

Acorn order recap

email: "rldavis@chattanooga.gov Rick Davis"
To: email: "gherold@chattanooga.gov Greg Herold"

Thursday, September 1, 2016 at 5:04:23 PM Eastern Daylight Time

Greg,

I'm going through my notes regarding the LED acorn ordering process and want to confirm the numbers and reasons that got us to this point. I feel fairly certain I will have to go through this process again when I run out of my stock of LEDs, currently being used for failed cobra head replacement.

We chose not to go with the lowest bid from Indoff at \$635 because it did not fully meet the specification, being made of some type of composite.

We chose not to go with Smart City Management at \$??? because Carmody said the manufacturer did not stand behind thier product and the City had recently canceled a contract with them.

We chose the King Luminaire from Gexpro at \$894.73 because of the quality, and at the time we thought EPB had a contract for that Luminaire. We later found out through Lezlie that EPB did not have a contract for the King luminaire, but did have one for Sun Valley (or whatever the company is called now).

We have placed the order of 200 luminaires from Gexpro and their current lead is twelve weeks but orders that follow should reduce that time to eight weeks.

And lastly, please give me the names of the other vendors and their bid amounts.

Thanks man,

Rick out.

PLS proof ASAP

email: "srichardson@chattanooga.gov Richardson Stacy"
To: email: "whinton@chattanooga.gov Hinton Wade"

Monday, October 19, 2015 at 1:37:16 PM Eastern Daylight Time

Wade, would you mind scanning this to make sure I'm not saying anything inaccurate?

Councilman,

Thank you for bringing this issue to our attention. First and foremost, please let me say that regardless of any potential news stories < the last thing anyone in our office wants is for this constituent to feel unsafe and we will do everything we can to make sure this issue gets resolved.

Second, Molly has been in touch with relevant City staff this morning and we are getting some answers regarding the light on her street.

Third, I will provide you some background information to hopefully shed light on why potential delays have been occurring. Global Green has been significantly delayed in performing the maintenance they are required to perform under their warranty agreement. I can't speculate as to why these delays have been happening from Global Green, but we have been working to try to limit the impact on constituents as much as possible.

The good news is that, as you probably saw, a judge dismissed the lawsuit GGL filed against EPB and the City. This means that we are nearing the end of this predicament. We terminated the contract with Global Green, which they had 30 days to cure. That 30 day window has now closed. Now that we have cleared these significant legal hurdles, we are in the process of developing a new plan going forward that does not include relying on GGL < since they have not proven to be a reliable partner.

While I truly appreciate your offer to host a hearing, I don't think it would serve our best interest. At this point, we have cleared all necessary legal hurdles that were put in place by Global Green and are preparing to move forward with a more reliable and cost effective solution.

I am waiting on Molly to get confirmation that this street light has been repaired < but I assure you that I will get it taken care of. Thank you again for raising this issue with me and I am available by cell anytime today to talk through this issue more.

On 10/19/15, 6:40 AM, "Hakeem Yusuf" wrote:

>Good morning ladies hope your day is starting well. I firstly want to
>thank Molly and other people in the administration for your effort in

>trying to resolve some street lighting problems that have developed in
>the past year. I wanted to share with you a Hypothetical Newspaper
>Leading Article.
>After months of trying to get the city to repair a street light near her
>home, a female senior citizens home on Wheeler Ave. was broken into by
>burglars were she was robbed and beaten near death.
>I know this is not the type of article we would like to see in the paper.
>I don't know what the impasse is between EPB and GGL but the inaction
>could lead to a lawsuit whether the citizen wins or not again an article
>I believe we do not want to read about.
>If you considered it constructive at this time I could ask the chair of
>the Public Works committee to bring both parties EPB and GGL before the
>committee in an effort to remove the impasse. I will not move on this
>idea until I here from you.
>
>Thanks Hakeem
>
>Sent from my iPad



City of Chattanooga

Office of the City Attorney

Wade A. Hinton
City Attorney

Phillip A. Noblett
Deputy City Attorney

February 29, 2016

Mr. Donald Lepard
Global Green Lighting
2735 Kanasita Dr., Suite B
Chattanooga, Tennessee 37343

RE: Agreement for Energy Efficient Lighting

Dear Mr. Lepard:

This letter is sent to discuss the status of your company's ("GGL") compliance with its agreement with the City of Chattanooga for the installation of Energy Efficient Lighting dated March 29, 2012 ("Agreement"). It has been reported to the City, and confirmed by you, that GGL has failed to provide accurate metering data to the Electric Power Board. More specifically, the meters have had either bad readings or no readings at all. This has resulted in the City being charged a higher rate than the City and GGL contemplated, even though the City was using equipment that was supposed to increase energy efficiency and reduce energy costs.

