

188223



Portland General Electric Company
121 SW Salmon Street • Portland, Oregon 97204
PortlandGeneral.com

December 22, 2016

City of Portland
ATTN: Danny Grady
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Via email:

RE: 2016 Renewable Development fund (RDF) funding award – City of Portland
Fire Station 1 Solar Project

Dear Danny Grady:

Congratulations! On behalf of our participating Renewable Development Fund customers, PGE is pleased to inform you that you've been selected to receive a RDF funding award of up to \$89,959 to help advance your Solar PV project at 55 SW Ash Street, Portland, Oregon.

Funding for your project is made possible by customers enrolled in the Renewable Development Fund program. You can learn more about the program at:
<https://www.portlandgeneral.com/business/power-choices-pricing/renewable-power/install-solar-wind-more/renewable-development-fund>

In order to receive RDF funding, PGE requires that you make a commitment to meet certain requirements, milestones and deliverables as outlined in the attached Renewable Development Fund Funding Agreement (Agreement). Your project funding award is contingent upon your agreement to the terms set forth in the Agreement.

Renewable Development Fund funding will be provided once the project is complete and PGE has received all documentation required to verify project completion. A copy of this letter and the attached Agreement should be given to your project manager and contractor so they are aware of all program requirements.

If you agree to all of the conditions set forth in the Agreement please email a copy of this letter and signed Agreement to **RenewableDevFund@pgn.com** by January 15, 2017.

188223

We look forward to partnering with your organization to boost renewable energy in the region.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carol".

Carol Dillin
Vice President, Customer Strategies and Business Development

Renewable Development Fund Funding Agreement

On behalf of participating Renewable Development Fund customers, Portland General Electric Company (PGE) will provide up to \$89,959 to City of Portland (Recipient) to support the installation of a renewable energy project at 55 SW Ash Street, Portland, Oregon, upon completion of the project and confirmation that all award recipient requirements have been met.

The Renewable Development Fund (RDF) funding award amount is based on the information provided in the application and during the interview process. Any unapproved material change to project design/plans/scope may result in forfeiture of funding or an adjustment to the RDF funding award amount. All modifications to the project design/plan/scope including those attributes listed below must be submitted for approval using the change request form provided by PGE.

Recipient agrees to meet all program requirements and deadlines set forth in this Agreement.

I. PROJECT ATTRIBUTES

A. Recipient shall install a renewable energy project with the attributes described in the table below (the "Project"):

Award Recipient	City of Portland	RDF recognition activities/ location	Bureau of Planning and Sustainability website.
Technology	Solar PV		Online monitoring page.
Expected Annual Output	32400 kWh		All print, digital and onsite communications relating to the project installation.
Minimum size⁹	30.00 kW (DC if solar)		Press will be engaged during events and project milestones.
Project location	Fire Station One		BPS e-newsletter, Curbsider print publication, Portland Fire and Rescue newsletter, and social media accounts. A plaque and educational content may also be featured in public reception areas.
Project address	55 SW Ash Street, Portland, Oregon	Education plan activities	Education for firefighters on how to safely and effectively manage emergency response events involving PV and energy storage
Installation date	No later than 18 months from the date of the award letter		

⁹ RDF awards are competitive and funding is limited. If the Project received a partial funding award, a minimum project size has been established based on the reduced funding level, which differs from the project size identified in the application. If the Project does not meet the minimum size requirement listed above, funding may be reduced or rescinded.

Funding award¹⁰	Up to \$89,959		systems.
Total project cost	\$112,499		On-site dashboard and online dashboard that show energy production in real time. Public-facing educational opportunities to be planned once the facility is operational. Ongoing public tours of fire station will feature solar and storage system.

