

Community Renewable Energy Agency Board Meeting Agenda

Public Notice is hereby given that the Community Renewable Energy Agency Board will assemble in a public meeting on January 8th, 2024, at the Millcreek City Hall located at 1330 East Chambers Avenue (3205 South), 84106 Millcreek UT, commencing at 1:00 p.m. The Board will convene in an electronic meeting. Board members may participate from remote locations. Board members will be connected to the electronic meeting by GoToMeeting, Zoom or telephonic communications. The anchor location will be Millcreek City Hall. Members of the public who are not physically present at the anchor location may attend the meeting remotely by electronic means at <https://global.gotomeeting.com/join/890138285>.

REGULAR MEETING of the Board:

1. Welcome, Introduction and Preliminary Matters

- 1.1 Purpose and overview of meeting
- 1.2 Current participation percentages included in Board packet

2. Business Matters

- 2.1 Approval of December 4, 2023 Board Meeting Minutes
- 2.2 Treasurer Report (year-to-date contributions and expenses)
- 2.3 Reports from committees (Communications, Low-Income Plan, Program Design)
- 2.4 Public Comments

Audience members may bring any item to the Board's attention. Comments are subject to the Public Comment Policy and Procedure set forth below.

- 2.5 Discussion and consideration of Resolution 24-01 Resolution of the Board Approving Unobligated Funds for Program Design and Resource Solicitation
- 2.6 Discussion and consideration of Resolution 24-02 Resolution of the Board Amending the Financial Administration Policy
- 2.7 Board member comments
- 2.8 Closed Session (if needed): the Board may convene in a closed session to discuss items as provided by Utah Code Ann. §52-4-205

3. Adjournment

In accordance with the Americans with Disabilities Act, the Board will make reasonable accommodation for participation in the meeting. Individuals may request assistance by contacting adainfo@millcreek.us at least 48 hours in advance of the meeting.

Public Comment Policy and Procedure: The purpose of public comment is to allow citizens to address items on the agenda. Citizens requesting to address the Board may be asked to complete a written comment form and present it to the Millcreek City Recorder. In general, the Chair will allow an individual two minutes to address the Board. At the conclusion of the citizen comment time, the Chair may direct staff or Board members to assist the citizen on the issue presented; direct the citizen to the proper entity; or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The Chair may

place the item on the agenda under citizen comments; direct staff or Board members to assist the citizen; direct the citizen to the entity; or take no action.

THE UNDERSIGNED HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS EMAILED OR POSTED TO:

Millcreek City Hall

Utah Public Notice Website
<http://pmn.utah.gov>

DATE: 1/4/24

Emily Quinton

Alex Wendt

Note agenda items may be moved in order, sequence, and time to meet the needs of the Board.

This meeting will be live streamed via <https://millcreek.us/373/Meeting-Live-Stream>.

Participation Percentages

								Weighted Votes Occuring After July 31, 2022						
Signed Agreement to Secretary	Date Deemed Withdrawn	Listed Entities:	Phase 1 Initial Payments (Schedule 1, column D)	Phase 1 Anchor Payment Max (Schedule 2, column D)	Phase 2 Initial Payments (Schedule 1, column E)	Phase 2 Anchor Payment Max (Schedule 2, column G)	Aggregate Total of Actual Phase 1 Initial, Phase 2 Anchor, and Phase 2 Initial Payments	Phase 2 Anchor Proportionate Shares, based on Max Anchor Payments	Phase 2 Remaining Balance Distributed Proportionally Among Anchors (Phase 2 Anchor Payment)	Total Phase 1 and 2 Payment Obligations as of Meeting Date Above	Participation Percentage for Weighted Votes After July 31 2022	Yes vote on Resolution XX-XX Weighted Vote?	Total Yes Percentage on Resolution XX-XX	
1	7/1/2021	Grand County	2,109.37	3,110.81	2,109.37	3,110.81	\$ 6,364.78	1.49%	\$ 1,692.07	\$ 8,056.85	1.15%		0.00%	
2	10/1/2021	Salt Lake County	11,570.26		11,570.26		\$ 23,140.52	0.00%	\$ -	\$ 23,140.52	3.31%		0.00%	
3	7/1/2021	Summit County	10,759.97	15,868.33	10,759.97	15,868.33	\$ 32,466.94	7.61%	\$ 8,631.28	\$ 41,098.22	5.87%		0.00%	
4	7/1/2021	Town of Alta	218.93		218.93		\$ 437.86	0.00%	\$ -	\$ 437.86	0.06%		0.00%	
5		Bluffdale City	11,088.57		11,088.57		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%	
6	7/1/2021	Town of Castle Valley	106.74	157.42	106.74	157.42	\$ 322.08	0.08%	\$ 85.63	\$ 407.71	0.06%		0.00%	
7	4/28/2022	Coalville City	562.99		562.99		\$ 1,125.98	0.00%	\$ -	\$ 1,125.98	0.16%		0.00%	
8	7/1/2021	Cottonwood Heights	10,942.10		10,942.10		\$ 21,884.20	0.00%	\$ -	\$ 21,884.20	3.13%		0.00%	
9	6/13/2022	Emigration Canyon Township	456.22		456.22		\$ 912.44	0.00%	\$ -	\$ 912.44	0.13%		0.00%	
10	8/3/2021	Francis City	421.54		421.54		\$ 843.08	0.00%	\$ -	\$ 843.08	0.12%		0.00%	
11	7/1/2021	City of Holladay	9,387.72		9,387.72		\$ 18,775.44	0.00%	\$ -	\$ 18,775.44	2.68%		0.00%	
12		Kamas City	743.49		743.49		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%	
13	7/13/2021	Kearns	9,606.01		9,606.01		\$ 19,212.02	0.00%	\$ -	\$ 19,212.02	2.74%		0.00%	
14	7/1/2021	Moab City	2,237.95	3,300.43	2,237.95	3,300.43	\$ 6,752.75	1.58%	\$ 1,795.21	\$ 8,547.96	1.22%		0.00%	
15	7/1/2021	Millcreek	18,421.40	27,167.05	18,421.40	27,167.05	\$ 55,584.39	13.03%	\$ 14,777.00	\$ 70,361.39	10.05%		0.00%	
16	4/28/2022	Oakley City	520		520		\$ 1,040.00	0.00%	\$ -	\$ 1,040.00	0.15%		0.00%	
17	7/28/2021	Ogden City	35,737.26		35,737.26		\$ 71,474.52	0.00%	\$ -	\$ 71,474.52	10.21%		0.00%	
18		City of Orem	31,019.52		31,019.52		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%	
19	7/13/2021	Park City	6,742.38	9,943.35	6,742.38	9,943.35	\$ 20,344.33	4.77%	\$ 5,408.50	\$ 25,752.83	3.68%		0.00%	
20	7/1/2021	Salt Lake City	101,050.33	149,024.48	101,050.33	149,024.48	\$ 304,907.42	71.45%	\$ 81,059.05	\$ 385,966.47	55.14%		0.00%	
21	7/1/2021	Town of Springdale	481.26		481.26		\$ 962.52	0.00%	\$ -	\$ 962.52	0.14%		0.00%	
22		West Jordan City	37,916.77		37,916.77		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%	
23		West Valley City	47,899.22		47,899.22		\$ -	0.00%	\$ -	\$ -	0.00%		0.00%	
	7/1/2021		350,000.00	208,571.87	350,000.00	208,571.87	586,551.27	100.00%	113,448.73	\$ 700,000.00	100%		0.00%	

