



INTRLOC_00 PUGET SOUND ENERGY

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Description: ESTABLISH RESOURCE CONSERVATION MANAGER PROGRAM
PSE GRANT PO 910302-000

Notes:

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INTERLOCAL AGREEMENTS
12/31/2099
500176854



**PUGET
SOUND
ENERGY**

CR# 44318

DATE 5-8-09

INTRLOC-000

CR# 443

**Resource Conservation Manager
Grant Agreement**

Agreement No. C-06946, -06947, -06948, -06949, -06950
Project No. 078-3479, -3482, -3483, -3489, -3494

AGREEMENT made this 15th day of April, 2009, by and between PUGET SOUND ENERGY and City of Bellevue ("Participant").

RECITALS

- A. Under Puget Sound Energy's Electric Schedule 253 and Gas Schedules 208, as currently in effect and on file with the Washington Utilities and Transportation Commission, Puget Sound Energy offers grants for electricity and natural gas resource conservation management measures installed or implemented at facilities that receive electric or natural gas service from Puget Sound Energy.
- B. Participant intends to install or implement resource conservation measures and is requesting a grant from Puget Sound Energy under its filed Electric Schedule 253 and/or Gas Schedule 208 tariffs.

AGREEMENTS

Puget Sound Energy and Participants agree as follows:

- 1. **Premises.** Participant will install or implement the resource conservation measures described in paragraph 2 ("Resource Conservation Manager Services") at the facilities located at 450 110TH AVE NE BELLEVUE, WA 98004 and other facilities identified in *Attachment B - List of Facilities* (the "Premises"). Participant represents either (a) that it is the owner or contract purchaser or otherwise has the lawful authority to make the statements herein on behalf of the owner or contract purchaser of the Premises, or (b) that it is the lawful tenant of the Premises and that it has obtained written authorization from the owner or contract purchaser of the Premises.
- 2. **Resource Conservation Manager Services.** Participant represents that it has retained or will retain the services of a Resource Conservation Manager, or will appoint in-house resources for the installation or implementation at the Premises of the following Resource Conservation Manager Services at the following costs:

Conservation Measures	Measure Conservation Life	Total Cost of Conservation Measures	Eligible Grant
1. RCM - electric	3	\$174,146	\$61,886
2. RCM - gas	3	\$ 67,855	\$24,114
TOTAL (includes sales tax)		\$242,001	\$86,000

- 3. **Grant.** Subject to Puget Sound Energy acceptance, Puget Sound Energy will grant the Participant, after installation or implementation of the Resource Conservation Manager Services, an amount equal to the Eligible Electric Schedule 253 and Gas Schedule 208 Conservation Grant (the "Grant") as identified above, providing, however, that such Resource Conservation Manager Services must be installed and implemented as specified in *Attachment A - Scope of Work* and Grant paid within 36 months of the signing of this Conservation Grant Agreement. If for any reason the cost of the Resource Conservation Manager Services is actually less than shown above, Puget Sound Energy may decrease pro rata the amount of the Grant. Participant shall be responsible for paying any amount in excess of the amount of the Grant.

4. **Separate Contract.** The purchase and implementation of the Resource Conservation Manager Services shall be pursuant to a separate contract between Participant and Resource Conservation Manager. Puget Sound Energy is not, and shall not be deemed to be, a party to any purchase, installation, or implementation contract. All obligations to any Resource Conservation Manager pursuant to any such contract shall be Participant's responsibility. Participant expressly acknowledges that Puget Sound Energy's involvement with respect to the Resource Conservation Manager Services, including but not limited to any energy analysis or inspection by Puget Sound Energy of the Premises or the Resource Conservation Manager Services, is solely undertaken in connection with furnishing the Grant. The types of materials, methods of installation, quality and timing thereof, and any warranties with respect to the Resource Conservation Manager Services or their installation or implementation at the Premises, are matters to be agreed upon solely between Participant and any Contractor or Resource Conservation Manger. **PUGET SOUND ENERGY HAS NOT MADE AND DOES NOT MAKE (AND PARTICIPANT ACKNOWLEDGES THAT PUGET SOUND ENERGY DOES NOT MAKE) ANY IMPLIED OR EXPRESS WARRANTY (INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS) REPRESENTATION, OR PROMISE WITH RESPECT TO EITHER (A) THE RESOURCE CONSERVATION MANAGER SERVICES, (B) ANY MATERIALS AND LABOR REQUIRED FOR OR USED IN THE IMPLEMENTATION OF THE RESOURCE CONSERVATION MANAGER SERVICES, OR (C) THE INSTALLATION OR IMPLEMENTATION OF THE RESOURCE CONSERVATION MANAGER SERVICES.**

5. **Release.** Participant releases Puget Sound Energy from any and all claims, losses, harm, costs, liabilities, damages and expenses directly or indirectly resulting from or in connection with (a) the Resource Conservation Manager Services, (b) any materials and labor required for or used in the installation or implementation of the Resource Conservation Manager Services, (c) the implementation of the Resource Conservation Manager Services, or (d) the identification, handling and disposal of any associated hazardous waste materials.

6. **Disclaimer.** Puget Sound Energy conducts energy analyses at the request of its customers to determine the extent to which resource conservation measures are cost-effective. Any estimate of energy savings made by Puget Sound Energy in connection with any such analyses is solely for the purpose of determining the cost-effectiveness of the particular resource conservation measures and not to be used for any other purpose. Puget Sound Energy has not and does not make any promise, warranty or representation with respect to any savings in energy consumption from Resource Conservation Manager Services.

7. **Termination.** In the event a Participant's contribution to Puget Sound Energy's (PSE) recovery of energy efficiency program costs is affected by all or a portion of Participant's electric and/or gas delivery service being provided by a party other than PSE, then Participant shall refund to PSE an amount equal to the ratio of the unused Measure Life of the measure(s) to the total Measure Life of such Resource Conservation Manager Services multiplied by the dollar amount of the Grant with respect to such Resource Conservation Manager Services. The Resource Conservation Manager Grant agreement may be reviewed annually to determine the cost-effectiveness and assess continuance. Either party may terminate this agreement with 30 days notice to the other parties.

8. **Entire Agreement.** This Agreement is subject to the terms of the filed Electric Schedule 253 and Gas Schedule 208 tariffs, which are incorporated herein by this reference and as **Attachment C – PSE Resource Conservation Manager Tariffs**. This Agreement sets forth the entire agreement between the parties and supersedes any and all prior agreements with respect to the Resource Conservation Manager Services. No change, amendment or modification of any provision of this Agreement shall be valid unless set forth in a written amendment to this Agreement signed by both parties.

PUGET SOUND ENERGY

By: Bill Younger

Name: Bill Younger
 Title: Mgr., Energy Efficiency Services

PARTICIPANT

By: Nona Johnson

Print Name: Nona Johnson
 Title: Civic Services Dept. Director
 Federal Tax I.D. No.: 91-6007020

ATTACHMENT A

SCOPE OF WORK

for

City of Bellevue

Resource Conservation Manager Services

Project Intent:

The City of Bellevue (CUST) agrees to establish a Resource Conservation Manager (RCM) program which will provide coordination and leadership for effective and efficient management of all utility resources used in their organization including electricity, natural gas, water, wastewater, refuse, and recycling. The RCM program will focus on the development and implementation of a Resource Management Plan to achieve savings by coordinating efficient operations and quality maintenance with low-cost actions and behavior changes by the users at the facilities. The RCM program will use a resource accounting software package to allow trained staff to monitor resource use and to report on savings.