- B. Recipient shall construct or install the Project within 18 months of the date of the award letter ("Installation Date"). If the Project is not completed by the Installation Date, PGE will rescind the RDF funding award and the Agreement will be terminated unless a change order form is submitted and approved by a PGE extending the Installation Date.
- C. Recipient shall construct or install and maintain the Project in PGE's service area over the life of the Project. Recipient shall refund the RDF funding in the event Recipient relocates the Project outside of PGE's service area.
- D. In the event the Project generates less than 50% of the Expected Annual Output for any 12 month period, Recipient shall refund the RDF funding to PGE within sixty (60) days after such twelve (12) month period.
- E. In the event the Project experiences an insured loss, Recipient shall reimburse PGE a proportionate amount of RDF funds within sixty (60) days after receiving such insured amount.
- F. Recipient shall utilize a construction contractor licensed in Oregon to construct or install the Project and Recipient shall comply with all county/state building and electrical codes and utility interconnection requirements.
- G. Recipient shall execute a Net Metering Agreement or an Interconnection Agreement, as applicable, with PGE. Operation of the Project may not begin until PGE sets the net meter.
- H. Recipient shall only install new equipment at the Project, and provide PGE written documentation to substantiate that only new equipment was installed.
- I. Recipient shall install a production monitoring system that includes a publicly accessible (no log-in or password required) webpage featuring historic and present generation data. Recipient may not utilize the data collected in this monitoring system for direct marketing purposes. PGE may place a link to the monitoring site on its RDF program webpage. Information collected by this monitoring system may be used by PGE for educational purposes, performance analysis or any other reason PGE deems necessary.
- J. PGE shall grant PGE title to a share of the project's renewable energy certificates (a.k.a. RECs, green tags, tradable renewable energy certificates, renewable energy credits) proportional to the amount of the RDF funding award and the total renewable energy

¹⁰ The RDF funding award represents an "up to" amount. Changes in project costs, design, and funding sources may result in adjustments to the final RDF funding amount.

project costs over the life of the project. REC allocation costs (e.g., WREGIS registration, meter recording) will be likewise be split by a proportional share. Recipient shall not make claims involving the environmental attributes of the RECs transferred to PGE. PGE may purchase additional renewable energy certificates associated with the Project from Recipient, up to 100 percent of the Project's output. A renewable energy certificate represents one thousand kilowatt-hours of renewable energy that is physically metered and verified.

- K. Recipient, including its contractors, shall at all times comply with all applicable federal, state and local laws, statutes, rules, regulations and ordinances and shall bear all costs associated with such compliance.

II. USE OF RENEWABLE DEVELOPMENT FUNDS

Recipient may only apply RDF funds to capital costs associated with the installation of equipment and approved outreach and education expenses associated with the Project. Funds cannot be used to cover expenses such as fees incurred for Project estimates or bids, administrative or project management costs, non-renewable energy equipment such as electric vehicle supply equipment, and structural or other site improvements that would otherwise occur without the installation of the Project, such as landscaping or re-roofing. The sum of RDF funds and other outside funding sources may not exceed Project costs. In addition, solar incentives provided by other PGE programs may not be applied to the Project if RDF funding is accepted.

III. RECIPIENT DELIVERABLES

- A. **Recipient webinar:** Recipient shall **attend the RDF award recipient webinar, along with the Recipient's renewable energy or construction contractor and project manager. The webinar will cover funding award requirements and expectations, along with guidance to expedite the documentation and funding process. Webinar details will be provided upon execution of the Agreement.**
- B. **Quarterly updates:** Recipient shall provide a quarterly progress report to PGE on the 15th day of the month following each calendar quarter after RDF funding is granted until the Commercial Online Date. These quarterly progress reports will be provided by completing the quarterly progress report form provided by PGE and emailing it to RenewableDevFund@pgn.com.
- C. **Change requests:** In the event Recipient desires to change the Project, Recipient shall complete and submit a change request form provided by PGE for any material change in project scope or project attributes listed in the table above in Article (I) or conveyed in the funding application.
- D. **Financing plan:** Recipient shall demonstrate to PGE's satisfaction by July 15, 2017 via a written communication that all funds necessary to complete the Project have been secured. If Recipient has not secured financing for the additional amounts required to complete the Project by July 15, 2017, the Project may forfeit its right to the RDF funds reserved for the Project.

- E. **Project completion and reimbursement:** Upon completion of Project installation and all other funding requirements, Recipient shall submit a final report in the form provided by PGE along with any required supplemental documentation to RenewableDevFund@pgn.com. Final reporting must be submitted no more than sixty (60) days following the execution of a Net Metering Agreement and interconnection Agreement and the Project's official on-line date (e.g. the date of receipt of PGE's Permission to Operate).