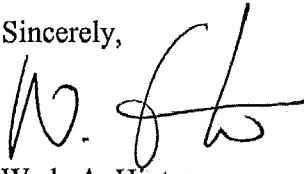
It is also my understanding that lights continue to go dark and fail to function properly. While your team did make repairs to some lights within the past couple of months, the problem persists. If this issue is not corrected, this will require the City to incur costs to either replace or retrofit these lights.

Lastly, the City understands GGL is obligated to pay a judgment (debt) to Sensus pursuant to an arbitration award against GGL for its failure to pay Sensus for certain units.

With these items in mind, and pursuant to Sections 6.2, 7.3, and 7.4 of the Agreement, the City terminates the Agreement effective March 31, 2016. Additionally, the City reserves the right pursue all remedies provided the Agreement and by law.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Hinton', with a stylized flourish extending from the end.

Wade A. Hinton

City Attorney / Chief Legal Officer

Cc: Stacy Richardson
Daisy Madison
Blythe Bailey
Elizabeth Roderick

----- Forwarded message -----

From: **Daisy Madison** <dmadison@chattanooga.gov>

Date: Wed, Mar 2, 2016 at 5:17 PM

Subject: Re: GGL Project Request

To: Wade Hinton <whinton@chattanooga.gov>

Cc: Rick Davis <rldavis@chattanooga.gov>, Blythe Bailey <bbailey@chattanooga.gov>, David Carmody <dcarmody@chattanooga.gov>, Elizabeth Roderick <eroderick@chattanooga.gov>

I have a binder with information provided over the years as well.

On Wed, Mar 2, 2016 at 2:36 PM, Wade Hinton <whinton@chattanooga.gov> wrote:

Good afternoon everyone -

We are trying our best to gather as much information as possible about the GGL contract and project. This includes information about our investment, the equipment failure rate, and the projected return on our investment. The folks on this email have put in a good amount of work putting together some of this information already and would ask that you forward any of this information (in the most concise manner if possible) to Elizabeth Roderick at your very first convenience.

If you have any questions or concerns, please feel free to contact me.

wh

email: "whinton@chattanooga.gov Wade Hinton"

Wednesday, April 13, 2016 at 2:53:55 PM Eastern Daylight Time

To: email: "dcarmody@chattanooga.gov David Carmody"

Cc: email: "mrbell@chattanooga.gov Marissa Bell"

Maybe it is time for the pre-roll out of Public Stuff

Wade

A. Hinton

City

of Chattanooga

From: Deleted
Sent: Tuesday, March 01, 2016 10:32 AM
To: Don Lepard <dlepard@globalgreenlighting.com>
Subject: RE:

I know where your problem is coming from. Come see when you return

From: Deleted
Sent: Tuesday, March 01, 2016 3:41 AM
To: Don Lepard <dlepard@globalgreenlighting.com>
Subject: Re:

They showed up and installed lights yesterday. You need to come see me
I may have some insight to you
Your big picture issues. I'm at Main Street job a lot , so just let me know when you can run by
Did they buy these lights from you ?

Sent from my iPhone

From: Deleted, contractor name
Sent: Friday, February 26, 2016 2:08 PM
To: Don Lepard <dlepard@globalgreenlighting.com>
Subject: RE:

Out of nowhere, they called and said they were putting my lights in next week. did they buy from you ?

From: Deleted, contractor name
Sent: Thursday, February 04, 2016 10:54 AM
To: Don Lepard
Subject:

Interesting call I just got. Now they have made an about face and said that I cannot buy lights from you because they then become the city's and they don't want maintenance I have spoken very candidly about your light situation with an influential city council member. I think all ya'll need to get in a room and work out. It's sad that you have a good product and they need it and yet they are not wanting to buy because of some none true bs.