Community Renewable Energy Agency Board Meeting Minutes

The Community Renewable Energy Agency Board met in a regular public meeting on **Monday, December 4, 2023**, at Millcreek City Hall, located at 1330 E. Chambers Avenue, Millcreek, UT 84106 and participated electronically via GoToMeeting.

PRESENT:

Board Members

In person

Dan Dugan, Chair, *Salt Lake City*

Drew Quinn, *Holladay*

Emily Quinton, *Summit County*

Jeff Silvestrini, *Millcreek*

Christopher Thomas, *Salt Lake City*

Electronic

Roger Armstrong, *Summit County*

Randy Aton, *Springdale*

Elissa Martin, *Grand County*

Pamela Gibson, *Castle Valley*

Luke Cartin, *Park City*

Jeremy Rubell, *Park City*

Kalen Jones, *Moab*

David Brems, *Emigration Canyon Township*

Emily Paskett, *Salt Lake County*

Alexi Lamm, *Moab*

Samantha DeSeelhorst, *Cottonwood Heights*

Joe Frazier, *Oakley*

Holly Smith, *Holladay*

In Person Attendees: Kurt Hansen, *Millcreek*; Alex Wendt, *Millcreek*

Electronic Attendees: Sara Montoya, *Salt Lake City Staff*; Janene Eller-Smith, *Ogden City Staff*; Monica O'Malley, *Salt Lake City Staff*; Lorenzo Long, *Ogden City Staff*; Sam Owen, *Salt Lake City staff*; Joan Entwistle, *Park City Resident*; Kathryn Calderon, *Salt Lake County Staff*

Minutes by Alex Wendt, Millcreek Deputy Recorder.

REGULAR MEETING – 1:00 p.m.

TIME COMMENCED: 1:00 p.m.

1. Welcome, Introduction, and Preliminary Matters

1.1 Purpose and Overview of Meeting

1.2 Current Participation Percentages included in Board Packet

1.3 January Board Meeting to be Held on Monday, January 8, 2024, due to New Year's Holiday

2. Business Matters

2.1 Approval of November 6, 2023, Board Meeting Minutes

Board Member Silvestrini made the motion to approve the November 6, 2023, Board Meeting Minutes. Board Member Quinn seconded. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.

2.2 Treasurer Report (Year-to-Date Contributions and Expenses)

Board Member Silvestrini said that one additional bill has been paid to consultants for their advertising work. Board Member Quinton said that a discussion about the budget is necessary. \$300,000 was earmarked for legal and analytical costs related to the program design. \$41,288 remains. \$106,500 of Agency funds are not currently allocated. The Program Design Committee has discussed asking the Board to allocate these funds as needed to complete the program design negotiations with PacificCorp; engage in the Program Application docket with the Utah Public Service Commission; and support legal and analytical work to run an Agency-hosted resource solicitation, especially considering PacificCorp's suspended RFP. The Board could see a resolution at the January meeting to authorize this approach. Board Member Silvestrini said that when the Board was created, they factored in some reserve money. This process has taken longer, which has caused more money to be spent on legal counsel. Chair Dugan said that it is possible to gain some funds during the RFP process.

2.3 Reports From Committees (Program Design, Low-Income Plan, Communications)

There was no update from the Communications Committee.

Board Member DeSeelhorst gave the update from the Low-Income Plan Committee. The Low-Income Plan Committee has continued their work on informational posters for communities to deliver to residents.

Board Member Christopher Thomas gave the update from the Program Design Committee. The Committee met three times in November. Their small group met twice to discuss resource valuation, procurement, and financial backstop. The small group met with John Brems, Millcreek City Attorney, to discuss an agency hosted resource solicitation. 13 communities have delivered signed agreements to the Board Secretary: Alta, Castle Valley, Cottonwood Heights, Grand County, Holladay, Kearns, Millcreek, Moab, Oakley, Salt Lake City, Salt Lake County, Springdale, and Summit County. Five other communities remain. Two have voted to sign but have not given the signed agreement to Secretary Quinton. One will hold a vote on November 30th. Coalville voted to not proceed. Francis is currently unknown. Some communities may deliver signed agreements in January after newly elected leaders take office.

The Program Design Committee developed and submitted a program cost estimate to the Utah Division of Air Quality for the Beehive Emissions Reduction Plan. The cost

estimate used the following assumptions: that the Program would acquire power from a 200 MW solar farm and a 200 MW wind farm using cost and value assumptions from PacifiCorp filings. Using these assumptions, the total Program Premium costs were estimated to be \$70 million to \$100 million. These numbers are consistent with the range of \$2-\$7 extra per month on average for the typical participating household. Actual costs will reflect the results of competitive solicitations, approved program resource valuation methods, and administrative costs. The proposed estimates can be scaled down to reflect a smaller initial resource acquisition that would partially meet the Program goal. Chair Dugan asked, if the Agency receives a grant then could the cost to the customer be reduced? Mr. Thomas said the rate increase could be very negligible. Board Member Silvestrini said that many times grant programs will not allow you to bank money for the future, so exploring a pre-pay option will probably be necessary.

Board Member Silvestrini asked how the Board would like to proceed with the allocation of the funds. There will need to be a resolution drafted. There will likely be extra legal bills because of the extra time required. Board Member DeSeelhorst said that it would be a good idea to look at the Communications budget and whether some of that budget should be reallocated. Board Member Thomas spoke about potentially charging a bid fee to defray some costs that that Board incurs during the RFP process. This requires developers to bid, and it means that the Board cannot immediately count on this money.

Board Member Thomas said the Board had been planning to use bid information from PacifiCorp's all source RFP. PacifiCorp suspended this process, and the Program Design Committee has begun to explore how the Board would host their own resource solicitation. After a discussion with Millcreek's attorney, the Program Design Committee would like to draft a resolution that would modify the Agency's procurement rules. The new rules would allow the agency to run a solicitation for program resources, allow the imposition of a fee on bidders to defray solicitation and bid analysis costs, make clear that Millcreek or another member community may host the solicitation on its website, and allow for RFP responses to be directed to a third-party consultant.