Services:

The following list of Resource Conservation Manager Services has been developed to support CUST. Tasks and deliverables associated with the successful completion and payment of grant amounts are described for each measure. All of the tasks must be completed in order to receive payment of the grant amount associated with each service. The expectation of this contract is that the RCM program will exist for a minimum of three-years from signing date. Contract renewals may be evaluated after the initial three-year period.

Table 1: RCM Services

Resource Conservation Manager Services		Grant #	Term	Measure Cost	Grant Amount
1.	Resource Accounting Software	N/A	3 Years	\$ 9,900	\$ N/A
2.	RCM Program Start-up Incentive	C-06946	1 Year	\$ 80,000	\$ 28,000
3.	RCM Performance Incentive – 1	C-06947	1 Year	\$ 80,000	\$ 28,000
4.	RCM Performance Incentive – 2	C-06948	1 Year	\$ 80,000	\$ 28,000
5.	RCM Salary Guarantee	C-06949	3 Years	TBD	TBD
6.	RCM Training Stipend	C-06950	3 Years	\$ 2,000	\$ 2,000
TOTAL (includes sales tax)				\$ 251,900	\$ 86,000

1. Resource Accounting Software

PSE will provide the customer with resource tracking software and annual software maintenance support for the term of this contract. In return, the customer is expected to complete the software setup including input of organization structure, building information, utility companies, and account numbers for all electricity, gas, water, wastewater, and solid waste accounts.

The City of Bellevue agrees to:

- a. Assign a dedicated person to compile facility information and work with other internal resources as needed to complete software setup process;
- b. Be available for on-site and off-site software training as needed;
- c. Work directly with PSE and other utilities to identify all accounts and meters for input into the software program;
- d. Work with CUST accounting department or others to obtain copies of the past 13 months (minimum) of utility and resource bills;
- e. Input cost and consumption information into the software program and update on a regular basis.
- f. Develop a process to receive copies of all monthly utility bills going forward;
- g. Submit a copy of initial Database to PSE annually for review;

- h. Work with PSE to resolve any issues identified during review of CUST's resource tracking database;
- i. Provide a dedicated person to maintain the database after the data review is complete;
- j. Submit an updated copy of the resource tracking database to PSE annually; and
- k. Allow PSE to use building data in calculation of PSE benchmarks and building efficiency ranking reports to be included with other facility databases and shared with RCM community.

2. RCM Program Start-up Incentive

PSE will provide task-specific incentives to assist CUST with development of their RCM program. This one-time incentive will pay for 35% of the time spent on establishing the RCM program during the first year provided CUST completes the following deliverables.

- 2.1 Hire an RCM or dedicate staff time to RCM activities;
- 2.2 Populate and maintain a Resource Accounting Database (see item 1);
- 2.3 Complete a Resource Management Plan. The Resource Management Plan provides an organizational guideline for effective and efficient management of all utility resources including electricity, natural gas, water, wastewater, refuse, and recycling;
- 2.4 Complete Facility Action Plans for the Organization's Buildings as outlined in Attachment B. Facility Action Plans outline specific action item to be implemented that will reduce resource use in each facility. These items are identified through building walk-through audits and interviews with staff and occupants. The RCM Support Services *Three for Free* facility audits should be used to jump-start this process.

The City of Bellevue agrees to:

- a. Complete deliverables (2.1) through (2.4) as outlined above.
- b. Submit a copy of the Resource Management Plan and Facility Action Plans to PSE for review and comment;
- c. Work with PSE on recommended revisions and additions to the plans; and
- d. Provide annual reports to PSE to document action items taken as identified in the plans and results achieved for the duration of the contract.

PSE will provide guidelines and assistance in the development of the plans and progress reports.

RCM Incentive Payment

CUST proposes to use a combination of administrative staff to provide the centralized energy accounting, monitoring and reporting functions, and maintenance and operations staff to provide the technical on-site implementation of operational recommendations.

The start-up incentive is based on the following staffing breakdown:

FTE – % RCM	RCM Hours	Name	Position	Total Annual Salary	PSE Share
1.00	2080	Steve Sackenreuter	RCM	\$~80,000	\$ 28,000

The tasks outlined in the scope of work for this incentive are estimated to be completed in the first six to nine months of the agreement. The start-up incentive can be paid at the end of the first six-month period provided the Scope of Work has been completed.

3. Performance Grant 1

Once the customer has completed the start-up deliverables outlined in item 4, and has achieved their year-one targeted PSE energy savings as outlined below in Table 2, they will be eligible to receive additional cash incentives for achieving further energy savings. The energy savings target for the first performance grant is a 5 percent reduction over the customer's first year or last 12-month period. The target will be established using actual data at the time of eligibility. Puget Sound Energy will provide a cash incentive equal to the Start-up Incentive once the customer achieves this pre-established PSE gas and electric target. Only savings achieved relative to occupant and behavioral practices and improvements in operation and maintenance (O&M) practices will be considered for the performance grant. To determine performance grant savings, energy usage will be adjusted for facility upgrades (FCMs), weather, and other major facility

changes. The performance incentive will not be prorated for achieving lower or higher energy savings targets.

Performance Grant 1 can be paid at the end of a twelve-month period following the completion of the Start-up scope of work provided that the customer completes the deliverables outlined at the end of item 5.

4. Performance Grant 2

The second performance incentive will operate under the same conditions as the first except that the target will be the projected savings for year three, determined at the time of eligibility.

Table 2: Customer Baseline and PSE Projected Savings Targets

PSE Energy Only	Electricity (kWh)	Natural Gas (Therms)	EUI (kBtu / SqFt)
Baseline	17,908,632	238,156	81.4
Year 1 Savings - Target 3%	537,259	7,145	78.9
Year 2 Savings - Target 5%	868,569	11,551	75.0
Year 3 Savings - Target 5%	825,140	10,973	71.2
TOTAL PSE SAVINGS	2,230,968	29,668	10.1

5. RCM Salary Guarantee

Puget Sound Energy will provide a guarantee that CUST's total resource bill savings achieved by RCM activities will exceed RCM salary costs (minus PSE incentives) over the three-year term of this Agreement provided that the customer has satisfied all of the deliverables outlined in this contract. If so, and the cost-savings are less than the adjusted RCM salary, the difference will be paid to CUST up to the value of the PSE electricity and natural gas savings achieved during that period as specified in Attachment C – PSE Resource Conservation Manager Tariffs. Savings will be determined by PSE based on annual usage and savings data submitted by CUST.

Savings Projection

The following table is an estimate of the savings potential from implementing 1.0 FTE of resource management activities at CUST facilities.

Table 3: Customer Savings Projections

Fixed Baseline is Customer Profile	Resource Cost Savings	kWh	Therms
Year 1	\$ 77,467	537,259	7,145
Year 2	\$ 202,705	1,405,828	18,695
Year 3	\$ 321,681	2,230,968	29,668
Gross Savings	\$ 601,853		
RCM Program Costs (minus Incentives)	\$ 156,000		
NET PROGRAM SAVINGS	\$ 445,853	4,174,055	55,508

To qualify for Performance Incentives and Salary Guarantee

The City of Bellevue agrees to:

- a. Provide adequate staffing and management to support full-time RCM functions through the period of the agreement;
- b. Use a resource accounting tool to routinely monitor and track billing, use and expenditures;
- c. Establish year prior to agreement as baseline of use and expenditures, with provisions to modify for weather-adjustments, changes in square feet and changes in functionality;
- d. Develop and endorse an organization-wide resource conservation policy;
- e. Develop and implement individual facility resource plans;
- f. Implement resource conservation activities per plans;

- g. Conduct quarterly meetings to update management and participants with savings reports and develop plans for the upcoming quarter; and
- h. Have RCM regularly attend PSE RCM network and training meetings;
- i. Provide annual reports to PSE with resource consumption and dollar savings attributed to the program.
- j. Allow PSE to promote CUST's success and program efforts via case-studies and other materials to help educate and advance the RCM community.