They are having a come to Jesus today over this issue per Blythe bailey. He is going to call me when meeting is over. Please do not get me caught up in this but I would like to help you get contract back somehow. I don't carry a big hammer but it does hit often. He knows I am expecting them to deliver ASAP so he has a problem

From: Don Lepard
Sent: Tuesday, February 02, 2016 1:24 PM
To: Deleted, contractor name
Subject: Purchase LED Lights off of the Chattanooga Lighting contract.

Deleted, contractor name ,

Thanks for the phone call, and emails explaining your situation and need for our lighting to be deployed at your new business on the corner of market street and 4th street. I am a little confused by the statement that the City has canceled its contract with Global Green Lighting. As far as we know the contract has not been canceled, and the City is still obligated to purchase all of its street light requirements from GGL until March 2017. The only thing Mayor Berke did was not to request funding for the remainder of the full deployment, because the City could not afford to purchase the lights at that time.

Since January 2014, the City has been working off of the uninstalled inventory to replace the failed EPB lights. I also know that they have used the inventory to supply new deployment projects to folks like yourself. If the City has run out of their inventory to supply your project, they are more than welcome to buy from the GGL inventory that has been here for over two years waiting for the City to use up its inventory.

The contract with GGL and the City of Chattanooga also allows for other government entities to purchase GGL lights directly from GGL, using the contracted prices without having to come through the City of Chattanooga.

So long as you have an agreement with the City of Chattanooga, that would qualify your company to purchase lights directly from GGL using the contract price list I see no problem with selling directly to you at the City's contracted price.

If you do not mind, please send a copy of the qualifying contract you have with the city, and a purchase order to purchase the LED Post top Acorn light, and we will get the lights built and delivered to you ASAP.

The current contract price is \$805 with the utility certified meter.

The new prices that will be submitted to the City of Chattanooga later this week has changed. We have separated the LED Post top Light fixture (Product No LPT-01G-7P-CH-C1-135W) to include a 7 pin photocell socket for \$580 each, and the wireless lighting controls (Product No. GGL-LCS-2G) with 10 years warranty and free connectivity to the cloud based operating system \$225 each, for a total price of \$805. Each.

Product No.

Qty 7- LPT-02G-7P3-CG-135W-C1-3X12-A1.3F, LED Acorn Post Top Light Head @ \$580.00 = \$4,060.

Qty 7 - GGL-LCS-2G – Wireless Lighting Control with dimming and power meter @ \$225.00 = \$1,575.

Total PO Amount is \$5,635.

The color of the light to be "Chattanooga Green".

Delivery of the new lights will be within 2 weeks OR sooner from the date of the purchase order.

The City of Chattanooga will be responsible for providing the poles for the post top lights to be mounted, and the installation.

Let me know if there is anything else I can do for you.

Thanks

Don Lepard

www.GlobalGreenLighting.com

From: Brandon Sutton [<mailto:bsutton@chattanooga.gov>]

Sent: Tuesday, December 22, 2015 6:36 PM

To: Deleted, contractor name

Cc: Greg Herold

Subject: Re:

Deleted, contractor name

Okay. At this time, I don't believe there are any alternate heads, just the standard acorn that was under the previous contract. We can confirm that to be certain. Can you confirm whether it's okay to proceed with only the pole if no other heads are available? Lights would otherwise have to wait to be installed until the forthcoming contract is enacted.

Thanks,

Brandon Sutton, PLA

Transportation Design Manager

Chattanooga Department of Transportation

423.643.5919 | bsutton@chattanooga.gov

On Tue, Dec 22, 2015 at 9:29 AM, Deleted, contractor name wrote:

Let's do the piles while we figure out a luminaire option. I'm more concerned for looks and safety.

Do you have other head options ?

Sent from my iPhone

From: Deleted, contractor name
Sent: Monday, December 21, 2015 2:32 PM
To: 'Brandon Sutton'
Subject: RE:

None sound good. I guess borrow some from Tremont- I need this project to look good , now to help with leasing.
I need to get this fixed

From: Brandon Sutton [<mailto:bsutton@chattanooga.gov>]
Sent: Monday, December 21, 2015 2:24 PM
To: Deleted, contractor name
Cc: Greg Herold
Subject: Re:

Deleted, contractor name

We're working to figure something out on this. The City's previous lighting contract was recently cancelled, so we're currently not able to supply new luminaires until a new contract is established. We've installed new poles without the fixtures on a couple of projects, but I realize that's neither desirable nor attractive. Three options we see right now:

1. Install poles and wait on the new contract to begin for new luminaires, which could take a couple of months or more. This isn't as attractive and doesn't add lighting at this point, but it could at least eliminate a tripping hazard with the anchor bolts.
2. Relocate poles and fixtures from another recently completed project. In this instance, we could maybe borrow from the Tremont project as an interim fix. We would also need to confirm the ability to do this with EPB.
3. Add orange boots to the footings that lack a pedestrian light, then install both pole and luminaire as soon as the new lighting contract takes effect.

