

## Buckman Direct Diversion Project

*A joint regional project of the City of Santa Fe and Santa Fe County to build a reliable and sustainable water supply.*

### MEMORANDUM

Date: May 27, 2014

To: BDD Board

From: Rick Carpenter, BDD Project Manager *RC*

Via: Shannon Jones, Acting BDD Facility Manager *fl*

Subject: BDD Project Solar Power Facility at Booster Station 2A and  
Recommendation for Approval of Change Order No. 4 and Amendment  
No. 4

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#### Description of Change Order No. 4

In mid-2013, staff worked with the design engineering consultants on the solar design-build team, and the BDD Owners' Agent, to evaluate the efficacy of upgrading the solar panels to be used for the project, and other related changes. Included in this change was a reduction in output of the panels from 2.0 megawatts to 1.5 megawatts. Staff brought the related change order to the BDD Board for action in September, 2013. In short, the upgrade resulted in an improved warranty, increased certainty of the financial solvency of the supplier, improved electrical energy output, increased design life of the panels, possible increase in renewable energy credits (RECs) from PNM, and a smaller footprint of the PV project site. The total amount of the change order was \$137,800.00. This change order was approved at the September, 2013 BDD Board meeting.

At the time that the change order was implemented, an oversight occurred wherein the contract language was never modified to reflect the revision to a 1.5 megawatt facility. Therefore, on the advice of BDD Board General Counsel, the purpose of Amendment No. 4 is to formally make the change in the contract to reflect the 1.5 megawatt capacity. This is a zero-cost change order, there are no financial implications.

#### RECOMMENDATION

Staff recommends that the BDD Board approve C.O. No. 4 and Amendment No. 4.



**BUCKMAN DIRECT DIVERSION BOARD  
AMENDMENT No. 4  
TO THE AGREEMENT  
WITH BRADBURY STAMM CONSTRUCTION**

This AMENDMENT No. 4 (the "Amendment") is made to the AGREEMENT BETWEEN OWNER AND CONTRACTOR, dated March 7, 2013 (the "Agreement"), between the Buckman Direct Diversion Board (the "BDDDB") and Bradbury Stamm Construction (the "Contractor"). The date of this Amendment shall be the date when it is executed by the BDDDB Chair.

**RECITALS**

A. Under the terms of the Agreement, Contractor has agreed to provide construction services to the BDDDB:

B. Pursuant to Article 9.21 of the Agreement, the parties may, by mutual consent, amend the Agreement.

C. The parties wish to amend Article 2 the Agreement as provided herein.

**1. THE WORK:**

Article 2 of the Agreement is amended to decrease the size of the photovoltaic facility from 2.016 megawatts to 1.5 megawatts. The corresponding change order is attached as Exhibit "D" hereto.

**2. AGREEMENT IN FULL FORCE.**

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 4 to the Agreement between Owner and Contractor as of the dates set forth below.

**BUCKMAN DIRECT  
DIVERSION BOARD:**

By: \_\_\_\_\_  
Joseph M. Maestas, Board Chair

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
YOLANDA Y. VIGIL, CITY CLERK

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Nancy Long, BDDDB Independent Counsel

**APPROVED:**

\_\_\_\_\_  
MARCOS A. TAPIA, FINANCE DIRECTOR

**BRADBURY STAMM  
CONSTRUCTION, INC.**

By: \_\_\_\_\_  
Robert Wing

Title: \_\_\_\_\_



**Buckman Direct Diversion Board**  
**Summary of Contracts, Agreements, & Amendments**

**Section to be completed by department for each contract or contract amendment**

1 **FOR: ORIGINAL CONTRACT** ☐ or **CONTRACT AMENDMENT** ☒

2 Name of Contractor Bradbury Stamm

3 Complete information requested ☒ Plus GRT  
☐ Inclusive of GRT

Original Contract Amount: \$4,420,210.00

Termination Date: November 30, 2013

☒ Approved by BDDDB Date: March 7, 2013

☐ or by BDD Facilities Manager Date: \_\_\_\_\_

**Contract is for:**

Amendment # 4 to the Original Contract# 13-0201

Increase/(Decrease) Amount \$ 0.00

Extend Termination Date to: NA

☒ Approved by BDDDB Date: pending

☐ or by Project Manager Date: \_\_\_\_\_

**Amendment is for:**

Change order attached

4 **History of Contract & Amendments:** (option: attach spreadsheet if multiple amendments) ☒ Plus GRT

☐ Inclusive of GRT

Amount \$ 4,420,210.00 of original Contract# 130201 Termination Date: 11/30/2013

Reason: Megawat Solar

Amount \$ 137,800.00 amendment # 1 Termination Date: 09/30/2014

Reason: comp and scope

Amount \$ -81,288.00 amendment # 2 Termination Date: na

Reason: Decrease comp

Amount \$ 60,633.62 amendment # 3 Termination Date: \_\_\_\_\_

Reason: Increase comp

Total of Original Contract plus all amendments: \$ 4,537,356



**Buckman Direct Diversion Board**  
**Summary of Contracts, Agreements, & Amendments**

**5 Procurement Method of Original Contract:** (complete one of the lines)

RFP# 13/08/P Date: February 28, 2013

RFQ ☐ \_\_\_\_\_ Date: \_\_\_\_\_

Sole Source ☒ \_\_\_\_\_ Date: Pending

Other \_\_\_\_\_

**6 Procurement History:** 1 year contract  
example: (First year of 4 year contract)

**7 Funding Source:** \_\_\_\_\_ **BU/Line Item:** 72412.57297

**8 Any out-of-the ordinary or unusual issues or concerns:**  
none

(Memo may be attached to explain detail.)