6. RCM Training Stipend

Each RCM FTE will be allocated a budget for training. The budget is based on the cost of the Building Operator Certification (BOC) program; but can be applied to any other equivalent RCM-related training course with prior PSE approval. The RCM will be responsible for registration and will request that the training institute invoice PSE directly for our portion of the costs up to the RCM allotted amount.

For each RCM FTE employed under this agreement, Puget Sound Energy will provide a grant of \$2,000 for training. Tuition allotment will be prorated based on FTE allocation and is based on the negotiated PSE-discounted BOC tuition rate. Payment of this grant will be made directly to the registrar on behalf of CUST unless otherwise noted. To receive payment, the customer must complete the course registration form and send it to PSE, noting the tuition amount for which PSE is responsible. PSE will issue payment directly to the program registrar. The customer will receive a completed copy of their registration.

The City of Bellevue agrees to:

- a. Submit a copy of the student's Project Coursework upon completion of the full training series.
- b. If requested, present an overview of their project to PSE and RCM customers.

ATTACHMENT B

FACILITY INVENTORY

for

The City of Bellevue

Site ID	Site	Address	Zip	Facility Size (Sq. Ft.)
001	Electronic Communications Services	14822 Bel-Red Rd	98007	14,800
002	Bellevue Service Center	2901 115th Ave NE	98004	130,825
003	City Hall	450 110th Ave NE	98004	376,789
004	Surrey Downs	475 112th Ave SE	98004	21,637
005	Station 1	766 Bellevue Way SE	98004	15,700
006	Station 2	2802 148th Ave SE	98007	11,258
007	Station 3	16100 NE 8th Street	98008	15,000
008	Station 4	4216 Factoria Blvd SE	98006	6,751
009	Station 5	9621 NE 24th Street	98004	5,600
010	Station 6	1850 132nd Ave NE	98005	6,110
011	Station 7	11900 SE 8th Street	98005	5,630
012	Station 8	5701 Lakemont Blvd SE	98006	9,132
013	Station 9	12412 SE 69th Way	98006	10,200
014	Public Safety Training Center & Station 10	1828 116th Ave NE	98004	9,500
015	Bellevue Botanical Garden - Sharp's Cabin	12021 Main Street	98004	500
016	Bellevue Botanical Garden - Shorts Visitor Center	12021 Main Street	98004	3,590
017	Bellevue Botanical Garden - Caretaker's House/Office	12039 Main Street	98004	3,260
018	Bellevue Aquatic Center Building - Blue Lagoon Pool	601 143rd Ave NE	98007	26,219
019	Bellevue Downtown Park Waterfeature-Belvedere Fountain	10333 NE 4th	98004	
020	Bellevue Downtown Park Waterfeature-Canal, Quailing Pond, Pool	10333 NE 4th	98004	
021	Bellevue Marina at Meydenbauer (Meydenbauer Marina Rental Duplex)	2 - 99th Ave NE	98004	1,700
022	Bellevue Yacht Basin	100 100th Ave NE	98004	4,238
023	Crossroads Community Park & Center Building Main Floor	16000 NE 10th	98008	11,165

Site ID	Site	Address	Zip	Facility Size (Sq. Ft.)
024	Crossroads Community Park - Annex Building	15801 NE 15th Street	98008	3,210
025	Hidden Valley Sports Park Hidden Valley House	1901 112th Ave NE	98004	1,550
026	Hidden Valley Sports Park Restroom Building	1901 112th Ave NE	98004	
027	Highland Park and Community Center Building	14224 NE Bel-Red Road	98007	13,176
028	Ivanhoe Elementary School Buildings	16661 Northup Way	98008	
029	Johnson Property-Residence House	5406 Lakemont Blvd SE	98006	
030	Kelsey Creek Community Park Education Barn	13204 SE 8th Place	98004	8,000
031	Kelsey Creek Community Park House	13204 SE 8th Place	98004	3,300
032	Lake Hills Greenbelt City Nursery Greenhouse	15302 SE 16th Street	98007	1,672
033	Lake Hills Greenbelt City Nursery Rental House	15302 SE 16th Street	98007	2,480
034	Lake Hills Clubhouse	15230 Lake Hills Blvd	98007	2,744
035	Lake Hills Greenbelt Larson Lake Farm Building	14812 SE 8th Street	98007	890
036	Lake Hills Greenbelt Phantom Lake Restroom Building	2024 - 156th Ave SE	98007	250
037	Lake Hills Greenbelt Ranger Station	15416 SE 16th Street	98007	1,500
038	Bellefield Yard Storage / Office	2101 118th Ave SE	98005	1,760
039	Mercer Slough Nat Pk Overlake Blueberry Farm A Frame House	2340 Bellevue Way SE	98004	600
040	Mercer Slough Nature Park Environmental Education Center	1625-118th Avenue SE	98005	3,000
041	Mercer Slough Nature Park Overlake Blueberry Farm Building	2340 Bellevue Way SE	98004	4,554
042	Meydenbauer Beach Park - Henrichs Property	9821 Lake Washington Blvd NE	98004	3,660
043	Meydenbauer Beach Park Kim Property/House (Transitional)	9817 Lake Washington Blvd NE	98004	
044	Meydenbauer Beach Park Rausch Property/House (transitional)	9755 Lake Washington Blvd NE	98004	
045	Meydenbauer Beach Park Schilling Property/House (transitory rental)	9807 Lake Washington Blvd NE	98004	
046	Municipal Golf Course - Miller Property	14660 NE 55th Street	98007	

047	Municipal Golf Course Maintenance Shop	5450 140th Ave NE	98005	5,000
048	Municipal Golf Course Pro Shop	5450 140th Ave NE	98005	4,023
049	Newcastle Beach Park Outdoor Restroom Building	4400 Lake Washington Blvd SE	98006	904
050	North Bellevue Community Center Building	4063 148th Ave NE	98007	17,000
051	Northwest Art Center-Building	9819 NE 24th Street	98004	5,744
052	Northwest Art Center-House	9819 NE 24th Street	98004	1,040
053	Robinswood Comm. Park Barn	2430 148th Ave SE	98007	4,255
054	Robinswood Comm. Park House	2432 148th Ave SE	98007	5,270
055	Robinswood Comm. Park House Cabana	2432 148th Ave SE	98007	
056	Robinswood Comm. Park Pump House	2432 148th Ave SE	98007	
057	Robinswood Comm. Park Tennis Center	2400 151st Place SE	98007	27,687
058	Sammamish Lake Property Rental House	1636 W Lake Sammamish Pkwy SE	98008	
059	Schilling Property Rental (Transitional)	9807 Lake Washington Blvd NE	98004	
060	South Bellevue Community Center Building	14509 SE Newport Way	98006	34,917
061	Crossroads Resource Management Pump Site Crew Quarters WD97	16409 NE 8th Street	98008	
062	Crossroads Pump Site Irrigation Building WD97	16023 NE 8th Street	98008	60
063	Crossroads Resource Management Office Pump Site WD97	16000 NE 10th Street	98008	520
064	Crossroads Resource Management Pump Site Trailer WD97	16023 NE 8th Street	98008	
065	Winter's House	2102 Bellevue Way SE	98004	2,500
066	Crossroads Substation3/28-4/25	15600 NE 8th Street	98008	
067	Factoria Substation	3915 Factoria Blvd SE	98006	
068	Downtown Transit Center - Substation	10800 block of Northeast Sixth Street, in the Rider Services Building	98004	
069	Bellefield - Sewer Pump Station	1400 112th Ave SE	98005	
070	Clyde Hill Resrv - Water Pump Station	2200 NE 96TH		
071	Cougar Mtn #1 - Water Pump Station	16431 SE 57TH PL	98006	
072	Cougar Mtn #2 - Water Pump Station	16859 SE 59TH ST	98006	