Please let me know if you have a preference on which route to take.

Thanks,

Brandon Sutton, PLA
Transportation Design Manager
Chattanooga Department of Transportation
423.643.5919 | bsutton@chattanooga.gov

On Mon, Dec 21, 2015 at 7:52 AM, Deleted, contractor name wrote: Can I get update
on street lights at main street

Sent from my iPhone

Streetlight Luminaires

email: "gherold@chattanooga.gov Greg Herold"
To: email: "roderickca@epb.net C. Alan Roderick"

Tuesday, May 17, 2016 at 4:28:52 PM Eastern Daylight Time

Alan,

I am in the process of bidding the LED Pedestrian Light fixture that we were in discussions about earlier in the year. I was wondering if you could share with me some of the findings from your research. I am mainly thinking about items like the Lumens of Output, color temperature, and the typical operating wattage. Any help you can provide is appreciated.

Thank you,
Greg

Gregory E. Herold
Engineering Designer - CDOT
Chattanooga Department of Transportation
gherold@chattanooga.gov 423.643.5968

email: "Roderickca@epb.net Roderick, Alan"
To: email: "gherold@chattanooga.gov Greg Herold"

Tuesday, May 17, 2016 at 5:48:18 PM Eastern Daylight Time

Temperature - 4000 K, +/- 200; operating voltage multiple ranging from 115 to 277V; approx 100W on the wattage, letting the bidder specify their specs including L/W etc. are my thoughts. I'm sorry for the brevity but I'm using the smart phone. I hope this helps.

Alan.

Sent from my iPhone

Memo // Street Lighting

email: "lstone@chattanooga.gov Lacie Stone"

Sunday, June 5, 2016 at 12:47:39 PM Eastern Daylight Time

To: email: "dflessner@timesfreepress.com Dave Flessner"

Dave,

My apologies for not sending this to you earlier. This is the memo that was referenced on Wednesday. This was authored by David Carmody (Deputy COO) to be presented to both Mayor Berke as well as the City Attorney office, with information obtained from City staff. Please let me know if you have any questions.

Senior Advisor to the Mayor
Mayor Andy Berke // City of Chattanooga
423-643-7816 (o)
lstone@chattanooga.gov

Attachments:

EDGE2.jpg 85k

email: "lstone@chattanooga.gov Lacie Stone"
To: email: "dflessner@timesfreepress.com Dave Flessner"

Monday, June 6, 2016 at 11:51:45 AM Eastern Daylight Time

Okay. Please let me know if you have follow up questions for Wade or David Carmody and I can facilitate.

Have a great day.

Lacie

Lacie Stone
Senior Advisor to the Mayor
Mayor Andy Berke // City of Chattanooga
423-643-7816 (o)
lstone@chattanooga.gov

email: "lstone@chattanooga.gov Lacie Stone"
To: email: "deleted name@timesfreepress.com"

Wednesday, June 8, 2016 at 1:14:08 PM Eastern Daylight Time

Just checking in. Does the memo make sense? Do you need to sit down with anyone on our end -- on the record -- to answer specific questions? I know it's a lot of information to digest. I'd like to be as helpful as possible, since this topic has garnered so much interest in the past.

Thanks
Lacie

Lacie Stone
Senior Advisor to the Mayor
Mayor Andy Berke // City of Chattanooga
423-643-7816 (o)
lstone@chattanooga.gov

: On Mon, Jun 13, 2016 at 1:08 PM, Lacie Stone <lstone@chattanooga.gov> wrote:
Just checking in on the follow up questions you had...