IV. EDUCATION AND OUTREACH REQUIREMENTS

- A. **PGE Renewable Development Fund Recognition statement:** Recipient shall include the following statement on all signage, materials, and communications, both print and non-print, produced as part of the Project: "This project was made possible with funding support from PGE's Renewable Development Fund program customers." Contact RenewableDevFund@pgn.com with questions about use and modification of this language.
- B. **Approvals:** Recipient shall seek prior written approval from PGE for each and all instances of promotional materials and advertising that identify RDF customers or use the PGE and RDF logos.
- C. **Celebrations and publicity:** Recipient shall celebrate Project completion through one or all of the following in accordance with the Education Plan described in the table above in Section I(A): media event, tour, media advisory, press announcement, stakeholder communications. Recipient shall notify PGE of such events and PGE may participate in such celebrations.
- D. **Permanent recognition:** Recipient shall develop, install and maintain for the life of the Project at least one piece of permanent, onsite signage that publicly recognizes the contributions of PGE's RDF customers. Upon request by Recipient, PGE will provide samples of signage design and support the development of content and messaging.
- E. **Project host website:** Recipient shall publish the PGE RDF logo (or equivalent) and the online project monitoring tool on Recipient's Project website at the time of Project completion.
- F. **Portland General Electric Company website:** PGE may include information regarding the Project in its customer communication material, including use of photographs of the Project in brochures and internet pages for purposes of supporting the RDF program.
- G. **Site tours:** Recipient shall provide PGE and its customers and guests with access to the Project at least twice a year for tours of the Project, subject to 30 day advance notice by PGE.

V. REIMBURSEMENT

PGE will disperse RDF funding within thirty business (30) days after confirmation that all funding requirements set forth in this Agreement, including reporting and documentation, have been met.

Project completion shall be verified through the following steps:

- City/county permitting finalized, including electrical inspection.

- PGE has approved installation for operation (PGE installed net meter is operational and system is grid tied; for projects that are not to be net metered, PGE has approved interconnection agreement application and granted permission to operate).
- Publicly accessible production monitoring webpage is operational.
- Final report is submitted and approved by PGE, along with:
 - Itemization of each eligible Project expense – i.e. labor, permits, renewable energy generation equipment and materials.
 - Copies of detailed invoices documenting total and eligible system costs and supporting itemization of expenses
 - Documentation of each outside funding source
 - Photos of the installation (.jpg) of the Project
 - Photos of signage and other educational collateral
 - Photos of any onsite monitoring system displays
 - Documentation of public relations and outreach efforts (e.g. press coverage, celebrations, etc.)

VI. AUDIT

PGE may perform a technical and financial audit of Recipient's use of RDF funds. Recipient agrees to provide support and cooperation for such audits and based on the audit results refund any amount that is deemed inadequate or inconsistent with this Agreement. Recipient acknowledges no recourse or appeal on the results derived from the audit.

VII. MISCELLANEOUS

- A. **Limitation of Liability.** IN NO EVENT SHALL PGE BE LIABLE UNDER THIS AGREEMENT TO RECIPIENT OR ANY THIRD PARTY FOR CONSEQUENTIAL, INDIRECT, INCIDENTAL, SPECIAL, EXEMPLARY, PUNITIVE OR ENHANCED DAMAGES, LOST PROFITS OR REVENUES OR DIMINUTION IN VALUE, ARISING OUT OF, OR RELATING TO, AND/OR IN CONNECTION WITH THIS AGREEMENT REGARDLESS OF (A) WHETHER SUCH DAMAGES WERE FORESEEABLE, (B) WHETHER OR NOT IT WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND (C) THE LEGAL OR EQUITABLE THEORY (CONTRACT, TORT OR OTHERWISE) UPON WHICH THE CLAIM IS BASED. PGE'S TOTAL AGGREGATE LIABILITY UNDER AGREEMENT SHALL NOT EXCEED THE TOTAL RDF FUNDING AMOUNT RECEIVED BY RECIPIENT UNDER THIS AGREEMENT.
- B. **Disclaimer.** Recipient acknowledges that PGE has not made any representations and has specifically disclaimed any and all warranties, expressed or implied, with respect to the renewable energy system installed or the electrical contractor, including but not limited to those concerning the electrical contractor's experience qualifications or background, the amount of energy generated or saved, if any, to be realized by the host customer, the quality of specific materials, components, or workmanship utilized in the installation or the nature of or whether building permit(s) or governmental approvals may be required.
- C. **Severability.** If any provisions of this Agreement are for any reason held by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect, such

invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement should be construed to give effect as nearly as possible to the intent of the parties. The parties agree to work together to replace such invalid, illegal or unenforceable provision as promptly as possible with a provision that is valid, legal and enforceable.

D. Controlling Law and Venue. THE AGREEMENT SHALL BE INTERPRETED IN ACCORDANCE WITH AND GOVERNED BY THE SUBSTANTIVE AND PROCEDURAL LAWS OF THE STATE OF OREGON WITHOUT REGARD TO CHOICE-OF-LAW PRINCIPLES. RECIPIENT IRREVOCABLY CONSENTS TO THE JURISDICTION OF THE COURTS OF THE STATE OF OREGON OR OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF OREGON FOR ANY ACTION, SUIT, OR PROCEEDING IN CONNECTION WITH THE AGREEMENT AND WAIVES ANY OBJECTION THAT RECIPIENT MAY NOW OR HEREAFTER HAVE REGARDING CHOICE OF FORUM.

E. No Third Party Beneficiaries. This Agreement is intended solely for the benefit of the parties hereto. Nothing in the Agreement shall be construed to create any liability to or any benefit for any person not a party to the Agreement.

F. Successors and Assigns. This Agreement shall be binding on the parties' successors, and insofar as assignment is permitted, on the parties' assignees.

The parties, through their duly authorized representatives, have executed this Agreement as of the dates indicated below.

RECIPIENT

Signature: _____

Date: _____

Printed Name: _____

Title: _____

Company: _____

APPROVED AS TO FORM


CITY ATTORNEY 2/8/07

188223

PORTLAND GENERAL ELECTRIC COMPANY 

Signature: Carol A. Dillin

Date: December 28, 2016

Printed Name: CAROL A. DILLIN

Title: VP Customer Strategies - Business Development

Renewable Development Fund – Change Request Form

Use this form to request approval for changes from your original project plan as described in your award agreement. Email completed form to RenewableDevFund@portlandgeneral.com for approval. Failure to submit form may result in delayed award reimbursement or a rescinded offer of funding.

Note: Changes to your project may result in a reduced award amount.

Project Details

Organization <i>Funding award recipient</i>	Click here to enter text.
Location <i>City, State</i>	Click here to enter text.
Technology	Click here to enter text.
Award Year	Click here to enter text.
Award Amount	Click here to enter text.

Contact Information

Contact Name <i>Person completing this form</i>	Click here to enter text.
Contact Organization	Click here to enter text.
Contact Email	Click here to enter text.
Contact Phone	Click here to enter text.

Change(s) Requested

- | | | |
|---|--|---|
| <input type="checkbox"/> Project Size | <input type="checkbox"/> Project Location | <input type="checkbox"/> Commercial Online Date |
| <input type="checkbox"/> Total Project Cost | <input type="checkbox"/> Project Funding Sources | <input type="checkbox"/> Other |

Change Description

For each change selected above, describe the reason for the change, the alternatives considered, and the impact of the change.

Project Size <i>Specify change in nameplate capacity, annual energy production, and justification for size change.</i>	Original project size: Click here to enter text. New project size: Click here to enter text. Description and justification: Click here to enter text.
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Project Location <i>Describe new location or siting structure and justification for change.</i>	Click here to enter text.
Commercial Online Date <i>Specify new commercial online date and reason for change.</i>	Click here to enter text.
Total Project Cost <i>Describe changes in total cost and reason(s) for the change.</i>	Click here to enter text.
Project Funding Sources <i>Describe variance(s) from original funding plan and impact on project development. Include a revised list of funding sources, dollar amounts, and funding status (secured or unsecured).</i>	Click here to enter text.
Other	Click here to enter text.