2.4 Public Comments

Dylan Torskey asked if the wind farm and solar farm are existing projects or new. Chair Dugan said they are new projects. Joan Entwistle, Park City, expressed frustration with the PacifiCorp suspension of their RFP. She is concerned it will reduce the amount of green energy on the grid. Would the Community Renewable Energy Agency have to increase the amount of green energy they buy to compensate? Chair Dugan said it is somewhat unknown at this time because the Board does not know what the renewable energy portfolio will look like for Rocky Mountain Power in the future. The Board is working on this RFP process to ensure that more renewable energy reaches the market.

2.5 Board Member Comments

Chair Dugan thanked Board Member Silvestrini for allowing the Board to use Millcreek facilities.

2.6 Closed Session (If needed): The Board may convene in a closed session to discuss items as provided by Utah Code Ann. 52-4-205

3. Adjournment

Board Member Silvestrini made the motion to adjourn the meeting at 1:50 p.m. Board Member Quinn seconded. Chair Dugan called for the vote. All Board Members voted yes. The motion passed unanimously.

APPROVED: _____ Date
Dan Dugan, Chair

ATTEST:

Emily Quinton, Secretary

DRAFT

Community Renewable Energy Agency Board

Treasurer's Report for 1/8/24 Meeting

Billing report (p. 1 of 2)

For Date Range: 09/01/2021 - 12/31/2023

CRE - CRE MEMBERSHIP

Date Billed	Name	Account Name	Amount
9/15/2021	GRAND COUNTY	Membership Fee - Phase I Initial Payment	2,109.37
9/15/2021	SUMMIT COUNTY	Membership Fee - Phase I Initial Payment	10,759.97
9/15/2021	TOWN OF ALTA	Membership Fee - Phase I Initial Payment	218.93
9/15/2021	TOWN OF CASTLE VALLEY	Membership Fee - Phase I Initial Payment	106.74
9/15/2021	COTTONWOOD HEIGHTS	Membership Fee - Phase I Initial Payment	10,942.10
9/15/2021	FRANCIS CITY	Membership Fee - Phase I Initial Payment	421.54
9/15/2021	CITY OF HOLLADAY	Membership Fee - Phase I Initial Payment	9,387.72
9/15/2021	KEARNS	Membership Fee - Phase I Initial Payment	9,606.01
9/15/2021	MOAB CITY	Membership Fee - Phase I Initial Payment	2,237.95
9/15/2021	MILLCREEK	Membership Fee - Phase I Initial Payment	18,421.40
9/15/2021	OGDEN CITY	Membership Fee - Phase I Initial Payment	35,737.26
9/15/2021	PARK CITY	Membership Fee - Phase I Initial Payment	6,742.38
9/15/2021	SALT LAKE CITY	Membership Fee - Phase I Initial Payment	101,050.33
9/15/2021	SPRINGDALE CITY	Membership Fee - Phase I Initial Payment	481.26
10/19/2021	SALT LAKE COUNTY	Membership Fee - Phase I Initial Payment	11,570.26
11/10/2021	GRAND COUNTY	Anchor Payment - Phase I	2,146.04
11/10/2021	SUMMIT COUNTY	Anchor Payment - Phase I	10,947.00
11/10/2021	TOWN OF CASTLE VALLEY	Anchor Payment - Phase I	108.60
11/10/2021	MOAB CITY	Anchor Payment - Phase I	2,276.85
11/10/2021	MILLCREEK	Anchor Payment - Phase I	18,741.59
11/10/2021	PARK CITY	Anchor Payment - Phase I	6,859.57
11/10/2021	SALT LAKE CITY	Anchor Payment - Phase I	102,806.76

Billing report (p. 2 of 2)

4/12/2022 GRAND COUNTY	Membership Fee - Phase II Initial Payment	2,109.37
4/12/2022 SUMMIT COUNTY	Membership Fee - Phase II Initial Payment	10,759.97
4/12/2022 TOWN OF ALTA	Membership Fee - Phase II Initial Payment	218.93
4/12/2022 TOWN OF CASTLE VALLEY	Membership Fee - Phase II Initial Payment	106.74
4/12/2022 COTTONWOOD HEIGHTS	Membership Fee - Phase II Initial Payment	10,942.10
4/12/2022 FRANCIS CITY	Membership Fee - Phase II Initial Payment	421.54
4/12/2022 CITY OF HOLLADAY	Membership Fee - Phase II Initial Payment	9,387.72
4/12/2022 KEARNS	Membership Fee - Phase II Initial Payment	9,606.01
4/12/2022 MOAB CITY	Membership Fee - Phase II Initial Payment	2,237.95
4/12/2022 MILLCREEK	Membership Fee - Phase II Initial Payment	18,421.40
4/12/2022 OGDEN CITY	Membership Fee - Phase II Initial Payment	35,737.26
4/12/2022 PARK CITY	Membership Fee - Phase II Initial Payment	6,742.38
4/12/2022 SALT LAKE CITY	Membership Fee - Phase II Initial Payment	101,050.33
4/12/2022 SPRINGDALE CITY	Membership Fee - Phase II Initial Payment	481.26
4/12/2022 SALT LAKE COUNTY	Membership Fee - Phase II Initial Payment	11,570.26
5/4/2022 COALVILLE CITY	Membership Fee - Phase I Initial Payment	562.99
5/4/2022 OAKLEY CITY	Membership Fee - Phase I Initial Payment	520.00
5/4/2022 COALVILLE CITY	Membership Fee - Phase II Initial Payment	562.99
5/4/2022 OAKLEY CITY	Membership Fee - Phase II Initial Payment	520.00
6/15/2022 EMIGRATION CANYON METRO TOWNSHIP	Membership Fee - Phase I Initial Payment	456.22
6/15/2022 EMIGRATION CANYON METRO TOWNSHIP	Membership Fee - Phase II Initial Payment	456.22
9/27/2022 GRAND COUNTY	Anchor Payment - Phase II	1,692.06
9/27/2022 SUMMIT COUNTY	Anchor Payment - Phase II	8,631.28
9/27/2022 TOWN OF CASTLE VALLEY	Anchor Payment - Phase II	85.62
9/27/2022 MOAB CITY	Anchor Payment - Phase II	1,795.21
9/27/2022 MILLCREEK	Anchor Payment - Phase II	14,777.01
9/27/2022 PARK CITY	Anchor Payment - Phase II	5,408.50
9/27/2022 SALT LAKE CITY	Anchor Payment - Phase II	81,059.05

