
Meeting Date: September 18, 2024
Staff Contact: Jon Ebia, Electrical Engineer

TITLE: C-24-27 – Approval of Contract with The Aspen Winter Group LLC for Surface Water Treatment Plant Renewable Energy Rebalance Design/Build

ACTION: Recommend Approval

BACKGROUND:

Ssavel and Associates evaluated the Surface Water Treatment Plant (SWTP) solar array under the new Energy Transitions Act and determined that significant savings could be realized with a modified design and configuration. The existing solar arrays are not connected in a way which minimizes the purchased power cost from PNM. The evaluation concluded that by using solar generation vs selling power back to PNM can actually avoid an annual expense of \$581,000. This is based on different rate classes which the Water Authority is currently classified under.

SUMMARY:

This service was procured pursuant to the authority contained in Section 17, Sole Source Procurement, of the Rules Governing Procurement for the Albuquerque Bernalillo County Water Utility Authority (Water Authority). Resolution R-18-14 requires board approval for any purchase in an amount exceeding \$500,000.00.

Requesting approval to enter into an agreement with The Aspen Winter Group LLC to provide design/build for renewable energy rebalance at Surface Water Treatment Plant through the issuance of a purchase order.

If approved by the Board, a purchase order will be issued by the Water Authority to enable The Aspen Winter Group LLC to design/build for renewable energy rebalance at SWTP.

Approval of this item shall also serve as delegation of authority for the Executive Director to approve all future amendments to this purchase order, if any.

FISCAL IMPACT:

\$2,417,344.70 which amount includes NM GRT. This amount would be paid back within the fourth year of operation based on savings of \$581,000 annually.

SOLE SOURCE PURCHASE REPORT

To: Purchasing Officer

From: **Jon Ebia**

Date: **08/18/2024**

1. Name and address and contact information of supplier:

The Aspen Winter Group, LLC
4810 Baranca Rd NE
Rio Rancho, NM 87144

Blake Richards, CEO
Phone: 505-506-2050
Email: blake@aspenwintergoup.com

2. Goods and/or services to be purchased: Design/Build consulting and engineering services to facilitate interception, distribution, and termination of existing renewable energy systems to four primary metering segments as associated with the SWTP in order to balance the existing renewable energy distribution and utilizing key personnel with intricate knowledge and capabilities as related to the SWTP existing renewable infrastructure.

3. Estimated total dollar amount of expenditures pursuant to this request: **\$2,246,081.00**

4. Term for which goods and/or services will be purchased pursuant to this request (mark only the option which applies):

- a. 1-2 **Years**/Months/Weeks/Days (circle one)
b. This is a one-time sole source purchase, to be completed within the next fiscal year.

5. Identify the specific circumstances that require a sole source purchase of the goods and/or services requested:

- a. Brief description of the purpose of the goods or services to be purchased:
Design/Build to modify existing SWPT solar arrays to balance load, and use solar energy for SWTP, before procuring from PNM (cost avoidance).
- b. Reasons for need of goods and/or services from the specific supplier. Any one reason, by itself, does not necessarily justify a sole source purchase (mark all that apply):
- i. A diligent inquiry failed to identify any source for the same or similar goods and/or services that will substantially accomplish the same or similar functions to those provided by the source identified above. If so, identify which of the following steps were taken to establish a good-faith review of available alternative sources and provide written justification verifying the actions below were taken (mark all that apply):
- Contacted various suppliers of similar goods to discuss alternative options;
 - Performed product research for potential alternative sources;
 - Consulted with subject matter experts to identify potential alternative sources;
 - Other (specifically describe any actions taken, attach additional sheets if necessary):

SOLE SOURCE PURCHASE REPORT

(Inability to locate other sources via internet search will not suffice as acceptable due diligence.)

