



May 8, 2012

Honorable Board of Supervisors  
County of Alameda  
1221 Oak Street, Suite 536  
Oakland, California 94612

Dear Board Members:

SUBJECT: ADOPT A RESOLUTION AUTHORIZING AN ENERGY SERVICES CONTRACT AND AWARD A CONTRACT FOR THE INSTALLATION OF A 48KW SOLAR POWER TRACKER DEMONSTRATION SYSTEM AT THE SANTA RITA JAIL; 5325 BRODER BOULEVARD, DUBLIN, CALIFORNIA; PROJECT NO. 12030; AMOUNT: \$0.00

RECOMMENDATIONS:

- A. Adopt the attached resolution making findings necessary to authorize an energy services contract, including a finding that the Solar Tracker Demonstration System's total County cost will be less than the anticipated \$74,000 cost of electricity that would have been consumed by the subject facilities in the absence of these systems and that the terms of the award are in the best interest of Alameda County;
- B. Find that the Santa Rita Jail (SRJ) Solar Power Tracker Demonstration System is categorically exempt under the California Environmental Quality Act (CEQA);
- C. Accept the proposal of and award a contract to QBotix, Inc., formerly Black Swan Solar, (Wasiq Bokhari, CEO), 1080 O'Brien Way, Menlo Park, CA in the amount of "zero dollars" (\$0), for the complete design, construction and installation of the 48kW Solar Power Tracker Demonstration System; and
- D. Authorize the Director of the General Services Agency (GSA) to prepare the proper contract documents for completion by the Contractor, have said documents reviewed and approved by County Counsel, and executed by the Director of GSA.

DISCUSSION/SUMMARY:

GSA looks for opportunities to reduce and efficiently manage utilities expenses in County facilities. Recently, GSA was approached by representatives from QBotix, Inc., an emerging manufacturer of dual-axis solar trackers, located in Menlo Park, CA. QBotix was interested in partnering with the County by demonstrating their unique low-cost tracker system in one of its first real-world installations. At no-cost to the County, QBotix proposed to design, construct, and install their system at a County-owned site and have the County host the 48KW Dual-Axis Solar Power Tracker Demonstration System for a six-year demonstration term. At the end of the term,

QBotix will pay to either remove their system from the County's property or transfer title of the system to the County.

GSA, with cooperation from the Sheriff's Office, has identified a currently unused site behind SRJ that is available for this demonstration project. The County will benefit from the free renewable energy generated from the Solar Power Tracker Demonstration System and the positive recognition as the host of this first-of-its-kind dual-axis system. The project goal is to demonstrate QBotix's American-made, state-of-the-art tracker equipment can be installed and operated at a much lower cost compared to the solar industry's standard single-axis tracker system.

In accordance with California Government Code Section 4217.12, GSA staff has concluded that the total County cost for the Solar Power Tracker Demonstration Project provided under this Energy Service Contract will be less than the anticipated \$74,000 cost of electricity that would have been consumed by the jail in the absence of this project.

When this proposed Solar Power Tracker Demonstration System is operational, the County will receive 550,000 kilowatt-hours (kWh) of renewable energy generated by the system at no-cost to the County during the six-year demonstration term.

The design and construction of the Solar Power Tracker Demonstration System is expected to take five months to complete, and construction is expected to start in September 2012.

#### CEQA EXEMPTION:

GSA staff has also determined that the project is categorically exempt from the provisions of CEQA, in accordance with Title 14 - California Code of Regulations, Chapter 3 - Guidelines for Implementation of the CEQA, Article 19 - Categorical Exemptions, Class 1, Existing Facilities, Class 3 - New Construction of Small Equipment, and under Section 15061(b)(3) - No Significant Effect on the Environment. The design, construction and installation of the SRJ Solar Tracker Demonstration System will result in no net increase in air emissions from SRJ, complies with all applicable state, federal, and local air quality laws, and is contiguous to other jail structures.

CEQA guidelines state that when a lead agency approves a project that it has determined to be exempt from CEQA, that lead agency may file a Notice of Exemption (NOE). Filing of a NOE is not mandated, however, it shortens the statute of limitations for legal challenges under CEQA from 180 days to 35 days.

It is recommended that your Board now approve the CEQA categorical exemption finding and authorize the filing of the attached Notice of Exemption, as reviewed by the Office of the County Counsel, prior to the commencement of the SRJ Solar Power Tracker Demonstration Project.