*Grand County Invoice resent on February 7, 2023

Total Billed \$ 700,000.00

Revenue report (p. 1 of 2)
For Date Range: 09/01/2021 - 12/31/2023

CRE - CRE MEMBERSHIP

Post Date	Receipt Name	Account Number	Account Name	Amount
9/24/2021	TOWN OF ALTA	701-3450-0000	Membership Fee - Phase I Initial Payment	218.93
9/24/2021	KEARNS -GREATER SALT LAKE MUNICIPAL SERVICES	701-3450-0000	Membership Fee - Phase I Initial Payment	9,606.01
9/24/2021	TOWN OF CASTLE VALLEY	701-3450-0000	Membership Fee - Phase I Initial Payment	106.74
9/27/2021	CITY OF HOLLADAY	701-3450-0000	Membership Fee - Phase I Initial Payment	9,387.72
9/27/2021	SUMMIT COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	10,759.97
9/29/2021	COTTONWOOD HEIGHTS	701-3450-0000	Membership Fee - Phase I Initial Payment	10,942.10
9/30/2021	MILLCREEK	701-3450-0000	Membership Fee - Phase I Initial Payment	18,421.40
10/4/2021	CITY OF MOAB	701-3450-0000	Membership Fee - Phase I Initial Payment	2,237.95
10/4/2021	OGDEN CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	35,737.26
10/4/2021	SALT LAKE CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	101,050.33
10/8/2021	FRANCIS CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	421.54
10/8/2021	TOWN OF SPRINGDALE	701-3450-0000	Membership Fee - Phase I Initial Payment	481.26
10/28/2021	PARK CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	6,742.38
11/10/2021	GRAND COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	2,109.37
11/23/2021	PARK CITY	701-3450-0000	Anchor Payment - Phase I	6,859.57
11/23/2021	SUMMIT COUNTY	701-3450-0000	Anchor Payment - Phase I	10,947.00
11/23/2021	SALT LAKE CITY	701-3450-0000	Anchor Payment - Phase I	102,806.76
11/29/2021	MILLCREEK	701-3450-0000	Anchor Payment - Phase I	18,741.59
11/29/2021	TOWN OF CASTLE VALLEY	701-3450-0000	Anchor Payment - Phase I	108.60
11/29/2021	CITY OF MOAB	701-3450-0000	Anchor Payment - Phase I	2,276.85
12/7/2021	SALT LAKE COUNTY	701-3450-0000	Membership Fee - Phase I Initial Payment	11,570.26
2/17/2022	GRAND COUNTY	701-3450-0000	Anchor Payment - Phase I	2,146.04
4/18/2022	COTTONWOOD HEIGHTS	701-3450-0000	Membership Fee - Phase II Initial Payment	10,942.10
4/21/2022	KEARNS -GREATER SALT LAKE MUNICIPAL SERVICES	701-3450-0000	Membership Fee - Phase II Initial Payment	9,606.01
4/21/2022	TOWN OF ALTA	701-3450-0000	Membership Fee - Phase II Initial Payment	218.93
4/25/2022	TOWN OF CASTLE VALLEY	701-3450-0000	Membership Fee - Phase II Initial Payment	106.74
4/25/2022	PARK CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	6,742.38
5/2/2022	SUMMIT COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	10,759.97
5/10/2022	GRAND COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	2,109.37
5/19/2022	OAKLEY CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	520.00
6/1/2022	COALVILLE CITY	701-3450-0000	Membership Fee - Phase I Initial Payment	562.99
6/1/2022	SPRINGDALE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	481.26
6/21/2022	SALT LAKE COUNTY	701-3450-0000	Membership Fee - Phase II Initial Payment	11,570.26
6/27/2022	EMIGRATION CANYON METRO TOWNSHIP	701-3450-0000	Membership Fee - Phase I Initial Payment	456.22
6/27/2022	EMIGRATION CANYON METRO TOWNSHIP	701-3450-0000	Membership Fee - Phase II Initial Payment	456.22

Revenue report (p. 2 of 2)

7/7/2022 MILLCREEK	701-3450-0000	Membership Fee - Phase II Initial Payment	18,421.40
7/19/2022 SALT LAKE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	101,050.33
7/27/2022 OGDEN CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	35,737.26
7/27/2022 CITY OF HOLLADAY	701-3450-0000	Membership Fee - Phase II Initial Payment	9,387.72
7/29/2022 COALVILLE CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	562.99
7/29/2022 FRANCIS CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	421.54
7/29/2022 CITY OF MOAB	701-3450-0000	Membership Fee - Phase II Initial Payment	2,237.95
8/8/2022 OAKLEY CITY	701-3450-0000	Membership Fee - Phase II Initial Payment	520.00
10/6/2022 SUMMIT COUNTY	701-3450-0000	Anchor Payment - Phase II	8,631.28
10/6/2022 SALT LAKE CITY	701-3450-0000	Anchor Payment - Phase II	81,059.05
10/6/2022 CITY OF MOAB	701-3450-0000	Anchor Payment - Phase II	1,795.21
10/17/2022 MILLCREEK	701-3450-0000	Anchor Payment - Phase II	14,777.01
10/27/2022 TOWN OF CASTLE VALLEY	701-3450-0000	Anchor Payment - Phase II	85.62
11/16/2022 PARK CITY	701-3450-0000	Anchor Payment - Phase II	5,408.50
3/3/2023 GRAND COUNTY	701-3450-0000	Anchor Payment - Phase II	1,692.06

Total Received \$ 700,000.00

Accounts payable report:

For Date Range: 09/01/2021 - 12/31/2023

Post Date	Vendor	Account Number	Account Name	Amount
12/21/2021	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	2,425.50
1/25/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	5,184.00
3/8/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	6,615.00
3/29/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	15,481.35
4/12/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	23,526.27
6/21/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	20,222.91
6/30/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	6,242.87
8/9/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	9,643.00
10/11/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	26,701.25
10/25/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	15,702.75
11/8/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	2,320.25
12/13/2022	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	9,047.50
1/10/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	11,118.50
2/14/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	11,243.25
3/7/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	18,049.50
5/2/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	11,833.50
5/16/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	562.50
5/16/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	1,312.50
5/31/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	3,096.00
6/21/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	12,683.00
6/21/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	7,375.00
7/18/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	5,766.75
7/26/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	812.50
7/26/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	7,818.50
8/31/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	8,926.00
9/19/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	13,312.50
10/3/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	11,549.25
10/17/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	6,812.50
10/31/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	10,727.00
11/14/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	8,943.74
12/5/2023	JAMES DODGE RUSSELL & STEPHENS, P.C.	701-7110-3100	Professional Services	8,554.50
12/27/2023	PENNA POWERS, INC.	701-7110-3100	Professional Services	4,500.00