Lacie Stone
Senior Advisor to the Mayor
Mayor Andy Berke // City of Chattanooga
423-643-7816 (o)

----- Forwarded message -----

From: **deleted name** <deleted_name@timesfreepress.com>

Date: Mon, Jun 20, 2016 at 9:48 AM

Subject: Re: Memo // Street Lighting

To: Lacie Stone <lstone@chattanooga.gov>

Here are a few questions: I am meeting with Don Lepard on Wednesday and would welcome any chance to talk with or get answers on the following questions:

email: "lstone@chattanooga.gov Lacie Stone"

Monday, June 20, 2016 at 9:49:48 AM Eastern Daylight Time

To: email: "dcarmody@chattanooga.gov David Carmody" , email: "whinton@chattanooga.gov Wade Hinton"

FYI -

Lacie Stone
Senior Advisor to the Mayor
Mayor Andy Berke // City of Chattanooga
423-643-7816 (o)
lstone@chattanooga.gov

Keep up to date with Mayor Berke on [Twitter](#) and [Facebook](#).

MEMO

To: Mayor Andy Berke

From: Jeff Cannon, COO

Date: 2/24/2013

Re: City's Sustainable Lighting Initiative

Per your request, I have updated my original memo. The team you charged with the evaluation of this City infrastructure (Daisy Madison, Wade Hinton, Blythe Bailey) believe it is important to provide you with additional information regarding this project. Specifically, the Finance Department has concerns about continuing the investment under the existing GGL contract due to recent comments from GGL about the financial stability of the company. We have added a review of the company's financial statements – which is common in cases where vendor solvency may be an issue. We do not anticipate this review will slow down the internal schedule detailed below. We are continuing our standing bi-weekly conference call with the leadership of EPB & GGL. I will provide an update as more information becomes available.

1. City needs to reconcile EPB's and GGL's maintenance logs to reflect total maintenance calls – not just calls that occurred after completed installation
 - a. Percentage of Repair/Maintenance/Replacement Call-Backs -- as of now, depending on which report of maintenance logs you use (GGL or EPB), the call backs on the lights range between 8 -12% of the total number of installed lights.
 - b. FAULTY RELAY SWITCH
 - i. GGL claims over half of their call-backs are due to a faulty relay switch (4% of the total new lights). We are gathering data from EPB to validate this percentage. They claim this issue to be resolved with their supplier – we need confirmation and/or field data to confirm this.
 - c. INSTALLATION FLAWS
 - i. GGL claims 2.67% of total lights installed have required call-backs as a result of installation flaws. Our data from EPB does not reflect this number – we need reconciliation between installation and GGL so we are clear on how to resolve installation issues for the next phase.
 - d. POLE REPORT & WIRING ISSUES
 - i. We are waiting to reconcile this issue with EPB data. Once discovered, the wiring issues are addressed by EPB and the pole reporting is addressed by EPB.
2. STREAMLINING MAINTENANCE
 - a. Previously, crews were dispatched by EPB to go to GGL and then GGL sent them to specific lights. GGL has assembled their workforce to address repairs. This will eliminate the need for the City to determine whether reimbursement comes through EPB or GGL.
3. NECESSARY CONTRACT/OPERATING AGREEMENT ADJUSTMENTS
 - a. The City is currently well within the bounds of the contract with GGL. This evaluation schedule will allow us to responsibly evaluate the deployed lights within the timeline.
 - b. During this evaluation, the agreements between the City/EPB/GGL should be updated to reflect the agreed upon warranty, maintenance arrangement, and billing process.
4. LONG TERM BUSINESS SOLVENCY
 - a. Recent claims to City employees have sparked concern from the Finance Department regarding the long term viability of GGL's business model.
 - b. As is normal for vendors where this may be a potential issue, the Purchasing Division will review GGL's financial documents to ensure the long term viability of this vendor.

5. INTERNAL TIMELINE:

- a. Evaluate maintenance issues with the deployed lights based on the merged GGL/EPB data: 3/1/2014
 - i. Additional evaluation will be required as issues arise
- b. Secure additional data regarding operating expenses for March: 4/10/2014
- c. Perform additional analysis of Cost for March operating expenses: 4/15/2014
- d. Finalize installation & maintenance agreement, warranty, and any outstanding contractual requirements: 4/15/2014
- e. Make recommendation to the Mayor regarding capital investment: May 10th
- f. Explore additional funding sources: on-going
- g. To ensure accountability, bi-weekly meetings will be set up with GGL, EPB, City Atty, City Finance, Transportation, and the Mayor's Office.