

WHEREAS, Georgia counties are authorized to participate in Energy Savings Performance Contracting as authorized by a Constitutional Amendment passed by voters in November 2010 and now codified at O.C.G.A. § 50-37-1 *et seq.*; and

WHEREAS, the Newton County Board of Commissioners recognizes the importance of providing best-in-class facilities to support the County's service needs and goals; and

WHEREAS, the Newton County Board of Commissioners recognizes that this can be achieved by providing modern, energy efficient and technologically superior infrastructure for our facilities, through a Guaranteed Energy Savings Performance Contract as defined at O.C.G.A. § 50-37-2(5); and

WHEREAS, the Newton County Board of Commissioners voted unanimously to partner with ABM Building Solutions, LLC, a Qualified Energy Services Provider as contemplated by O.C.G.A. § 50-37-2(10), on November 17, 2015 regarding the provision of a Final Facility Survey and an Energy Analysis for the Newton County Jail Facility; and

WHEREAS, on November 17, 2015, the Newton County Board of Commissioners also voted unanimously to exercise the right to extend this partnership with ABM Building Solutions, LLC, a Qualified Energy Services Provider as contemplated by O.C.G.A. § 50-37-2(10), regarding the provision of a Final Facility Survey and an Energy Analysis for all other Newton County Facilities; and

WHEREAS, ABM Building Solutions, LLC presented a Final Facility Survey and an Engineering Analysis to the Newton County Board of Commissioners on July 19, 2016 which provided (1) detailed descriptions of the improvements recommended for the Newton County Jail Facility project, the estimated costs of the improvements, and the utility and operation and maintenance cost savings projected to result from the recommended improvements, and (2) a detailed economic analysis of the project's performance over the life of the contract term; and

WHEREAS, ABM Building Solutions, LLC presented a Final Facility Survey and an Engineering Analysis to the Newton County Board of Commissioners on July 19, 2016 which provided (1) detailed descriptions of the improvements recommended for the Newton County Facilities project, the estimated costs of the improvements, and the utility and operation and maintenance cost savings projected to result from the recommended improvements, and (2) a detailed economic analysis of the project's performance over the life of the contract term; and

WHEREAS, the Newton County Board of Commissioners has elected to enter into a contract with ABM Building Solutions, LLC for an amount not to exceed \$7,319,058.00, for the Comprehensive Bundled Energy Solution, to provide upgrades to Newton County Jail Facility through a Guaranteed Energy Savings Performance Contract; and

WHEREAS, the Newton County Board of Commissioners has elected to enter into a contract with ABM Building Solutions, LLC for an amount not to exceed \$7,410,491.00, for the


Comprehensive Bundled Energy Solution, to provide upgrades to Newton County Facilities through a Guaranteed Energy Savings Performance Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF NEWTON COUNTY, GEORGIA AS FOLLOWS:

- (1) The Chairman of the Newton County Board of Commissioners, the County Manager and the County Attorney are hereby directed to work with ABM Building Solutions, LLC to prepare a Guaranteed Energy Savings Performance Contract in accordance with the Guaranteed Energy Savings Performance Contracting Act (O.C.G.A. § 50-37-1 *et seq.*) for both the Newton County Jail Facility and all other Newton County Facilities not to exceed \$14,729,549.00 with any necessary financing of the project to be negotiated and presented to the Newton County Board of Commissioners for final approval; and
- (2) Upon approval of a Guaranteed Energy Savings Performance Contract by the Newton County Board of Commissioners, the Chairman of the Newton County Board of Commissioners is hereby authorized to execute appropriate contractual and lease documents.

SO RESOLVED this 19th day of July 2016.

NEWTON COUNTY BOARD OF COMMISSIONERS



William K. Ellis, Chairman

Attest:



Jackie Smith, County Clerk