PORTLAND GENERAL ELECTRIC – CHANGE REQUEST REVIEW

Change request review status:

☐ Approved

☐ Denied

The Renewable Development Fund award will be:

☐ Changed

Original funding award: Click here to enter text.

New finding award: Click here to enter text.

☐ Unchanged

Approver Name: _____

Approver Title: _____

Approver Signature/Date: _____

Renewable Development Fund – Quarterly Project Report

This form is due on the 15th day following the close of each calendar quarter until the project is operational. Failure to submit may result in delayed award reimbursement or a rescinded offer of funding. Email completed form to RenewableDevFund@portlandgeneral.com for approval.

*Note: If your project was completed this quarter, do not submit this form. Submit a **Final Reporting Form** and supporting documentation within the timeframe specified in your signed award agreement.*

Quarter: Choose an item.

Year: Choose an item.

Project Information

Project Name	Click here to enter text.
Year Funded	Choose an item.
Award Recipient	Click here to enter text.
Name and Address for Check Payment	Click here to enter text.
Primary Project Contact <ul style="list-style-type: none"> • Name • Title • Email • Phone 	Click here to enter text.
Contractor Contact <ul style="list-style-type: none"> • Name of project lead • Company Name • Email • Phone 	Click here to enter text.

Project Design/Process Update

Note: Please use the table below to indicate information that has changed in the last quarter. If no changes have occurred, please leave blank.

Project design <i>If the project size, technology, anticipated energy production, or location has changed, please explain and indicate whether a change request has been approved.</i>	<input type="checkbox"/> Click here to enter text.
Are you in communication with the PGE customer generation group about interconnection? <i>PGE recommends that awardees notify the group about project plans as early in the installation process as possible.</i>	<input type="checkbox"/> Click here to enter text.

Funding/Costs Update

Note: Please use the table below to indicate information that has changed in the last quarter. If no changes have occurred, please leave blank.

Estimated project costs <i>If changed, please explain and indicate whether a change request has been approved.</i>	<input type="checkbox"/> Click here to enter text.
Have you secured all funding? <i>Confirmation that all funds necessary to complete the project have been secured is due within 18 months of initial notification of funding award.</i>	<input type="checkbox"/> Choose an item.
New funding secured <i>Please specify any new funding sources secured and include the dollar amount.</i>	<input type="checkbox"/> Click here to enter text.
Pending sources of funding <i>Please list all pending funding sources and include the status and dollar amount expected.</i>	<input type="checkbox"/> Click here to enter text.

Education/Community Engagement Update

Note: Please use the table below to indicate information that has changed in the last quarter. If no changes have occurred, please leave blank.

Education updates <i>Describe any progress towards implementing the proposed education plan.</i>	<input type="checkbox"/> Click here to enter text.
RDF recognition updates <i>Describe any progress towards creating signage, media announcements, or web page for the project recognizing RDF customers for their support.</i>	<input type="checkbox"/> Click here to enter text.
Celebrations or media events <i>Describe any progress on planning proposed events. Include details such as date, location, invitees, agenda as available.</i>	<input type="checkbox"/> Click here to enter text.

Award recipients are required to notify PGE of all opportunities to participate in project celebrations and news/press announcements. In addition, recipients must provide the Renewable Development Fund team an opportunity to review use of PGE/Renewable Development Fund logos and project-related content such as signage, brochures, website copy, videos, and monitoring web pages.

Please contact RenewableDevFund@portlandgeneral.com for review, and to discuss joint media opportunities.

Project Timelines and Milestones

Please update your project timeline, indicating changes to your original plan, milestones you have completed, and the anticipated completion dates of yet-to-be completed steps.

