

**RESOLUTION NO. 1531
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION APPROVING A PERSONAL SERVICES AGREEMENT WITH TRM
ENERGY SOLUTIONS, LLC, FOR LAUNCH AND PERMITTING PHASES OF
PRINEVILLE RENEWABLE ENERGY PROJECT**

RECITALS:

- A. City of Prineville (“City”) Resolution No. 1266 authorizes the City Council acting as the Contract Review Board for the City to award personal service contracts according to specific criteria that are applicable to the services provided.
- B. The City requires the assistance of a consultant for the delivery to City the proposed launch and permitting phases of the Prineville Renewable Energy Project (“PREP”).
- C. Consultation services are considered personal services pursuant to City Resolution 1266.
- D. A public notice was published in the June 7, 2022, edition of the Central Oregonian setting the June 14, 2022, Prineville City Council meeting as the time and place to comment on the City’s draft findings for awarding a personal services contract to TRM Energy Solutions, LLC (“TRM”) regarding the launch and permitting phases of PREP.
- E. A public hearing was held June 14, 2022, at the Prineville City Council meeting to allow an opportunity for any interested person to appear and present comment. No interested person was present nor were any comments made.
- F. Pursuant to City Resolution No. 1266, the City Council makes the following findings as their basis for exemption from City’s competitive bidding requirement and the selection of TRM for a personal services contract:
1. Total costs to the City for delivery of services:
 - The total costs are estimated to be \$300,000.00. It is anticipated that grant funding will be available in late summer 2022 through the Oregon State Fire Marshal to reimburse the City for expenditures. Afterward, TRM will pursue the remaining funding required. Part of the costs will include funding work for TRM to pursue funding opportunities that will provide the necessary resources to complete the remainder of the phases outlined without expected additional investment from the City.
 2. Expertise of TRM in the required area of specialty:
 - TRM has a highly qualified team with experience that includes four projects of similar scope and scale to the PREP. One involved full project entitlement and successfully negotiating a power purchase agreement with PGE in 2019. TRM is

accustomed to the unique permitting challenges in Central Oregon and has recent, applicable project experience in neighboring La Pine, Oregon. Past experience includes mitigation of water impact of projects in extremely sensitive water basins; fuel logistics, procurement, and transactional experience across the forest products industry over the last 14 years in and around Central Oregon and the I-5 corridor; and development of bankable fuel supply agreements to support a PPA with Portland General Electric. TRM's team also has expertise in taking very complex projects from concept through design, funding, construction, and to implementation, which also includes management of teams and budgets of up to \$50,000,000.00 per year. TRM's team has secured over \$28,600,000 in grants since 2008 for a variety of municipal projects.

3. References regarding prior work done by the TRM:

- TRM has references from Wellons Group, TSS Consultants, and Ken Kauffman Law.

4. Capacity and capability to perform the work, including any specialized services within the time limitations for the work:

- During the launch phase, TRM will secure the PREP's financial foundation by working with the data centers, the City, PacificCorp and other stakeholders to align interests and deliver a framework that will be used to negotiate a power purchase agreement. TRM will also apply for, secure, and manage funding to forward the project towards completion. As stated above, the TRM team has the capacity and capability to work with these stakeholders based on years of experience within the forestry industry and working with municipalities. During the permitting phase, TRM will oversee all permitting required to construct the project.

5. Educational and professional records, including past records of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, ability in schedules, and contract administration, where applicable:

- See Factors 2 and 8.

6. Availability to perform the assignment and familiarly with the area in which the specific work is located:

- TRM is available to perform the work. TRM has extensive experience and contacts within the forestry and renewable energy fields as set forth in Factor 2.

7. Timelines of delivery of service:

- TRM is able to deliver the services requested within the timeline required by the City.

8. Experience in working with the City:

- TRM successfully provided the City with a PREP feasibility study. City staff found TRM's work highly satisfactory, timely provided, and reasonably priced.

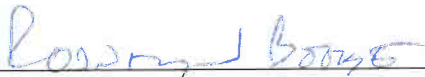
9. Knowledge of the City's needs and desires related to the Contact:

- TRM and City have discussed the project in detail and TRM is fully aware of the City's needs and desires related to the project. As TRM conducted the feasibility study, it already has the institutional knowledge regarding the City's needs and desires regarding PREP.

NOW, THEREFORE, based on the above Recitals and findings of fact, the Prineville City Council, sitting as the Contract Review Board for the City of Prineville, hereby resolves as follows:

1. That the City Council, serving in its role as the Local Contract Review Board for the City, hereby approves the City entering into a personal services contract with TRM Energy Solutions, LLC for the launch and permitting phases Prineville Renewable Energy Project and authorizes the City Manager to execute, on behalf of the City, such contract and any other related documents.

Approved by the City Council this 28th day of June, 2022.



Rodney J. Beebe, Mayor

ATTEST:



Lisa Morgan, City Recorder