

(ATTACHMENT 1) ACTION ON A REQUEST TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE CITY OF MILWAUKEE BETTER BUILDINGS CHALLENGE-MILWAUKEE PROGRAM

INTERGOVERNMENTAL COOPERATION AGREEMENT

**CITY OF MILWAUKEE AND
MILWAUKEE BOARD OF SCHOOL DIRECTORS**

This Intergovernmental Cooperation Agreement ("Agreement") is entered into by and between the City of Milwaukee (the "City") and Milwaukee Board of School Directors ("MPS").

WHEREAS, The City and MPS are collaborators on the *Better Buildings Challenge-Milwaukee (BBC-MKE) program*, a program that has received an award of funds from the U.S. Department of Energy to develop a comprehensive energy efficiency program to help buildings prepare to develop and implement energy efficiency projects; and

WHEREAS, the Better Buildings Challenge Milwaukee program aims to help up to twenty-five (25) schools to prepare and develop energy efficiency projects by providing energy assessments and guidance on project development next steps; and

WHEREAS, program implementation would provide access to energy assessment information and assistance in the identification of appropriate next steps in order to help prioritize and complete energy efficiency projects resulting in increased energy efficiency and encouraging energy efficient behaviors to reduce utility, maintenance, and other operational costs;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. **Scope of Project:** City of Milwaukee Environmental Collaboration Office in partnership with MPS will coordinate energy assessments for interested schools in order to identify energy conservation measures, expected implementation costs, and expected energy and cost savings. MPS schools will be involved based on individual school interest, with suggestions from MPS as to which schools might most benefit from the program. Specifically, the City of Milwaukee shall do the following:
 - a. Work with MPS Department of Facilities and Maintenance Services to identify school candidates for the program and on sharing the gathered information;
 - b. Provide program staff/representatives to walk schools through the process described above;
 - c. Coordinate school input and review of the assessment results with students and staff;
 - d. Provide all services required to execute the intent of this grant as detailed in Exhibit I;

MPS will provide necessary information and data regarding the schools and their energy use. MPS will also provide guidance on how best schools can move forward with desired plans and identified actions as well as how the MPS schools should participate in ENERGY STAR Portfolio Manager® and the involvement that MPS would like in that regard.

2. **Budget:** The total budget for the K-12 submarket energy assessments shall not to exceed \$36,000 and will be provided as in-kind services. Not all of this will necessarily be spent in MPS schools, as the program is available to all schools in the area, but MPS schools will be able to be involved at no cost provided that funds are available.

3. **Approvals:** MPS Facilities and Maintenance Department will work with individual schools as necessary to implement recommendations identified by City of Milwaukee Environmental Collaboration Office through the Better Buildings Challenge Milwaukee (BBC-MKE) program.
4. **Contractors:** To the extent any of the work subject to this Agreement requires outside contractors, the City shall be the contracting entity for their respective areas of work. Any City contract must include insurance and indemnification requirements.
5. **Indemnification:** To the extent permitted by the laws of the State of Wisconsin, the City agrees to indemnify and hold harmless MPS its agents, employees and officers against any and all claims, demands, actions and causes of action and resulting liability, loss, damages, costs and expenses arising out of the services provided pursuant to this Agreement for injury to persons and damages to the extent caused directly or proximately by any wrongful, intentional or negligent act or omission of the City or the City's officers, employees or agents. This obligation will not extend to wrongful, intentional or negligent acts or omissions of the City, its officers, employees and agents, if and only if, such acts or omissions are in response to a negligent directive, policy or instruction issued to the City by MPS or its employees.

To the extent permitted by the laws of the State of Wisconsin, including but not limited to Wis. Stat. § 893.80, MPS will indemnify and hold harmless City, its officers, employees and agents against any and all claims, demands, actions and causes of action and resulting liability, loss, damages, costs and expenses for injury to persons and damages to the extent caused directly or proximately by any wrongful, intentional, or negligent act or omission of MPS and its employees so long as such act or omission is within the scope of employment within the meaning of Wis. Stat. § 895.46.