- ii. The goods and/or services offered are unique or proprietary in form, fit, and function. If so, describe the unique or proprietary qualities of the goods and/or services; if available, provide documentation of their unique or proprietary nature, e.g. evidence of patent/copyright/secret processes/limited rights in data (attach additional sheets if necessary):

 - iii. Use of goods and/or services from sources other than an Original Equipment Manufacturer will require substantial modification to equipment or systems currently in use, resulting in substantial duplication in cost to the Water Authority that is not expected to be recovered through competition and/or unacceptable delays in fulfilling the Water Authority's requirements. If so, describe the modifications, potential costs, and/or delays associated with making substitute goods and/or services compatible with current equipment or systems (attach additional sheets if necessary):

 - iv. The procurement requires a specific supplier of goods or services. If so, identify one or more of the following reasons and provide written justification verifying that the statement below is true:
 - 1. Limited availability of goods or services;
 - 2. Proven quality, accuracy, and/or dependability;
 - 3. Compatibility considerations;
 - 4. Safety considerations;
 - 5. Warranty issues or guarantee of parts performance;
 - 6. During the system design process, several alternatives were evaluated and the current proprietary process was selected;
 - 7. Other (specifically describe any other reasons, attach additional sheets if necessary):

 - v. The goods and/or services cannot be purchased by the Water Authority from any other supplier, e.g. the supplier has a protected territory established by the original producer of the goods or services. If so, attach written documentation from the original producer verifying the availability of sources for goods and/or services.
6. Describe the reasons the purchase is in the public's interest (attach additional sheets if necessary):
The background and specific site knowledge that the Aspen Group/Steve House have provides them and the WUA an advantage. Other consultants/contractors would have to overcome a learning curve which will take time and cost money. It makes sense to have the same team. After all, the rebalance project is fixing a problem that originated from having different teams complete projects without an overall vision.

SOLE SOURCE PURCHASE REPORT

7. Attach negotiated cost or fee schedule, as applicable, along with evidence confirming that the price is most advantageous to the Water Authority.

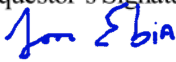
Requirement:

At least fifteen days before a sole source contract is awarded, the Central Purchasing Office shall post this notice of intent to award any sole source contracts for goods, services, or construction, on its website.

Any qualified potential contractor may protest an intent to award a sole source procurement to the Central Purchasing Office. The protest shall be submitted in writing within fifteen calendar days of the notice of intent to award a contract being posted by the Central Purchasing Office.

The signature below certifies that this justification is accurate and complete to the best knowledge and belief of the individuals signing:

Requestor's Signature:



Title:

8/21/24 13:32 MDT

Date

Signature Acknowledgement from the Division Manager:

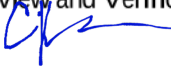


Division Manager

8/21/24 13:35 MDT

Date

Review and Verification by Purchasing Officer:



Purchasing Officer

8/26/24 08:22 MDT

Date



PROPOSAL

From:
Blake Richards
The Aspen Winter Group, LLC.
Renewable Energy Consulting, Construction, Engineering
4810 Baranca Rd NE
Rio Rancho, NM 87144
Phone: (505) 506-2050
Email: blake@aspenswintergroup.com

Proposal: 240816
Proposal Date: 08/16/2024

TO:
Albuquerque Bernalillo County Water Utility Authority
Attn: Jon Ebia
6000 Alexander Blvd NE
Albuquerque, NM 87107

JOB NAME	REQUISITIONER	SHIPPED VIA	PAYMENT TERMS
ABCWUA SWTP Renewable Energy Rebalance Design/Build Project	Jon Ebia	Electronic	TBD

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	<p>General Scope of Design/Build Project:</p> <p>With knowledge possessed by AWG staff of intricate details and as-build documentation related to the existing renewable energy infrastructure at the SWTP the primary focus will be to intercept, cut, divert, distribute, and re-terminate into four (4) proposed local main electrical metering sections serving the ABCWUA SWTP in a manner that balances the offset to benefit SWTP electrical burden.</p> <p>Included in the General Scope are the following:</p> <ul style="list-style-type: none"> • Engineering team site inspection • Design and Engineering Services • Consultation Services • Exploratory Potholing • Preservation and protection of Existing Conditions • Geotechnical testing and engineering services • Switchgear, Transformer, Utility PMS • Conduit, Cabling, Excavation and Backfill • Site Restoration • Jurisdictional Permitting • Electrical De-Termination, Termination, Commissioning, and Testing 	2,246,081.00	2,246,081.00
		SUBTOTAL	2,246,081.00
		TAX (7.75%)	TBD
		TOTAL	2,246,081.00

Thank you for your business