Total Paid	\$	308,109.64
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Balance Unspent	\$	391,890.36
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Community Renewable Energy Agency Budget Status:

Budget usage	Vendor	Budget	Spent	Remaining
Legal & technical	James Dodge Russell & Stephens P.C.	\$300,000	\$258,711.65	\$41,288.35
Communications	Penna Powers (not to exceed)	\$93,500	\$49,397.99	\$44,102.01
Division of Public Utilities and Office of Consumer Services	Third-party consultants (not to exceed)	\$200,000	\$0.00	\$200,000.00
Unallocated portion of Agency budget	TBD	\$106,500	\$0.00	\$106,500.00
	Total	\$700,000	\$308,109.64	\$391,890.36

Agenda Item 2.3 Communications Committee Update

Community Renewable Energy Board Meeting
January 2024

*Committee Membership: Salt Lake City, Cottonwood
Heights, Alta, Holladay, Moab*

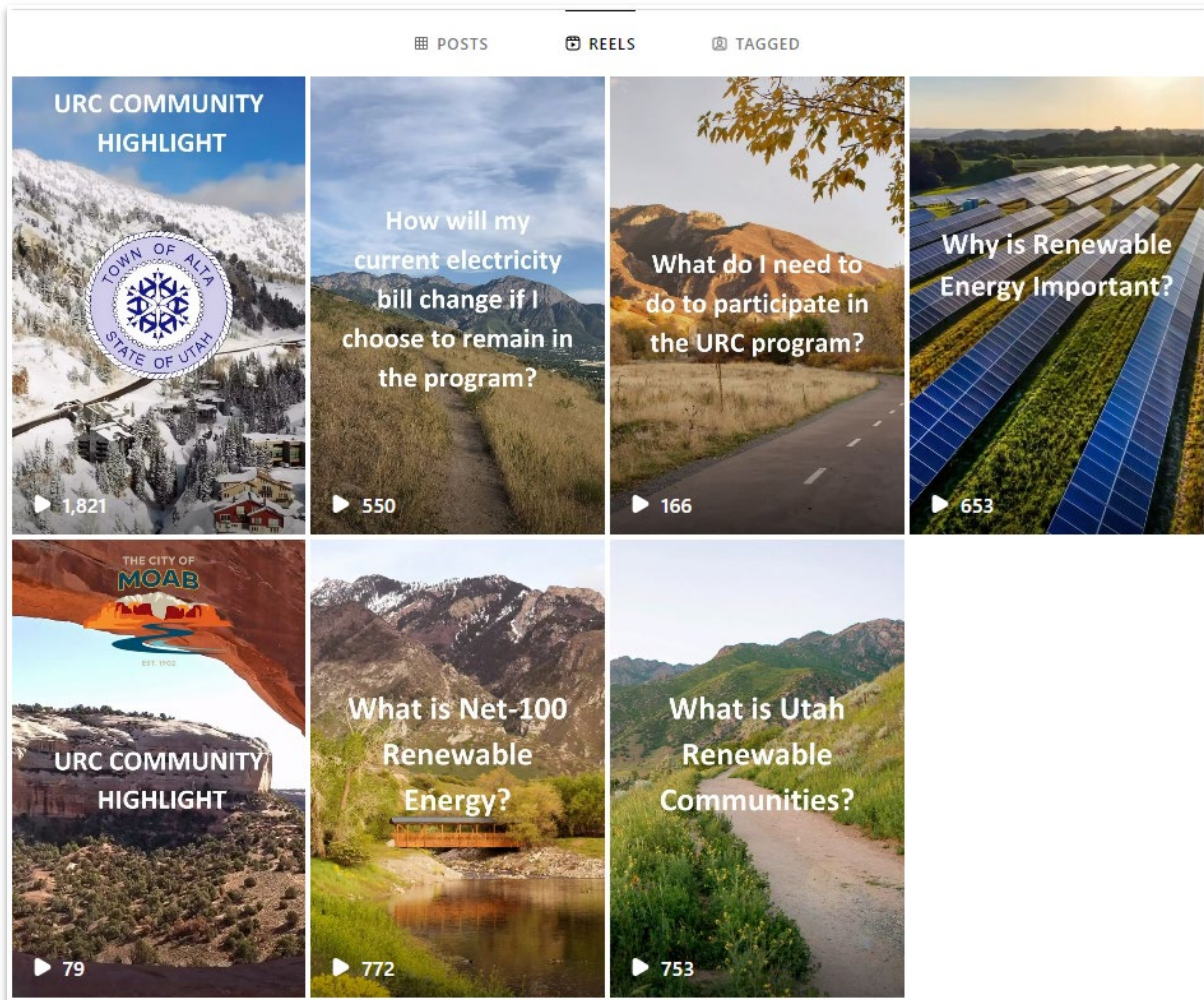
Recent Committee Activity

- November “Open House” with Community Communications Folks
 - Presentations on URC basics and Penna Powers project
 - Attendees from most participating communities
 - Shared logos and branding material, social media graphics, strategy, calendar
 - Requested photos and other content from communities
 - Encouraged collaboration and sharing of social, newsletter content
- Ongoing committee member collaboration with Penna Powers on social, newsletter content drafting, review and posting
- Next Committee Meeting: Friday January 12th 10 AM

Recent Communications Activity

- Weekly social media posts, monthly newsletters
- Comms channels performance trends are very good, absolute numbers still low
 - We are improving program awareness and broadening our audience
 - IG > FB, Video > still photo content
- [Penna content performance metrics report](#)
- Next Committee Meeting: Friday January 12th 10 AM

Recent Communications Activity



Scope of Work and Cost Estimate

- Total billed to-date: \$49,397.99
- 52% of budget expended as of December 7th; began billing in April
- Not-to-exceed cost estimate: \$93,500
- State contract hourly rate for “public relations”: \$125/hr
- Contract expires June 30