6. **Termination for convenience of the City or MPS:** The City or MPS may terminate this Agreement at any time for any reason by giving at least ten (10) days' notice in writing.
7. **Term:** The term of this Agreement shall be from the date of execution through June 30th, 2018 or grant budget period.

Exhibit I: Details of Services Provided

[signature page follows]

IN WITNESS WHEREOF, MPS and the City have caused this Agreement to be executed for and on their respective behalves as of the dates hereinafter set forth.

MILWAUKEE BOARD OF SCHOOL DIRECTORS

BY:

Mark A. Sain
President
Milwaukee Board of School Directors

Date

BY:

Darienne B. Driver, Ed.D.
Superintendent of Schools

Date

CITY OF MILWAUKEE
A municipal corporation

BY:

Erick Shambarger
Environmental Sustainability Director

Date

EXHIBIT I
SERVICES PROVIDED

The City of Milwaukee and the Public Service Commission's Office of Energy Innovation in partnership with MPS will provide energy assessments to interested schools in order to identify energy conservation measures, expected implementation costs, and expected energy and cost savings. MPS schools will be involved based on individual school interest, with suggestions from MPS as to which schools might most benefit from the program.

The full program process involves the following steps and required time and resource commitments:

Intake

During the intake process, a Program Specialist will ask the initial school contact a number of questions related to the building and the current energy use. The school contact may not know all of the answers and may be asked to gather pieces of information, but for the most part this is a general information gathering call to determine if the program will be a good fit for the school and to make sure that the school understands the basic format of the program and process. Once the initial intake is complete, the school lead will be given to OEI for follow up and scheduling of the Initial Visit and energy assessment.

Time Commitment: Approximately 30 minutes

Required Resources: General school information, energy use information

Potential Participants: BBC-MKE Program Specialist, school contact/lead for project (may be from a Green Team, facilities staff, or some other staff member), MPS Facilities (in an information gathering capacity only, not a participant on the call)

Initial Visit

The initial visit allows the BBC-MKE program to discuss the program details with the school and to make sure that any questions on the program and participant requirements are answered. The following documents are reviewed, signed, and collected at this meeting if they have not already been filled out prior to the meeting:

Program Charter

Outlines the scope of the program, responsibilities, allows for data sharing with partners, etc.

Better Buildings Challenge Pledge

Commits the school to making efforts to achieve greater energy efficiency through building upgrades, promotion of energy conservation behaviors, and public advocacy for energy efficiency awareness. Also documents commitment to sharing energy consumption with the City of Milwaukee and the Department of Energy. (form attached)

Utility Release Forms

Allows the BBC-MKE program to request and receive data from utilities on energy and water consumption in the building. (forms attached)

ENERGY STAR Portfolio Manager® account and building set up

Allows the BBC-MKE program to set the building up in ENERGY STAR Portfolio Manager®.

Time Commitment: 1-1.5 hours (depends on how much of the paperwork has been reviewed and filled out prior to the visit)

Required Resources: None

Potential Participants: BBC-MKE program representative, Building Operator/Engineer, Green Team, MPS Facilities, other stakeholders in the project process

Benchmarking

Benchmarking in ENERGY STAR Portfolio Manager® allows the building to be compared against similar buildings across the country and normalizes the energy use data for weather. If the school does not already have an account, the program sets one up and enters data through the most recent month provided by the utility release forms.

If a school already has an account, program staff will review the account and will help share the data with the City of Milwaukee and DOE accounts in order to allow the school to be recognized for its accomplishments.

Time can also be spent after the Recommendations Visit to help acquaint the appropriate staff as to how to start using the Portfolio Manager program.

Time Commitment: 0-2 hours (depends on if an account already exists and how much guidance the school would like in learning about Portfolio Manager)

Required Resources: Information for the account and building set up form, guidance from MPS as to how they would like the BBC-MKE program to set up the accounts and what type of visibility MPS would like in the accounts (ex. Is MPS or the school the owner of the account?)

Potential Participants: BBC-MKE program staff, MPS Facilities

Energy Assessment

The energy assessment allows the BBC-MKE program to view all areas of the building, including mechanical rooms. This is to help determine where the building is at in terms of energy systems and to identify energy conservation measures. This assessment also allows gathering of information for the Building Energy Asset Score, a U.S. Department of Energy tool that the program is piloting.

