

# Mayor and Council Communication

**DATE:** 06/13/23

**M&C FILE NUMBER:** M&C 23-0475

**LOG NAME:** 21ACCLAIM ENERGY ADVISORS LTD AMEND 3

**SUBJECT**

(CD 5) Authorize Execution of Amendment No. 3 to City Secretary Contract No. 53781 with Acclaim Energy Advisors, LTD. for Additional Energy Consulting and Management Services for an Amount Not to Exceed \$133,248.00; for a Revised Contract Amount Not to Exceed \$231,248.00

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**RECOMMENDATION:**

It is recommended that the City Council authorize Amendment No. 3 to City Secretary Contract No. 53781 with Acclaim Energy Advisors, LTD. to increase the total compensation in an amount not to exceed \$133,248.00 for a revised contract amount not to exceed \$231,248.00, to provide additional Energy Consulting and Management Services to evaluate and terminate the Village Creek Water Reclamation Facility Biosolids Drum Drying Facility existing electricity contract with Constellation Energy, transfer electricity accounts to the City of Fort Worth's Retail Electric Provider Contract, and perform sales tax recovery for both electricity and natural gas accounts for the Village Creek Water Reclamation Facility Biosolids Drum Drying Facility.

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**DISCUSSION:**

The City of Fort Worth entered into a services contract with Acclaim Energy Advisors, LTD., City Secretary Contract No. 53781, to provide Energy Consulting and Management Services on April 6, 2020.

On May 24, 2021, the City and Acclaim agreed to Amendment No. 1 to specifically provide natural gas procurement services.

On November 10, 2021, the City and Acclaim agreed to Amendment No. 2 to provide energy management and budgeting assistant services related to the City's natural gas supply contract and to increase contract compensation by \$48,000.00; for a new contract amount not to exceed \$98,000.00.

The City and Acclaim have negotiated a contract amendment to provide additional services specifically for the Village Creek Water Reclamation Facility Biosolids Drum Drying Facility to evaluate and terminate its electricity contract with Constellation Energy; transfer energy accounts to the City's retail electricity contract, and perform sales tax recovery services for both electricity and natural gas accounts for the Village Creek Water Reclamation Facility Biosolids Drum Drying Facility.

The amendment seeks to increase the total compensation in an amount not to exceed \$133,248.00 and will be invoiced by Acclaim based on shared savings gained from power transfer and sales tax recovery. The negotiated shared savings payable to Acclaim is 15% of savings resulting from energy supply transfer and 35% of sales taxes upon reimbursement; for an amount not to exceed \$133,248.00; payable in City fiscal year 2024.

All invoices for payable services will include comprehensive calculations to support payment amount not to exceed \$133,248.00.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the above recommendation and adoption of the Fiscal Year 2024 Budget by the City Council, funds will be available in the Fiscal Year 2024 operating budget, as appropriated, in the Water & Sewer Fund. Prior to an expenditure being incurred, the Water and Property Management Departments have the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** Steve Cooke 5134

**Additional Information Contact:** Juanita Rigsby 8518