073	Cougar Mtn #3 - Water Pump Station	17617 SE COUGAR MTN DR		
074	Eastgate Maintenance Yard	4001 135TH AVE SE	98006	9600
075	Horizon View #1 - Water Pump Station	4825 148TH AVE SE	98007	
076	Horizon View #2 - Water Pump Station	4801 150TH AVE SE		1200
077	Horizon View 3/Summit - Water Pump Station	5304 153RD PL SE	98006	
078	Lake Hills #12 - Sewer Pump Station	251 LK SAMM PKY SE	98008	
079	NE 40th Resvr - Water Pump Station	4075 148TH AVE NE	98007	
080	Newport - Sewer Pump Station	4330 164TH AVE SE	98006	
081	Newport - Sewer Pump Station	73 SKAGIT KEY	98006	900
082	Parkers - Sewer Pump Station	9011 LK WA BLVD NE	98004	968
083	Parksite/Eastgate - Water Pump Station	14600 SE 44TH ST	98007	
084	Somerset Inlet - Water Pump Station	4335 130TH PL SE		
Total Square Footage				1,044,075

ATTACHMENT C

Resource Conservation Management Tariffs

PUGET SOUND ENERGY
Electric Tariff G

SCHEDULE 253
ELECTRICITY ENERGY EFFICIENCY PROGRAM (C)
Resource Conservation Manager (RCM) Program

1. **AVAILABILITY:**
Any school district, public-sector government agency, commercial, or industrial Customer with multiple accounts with facilities receiving electric service under Electric Tariff G from the Company (T)
2. **MEASURES:**
Cost-effective electricity savings, as well as savings involving other resources (e.g., natural gas, propane, oil, water, sewer, solid waste and recycling) will be achieved through use of an on-site "Resource Conservation Manager" (RCM). This individual(s) will be retained by the Customer and accountable for bill savings attributable to efficiency improvements in: (T)
a. Occupant and behavior practices by building occupants
b. Operations and maintenance (O&M) practices by administrators, managers and operations personnel
3. **ANALYSIS:**
Baseline electricity and other resource use and expenditures will be established. A facilities plan will be established and put in place. Tracking of implementation activities and monitoring of consumption and costs will be conducted on an ongoing basis and used as a basis for determining resource savings.
4. **SERVICES:**
The Company will make a preliminary estimate with the Customer of the cost-effectiveness of the RCM program. Services may include, but are not limited to the following, negotiated to meet the specific needs of the Customer: (C)
(T)
a. A guarantee that the Customer's total resource bill savings achieved by RCM activities exceed the salary of an RCM position. If not, the difference will be paid to the Customer, up to the value of the electricity savings achieved.
b. Assistance in hiring and/or training a Resource Conservation Manager
c. Assistance in development of baseline resource use and expenditures, resource policy guidelines, and ongoing monitoring and reporting of resource use and expenditures
d. Partial funding of the RCM position, for a limited time; providing there is mutual agreement for position's continuance after the period of funding support terminates (T)

Issued: November 20, 2007
Advice No.: 2007-32

Effective: January 1, 2008

Issued By Puget Sound Energy

By:

Tom DeBoer

Tom DeBoer

Title: Director, Rates & Regulatory Affairs

**PUGET SOUND ENERGY
Electric Tariff G**

**SCHEDULE 253
ELECTRICITY ENERGY EFFICIENCY PROGRAM
Resource Conservation Manager (RCM) Program
(Continued)**

(C)

- e. Access to electronic PSE energy use data for importing to energy accounting software.
- f. Company hosted periodic meetings to allow RCMs to evaluate and review resource management techniques with peers also participating in the program
- g. Educational and other materials for classroom or building occupant use
- h. On-line energy-use monitoring services may be provided at no charge for up to two years at selected facilities, provided compatible metering and remote data retrieval capability is in place. PSE is not obligated to repair, replace or upgrade noncompatible meters

(C)

5 CUSTOMER OBLIGATIONS:

Customers shall enter into RCM Agreement with the Company, and therein must agree to retain the services of a RCM for their facilities. The RCM will routinely prepare energy accounting reports showing energy use and costs for each facility. Customers must commit staff necessary to continue resource monitoring efforts at a "match" of the time period for which the Company provides any guarantee. Furthermore, the Customer agrees to adopt a resource policy guide and incorporate the guidelines into standard practice for facility operations within one year of signing the Agreement. The RCM Agreement will be reviewed annually to determine the cost-effectiveness and assess continuance following which either party may terminate the agreement with 30 days written notice.

(C)
(C)

6 SCHEDULE 83:

Service under this schedule is subject to the provisions of Schedule 83, Electricity Conservation Service, contained in this tariff.

7 GENERAL RULES AND PROVISIONS:

Service under this schedule is subject to the General Rules and Provisions contained in this tariff

Issued: November 20, 2007
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Issued By Puget Sound Energy

By:

Tom DeBoer

Tom DeBoer

Title: Director, Rates & Regulatory Affairs

WN U-2

Third Revision of Sheet No. 1208
Canceling
Second Revision of Sheet No. 1208

PUGET SOUND ENERGY
NATURAL GAS SCHEDULE NO. 208 (T)
NATURAL GAS ENERGY EFFICIENCY PROGRAM (C)
Resource Conservation Manager (RCM) Program

Section 1: Availability (K)(T)

Any school district, public-sector government agency, commercial, or industrial Customer with facilities receiving bundled natural gas service under the Company's natural gas tariff. (K)

Section 2: Measures (T)

Cost-effective natural gas savings, as well as savings involving other resources (e.g., electricity, propane, oil, water, sewer, solid waste and recycling) will be achieved through use of an on-site "Resource Conservation Manager" (RCM). The individual(s) will be retained by the Customer and accountable for bill savings attributable to efficiency improvements in: (T)

- a. Occupant and behavior practices by building occupants
- b. Operations and maintenance (O&M) practices by administrators, managers and operations personnel.

Section 3: Analysis (T)

Baseline gas and other resource use and expenditures will be established. A facilities plan will be established and put in place. Tracking of implementation activities and monitoring of consumption and costs will be conducted on an ongoing basis and used as a basis for determining resource savings.

