

## **RESOLUTION 11-088**

### **RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AWARD A CONTRACT AND/OR REJECT BIDS IN RESPONSE TO THE 2012 AGGREGATE ELECTRICAL GENERATION SUPPLY PROCUREMENT**

**WHEREAS**, the cost of electricity is a major component of the Rockaway Valley Regional Sewerage Authority's operating budget; and

**WHEREAS**, in an effort to reduce the cost of electricity, the Authority joined the New Jersey Sewerage and Municipal Utilities Authority Electrical Supply Aggregation ("NJMUAESA") for the purpose of consolidating the electricity supply demands of the group in order to obtain a lower price for the supply of electrical service; and

**WHEREAS**, in accordance with the regulations of the New Jersey Board of Public Utilities, the Authority is required to seek the purchase of its basic generation service for electricity from the open market in accordance with the provisions of the Local Public Contracts Law; and

**WHEREAS**, the existing electric generation supply contract will expire upon the FIRST meter read date in May, 2012; and

**WHEREAS**, it is necessary for the Authority to procure an electric aggregation energy supply contract from the open market and to that end the Authority, as part of the NJMUAESA Group, intends to proceed with the procurement of basic electric supply service through a competitive public bidding process, with the expectation that bids will be received in December, 2011; and

**WHEREAS**, due to the fact that the electricity market is highly volatile and the bid prices are not guaranteed after 3:00 p.m. on the day of the bid, the award of rejection of bid(s) must be made on the Authority's behalf by its designated representative.

**NOW, THEREFORE, BE IT RESOLVED** by the Rockaway Valley Regional Sewerage Authority that it hereby authorizes Edward K. P. Ho, P.E., Executive Director, to act in his sole discretion as the Authority's designated representative in the following manner:

1. Execute and award an Electric Supply Service Agreement for a one year term, having a fixed price that does not exceed \$0.088 per kWh.
2. Execute and award an Electric Supply Service Agreement for a one year term, having a Block price that does not exceed \$0.062 per kWh and a one year Fixed Adder for the Index portion of usage that does not exceed \$0.026 per kWh.
3. Execute and award an Electric Supply Service Agreement for a two year term, having a fixed price that does not exceed \$0.092 per kWh.

4. Execute and award the Electric Supply Service Agreement for a two year term, having a Block price that does not exceed \$0.064 per kWh and a two year Fixed Adder for the Index portion of usage that does not exceed \$0.028 per KWh.
5. Only one of the aforementioned alternates, as set forth in paragraphs 1 through 4 above, may be awarded and the Executive Director may select the alternate that is in the best interest of the Authority and award the contract to the lowest responsible bidder for that alternate.
6. A copy of this Resolution shall be available for public inspection at the office of the Authority.
7. Notice of any contract award shall be published in the official newspaper of the Authority as required by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

**BE IT FURTHER RESOLVED** that notwithstanding the foregoing, the Authority's Executive Director may reject any bid, including, if necessary, all bids (and not award a contract) provided that such rejection is in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

I hereby certify that this Resolution was adopted at a regularly scheduled meeting of the Rockaway Valley Regional Sewerage Authority held on November 17, 2011.

On motion of Glenn Corbett

Seconded by Michael Guadagno

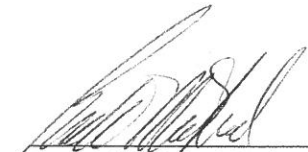
and a Roll Call Vote as follows:

Yeas: (7) Cegelka, Corbett, Guadagno, Lowell, MacNeal, Schorno, Secco

Nays: (0) None

Abstain: (0) None

Absent: (3) Klingener, Schaefer, Schulman

  
Bruce W. MacNeal  
Board Secretary