



**SPECIAL BOARD MEETING AGENDA
RECREATION WORKSHOP
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Wednesday, January 19, 2022 at 6:00PM**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a District Board Meeting, please contact the District Office at 559-485-7353 at least 48 hours prior to the meeting, to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

- ❖ Public comments are limited to three (3) minutes or less per individual per item, with a fifteen (15) minute maximum per group per item and will be heard during the communication portion of the agenda.

1. Call to Order:

2. Roll Call: President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

3. Certification: Certification was made that the Board Meeting Agenda was posted 24 hours in advance of the meeting.

4. Old Business:

- a. **Workshop.** To discuss recreation plans and expectations for 2022.

For discussion and potential action.

- b. **Sitelogiq.** SitelogIQ will provide a proposal and Facility Solution agreement for the implementation of facility improvements, energy conservation, energy generation, and/or energy management services.

Recommended action: to review Sitelogiq agreement and approve agreement as presented or amended.

Motion by: _____, **Second by:** _____

5. New Business: *None for this meeting.*

6. Communications:

- a. Written Communications:
- b. Public Comment:

7. Closed Session:

- a. Pending Litigation (Gov't Code Section 54956.9) Malaga v CVRWCQB Fresno County Case No 16CECG03036.

8. Adjournment:

Motion by: _____, **Second by:** _____

Certification of Posting

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing agenda for the Special Board Meeting of the Board of Directors of January 19, 2022, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, at 5:00P.M. On 01/18/2022.

Norma Melendez

Norma Melendez, District Clerk



item 4.b.

January 18, 2022

Moises Ortiz
General Manager
Malaga County Water District
3580 S. Frank Street,
Fresno, CA 93725

RE: Facility Solution Project Feasibility and Letter of Agreement (LOA)

Dear Mr. Ortiz:

This Letter of Agreement (LOA) is intended to briefly describe the manner in which SitelogIQ and the Malaga CWD will work together during the engineering process, as well as the obligations of each party with respect to the engineering process.

Client Identification: Malaga County Water District

Facility Location(s):

TBD

Area of Focus:

SitelogIQ will provide a proposal and Facility Solution agreement for the implementation of facility improvements, energy conservation, energy generation, and/or energy management services.

Scope of Services:

- A. SitelogIQ will conduct a site visit to the Facilities to perform a physical audit and collect data. The Client will cooperate and collaborate with SitelogIQ during this phase by providing copies of requested data, including (if available): Site and/or system drawings, historical operating data produced or recorded by existing controls or meters, manual logs, and any other data that may be pertinent to this evaluation.
- B. Client will also make operational personnel available at reasonable times for in-person and telephone interviews with SitelogIQ to answer questions about existing facilities conditions, operating profile and existing equipment operation.



- C. Where operational data is not available to support the analysis, SitelogIQ will utilize standard engineering practices and assumptions to provide a conservative analysis on the potential energy savings from installing the energy conservation measures.
- D. SitelogIQ will also analyze the potential for energy generation measures.
- E. SitelogIQ will recommend energy management and/or on-going monitoring services.
- F. For each of the targeted Energy Conservation Measures (ECMs), estimated (projected) operating costs will be calculated and then compared to existing operating costs. Existing conditions will be evaluated using data-logged or stipulated and mutually agreed operational schedules.
- G. SitelogIQ will prepare a return on investment analysis (consistent with the client's preferred evaluation methods based on agreed upon Economic Criteria noted below).
- H. SitelogIQ will provide budgetary construction costs estimates and a summary Scope of Work for all recommended ECMs. Cost estimates will represent a "turnkey" solution. Refer to Attachment A for the list of discussed potential ECM's to be evaluated.
- I. The results will be presented to client as a recommended Scope of Work and a financial proforma (such as a Cash Flow) which will include costs and energy savings for the next 25 years with escalation of no more than 5% and including future maintenance & repair costs. As a result, *True Cost of Ownership* is presented to the client for their review and consideration.

Client Responsibilities:

In order for SitelogIQ to provide the services described in this LOA, the Client agrees to provide (or cause its energy suppliers to provide) SitelogIQ with utility usage data. Client agrees to provide As-built plans as needed to facilitate the completion of the scope.

Development Efforts:

Client acknowledges that SitelogIQ will incur considerable expense in developing the Project. This expense includes the cost to provide professional services by SitelogIQ's development team, the cost to visit the Site, and the cost to prepare the deliverables.



Ownership of Work:

All work products, including all proforma's, schedules, and scope of work documentation provided by SitelogIQ, will only become the property of the Client upon execution of a binding, irrevocable contract between the Client and SitelogIQ for the implementation of the ECMs proposed by SitelogIQ. Notwithstanding the foregoing, to the extent that any tangible work documentation produced by SitelogIQ contains SitelogIQ's pre-existing materials (including but not limited to templates, forms, and other SitelogIQ -created materials), SitelogIQ will remain the sole and exclusive owner of all such pre-existing materials.

Development Fee:

SitelogIQ will develop the Project for the firm, fixed fee/rate as listed below:

1. Fee/Rate of: Fee not to exceed **\$20,000.00.**

In the event that the Client enters into a contract with SitelogIQ for the implementation of the ECMs within 120 days after presenting the Proposal, then SitelogIQ's cost to develop the Proposal will not be billed. If the Client enters into a contract with SitelogIQ at a later date, the Development Fee paid by the Client will be credited toward the project's total implementation cost.

If SitelogIQ cannot meet the Economic Criteria Client will not compensate SitelogIQ for its LOA fee.

Economic Criteria:

The Client has represented to SitelogIQ that Client agrees to move forward with the project if the project is shown to reduce the operational expenses at the site over the useful life of the project. The main financial objectives of the project are as follows:

1. Provide a self-funded program, which pays for itself through expense reductions and minimizes the Client's contribution and meets the requirements of California Government Code 4217.10 et seq.

This LOA shall be construed and enforced in accordance with the laws of the State of California without regard to principles of conflicts of law.

If you agree with the provisions set forth in this LOA, kindly sign and date the LOA below and return one fully-executed copy to my attention. Thank you again for providing SitelogIQ with the opportunity to work with the Malaga CWD on this important initiative.



Acceptance of Letter of Agreement

This agreement is between the Malaga CWD and SitelogIQ, Inc.

Client:

SitelogIQ

Name:

Name:

Title:

Title:

Date:

Date:



**Attachment A:
Potential Facility Improvement, Energy Conservation and Energy
Generation Measures to be considered**

1. Solar Generation