Time Commitment: 2-4 hours (depends on the size and complexity of the building)

Required Resources: Staff that can allow access to the necessary areas of the building (including mechanical rooms), building plans (ideally digital, otherwise access to hard copy that can be photographed)

Potential Participants: BBC-MKE energy auditor, BBC-MKE program representative(s), Building Operator/Engineer or equivalent, MPS Facilities

Recommendations Visit

The Recommendations Visit allows the BBC-MKE program to present the findings of the assessment and Asset Score to the appropriate parties and provides concrete next steps for buildings wishing to pursue an energy efficiency project. The appropriate attendees for this meeting will vary by school based on interest. This meeting will also introduce attendees to other resources that exist for integrating energy education into the classroom.

Time Commitment: 1-1.5 hours (depends on the amount of questions from participants and the complexity of the results)

Required Resources: None

Potential Participants: BBC-MKE program representative, Building Operator/Engineer, Green Team, MPS Facilities, other stakeholders in the project process

ENERGY STAR Portfolio Manager® Account Hand Off

Depending on the school's proficiency using ENERGY STAR Portfolio Manager®, this step may not apply to all schools.

Time Commitment: 1 hour

Required Resources: Utility bills since initial data upload, information on previous energy projects completed

Potential Participants: Staff member(s) that will be keeping up the Portfolio Manager® account, BBC-MKE program representative, MPS Facilities



**BETTER
BUILDINGS
CHALLENGE**
ecoCITY of
MILWAUKEE

PARTICIPANT PLEDGE FORM

The Better Buildings Challenge – Milwaukee (BBC-MKE) program is a public/private initiative that seeks to increase energy efficiency in the City of Milwaukee and reduce energy usage 20% over 10 years in participating buildings. Participating organizations are asked to support this initiative by upgrading their buildings to be more energy efficient and publicly advocating for city-wide energy efficiency awareness.

THE PLEDGE

As a Better Buildings Challenge participant, your company or organization pledges the following:

- Select at least one property to participate in the BBC-MKE program
- Track and share energy consumption data with the Department of Energy Better Buildings Challenge and the City of Milwaukee through ENERGY STAR Portfolio Manager® *
- Identify an energy reduction goal and a building energy-saving project (current or planned)
- Develop a plan and schedule for energy-efficiency based building upgrades

**The minimum requirement to be recognized as a participant is to update the shared energy data at least twice per year.*

My organization, _____, is committed to the BBC-MKE program and pledges to work to improve energy efficiency within its building facilities. We agree to the pledge requirements, understanding that there are no consequences for not meeting the energy reduction goal or for being unable to implement energy efficiency upgrades.

My organization pledges to improve _____ square feet of building space.

Property Address(es) _____

(If enrolling more than one property, please list all addresses)

Signature _____ Date _____

Printed Name _____ Title _____

Email _____ Phone _____

Business Address _____

Program Contact Name _____ Title _____

(If different from above)

Email _____ Phone _____



BETTER BUILDINGS CHALLENGE

ecoCITY of MILWAUKEE

UTILITY CUSTOMER AUTHORIZATION TO RELEASE UTILITY USAGE INFORMATION

SECTION A: This section is to be completed by the utility customer. Please print or type.

Business Name _____

Business Address _____

City _____ State _____ ZIP Code _____

Contact Name _____

Contact Phone _____ Contact Email _____

Utility Name(s) _____

INFORMATION TO BE RELEASED: Usage records for the following facilities may be released to the Better Buildings Challenge program. Additional requests may be listed on an attachment to this form. Data will be provided for multiple meters at a single premise provided they are on the above noted customer's utility account(s). A multi-tenant premise may require releases from individual tenants.