SELECTION CRITERIA AND PROCESS:

*In accordance with California Government Code Section 4217.12, the County is negotiating a no-cost sole-source energy services contract with QBotix, Inc. Because the value of this procurement is less than \$125,000, the Enhanced Construction Outreach Program (ECOP) does not apply.*

*This sole source was posted for five days on the County website resulting in no responses. GSA-Purchasing has issued a non-finding memo allowing for this sole source procurement. The Office of Acquisition Policy (OAP) has waived the Small, Local and Emerging Business (SLEB) requirements and issued SLEB waiver #1132.*

FINANCING:

There are no County direct costs associated with this action. There will be no increase in net County cost.

Respectfully submitted,



Aki K. Nakao  
Director, General Services Agency



  
Gregory J. Ahern  
Sheriff/Coroner

AKN:MM:mg:I:\Board Letters\TSD\11-12 fiscal year\12030 - SRJ Solar Power Tracking Demonstration System - Award - QBotix .doc

Attachments

cc: Susan S. Muranishi, County Administrator  
Patrick J. O'Connell, Auditor-Controller  
Donna R. Ziegler, County Counsel

# Notice of Exemption

Form D

To: ☐ Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

☒ County Clerk  
County of Alameda  
1106 Madison St.  
Oakland, CA 94612

From: (Public Agency) Alameda County, GSA  
1401 Lakeside Dr., Ste. 1115  
Oakland, CA 94612  
(Address)

Project Title: Santa Rita Jail, Solar Power Tracker Demonstration Project

## Project Location - Specific:

Santa Rita Jail, 5325 Broder Boulevard

Project Location - City: Dublin

Project Location - County: Alameda

## Description of Project:

Installation of a 48KW solar power tracker demonstration system on land behind Santa Rita Jail.

Name of Public Agency Approving Project: Alameda County, Board of Supervisors

Name of Person or Agency Carrying Out Project: Alameda County, General Services Agency

## Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);  
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));  
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));  
☒ Categorical Exemption. State type and section number: 15301 Class 1, 15303 Class 3, and 15061  
☐ Statutory Exemptions. State code number: \_\_\_\_\_

## Reasons why project is exempt:

The installation and operation of a solar power tracking system is exempt under CEQA, Class 1, Existing Facilities, Class 3 - New Construction of Small Equipment, and under 15061 - No Significant Effect on the Environment. These systems have no air emissions associated with the equipment, result in no noticeable increase in noise, and are contiguous to other institutional structures.

## Lead Agency

Contact Person: Matthew Muniz Area Code/Telephone/Extension: (510) 208-9518

## If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature:  Date: 5/2/2012 Title: Energy Program Mgr.

☒ Signed by Lead Agency

Date received for filing at OPR: \_\_\_\_\_

☐ Signed by Applicant

Revised May 1999

COUNTY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION MAKING FINDINGS NECESSARY TO AUTHORIZE AN ENERGY SERVICES CONTRACT FOR 48KW SOLAR POWER TRACKER DEMONSTRATION SYSTEM**

**WHEREAS**, QBotix, Inc has proposed a no-cost 48KW Solar Power Tracker Demonstration System to be installed at Santa Rita Jail;

**WHEREAS**, California Government Code Section 4217.12, authorizes public agencies, including the County, to enter into an energy service contract when the anticipated cost of the conservation services provided by an energy conservation facility will be less than the anticipated marginal cost of energy that would have been consumed in the absence of the project;

**NOW, THEREFORE, BE IT RESOLVED** that the Alameda County Board of Supervisors makes the following findings:

1. The Solar Power Tracker System Demonstration Project includes the design, construction, and installation of equipment that reduces energy use or makes for a more efficient use of energy and thereby qualifies as "conservation measures" as that term is defined in Government Code section 4217.11(c).
2. The construction and installation of the Solar Power Tracker Demonstration System, which will generate energy savings, are "conservation services" as that term is defined in Government Code section 4217.11(d).
3. The proposed contract between the County and QBotix, for the design, construction, and installation of the Solar Power Tracker Demonstration System, qualifies as an "energy service contract" as that term is defined in Government Code section 4217.11(f).

APPROVED by the Board of Supervisors of the County of Alameda, State of California this 22nd day of May 2012, by the following vote:

AYES:

NOES:

EXCUSED:

COUNTY OF ALAMEDA

\_\_\_\_\_  
President, Board of Supervisors

ATTEST:

APPROVED AS TO FORM: