-wide LED Street Light Upgrade Project and to ratify the Change Order for the costs of the remaining lighting improvements; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

The City Manager's execution of Change Order No. 1, attached hereto and incorporated herein by this reference, in the amount of Five Hundred Seventy-Nine Thousand Seven Hundred Forty Nine Dollars (\$579,749) for the completion of the City-wide LED Street Light Upgrade Project (City Contract 2016-238) is ratified by the City Council.

ADOPTED BY THE CITY COUNCIL this 19th day of November, 2019.

ATTEST:

Kathy Coffey, Mayor

Sonya Claar Tee, City Clerk