

**Resolution 15-104**

**RESOLUTION OF THE ROCKAWAY VALLEY REGIONAL SEWERAGE  
AUTHORITY AUTHORIZING EXECUTIVE DIRECTOR TO AWARD OR REJECT  
BIDS FOR ELECTRIC POWER SUPPLY**

**WHEREAS**, the Rockaway Valley Regional Sewerage Authority (“RVRSA”) has participated in the formation and implementation of the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation (“NJSMUAESA”), which is a consortium of New Jersey Sewerage and Municipal Utility Authorities formed for the purpose of soliciting and securing bids, on an aggregated basis, for electric generation service from licensed electric power suppliers pursuant to the provisions of the “Electric Discount and Energy Competition Act” (P.L. 1999, c.23, N.J.S.A. 48:3-49 *et. seq.* ), and thereby enjoying the benefits derived from joint purchasing, and bulk power purchasing discounts; and

**WHEREAS**, the existing electric power supply contract between the Authority and TriEagle Energy, awarded and entered as a result of a bid conducted by the NJSMUAESA in April 2014, will expire upon the meter read dates in May 2016 for each Authority electric account currently being served by TriEagle; and

**WHEREAS**, due to current favorable market conditions the NJSMUAESA intends to issue a Request for Bids on or about October 29, 2015 for the purpose of seeking bids for electric generation service from licensed electric power suppliers to replace the TriEagle contract that is scheduled to expire in May 2016; and

**WHEREAS**, it is the NJSMUAESA’s intent to receive bid price submittals on or about November 20, 2015; and

**WHEREAS**, due to the fact that the electricity market is highly volatile and bid prices will not be guaranteed past 3:00 p.m. on the day that bids are accepted, the award or rejection of bid(s) must be made on the Authority’s behalf by its designated representative by no later than 3:00 p.m. on bid day.

**NOW, THEREFORE, BE IT RESOLVED**, by the Rockaway Valley Regional Sewerage Authority as follows:

1. The Authority is hereby authorized to participate with the NJSMUAESA for the purpose of securing bids for electric generation service from licensed electric power suppliers, for a contract to replace the existing contract with TriEagle that is expiring in May 2016, pursuant to the “Electric Discount and Energy Competition Act” (P.L. 1999, c.23, N.J.S.A. 48:3-49 *et. seq.*),

Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.*, and the “Local Unit Electronic Technology Pilot Program and Study Act” (P.L. 2001, c.30).

2. The Authority hereby authorizes the Authority’s Executive Director to act as the designated representative of the RVRSA. In the event that the Authority’s Executive Director is unavailable or unable to act as the Authority’s designated representative, the Authority’s Manager of Engineering shall act as the Authority’s designated representative. The Authority’s designated representative is authorized, in his/her sole discretion, to award a contract to the low, qualified bidder for the contract term and pricing product deemed most beneficial to the Authority. The designated representative is authorized to execute an Award Letter on the day of bid receipt and subsequently execute the Model Supply Contract, or reject an electricity bid, in conjunction with the NJSMUAESA Request for Bids to be issued on or about October 29, 2015. Such authorization to award a contract to the low bidder as the Authority’s designated representative is subject to the low bid being equal to or less than the following Trigger Price(s):

<u>Bid Group</u>	<u>Utility</u>	<u>Tariff</u>	<u>Trigger Price (\$/kwh)</u>
Bid Group 2	JCP&L	GP	\$.08002/kwh
Bid Group 4	JCP&L	GT	\$.07286/kwh
Bid Group 5	JCP&L	GS	\$.09117/kwh

3. Notwithstanding the foregoing, the Authority’s designated representative may reject any bid, including, if necessary, all bids (and not award a contract), and if desirable, to authorize the NJSMUAESA to rebid the 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.*

4. This Resolution shall take effect as provided by law.

#### CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on the 12<sup>th</sup> day of November, 2015.

on motion of: Hector Schorno

and second by: Joseph Lowell

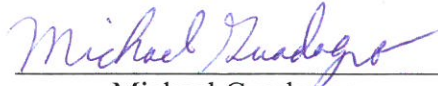
ROLL CALL VOTE:

YEAS: (9) Andes, Cegelka, Corbett, Guadagno, Lowell, Recchia, Schaefer, Schorno and Vincitore

NAYS: (0) None

ABSTAIN: (0) None

ABSENT: (1) Secco



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Michael Guadagno  
Board Secretary