Section 4: Services (T)

The Company will make a preliminary estimate with the Customer of the cost-effectiveness of the RCM program. Services may include, but are not limited to, the following, negotiated to meet the specific needs of the Customer: (C)

(Continued on Sheet No. 1208-A)

(K) Transferred to Sheet No. 1208-B

Issued: November 20, 2007

Effective: January 1, 2008

Advice No.: 2007-33

Issued By Puget Sound Energy

By:

Tom DeBoer

Tom DeBoer

Title: Director, Rates & Regulatory Affairs

WN U-2

Fifth Revision of Sheet No 1208-A
Canceling
Fourth Revision of Sheet No 1208-A

PUGET SOUND ENERGY
NATURAL GAS SCHEDULE NO. 208 (Continued)
NATURAL GAS ENERGY EFFICIENCY PROGRAM
Resource Conservation Manager (RCM) Program

(T)
(C)

- a A guarantee that the Customer's total resource bill savings achieved by RCM activities exceed the salary of an RCM position. If not, the difference will be paid to the Customer, up to the value of the gas savings achieved
- b Assistance in hiring and/or training a Resource Conservation Manager
- c Assistance in development of baseline resource use and expenditures, resource policy guidelines, and ongoing monitoring and reporting of resource use and expenditures
- d Partial funding of the RCM position, for a limited time; providing there is mutual agreement for position's continuance after the period of funding support terminates. (T)
- e Access to electronic Company energy use data for importing to energy accounting software
- f Company-hosted periodic meetings to allow RCMs to evaluate and review resource management techniques with peers also participating in the program
- g Educational and other materials for classroom or building occupant use
- h Online energy-use monitoring services may be provided at no charge for up to two years at selected facilities, provided compatible metering and remote data retrieval capability is in place. PSE is not obligated to repair, replace or upgrade noncompatible meters (C)

Section 5: Customer Obligations

(T)

Customers shall enter into an RCM Agreement with the Company, and therein must retain the services of a Resource Conservation Manager for their facilities. The RCM will routinely prepare energy accounting reports showing energy use and costs for each facility. Customers must commit staff necessary to continue resource monitoring efforts at a "match" of the time period for which the Company provides any guarantee. Furthermore, the Customer agrees to adopt a resource policy guide and incorporate the guidelines into standard practice for facility operations within one year of signing the agreement. The RCM Agreement will be reviewed annually to determine the cost-effectiveness and assess continuance, following which either party may terminate the agreement with 30 days notice (C)

(Continued on Sheet No 1208-B)

Issued: November 20, 2007
Advice No.: 2007-33

Effective: January 1, 2008

Issued By Puget Sound Energy

By:

Tom DeBoer

Tom DeBoer

Title: Director, Rates & Regulatory Affairs

WN U-2

Fifth Revision of Sheet No. 1208-B
Canceling
Fourth Revision of Sheet No. 1208-B

PUGET SOUND ENERGY
NATURAL GAS SCHEDULE NO. 208 (Continued)
NATURAL GAS ENERGY EFFICIENCY PROGRAM
Resource Conservation Manager (RCM) Program

(T)
(C)

Section 6: Schedule 183

(D)(N)

Service under this schedule is subject to the provisions of Schedule 183, Natural Gas Conservation Service, contained in this tariff

| |
| |
| (N)

Section 7: General Rules and Regulations

(D)
(M)(T)

Service under this schedule is subject to the rules and regulations contained in this tariff

|
(M)

(M) Transferred from Sheet No. 1208

Issued: November 20, 2007

Effective: January 1, 2008

Advice No.: 2007-33

Issued By Puget Sound Energy

By:

Tom DeBoer

Tom DeBoer

Title: Director, Rates & Regulatory Affairs

REQUEST FOR TAXPAYER IDENTIFICATION NUMBER

Please complete and return to: (requester's return address)

FOR OFFICE USE ONLY

(Requester enters name, address, and account as they appear in requester's records.)

Name _____

Locator ID _____

Step 1. (Check ONE box only and provide your complete name and Taxpayer Identification Number.)

U.S. Resident – Individual/Sole Proprietor (Form 1099 reportable)

Name _____

If you are a sole proprietor, name the owner of the business: _____

Social Security Number _____ Employer Identification Number _____

U.S. Partnership, Limited Liability Company ("LLC"), or Trust (Form 1099 reportable)

Name (as shown on your tax return) _____ Employer Identification Number _____

U.S. Corporation (exempt from Form 1099 reporting except for medical or legal services)

(If an LLC electing corporate status for U.S. tax purposes, please attach a copy of your U.S. tax election on IRS Form 8832, Entity Classification Election)

Name (as shown on your tax return) _____ Employer Identification Number _____

U.S. Tax-Exempt Organization or Federal, State, or Local Government Agency (exempt from Form 1099 reporting)

Name (as shown on your tax return) _____ Employer Identification Number 91-6007020

Step 2. Certification/Signature (Complete the following) Under penalties of perjury my signature certifies that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me).
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.
3. I am a U.S. person (including a U.S. resident alien).

Certification Instructions - You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, number 2 above does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN.

Signature: Nora Johnson Phone: 425-452-4167

Print Name: Nora Johnson Title: Civic Services Director Date: 3-31-09

Address: PO Box 90012 City: Bellvue State: WA ZIP: 98009-9012

Instructions for U.S. Tax Persons

As a business, federal income tax law requires us to report certain payments we make to you if you are not exempted from this reporting responsibility. In order for us to properly meet the federal tax law requirements, we need certain information from you. Please complete the information requested above and return this form to the address shown above. If you do not provide us with your correct taxpayer identification number, you may be subject to a \$50 penalty imposed by the Internal Revenue Service. In addition, you may be subject to 28% backup withholding on reportable payments we make to you. If you have any questions, please call us at _____ (provide requester's telephone number).

Are you a U.S. person? The IRS defines a U.S. person as:

- a U.S. citizen;
- an entity (company, corporation, trust, partnership, estate, etc.) created or organized in, or under the laws of, the United States; a state; or the District of Columbia;
- a U.S. resident (someone who has a "green card" or has passed the IRS "substantial-presence test." For an explanation of the substantial-presence test, please see IRS Pub. 515 or 519, available at www.irs.gov.)

If your answer is NO, please do not complete this form and contact us at (insert requester's phone number here) _____

If your answer is YES, please complete the form.

See page 2 for additional information.

Instructions for Non-U.S. Persons

If you are a non-U.S. resident or a corporation, partnership or other entity formed outside the U.S. and you are receiving payments as beneficial owner, IRS procedures require you to submit one of the following forms for use in determining the correct course of tax withholding on and information reporting of payments made to you. *These forms are available at www.irs.gov.*

- IRS Form 8233, *Exemption From Withholding on Compensation for Independent (and Certain Dependent) Personal Services of a Nonresident Alien Individual* **OR**
- IRS Form W-8ECL, *Certificate of Foreign Person's Claim for Exemption from Withholding on Income Effectively Connected with the Conduct of a Trade or Business in the United States*. **OR**
- IRS Form W-8BEN, *Certification of Foreign Status of Beneficial Owner for United States Tax Withholding*

If you are not a beneficial owner, but instead acting in an agency capacity for a beneficial owner, you may be required to submit:

- IRS Form W-8IMY, *Certificate or Foreign Intermediary, Foreign Flow-Through Entity, or Certain U.S. Branches for United States Tax Withholding*

If you need assistance in completing one of the above forms, please consult your U.S. tax advisor for the appropriate help in determining which of these forms should be submitted and in correct completion of the form. We require your provision of this information to assist us for tax purposes in correctly withholding and reporting payments we make to you for your services.

Specific Instructions

Name. If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name. If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered on the form.

Sole proprietor. Enter your individual name as shown on your income tax return. You may also enter your business, trade, or "doing business as (DBA)" name.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name and the LLC's name on the form.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-owner LLC that is disregarded as an entity separate from its owner, enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., enter the entity's EIN.