PREMISE 1 Address (address at the meter location, not the billing or company address) _____

City _____ State _____ ZIP Code _____

[] Release Natural Gas Usage Data Account Number _____ Meter Number _____

[] Release Electric Usage Data Account Number _____ Meter Number _____

[] Release District Steam Usage Data Account Number _____ Meter Number _____

PREMISE 2 Premise Address (address at the meter location, not the billing or company address) _____

City _____ State _____ ZIP Code _____

[] Release Natural Gas Usage Data Account Number _____ Meter Number _____

[] Release Electric Usage Data Account Number _____ Meter Number _____

[] Release District Steam Usage Data Account Number _____ Meter Number _____

The undersigned utility customer requests and authorizes (utility name) _____ hereafter referred to as the utility company, to release the information listed above to the party named in Section B of this form. The utility customer also releases the utility company from any and all liability arising from or connected with providing this information to the Better Buildings Challenge program. This authorization expires two years from the signature date below and allows the Better Buildings Challenge program to request data multiple times within this time period if needed to validate savings or benchmark customer energy use.

Authorized Customer Signature _____

Title _____ Date _____

The Better Buildings Challenge program has permission to share my company's project information and results with my utility, unless I choose to say "no" by initialing the space at right. (Initial space at right to indicate "Do NOT share my data.") _____



BETTER BUILDINGS CHALLENGE

ecoCITY of MILWAUKEE

**UTILITY CUSTOMER AUTHORIZATION TO RELEASE
UTILITY USAGE INFORMATION**

SECTION B: This section is to be completed by the Better Buildings Challenge program or organization that is to receive the information. Please print or type.

Name Brian Minka Organization Better Buildings Challenge - Milwaukee

Phone 262-786-1287 ext. 1305 Email bminka@franklinenergy.com

Business Address 15770 W Cleveland Ave

City New Berlin State WI ZIP Code 53151

INFORMATION REQUESTED: Please check the information desired and fill in the blanks as appropriate. NOTE: Contact the utility to verify the availability of interval data.

120 months of recent metering and usage data beginning _____ and ending _____

120 months of peak electric demand data beginning _____ and ending _____

120 months of recent interval data beginning (if available) _____ and ending _____

Signature _____ Date _____
Better Buildings Challenge representative to whom this information is to be released

Milwaukee Water Works

Safe, Abundant Drinking Water.

CONSENT TO DISCLOSE UTILITY CUSTOMER INFORMATION

This form was prepared by the Public Service Commission of Wisconsin as required by Wis. Stat. § 196.137(4).

Requesting Entity Name (if applicable): Better Buildings Challenge - Milwaukee program

Contact Person: Brian Minka

Mailing Address: 15770 W Cleveland Ave, New Berlin, WI 53151

Phone: (262) 786-1287 ext. 1305 Fax: () Email: bminka@franklinenergy.com

INFORMATION REQUESTED

The person or entity identified above requests customer information, including billing and usage data related to: Electric; Gas; Water; or All services provided by the utility. Such information includes your account balance, payment history, and total use per billing period. The information provided by the utility may include any other information regarding your account contained in utility records.

CUSTOMER'S CONSENT

Your information is treated as private by the utility and can only be disclosed as permitted by Wis. Stat. § 196.137. You are not required to authorize the disclosure of your customer information, and your decision not to authorize the disclosure will not affect your utility service.

By signing this form you acknowledge and agree that you are the customer(s) of record for this account and that you authorize the utility to disclose your customer information to the requesting entity listed on this form. This consent is valid until you terminate your service or withdraw consent by sending a written request with your name and service address to the utility at the address specified below. You may terminate this consent at any time.

Please complete this form and return it to the utility either by:

- Email: watwebcs@milwaukee.gov
- Fax: (414) 286-5452
- Mail: Milwaukee Water Works Customer Service, 841 N. Broadway, Room 406, Milwaukee, WI 53202

CUSTOMER ACCOUNT NUMBER _____

SERVICE ADDRESS _____

PRINTED CUSTOMER(S) NAME _____

SIGNATURE OF CUSTOMER(S) _____

DATE SIGNED _____ CUSTOMER PHONE NUMBER () _____

*Please complete separate forms for each account and fax to (414) 286-5452
or email to watwebcs@milwaukee.gov. Customer Service telephone: (414) 286-2830.*