

RESOLUTION NO. 2016-111

RESOLUTION OF THE TOWNSHIP OF COLTS NECK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT TO A THIRD PARTY POWER SUPPLIER TO PROVIDE ELECTRIC GENERATION SERVICE TO COLTS NECK COMMUNITY ENERGY AGGREGATION (CNCEA)-ROUND II PROGRAM PARTICIPANTS AND TO PROVIDE GOVERNMENT ENERGY AGGREGATION SERVICES IN CONNECTION WITH THE CNCEA ROUND II PROGRAM PURSUANT TO N.J.A.C. 14:4-6

WHEREAS, the Government Energy Aggregation Act of 2003 (PL. 2003, C24) governs the establishment of an government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers join together for the purchase of electric utility services by a government aggregator; and

WHEREAS, the New Jersey Board of Public Utilities has promulgated rules (N.J.A.C. 14:4-6) for the implementation of government energy aggregation programs; and

WHEREAS, the Colts Neck Township Committee passed an ordinance dated October 30, 2013 (Ordinance No. 2013-16) authorizing the formation of a Government Energy Aggregation in the Township of Colts Neck New Jersey, named the Colts Neck Community Energy Aggregation ("CNCEA") Program, and passed an Ordinance dated August 10, 2016 (Ordinance No. 2016-14) authorizing the continuation of the CNCEA program; and

WHEREAS, the Colts Neck Township Committee is acting as the Lead Agency of the Colts Neck Community Energy Aggregation; and

WHEREAS, the residents of Colts Neck Township are included in the CNCEA on an "opt-out" basis, as set forth in applicable rules (N.J.A.C. 14:4-6); and

WHEREAS, by virtue of Ordinance Nos. 2013-16 and 2016-14 and in accordance with New Jersey Board of Public Utilities rules (N.J.A.C. 14:4-6) and applicable law (PL. 2003, C24), Colts Neck Township is authorized to award a contract for electric generation service and government energy aggregation services on behalf of participating residential customers; and

WHEREAS, the Colts Neck Township Committee, in its capacity as Lead Agency, publicly noticed and issued on August 17, 2016 a Request for Proposals (RFP) for the Provision of Electric Generation Service and Government Energy Aggregation Services for the second round of the Colts Neck Community Energy Aggregation (CNCEA-Round II) Program and has solicited proposals from qualified suppliers in New Jersey; and

WHEREAS, the RFP provided for a two stage process that included: Stage 1 for the submission of supplier questions and comments and the submission of qualification documents by interested, New Jersey Board of Public Utilities (NJBPU) -licensed electric power suppliers; and Stage 2 for the submission of price proposals; and

WHEREAS, the RFP provides for the submission of separate pricing for electric generation service for one bid group, 1) Participating Residential Accounts; for several different potential contract start dates, contract durations and contract provisions, and the RFP provides for the award of a contract at the discretion of Colts Neck Township and in accordance with the evaluation criteria set forth in the RFP; and

WHEREAS, during Stage 1 non-binding Notices of Intent and other qualification documents were received from eight (8) NJBPU-licensed electric power suppliers; and

WHEREAS, a number of supplier questions and comments were received and, as a result, on September 6, 2016 an Addendum No.1 to the RFP was issued and distributed to all suppliers that had submitted a Notice of Intent to Bid; and

WHEREAS, Stage 2 price proposals and accompanying Transmittal Letters were submitted by seven NJBPU-licensed electric power suppliers by the 2:00 p.m. September 14, 2016 deadline set forth in the RFP; and

WHEREAS, the Colts Neck Township Committee, in consultation with its energy agent, has conducted extensive and in-depth evaluation of qualifications and analysis of price proposals, in accordance with the evaluation criteria set forth in the RFP; and

WHEREAS, as a result of the evaluation of qualifications and proposals and analysis of price proposals submitted, the Colts Neck Township Committee has determined that the proposal submitted by TriEagle Energy, LP 1) provides the most overall benefit for the Township and CNCEA participants; 2) will provide for contract power supply prices that are lower than the applicable Jersey Central Power and Light Co. Basic Generation Service tariff prices for power

supply, and make it feasible to award a contract, for the Residential Account bid group; and, 3) provides the opportunity for residents currently receiving budget billing from JCP&L to continue to receive that service from the third party supplier.

NOW, THEREFORE, BE IT RESOLVED that the Colts Neck Township Committee hereby awards a contract for the provision of electric generation service to the Participating Residential Accounts bid group and the provision of government energy aggregation services in connection with the CNCEA-Round II Program to TriEagle Energy, LP in accordance with the terms and conditions of the RFP (including the form of Master Performance Agreement included therein), as amended pursuant to Addendum No. 1, to the RFP; and

FURTHER RESOLVED that government energy aggregation services to be provided by TriEagle Energy, LP, including implementation of the opt-out process for residential customers as set forth in the RFP and applicable NJBPU rules, shall commence upon execution of the Master Performance Agreement, and that electric generation service to be provided by TriEagle Energy, LP to the CNCEA-Round II-participating customers shall commence with the December 2016 meter read date for each electric account served, and shall continue for a 24-month term; and

FURTHER RESOLVED that the following contract prices are awarded and contract provisions option selected for electric generation service for the 24-month term beginning in December 2016:

<u>Contract Price</u>	<u>Start Date</u>	<u>Term</u>	<u>Contract Provisions Option</u>
\$0.08959/kwh	December 2016	24-months	Option 2A

FURTHER RESOLVED that Mayor Thomas Orgo is authorized to execute and the Clerk to attest to the execution of the Master Performance Agreement, in the form included in the RFP (as amended pursuant to Addendum No. 1).

I, Beth Kara, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of the Township of Colts Neck during a regular meeting held on the 14th day of September 2016.



Beth Kara, Municipal Clerk

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Orgo			X			
Deputy Mayor Fitzgerald						X
Macnow	M		X			
Bartolomeo			X			
Eastman		S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						