TASKS	Cost Estimate	Estimated Hours	Billed July	Billed August	Billed September	Billed October	Billed November	Total Billed To Date	Total Hours To Date	Percentage of Budget	Budget Remaining
STRATEGY, PLANNING, & MGMT											
Project Meetings	\$10,000	80.00	\$593.75	\$125.00	\$562.50	\$375.00	\$31.25	\$3,562.50	28.50	36%	\$6,437.50
Communications Audit	\$7,500	60.00	\$187.50	\$31.25				\$7,329.25	58.63	98%	\$170.75
Phase 2 Preparation	-	-						\$93.75	0.75	-	
Opt-Out Letter	\$250	2.00		\$187.50				\$218.75	1.75	88%	\$31.25
Website (Program Description/FAQ)	\$2,000	16.00	\$375.00	\$93.75				\$1,906.25	15.25	95%	\$93.75
Decision Prep	-	-	\$31.25	\$31.25	\$125.00	\$125.00		\$312.50	2.50	-	
Revise Logo	\$8,000	64.00	\$1,906.25	\$437.50	\$125.00	\$156.25	\$406.25	\$6,468.75	51.75	81%	\$1,531.25
Refresh Website	\$15,000	120.00	\$1,968.75	\$2,875.00	\$2,937.50	\$2,730.00	\$218.75	\$11,230.00	89.84	75%	\$3,770.00
Monthly Newsletter Content (+ Template)	\$12,000	96.00	\$500.00	\$62.50		\$500.00	\$1,343.75	\$3,156.25	25.25	26%	\$8,843.75
Social Media Content	\$18,000	144.00	\$2,125.00	\$1,750.00	\$3,062.50	\$4,338.74	\$2,375.00	\$14,182.49	113.46	79%	\$3,817.51
Ordinance Adoption Prep	-	-	\$31.25					\$31.25	0.25		
Assistance Poster	\$2,750	22.00				\$625.00	\$125.00	\$750.00	6.00	27%	\$2,000.00
Phase 3 Preparation	-	-				\$93.75		\$156.25	1.25		
Total Estimated Cost											
Total Amount Billed Per Month			\$7,718.75	\$5,593.75	\$6,812.50	\$8,943.74	\$4,500.00	\$49,397.99	395.18	52%	

Social Media Budget

- 79% of the way through ~\$14,000 budget line item, our biggest
 - More front-end work on strategy, templates, calendar, more video content than anticipated
 - Penna is doing most/all content production = expensive
- 6 months left under contract; will we extend given program application timeline?
- Options:
 - Reduce Penna newsletter drafting – saves up to ~\$7,000?
 - Reduce Penna involvement in social media
 - Find more budget

Next Steps

- *Committee meeting 1/12*
 - *Penna scope adjustment discussion*
 - *Public Relations planning: press releases*
- *Continue developing and posting social/newsletter content*
- *Coordination with Low Income Plan, Program Design Committees to understand and support upcoming milestones and communications priorities*

Agenda Item 2.3 Program Design Committee Update

Utah Renewable Communities (URC) Board Meeting
January 2024



UTAH
RENEWABLE
COMMUNITIES

100% Committed to Clean Energy

Program Design Committee Membership

- Summit County
- Holladay
- Millcreek
- Ogden
- Park City
- Salt Lake City
- Springdale

[Resolution 21-05](#)

[Resolution 21-06](#)

Program Application – Required Items 9/28

	Agency Working Committee	Rocky Mountain Power	Board
Name and boundary map for each eligible community	Drafted and Sent 4/27	Accepted 8/7	N/A
Proposed ordinance language	Recommended	--	Approved
Customer count by schedule, monthly load by class	Reviewing data	Provided data	
10-year load forecast by class	Awaiting 8/3	Complete 4/28	N/A
Projected program rates for each customer class		Assigned 3/21	
Process for periodic rate adjustment filings		Assigned 3/21	
Proposed tariff changes		Drafting 3/21	
Utility Agreement	Approved 10/2	Approved 10/2	Approved
Governance Agreement	Complete		
Plans for low-income assistance (Programmatic)	Recommended	Reviewed	Approved
Proposed program solicitation rules (NEW)	Drafted and sent 11/22	Reviewing 11/22	
Proposed resource contracting provisions (NEW)	Drafted and Sent 6/5	Reviewing 6/5	
Proposed Agency resource solicitation documents (NEW)			
Proposed form of opt-out notices	Reviewing 11/6	Revised and Sent 11/6	
Projected implementation date	Conceptual Discussions		
Other informational materials	Not Started		
Explanation how other customers and utility not subject to costs	Conceptual Discussions		

Key Activities

- Committee met twice in December
- Small group met twice to discuss resource valuation, procurement, and financial backstop
- Drafted resolution regarding using remaining funds for program design and resource solicitation (24-01)
- Worked with Millcreek City Attorney John Brems to draft a resolution amending the Agency's financial administration policy with respect to procuring new resources (24-02)

Resolution 24-01: Using Remaining Funds on Program Design and Solicitation

- As we discussed in December, PacifiCorp / Rocky Mountain Power indefinitely suspended its ongoing 2022 resource solicitation
 - The Agency had hoped to review pricing and possibly select a resource from this solicitation
 - The Program Design Committee discussed hosting our own Agency solicitation
- We had informally earmarked \$300,000 for legal and analytical consulting expenses
 - As of December 31, we have spent \$258,711.65, leaving \$41,288.35 remaining
 - There is also another \$106,500 that is not obligated for any purpose
- Resolution 24-01 would approve the use of the remaining unobligated funds (**totaling \$147,788.35**) for legal and analytical expenses to complete the program design and host a resource solicitation

Resource Solicitation Rough Timeline (Subject to Change)

- February: Rocky Mountain Power files the proposed solicitation rules, solicitation documents, and template resource contracts with the Utah Public Service Commission (PSC)
- April: Rocky Mountain Power files the remaining Program Application documents with the PSC
- June: If the PSC approves the February filing, Millcreek publishes a resource solicitation on behalf of the Agency
- Sep: The Agency selects a resource and asks PacifiCorp to sign a Power Purchase Agreement, contingent on the Program Application being approved and the resource being approved by the PSC and any resource financial backstop requirements being met

Resolution 24-02: Amending Financial Administration Policy

- Resolution 24-02 amends the Agency's financial administration policy to explicitly allow Millcreek to host a solicitation for program resources
 - Allows for the development of program resource bid documents
 - Allows for a bid fee to be required for program resource bids (similar to how PacifiCorp / Rocky Mountain Power charges bid fees to offset costs)
 - Allows for resource bids to be submitted directly to a third-party
 - The invitation for resource bids will follow Millcreek process for acquisition of services and supplies in an amount greater than \$10,000 and to make payment to the vendor for a contract

Next Steps

- If the resolutions pass, the committee will work on creating solicitation bid documents and template contracts to be ready to submit to the Utah PSC by the end of February
- Hope to nail down a proposed resource valuation mechanism later this month

THE COMMUNITY RENEWABLE ENERGY BOARD
RESOLUTION NO. 24-01

A RESOLUTION OF THE BOARD APPROVING UNOBLIGATED FUNDS FOR PROGRAM DESIGN AND RESOURCE SOLICITATION

WHEREAS, the Community Renewable Energy Board ("Board") met in a regular meeting on January 8th, 2024 to consider, among other things, approving the use of unobligated funds for program design; and

WHEREAS, pursuant to the Interlocal Cooperation Act, codified at §11-13-101 et seq. and adoption of an Interlocal Cooperative Agreement ("Agreement") the Community Renewable Energy Agency ("Agency") was formed; and