Note. See the chart on page 4 of the instructions for the IRS Form W-9, available at www.irs.gov, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at www.socialsecurity.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer ID Numbers under Related Topics. You can get Forms W-7 and SS-4 from the IRS by visiting www.irs.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding. You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester, or
2. You do not certify your TIN when required, or
3. The IRS tells the requester that you furnished an incorrect TIN, or
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions for the IRS Form W-9, available at www.irs.gov, under "Exempt from Backup Withholding" for more information.

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5863

AN ORDINANCE authorizing execution of a three year grant agreement with Puget Sound Energy of up to \$86,000 to establish a Resource Conservation Manager Program for City facilities; creating a project within the Operating Grants, Donations, and Special Reserves Fund; appropriating unanticipated and future revenues to the Fund; and authorizing expenditures of said grant funds.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is authorized to execute a three year grant agreement with Puget Sound Energy of up to \$86,000 to establish a Resource Conservation Manager Program for City facilities, a copy of which grant agreement has been given Clerk's Receiving No. 44318.

Section 2. The appropriate administrative officials of the City are hereby authorized to receive monies and to expend the same as authorized in said grant agreement.

Section 3. At the time of execution of said grant agreement and acceptance of said funds, a project shall be established within the Operating Grants, Donations, and Special Reserves Fund into which all said respective grant monies shall be deposited.

Section 4. The City Manager or his designee shall have responsibility for the administration of said grant monies and shall have all authority necessary to enter into agreements regarding the use thereof including purchase agreements to expend funds as provided in said grant agreement.

Section 5. The approximate amount and anticipated source of revenue for the grant proposal and acceptance are:

Puget Sound Energy	\$86,000
--------------------	----------

Section 6. Upon execution of said grant agreement the budget for the Operating Grants, Donations, and Special Reserves Fund shall be amended by appropriating revenues in the amount of the grants and acceptances herein authorized.

ORIGINAL

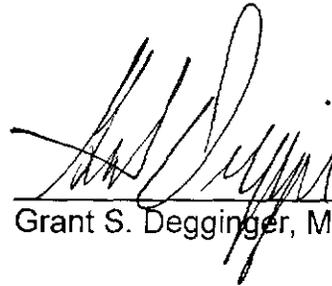
<u>Description</u>	<u>Amount Appropriated</u>
Operating Grants, Donations, and Special Reserves Fund	\$86,000

Provided, however, if the actual revenue received from the anticipated sources specified in said Grant Award should be more or less than the anticipated amount set forth herein, the appropriation shall be adjusted to be equal to the amount actually received.

Section 7. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 6th day of April, 2009,
and signed in authentication of its passage this 6th day of April,
2009.

(SEAL)



Grant S. Degginger, Mayor

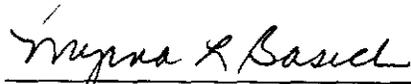
Approved as to form:

Lori M. Rjordan, City Attorney



Stina D. Windsor, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published _____

Agenda

page 1 of 5

City Council

Regular Session

MONDAY
April 6, 2009

8:00 – 10:00 p.m.
Council Chambers (1E-126)

Page

- 1. Call to Order
- 2. Roll Call, Flag Salute
 - (a) Proclaiming April 18, 2009 as Earth Day/Arbor Day PARK 2-1
Patrick Foran
 - (b) Proclaiming Child Abuse Prevention Month PARK 2-5
Patrick Foran
Advisory
Board
Chair, Gayle
Zawaideh
- 3. Communications: Written and Oral

Note: Three-minute limit per person, or five minutes if representing the official position of a recognized community organization. Maximum of three persons are permitted to speak to each side of any one topic. Additional presentations may be heard at Agenda Item 13, including three additional persons speaking to topics heard at Agenda Item 3.
- 4. Reports of Community Council, Boards and Commissions

City Council meetings are wheelchair accessible. American Sign language (ASL) interpretation is available upon request. Please phone 452-6805 at least 48 hours in advance. Assisted Listening Devices are also available upon request.



5. Report of the City Manager

- (a) Management Brief providing update on 2008 Crime Statistics *(no packet materials)*

POL
Chief Linda
Pillo

(For information.)

- (b) Management Brief providing update on Bellevue Golf Course Driving Range Improvements

PARK
Patrick Foran

5-1

(For information.)

6. Council Business and New Initiatives

7. Approval of the Agenda

8. Consent Calendar

- (a) Minutes of February 9, 2009 Extended Study Session
Minutes of February 17, 2009 Study Session
Minutes of February 17, 2009 Regular Session
Minutes of February 23, 2009 Extended Study Session

8a-1

- * * (b) Ordinance No. 5863 authorizing execution of a grant agreement with Puget Sound Energy establishing a Resource Conservation Manager program; accepting grant funds in the amount of \$86,000 over a three-year period; creating a project within the Operating Grants, Donations, and Special Reserves Fund; appropriating unanticipated and future revenues to the Fund; and authorizing the expenditure of said grant funds.

CIVIC

8-1

- (c) Resolution No. 7906 setting May 4, 2009 as the date for a public hearing to consider the vacation of a portion of SE 8th Street east of Bellevue Way SE and a portion of 105th Avenue SE south of SE 8th Street.

CIVIC

8-7

- (d) Resolution No. 7907 authorizing execution of a seven-year lease agreement with NORCOM for space within City Hall for the purpose of operating a regional communication center.

CIVIC

8-15

- | | | |
|--|------|-------------|
| (e) Motion to approve payment of claims for the period March 14, 2009 through April 3, 2009 and payroll for the period March 1, 2009 through March 15, 2009. | FIN | <u>8-19</u> |
| (f) Ordinance No. 5864 authorizing Amendment Nos. 3 and 4 to the State of Washington, Recreation and Conservation Office (RCO) for Outdoor Recreation's Washington Wildlife and Recreation Program (WWRP) 2006 Grant Project Agreement to: 1) increase the grant by \$120,444.10; 2) extend the grant to April 30, 2009; and 3) increase the project budget by \$120,444.10 (P-AD-15). | PARK | <u>8-21</u> |
| (g) Motion to disqualify low bid as non-responsive and Award Bid No. 9028 to JP Landscape Services, Inc., in the amount of \$149,402.06, as the lowest responsive and responsible bidder for the Somerset Entrance Fountain Replacement (NEP-1). | PARK | <u>8-31</u> |
| (h) Resolution No. 7908 authorizing execution of a five-year extension of the lease agreement with Terranomics Crossroads Associates, for the Crossroads Mini City Hall, for an annual lease payment of \$13,000. | PCD | <u>8-37</u> |
| (i) Motion to Award Bid No. 9020 for the 2009 Overlay Program, to Lakeside Industries, in the amount of \$2,919,870.62, as low bidder for the repair and resurfacing of 28.4 lane-miles of roadway (Streets Overlay CIP Plan PW-M-1). | TRAN | <u>8-41</u> |
| (j) Resolution No. 7909 authorizing execution of a professional services agreement for the 2009 Pavement Distress Survey, with Measurement Research Corporation, in the amount of \$105,027.00 (CIP Plan No. PW-M-1). | TRAN | <u>8-45</u> |

- (k) Motion to Award Bid No. 9000, Main Street Walkway Project, to Merlino Brothers, LLC, in the amount of \$37,071.00, as the lowest responsible and responsive bidder, to install an at-grade walking area, separated by curbing, on the north side of Main Street from 156th Avenue to 158th Place, and a left turn lane for westbound traffic at the 156th Avenue traffic signal. TRAN 8-51

