

RESOLUTION NUMBER R- 315949

DATE OF FINAL PASSAGE DEC 19 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE FIRST AMENDMENT TO
THE ENERGY COST RECOVERY AND REDUCTION
SERVICES CONTRACT WITH PROCURE AMERICA, INC.
AND RELATED ACTIONS.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. The Sustainability and Mobility Department released a Request for Proposal (RFP) in 2022 soliciting qualified firms to enter a five-year contract for Energy Cost Recovery and Reduction Services (RFP 10089878-22-E).

B. The objective of the solicitation was to obtain expert services to assist the City in auditing, monitoring, controlling, and reducing its gas and electricity expenses for its approximately 3,900 utility service accounts.

C. Three (3) proposals were received in response to the RFP and Procure America, Inc. was selected as most qualified and best value to provide the services.

D. On April 28, 2023, pursuant to San Diego Municipal Code Section 22.3206, a five-year contract was awarded to Procure America with a maximum cost of \$1,000,000.

E. On September 23, 2023 Procure America delivered its initial comprehensive audit of the of City's energy bills for the preceding year, finding over \$400,000 in refunds and nearly \$3,800,000 in potential annual savings.

F. The Sustainability and Mobility Department, in consultation with the Department of Finance and major energy consuming departments, determined that the refunds and savings

resulting from the initial audit were so substantial that additional funding is warranted to continue the consultant's services for the next four years.

G. Over the five-year contract, the actions implemented as a result of Procure America's audits are anticipated to save the City \$15,600,000, and the parties desire to amend the contract to provide additional funding for Procure America to assist the City in achieving these projected savings.

H. The Office of the City Attorney prepared this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council approves the First Amendment to the Agreement with Procure America, Inc., RFP No.10089878-22-E, to add additional consideration in an amount not to exceed \$4,000,000 for the final four years of the contract, thus bringing the total maximum consideration to \$5,000,000 over five contract years.

2. The Mayor or designee is authorized to execute the First Amendment to the Agreement with Procure America, Inc, as set forth in the document on file in the Office of the City Clerk as Document No. RR-**315949**.

3. The Chief Financial Officer is authorized to appropriate and expend funds under the Consultant Agreement in a total amount not to exceed \$5,000,000, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent

upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: HEATHER FERBERT, City Attorney

By Frederick M. Ortlieb
Frederick M. Ortlieb
Senior Deputy City Attorney

FMO:cw
November 25, 2024
Or.Dept: Sustainability and Mobility
CC No.: N/A
Doc. No. 3893034

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on DEC 17 2024.

DIANA J.S. FUENTES
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 12/19/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 17 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry Foster, III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 19 2024.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

315949

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