WHEREAS, pursuant to the Agreement, the Agency has collected \$700,000 in payments from parties to the Agreement; and

WHEREAS, the Board previously adopted Resolution 23-03 approving the expenditure of up to \$93,500 for public relations services, and previously adopted Resolution 22-06 approving the expenditure of up to \$200,000 for the reimbursement of consulting fees incurred by the Utah Division of Public Utilities and the Utah Office of Consumer Services, for a total of \$293,500 in approved expenditures (the "Obligated Funds");

WHEREAS, the Board adopted Resolution 21-18 approving the expenditure of funds for legal counsel on energy and utility matters and has spent \$258,711.65 as of December 31, 2023 ("Legal Expenditures") for this purpose; and

WHEREAS, PacifiCorp indefinitely suspended its 2022 All-Source Request for Proposals, a solicitation through which the Agency had hoped to review renewable resource pricing to inform program design matters and potentially acquire one or more renewable resources; and

WHEREAS, the Program Design Committee, formed by the Board through adoption of Resolution 21-05, recommends the Agency host its own resource solicitation for the purpose of informing program design matters and potentially acquiring one or more renewable resources; and

WHEREAS, of the \$700,000 collected in payments that are not Obligated Funds or Legal Expenditures, \$147,788.35 remains unspent and unobligated ("Unobligated Balance").

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes the expenditure of up to the remaining Unobligated Balance on legal and related expenses to finalize the program design and develop a solicitation for the acquisition of renewable energy resources.

This Resolution assigned No. 24-01, shall take effect immediately.

PASSED AND APPROVED by the Board this 8th day of January 2024.

COMMUNITY RENEWABLE ENERGY BOARD

Dan Dugan, Chair

ATTEST

Emily Quinton, Secretary

THE COMMUNITY RENEWABLE ENERGY BOARD
RESOLUTION NO. 24-02

**A RESOLUTION OF THE BOARD AMENDING THE FINANCIAL
ADMINISTRATION POLICY**

WHEREAS, the Community Renewable Energy Board (“Board”) met in a special meeting on January 8, 2024, to consider, among other things, adopting an amendment to the financial administration policy; and

WHEREAS, the Board previously established purchasing procedures, referred to as the "Agency Financial Administration Policy," pursuant to that Community Renewable Energy Board Resolution No. 21-08 to govern the process by which the Board may make an expenditure or incur an obligation; and

WHEREAS, the Board has determined that it is necessary to amend the purchasing procedures.

NOW, THEREFORE, BE IT RESOLVED by the Board that the following be adopted as an amendment by adding the following to the Agency Financial Administration Policy (“Policy”); the amended policy is represented in full in Exhibit A.

2. Definitions.

J. “Program Resources” means one or more “renewable energy resources” as that term is defined in Utah Code section 54-17-902(14).

K. “Invitation for Program Resources Bids” means solicitation (including soliciting documents) of competitive sealed bids for Program Resources.

4.5. Acquisition of Program Resources.

Notwithstanding anything to the contrary herein, Program Resources may be procured provided that the following procedures shall apply:

- A. The Board shall authorize the President/Chair or his designee to develop the appropriate solicitation materials for an Invitation for Program Resources Bids.
- B. As a condition to submit an Invitation for Program Resources Bids, a fee may be imposed in an amount as approved by the Board upon recommendation of staff.
- C. The Invitation for Program Resources Bids shall utilize Millcreek processes for the acquisition of services and supplies in the amount greater than \$10,000 and includes authorization to make payment to the contractor or vendor in the amount of the

original contract; provided, however, the Board may authorize that the Program Resources Bids be submitted directly to a third-party consultant.

This Resolution assigned No. 24-02, shall take effect immediately.

PASSED AND APPROVED by the Board this 8th day of January 2024.

**COMMUNITY RENEWABLE ENERGY
BOARD**

Dan Dugan, Chair

ATTEST:

Emily Quinton, Secretary

Exhibit A

**Utah Community Renewable Energy Agency
Financial Administration Policy (Amended and Re-Stated January 8, 2024)**

1. Scope.

A. No purchases shall be made, and no encumbrances shall be incurred for the benefit of the Agency except as provided in this resolution.

B. No purchase shall be made, and no encumbrance shall be incurred unless funds sufficient to cover the purchase or encumbrance have been budgeted and are available within the approved budget.

C. Notwithstanding the provisions above, whenever any purchase or encumbrance is made with state or federal funds and the applicable state or federal laws or regulations are in conflict with this ordinance to the extent that following the provisions of this resolution would jeopardize the use of those state or federal funds, such conflicting provisions of this resolution shall not apply and the Agency officials making such purchases shall follow the procedure required by the state or federal laws or regulations.

2. Definitions.

Unless the context requires otherwise, the following terms shall have the following meanings:

A. "Agency" means the Community Renewable Energy Agency created by interlocal.

B. "Encumbrance" means an obligation of the Agency.

C. "Invitation for Bids" means solicitation (including soliciting documents) of competitive sealed bids for procurement of services, supplies and equipment when the Agency can establish precise specifications defining the actual commodity or group of commodities required.

D. "Millcreek process" means the financial administration procedures of the city of Millcreek, Utah, as contained in Millcreek's Municipal Code, Chapter 2.22 FINANCIAL ADMINISTRATION, as of the effective date of the adoption of this policy. Where a conflict exists between the Community Renewable Energy Agency Financial Administration Policy and Millcreek's, the Community Renewable Energy Agency shall prevail.

E. "Nonprofessional Services" means services other than professional services.

F. "Professional Services" means professional and other skilled services such as auditing, architecture, consultants, engineering, surveying, appraisals, legal service, or counseling, sought or obtained from such sources.

G. "Request for proposals" means a document used to solicit proposals to provide the Agency a procurement item.

H. "Request for statement of qualifications" means a document used to solicit information about the qualifications of a person interested in responding to a potential procurement.

I. "Supplies" shall mean any and all tangible articles or things, materials or equipment which shall be furnished to or used by the Agency within the scope of its operations.

J. "Program Resources" means one or more "renewable energy resources" as that term is defined in Utah Code section 54-17-902(14).

K. "Invitation for Program Resources Bids" means solicitation (including soliciting documents) of competitive sealed bids for Program Resources.

3. Acquisition of services and supplies, in the amount of \$10,000 or less.

A. Except as provided herein, whenever the total price of a contract for services or supplies is estimated to be \$10,000 or less, the following procedures shall apply:

1. Where the amount to be paid by the Agency is \$10,000 or less, three independent price quotes shall be obtained prior to such acquisition and a purchase order, service request, check request, or check must be approved utilizing Millcreek process for acquisition of services and supplies, in the amount of \$10,000 or less.