- (l) Resolution No. 7910 authorizing approval of payment of \$32,775.60 for final settlement of a claim filed against the City for property damage to the Locklear residence caused by a surface water system failure. UTIL 8-57

- (m) Motion to award Bid No. 9007 for Pressure Reducing Valve (PRV) Replacement 2009, Phase 1 to D & G Backhoe, Inc., in an amount not to exceed \$72,401.04, as low bidder (CIP Plan No. W-67). UTIL 8-61

- (n) Motion to award Bid No. 9021 for Trenchless Storm Drain Pipe Rehabilitation, to Bonner Brothers Construction, Inc., in the amount of \$70,032.50, as low bidder (CIP Plan No. D-64). UTIL 8-67

- (o) Resolution No. 7875 authorizing execution of a four-year Professional Services Agreement with Yates, Wood & MacDonald, Inc., for property management services at the Bayvue Village Apartments. PARK 8-73

- 9. Public Hearings

- 10. Land Use

- 11. Other Ordinances, Resolutions and Motions
 - (a) Motion to approve an increase to the construction contract with KLB Construction Inc. (Bid No. 8174) by \$182,000 to \$1,142,112.50, for SE 26th Street/Somerset Avenue SE Sidewalk Project, as part of the Supplemental CIP Neighborhood Sidewalk Program (CIP Plan No. PW-W/B-76). TRAN Goran Sparman 11-1

(b) Ordinance No. 5865 amending the Environmental Procedures Code, Chapter 22.02 BCC, for consistency with the City's critical areas regulations, revising categorical exemptions consistent with WAC 197-11-908, clarifying which categorical exemptions apply in critical areas, and incorporating the critical areas overlay to section 22.02.140 BCC.

DSD
Carol Helland
Catherine
Drews

11-7

(Discussed with Council on March 23, 2009.)

(c) Ordinance No. 5866 and Ordinance No. 5867 amending sections of the City of Bellevue's Land Use Code to implement Comprehensive Plan amendments adopted in February, 2008 regarding Courter Enterprises and Factoria SRO.

DSD/PCD
Carol
Helland/
Paul Inghram

11-15

(Discussed with Council on March 23, 2009.)

(d) Ordinance No. 5868 adding a new Chapter 11.49 to the City Code authorizing the use of automated traffic safety and school speed zone cameras for issuance of notices of red light infractions at arterial intersections and speeding infractions at elementary schools within the city limits; authorizing execution of a five-year agreement with American Traffic Solutions, Inc. (ATS) to provide red light and school zone photo enforcement services; and amending the 2009-2010 General Fund budget by increasing the appropriation by \$588,000.

POL
Chief
Linda Pillo
Captain
Mike Johnson
Carl
Krikorian

11-21

(Discussed with Council on September 17 and December 10, 2007. A public hearing was also held on December 10, 2007.)

- 12. Unfinished Business
- 13. Continued Oral Communications
- 14. New Business
- 15. Executive Session
- 16. Adjournment

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance No. 5863, authorizing execution of a grant agreement with Puget Sound Energy establishing a Resource Conservation Manager Program for City facilities; accepting grant funds in the amount of \$86,000 over a three-year period; creating a project within the Operating Grants, Donations, and Special Reserves Fund; appropriating unanticipated and future revenues to the Fund; and authorizing the expenditure of said grant funds.

FISCAL IMPACT

Adopting this Ordinance would appropriate \$86,000 to the Operating Grants, Donations, and Special Reserves Fund to reflect grant funds to be received from Puget Sound Energy (PSE) over a three-year period. Value added in-kind services of approximately \$28,000 also would be provided by PSE. This is a performance grant from PSE that requires a Resource Conservation Manager position that is responsible for implementing the program. The PSE grant agreement provides a 100% salary guarantee if utility savings generated by this program do not meet estimated targets. The Resource Conservation Manager (RCM) Program is expected to be cost neutral over a three-year period with the PSE grant and citywide energy savings covering all costs.

RCM Program Projected Savings

Grant Timing	Electric & Gas Savings
Year 1 (3%)	\$53,000
Year 2 (5%)	\$130,000
Year 3 (5%)	\$221,000
Total Projected Savings	\$413,000*

RCM Program Financing

LTE Staffing Cost (3 years)	(\$242,000)
PSE Grant	\$86,000
Utility Savings (38% of Total Projected Savings)	\$156,000*
Net Cost	\$0

* Energy savings achieved above the amount required to offset the RCM Program costs could be used to complete future building audits and energy conservation capital projects.

STAFF CONTACT

Nora Johnson, Director 452-4167

Steve Sackenreuter, Facilities Manager 452-6970

Civic Services

Sheida Sahandy, Assistant to City Manager 452-6168

City Manager's Office

POLICY CONSIDERATION

The City Council has previously adopted goals relating to the reduction of greenhouse gas emissions. This action supports the:

1. Environmental Stewardship Initiative;
2. U.S. Mayors' Climate Protection Agreement;
3. Kyoto Protocol targets for reducing global warming; and
4. Climate Action Plan for Municipal Operations.

BACKGROUND

In February 2007 the Council passed Resolution No. 7517 which adopted the goal of reducing greenhouse gas emissions to 7% below 1990 levels by 2012 by taking actions in our government operations and similar actions within our community. In August 2007 the City became a signatory to the U.S. Mayors' Climate Protection Agreement to affirm its commitment to reduce greenhouse gas emissions in a manner consistent with the international targets set by the Kyoto Protocol. In August 2007 the Council adopted Ordinance No. 5754 funding the new Environmental Stewardship Initiative, CIP Plan No. G-67.

Staff also briefed Council in June and September 2008 on the Greenhouse Gas Emissions Inventory, the Climate Action Plan for Municipal Operations and the priorities for the ESI 2009-2010 budget. ESI budget priorities were also presented during the budget discussions in November and December 2008.

Buildings generate 42% of Bellevue's municipal greenhouse gas emissions. Puget Sound Energy's Resource Conservation Manager Program is focused on improving the efficiency of buildings and has proven to be successful in assisting other agencies in reducing their energy usage, and in turn their greenhouse gas emissions. The resulting energy usage and cost reductions have typically been 10-15% better than industry standards. Savings are accomplished through energy usage changes, operational improvements, facility maintenance, and attention to utility cost accounting. Nineteen local governmental agencies have implemented this program and all have met their key deliverables or targeted energy savings goals.

As a participant in the RCM Program, PSE requires that the City designate a Resource Conservation Manager position that is responsible for implementing the program. An LTE position will be used as current staff do not have capacity to manage this interdepartmental program. At the end of the 3-year term of the RCM position, the LTE will end. If significant savings are projected from continuing to implement additional

conservation measures then the program would be staffed by an existing or new FTE position.

PSE will provide the City with value added in-kind services worth approximately \$28,000. These include the Utility Tracking System with associated software maintenance, transfer of historical energy usage data, real-time access to energy usage via the internet, free building energy audits, and training. These tools will build long-term institutional capacity and enable the City to make fact-based decisions about how best to reduce energy consumption. The Utility Tracking System will also facilitate regulatory reporting of emissions data.

