

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve the on-site solar power purchase agreement by and between the District of Columbia government and Nextility, Inc., to develop on-site solar power generation systems at approximately 34 District government buildings and to allow the Department of General Services to purchase the power generated by such systems for a twenty year period (Contract No. DCAM-14-CS-0123A).

BE IT RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this resolution may be cited as the “Nextility On-Site Solar Power Purchase Agreement (Contract No. DCAM-14-CS-0123A) Approval Emergency Declaration Resolution of 2015.”

Sec. 2.(a) There exists an immediate need to approve Contract No DCAM-14-CS-0123A between the District of Columbia and Nextility, Inc. to develop on-site solar power generation systems at approximately 34 District government buildings and to allow the Department of General Services to purchase the power generated by such systems for a twenty-year period at a competitive price.

1 (b) Contract No. DCAM-14-CS-0123A is a multi-year contract that requires
2 Council approval pursuant to section 451(c) of the District of Columbia Home Rule Act,
3 approved December 24, 1973 (87 Stat. 803; D.C. Official Code Sections 1-204.51(c)) and
4 section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011
5 (D.C. Law 18-371; D.C. Official Code § 1-252.02(b)(1)).

6 (c) Approval of Contract No. DCAM-14-CS-0123A is necessary for the District
7 to enter into a long-term agreement with Nextility Inc. to develop on-site solar power
8 generation systems at approximately 34 District government buildings and to allow the
9 Department of General Services to purchase the power generated by such systems for a
10 twenty year period at a competitive rate. The systems must be put in service by Nextility
11 before December 31, 2016 in order for the systems to qualify for solar investment tax
12 credits, without which development of the systems is not economically viable. Given the
13 time required for the development of the systems, including engineering and
14 construction, the District must act immediately.

15 Sec. 3. The Council of the District of Columbia determines that the
16 circumstances enumerated in section 2 constitute emergency circumstances making it
17 necessary that the Nextility On-Site Power Purchase Agreement Contract No. DCAM-14-
18 CS-0123A Approval Emergency Act of 2015 be adopted after a single reading.

19 Sec. 4. This resolution shall take effect immediately.