2. For purposes of determining the amount to be paid for the purchase order or service request, a single purchase, or what would commonly be considered a single purchase, shall not be subdivided into component parts to avoid the authorization limits.

B. Approval of a contract for services or supplies by the Agency includes authorization to make payment to the contractor or vendor in the amount of the original contract.

C. Change orders may be approved by the President/Chair in the amounts indicated provided the total contract price, including the change order, is within the original budget amount; provided, however, the President/Chair shall provide a full and complete accounting and description to the Board for any change order or series of change orders with respect to a project that are \$10,000 or more.

4. Acquisition, services, and supplies in an amount of greater than \$10,000.

Except as provided herein, whenever the total price of a contract for services or supplies is estimated to be greater than \$10,000, an invitation for bids, request for statement of qualifications, or a request for proposals shall be issued prior to acquisition and the following procedures shall apply:

A. The President/ Chair or his designee shall develop the appropriate plans and/or specifications for each such acquisition or project.

B. The President/ Chair or his designee shall cause notice of invitation of bids, request for statement of qualifications, or responses to requests for proposals (including a general description of the items to be procured, the work to be done and the time and place for the opening of bids or proposals), to be published on the Agencies' website and, and published on the Utah Public Notice Website created by Utah Code Ann. § 63F-1-701.

C. The President/ Chair or his designee may determine a non-refundable fee to be charged to each prospective bidder who desires a set of plans and/or specifications.

D. Bids, request, or proposals shall be invited from vendors deemed to be appropriate and responsible.

G. Bids, request, or proposals shall be invited from vendors deemed to be appropriate and responsible.

H. Approval of a contract for services or supplies shall utilize Millcreek process for acquisition of services and supplies, in the amount greater than \$10,000 and includes authorization to make payment to the contractor or vendor in the amount of the original contract.

I. Change orders may be approved by the President/Chair in the amount indicated provided the total contract price, including change orders, is within the original

budget amount provided, however, the President/Chair or his designee shall provide a full and complete accounting and description to the Board of any change orders that exceed \$10,000.

J. Notwithstanding the above, if the President/ Chair determines in writing, a copy of which shall be given to the Board at the next regular Board meeting, that the method described above is either not practical or not advantageous to the Agency, a contract may be entered into as provided in Utah Code Ann. § 63G-6a-101 et seq.

K. Notwithstanding the above, the Agency may (a) purchase services or supplies from the vendor who has submitted the lowest bid price for such items to the State of Utah Purchasing Office at the quoted price, without any solicitation, price quotation, request for proposals, or invitation to bid, or (ii) purchase nonprofessional services, equipment, or supplies from the vendor who has submitted the lowest bid price for such items to a government entity at the quoted price, provided that the government entity used a solicitation process that is the same or similar to the solicitation process described herein, without any solicitation, price quotation, request for proposals, or invitation to bid. For such purposes, the quoted price shall be deemed to be the lowest price available for such items and need not follow the solicitation procedures otherwise required by these rules.

L. Notwithstanding the above, the Agency may (is) purchase services or supplies from vendors to assure standardization of supplies or services, provided that such standardization is in the public interest, (ii) purchase services or supplies which can be procured from only one source, manufacturer, or distributor, (iii) purchase services or supplies from vendors based on a continuation of services or supplies, provided that such combination is in the public interest; or (iv) purchase services or supplies from other government entities pursuant to Utah Code Ann. § 11-13-101, et seq., (Interlocal Cooperative Act).

4.5 Acquisition of Program Resources.

Notwithstanding anything to the contrary herein, Program Resources may be procured provided that the following procedures shall apply:

A. The Board shall authorize the President/Chair or his designee to develop the appropriate solicitation materials for an Invitation for Program Resources Bids.

B. As a condition to submit an Invitation for Program Resources Bids, a fee may be imposed in an amount as approved by the Board upon recommendation of staff.

C. The Invitation for Program Resources Bids shall utilize Millcreek processes for the acquisition of services and supplies in the amount greater than \$10,000 and includes authorization to make payment to the contractor or vendor in the amount of the original contract; provided, however, the Board may authorize that the Program Resources Bids be submitted directly to a third-party consultant.

5. Acquisition of Professional Services.

Notwithstanding anything to the contrary herein, professional services may be procured as negotiated based on demonstrated qualifications and at a fair and reasonable price. Procurement of professional services must be approved by the Board and utilizing Millcreek process for acquisition of professional services.

6. Conditions of acceptance.

A. The Agency reserves the right to reject any and all bids. No bidder shall have any right, legal or equitable, or claim against the Agency for any expense or cost incurred by him in the preparation or submission of his bid, which is rejected, regardless of the reasons for the rejection.

B. The Agency expressly reserves the right to waive minor or slight irregularities in a bid which in the judgment of the President/Chair utilizing Millcreek process for the same are in the best interest of the Agency. The decision of the President/Chair utilizing Millcreek process for the same on irregularities on a bid shall be final and conclusive and shall not create any right to bidders. Further, the Agency reserves the right to amend, modify or waive any provision in a request for proposal, request for statement of qualifications, or invitation for bids.

C. Except as otherwise provided herein, supplies and services shall be obtained from the lowest responsible bidder. In determining the lowest responsible bidder, the Agency may consider, in addition to price.

1. The ability, capacity and skill of the bidder to perform the service required;
2. Whether the bidder can perform the contract or provide his services promptly, or within the time specified without delay or interference;
3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
4. The quality and performance of previous services by the bidder;
5. Previous and existing compliance by the bidder with the laws and ordinances relating to contractor services;
6. Sufficiency of the financial resources of the bidder to perform the contract or provide the services;
7. Quality, availability and adaptability of the supplies or contractual services to the particular use required;
8. The ability of the bidder to provide future maintenance and service;
9. The number and scope of conditions attached to the bid or price quotation;
10. Such other factors as the President/Chair utilizing Millcreek process for the same shall determine, including inventory, mechanic's expertise and ease of maintenance; and
11. The value provided to the Agency.

7. Payment of routine expenditures.

The President/Chair utilizing Millcreek process for the same is authorized to approve payments for routine expenditures, if any, such as utility bills, leases, and payroll related expenses, provided that such expenditures are referenced in the then approved budget, that the funds are available for such expenditures, and that sufficient documentation is provided concerning such expenditures. The President/Chair utilizing Millcreek process for the same is authorized to approve payments for supplies, materials and payments on City-approved contracts, provided that such expenditures are referenced in the then approved budget, that the funds are available for such expenditures, and that sufficient documentation is provided concerning such expenditures.

8. Payment of routine expenditures.

The President/Chair utilizing Millcreek process for the same is authorized to approve payroll checks, if any, provided the checks are prepared in accordance with a salary schedule established by the Council.