All departments who manage city buildings will participate in the RCM Program and monitor their energy use. Indicators of measurable success for the RCM Program as outlined in the Climate Action Plan for Municipal Operations are listed below. This program will:

1. Help meet or exceed the goal of reducing municipal building electric/gas usage by 13% by 2012;
2. Help reduce municipal building energy costs for electric/gas between \$156,000 and \$413,000 over 3 years; and
3. Make significant progress toward meeting overall city greenhouse gas emissions reduction and Kyoto Protocol targets.

The goal of the RCM program is to achieve these results without sacrificing quality of service or value to our customers. City facility managers will continue to conduct annual customer surveys, regulate building temperature and air quality to meet industry standards, and strive to achieve Energy Star ratings for City facilities. City Hall was recently awarded the Energy Star rating and is in the top 10% of high performing buildings in the nation.

The Resource Conservation Manager Program also meets a number of the Municipal Climate Action Plan criteria that were approved by Council in September 2008 including;

1. Cost effectiveness;
2. Strengthen management systems, increase capacity, implement best practices;
3. Budget neutral or positive over medium term; and
4. Certainty of effectiveness.

The RCM Program stands out as a great opportunity to achieve real progress toward the City's climate protection goals and demonstrate leadership for our community.

EFFECTIVE DATE

If approved, this Ordinance becomes effective on April 15, 2009.

OPTIONS

1. Adopt Ordinance No. 5863 authorizing execution of a grant agreement with Puget Sound Energy establishing a Resource Conservation Manager Program for City facilities; accepting grant funds in the amount of \$86,000 over a three-year period; creating a project within the Operating Grants, Donations, and Special Reserves Fund; appropriating unanticipated and future revenues to the Fund; and authorizing the expenditure of said grant funds.
2. Do not adopt the Ordinance and provide alternative direction to staff.

RECOMMENDATION

Adopt Ordinance No. 5863 authorizing execution of a grant agreement with Puget Sound Energy establishing a Resource Conservation Manager Program for City facilities; accepting grant funds in the amount of \$86,000 over a three-year period; creating a project within the Operating Grants, Donations, and Special Reserves Fund; appropriating unanticipated and future revenues to the Fund; and authorizing the expenditure of said grant funds.

MOTION

Move to adopt Ordinance No. 5863 authorizing execution of a grant agreement with Puget Sound Energy establishing a Resource Conservation Manager Program for City facilities; accepting grant funds in the amount of \$86,000 over a three-year period; creating a project within the Operating Grants, Donations, and Special Reserves Fund; appropriating unanticipated and future revenues to the Fund; and authorizing the expenditure of said grant funds.

ATTACHMENTS

Proposed Ordinance No. 5863

AVAILABLE IN COUNCIL OFFICE

Grant Agreement with Puget Sound Energy

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5863

AN ORDINANCE authorizing execution of a three year grant agreement with Puget Sound Energy of up to \$86,000 to establish a Resource Conservation Manager Program for City facilities; creating a project within the Operating Grants, Donations, and Special Reserves Fund; appropriating unanticipated and future revenues to the Fund; and authorizing expenditures of said grant funds.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Manager or his designee is authorized to execute a three year grant agreement with Puget Sound Energy of up to \$86,000 to establish a Resource Conservation Manager Program for City facilities, a copy of which grant agreement has been given Clerk's Receiving No. _____.

Section 2. The appropriate administrative officials of the City are hereby authorized to receive monies and to expend the same as authorized in said grant agreement.

Section 3. At the time of execution of said grant agreement and acceptance of said funds, a project shall be established within the Operating Grants, Donations, and Special Reserves Fund into which all said respective grant monies shall be deposited.

Section 4. The City Manager or his designee shall have responsibility for the administration of said grant monies and shall have all authority necessary to enter into agreements regarding the use thereof including purchase agreements to expend funds as provided in said grant agreement.

Section 5. The approximate amount and anticipated source of revenue for the grant proposal and acceptance are:

Puget Sound Energy	\$86,000
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Section 6. Upon execution of said grant agreement the budget for the Operating Grants, Donations, and Special Reserves Fund shall be amended by appropriating revenues in the amount of the grants and acceptances herein authorized.

<u>Description</u>	<u>Amount Appropriated</u>
Operating Grants, Donations, and Special Reserves Fund	\$86,000

Provided, however, if the actual revenue received from the anticipated sources specified in said Grant Award should be more or less than the anticipated amount set forth herein, the appropriation shall be adjusted to be equal to the amount actually received.

Section 7. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

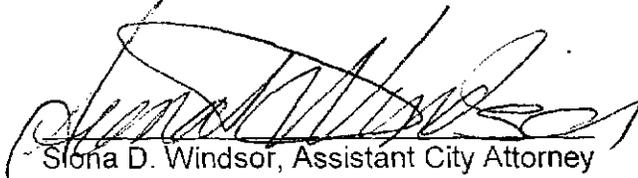
Passed by the City Council this _____ day of _____, 2009,
and signed in authentication of its passage this _____ day of _____,
2009.

(SEAL)

Grant S. Degginger, Mayor

Approved as to form:

Lori M. Rjordan, City Attorney


Stina D. Windsor, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published _____

INTRLOC 000

CR #: 44318 Date: 5-8-09

Loc: ~~09403~~ PO #: 910302000



City of Bellevue
Finance - Contracting Services
425-452-7876

Grant Agreement Routing Form

Current Agreement Information

Agreement Title: Resource Conservation Manager Grant Agreement	Agreement Type: Grant
Agreement Description: The City agrees to establish a Resource Conservation Manager Program to manage utility resources.	Document Type: Funding Agreement
Agreement Form: Vendor Agreement Document	Agreement Manager: Steve Sackenreuter
	Agreement Amount: \$86,000.00
	Total Aggregate Value:

Project Information:

Project Name: PSE Resource Conservation Mgr Prog	Project Manager: Steve Sackenreuter
Department: Civic Services	Are matching funds required on this project? No

Granting Organization Information:

Funding Agency: Puget Sound Energy
Administrative Agency: Puget Sound Energy
Administrative Agency JDE Vendor #: 36104
Funding Program Name: PSE Resource Conservation Manager Grant Agreement

Agreement Terms:

Original Effective Date: 04/01/2009 (actual date) **End Date:** 03/31/2012 (actual date)

Related Agreement Information:

Is this a renewal/amendment? No

Council Approval:

Council Award Date: 3/16/2009 **Ordinance #:** **Resolution #:** 5863
4/6/09

Route:	In	Out
Contracting Services: <u>M. Schuss</u>	<u>3/31/09</u>	<u>3/4/09</u>
Accounting: <u>V. Doherty</u>	<u>3/13/09</u>	<u>3/13/09</u>
Information Technology: <u>Not Required</u>		
Legal: <u>[Signature]</u>	<u>3/23/09</u>	<u>3/23/09</u>
Insurance Reviewed By: <u>Jeanne Nicolai</u>	<u>3/18/09</u>	<u>3/23/09</u>
Department Director: <u>[Signature]</u>	<u>4/17/09</u>	<u>4/17/09</u>
Contracting Services: <u>M. Schuss</u>	<u>4/2/09</u>	<u>4/2/09</u>
Return To: <u>Steve Sackenreuter</u>		
City Clerk's Office: <u>MT</u>	<u>58-09</u>	<u>58-09</u>

910302-000

Document Management Information:

CIP Plan #:

JDE Project Number:

Budget Fund:

Explanation:

Funding Source: Local/Other

Budget Information:

There is no budget requirement for this agreement.

Year	Description	JDE Account Number	Amount
			\$86,000.00

Additional Comments:

After Council approval account information will be set up by Finance.