**9 Staff Contact who completed this form:** Maya Martinez

Phone # 955-4271

**10 Certificate of Insurance attached.** (if original Contract) ☐

**Submit to City Attorney for review/signature**

Forward to Finance Director for review/signature

Return to originating Department for Committee(s) review or forward to City Manager for review and approval (depending on dollar level).

**To be recorded by City Clerk:**

Contract # \_\_\_\_\_

Date of contract Executed (i.e., signed by all parties): \_\_\_\_\_

Note: If further information needs to be included, attach a separate memo.

**Comments:**

Date: 6/05/2014

PCO # 4

# CHANGE ORDER REQUEST

Bradbury Stamm Construction, Inc.  
1303 • Buckman Photovoltaic

**To:** Rick Carpenter  
City of Santa Fe  
Santa Fe, NM 87504  
**Phone:** 505-955-4204  
**Fax:** 505-471-3119  
**Email:** rrcarpenter@ci.santa-fe.nm.us

**From:** Robert Wing  
Bradbury Stamm Construction, Inc.  
7110 2nd St NW  
Albuquerque, NM 87107  
**Phone:** 505-490-9003  
**Fax:**  
**Email:** rwing@bradburystamm.com

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Below is the detail for our proposal to complete the following changes in contract work:

Decrease size of the facility from 2.016 megawatts to 1.5 megawatts

PCO Item	Status	Change (in days)	Quantity	UM	Unit Price	Amount
4	Required	0				N/A

This Change Order is made to reflect the reduced facility size in the contract documents.  
There are no financial implications for the contract in relation to this Change Order.

Submitted by:

Approved By:

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Robert Wing

Date:

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Rick Carpenter  
City of Santa Fe

Date:

Date: 6/05/2014

PCO # 4

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1303 • Buckman Photovoltaic

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City of Santa Fe  
Santa Fe, NM 87504  
**Phone:** 505-955-4204  
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**From:** Robert Wing  
Bradbury Stamm Construction, Inc.  
7110 2nd St NW  
Albuquerque, NM 87107  
**Phone:** 505-490-9003  
**Fax:**  
**Email:** rwing@bradburystamm.com

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This Change Order is made to reflect the reduced facility size in the contract documents.  
There are no financial implications for the contract in relation to this Change Order.

Submitted by:

Robert Wing

Date:

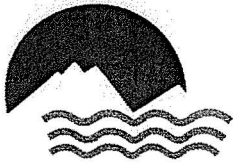
Approved By:

Rick Carpenter  
City of Santa Fe

Date:

5/27/14





Buckman Direct Diversion Project

*A joint regional project of the City of Santa Fe and Santa Fe County to build a reliable and sustainable water supply.*

## MEMORANDUM

Date: August 26, 2013

To: BDD Board

From: Rick Carpenter, BDD Project Manager  
Nick Schiavo, Acting Water Division and PUD Director

Via: Shannon Jones, Acting BDD Facility Manager

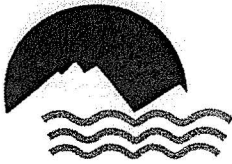
Subject: BDD Project Solar Power Facility at Booster Station 2A and  
Recommendation for Change Order

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### Description and Justification for Change Order

Over the past two months, staff has been working with the design engineering consultants on the design-build team, and the BDD Owners' Agent, to evaluate the efficacy of upgrading the solar panels to be used for the project. Staff briefed the BDD Board at the last meeting in August with regard to the upcoming change order. In short, the upgrade would result in an improved warranty, increased certainty of the financial solvency of the supplier, improved electrical energy output, increased design life of the panels, possible increase in renewable energy credits (RECs) from PNM, and a smaller footprint of the PV project site. The total amount of the change order would be \$137,800.00. Staff recommends upgrading the solar panels for the Buckman Direct Diversion Booster Station 2A (BDD BS2A) solar array from the Renesola, Chinese-based module to SunPower, a US-based module.





## Buckman Direct Diversion Project

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A more detailed explanation of the change order follows: Staff recommends approval of the change order for the following reasons:

1. The SunPower module has a 25 year product warranty that pays all costs associated with replacing a module. The Chinese module has a 10 year warranty and does not include labor to replace modules. The SunPower warranty will reduce the maintenance cost over the life of the system.
2. The Chinese manufacturer's, Renesola, financial and operational performance indicates that the company is at risk. This raises concern about this company's ability to honor product delivery and warranty responsibilities for the BDD BS2A solar system. SunPower has demonstrated much stronger corporate and operational performance.
3. The SunPower module provides higher output than the Renesola module which means the same amount of clean renewable solar electricity can be generated by an array with a 20% smaller footprint. This leaves room to add additional solar in the future to offset increased pumping costs as demand for water increases. The inverters on the system will be sized to facilitate adding solar panels in the future.
4. The SunPower module output starts out higher and degrades more slowly, meaning that the array will generate more energy later in its life. Renesola guarantees 80% output after 25 years whereas SunPower guarantees 87% output after 25 years. This provides financial benefit since energy will cost more in the future than it does today.
5. PNM has indicated that the REC assigned to this system may increase from \$0.015 to \$0.020. PNM has indicated that the REC payment will probably increase due to the lower wattage of the system. This would result in more REC income to the BDD from the system

Additionally, PNM's approval is required prior to construction and interconnection, and this project is currently under their review. PNM has indicated that this panel change should be made as soon as possible to avoid re-analysis and delay on their part.

### **RECOMMENDATION**

Staff believes that the \$137,800 change order would bring significant value to the project and would be a prudent investment by the BDD Board. The change order would be funded with currently un-expended funds within the existing NMFA grant/loan assigned to the overall project. Therefore, staff recommends that the Board approve the change order.