Milestone	Status	Date Completed/ Anticipated	Notes
Formal assessment of installation site	Choose an item.	Click here to enter a date.	Click here to enter text.
RFP released for design/build	Choose an item.	Click here to enter a date.	Click here to enter text.
Contractor selected	Choose an item.	Click here to enter a date.	Click here to enter text.
System engineering/design	Choose an item.	Click here to enter a date.	Click here to enter text.
Net metering application submitted	Choose an item.	Click here to enter a date.	Click here to enter text.
All permits and approvals secured	Choose an item.	Click here to enter a date.	Click here to enter text.
Equipment ordered	Choose an item.	Click here to enter a date.	Click here to enter text.
Equipment received	Choose an item.	Click here to enter a date.	Click here to enter text.
Installation started	Choose an item.	Click here to enter a date.	Click here to enter text.
Installation completed	Choose an item.	Click here to enter a date.	Click here to enter text.
Data monitoring equipment installed	Choose an item.	Click here to enter a date.	Click here to enter text.
Inspections and commissioning completed	Choose an item.	Click here to enter a date.	Click here to enter text.
Other milestones	Click here to enter text.	Click here to enter text.	Click here to enter text.

Please send this completed quarterly report to RenewableDevFund@portlandgeneral.com.

Please include the organization/project name in all submitted documents.

Renewable Development Fund – Final Project Report

General Information

Project Name	Click here to enter text.
Year Funded	Choose an item.
Award Recipient	Click here to enter text.
Name and Address for Check Payment	Click here to enter text.
Primary Project Contact <ul style="list-style-type: none"> • Name • Title • Email • Phone 	Click here to enter text.

Project/Installation Information

Installation Address	Click here to enter text.
Commercial Online Date	Click here to enter a date.
Project Size (Rated kW DC)	Click here to enter text.
Was there any change in project size from your original application? If yes, please explain.	<input type="checkbox"/> Yes <input type="checkbox"/> No Click here to enter text.
Anticipated Annual Generation	Click here to enter text.
Contractor Information <ul style="list-style-type: none"> • Name of Project Lead • Company Name • Email • Phone 	Click here to enter text.
Describe and explain any changes to your original plan. <i>Include changes in size, location, completion date, materials used, etc.</i>	Click here to enter text.
Describe and explain any challenges faced through this process and lessons learned.	Click here to enter text.

Financial Report – Renewable Energy Installation Costs Only

Renewable Development Fund Award Amount	\$Click here to enter text.	
Total Eligible System Cost	\$Click here to enter text.	
Provide an itemized list of eligible costs associated with the project. <i>Be specific and attach documentation.</i> <i>Note: Activities not directly related to the capital costs of new renewable energy systems are not eligible. Visit www.portlandgeneral.com/RDF for more information about project requirements and eligibility.</i>	Engineering and design	Click here to enter text.
	Equipment	Click here to enter text.
	Labor	Click here to enter text.
	Permitting fees (itemize)	Click here to enter text.
	Education/outreach (itemize)	Click here to enter text.
	Signage, events, monitoring display, etc.	
	Other eligible costs (itemize)	Click here to enter text.

Identify all funding sources and amounts for the project.	Click here to enter text.
Note: Please be sure to attach all invoices and other supporting financial documentation. If there is a mismatch in the invoices and total installed system cost listed above, please specify the reason for the variance.	
Public link to online monitoring system	Click here to enter text.
Website information <i>Provide links to any information about this project on your organization's website.</i>	Click here to enter text.
Media and events <i>Summarize existing or future plans to publicize the completion of your project, such as media events, press releases, and social media postings. Please provide as much detail as possible – dates, attendees, etc.</i>	Click here to enter text.
Other outreach and educational activities <i>Summarize other activities completed or planned to educate the public about the project.</i>	
Please contact RenewableDevFund@portlandgeneral.com to discuss joint media opportunities.	

Supplemental Documentation

Please be sure to complete this form in detail and submit the following required attachments in order to ensure prompt Renewable Development Fund award disbursement:

- ☐ Utility net metering/interconnection agreement
- ☐ Final electrical and building permits and any inspection reports
- ☐ Detailed financial invoices from contractor supporting final project costs listed above
- ☐ Other supporting financial documentation
- ☐ Photos of installation (.JPG files)
- ☐ Photos of monitoring system or kiosk (.JPG files)
- ☐ Photos of any events, signage, or other images of interest to the project (.JPG files)
- ☐ Copy of press releases announcing project completion or planned events to celebrate the project

Please send the completed final report to RenewableDevFund@portlandgeneral.com.

Please include the organization/project name in all submitted documents.