

TOWNSHIP OF MAPLEWOOD



RESOLUTION #65-19

A RESOLUTION AWARDING A CONTRACT TO A THIRD PARTY POWER SUPPLIER TO PROVIDE ELECTRIC GENERATION SERVICE TO SUSTAINABLE ESSEX ALLIANCE ENERGY PROCUREMENT COOPERATIVE (SEAEPC) RENEWABLE GOVERNMENT ENERGY AGGREGATION (R-GEA) PARTICIPANTS IN PSE&G TERRITORY AND TO PROVIDE GOVERNMENT ENERGY AGGREGATION SERVICES IN CONNECTION WITH THE SEAEPC R-GEA PROGRAM

WHEREAS, on April 3, 2018, the Township of Maplewood (“Maplewood” or “Township”) adopted Ordinance No. 2899-18 establishing a Government Energy Aggregation (“GEA”) program in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 et seq.; and

WHEREAS, on April 3, 2018 the Township of Maplewood adopted Resolution No. 78-18 authorizing the formation of a cooperative purchasing system named the Sustainable Essex Alliance Energy Procurement Cooperative (“SEAEPC”) with the Township of Maplewood as Lead Agency, for the purpose of purchasing electric generation services for residents of the Township of Maplewood and SEAEPC member municipalities via a government energy aggregation program; and

WHEREAS, the Borough of Glen Ridge (“Glen Ridge”), the Township of Millburn (“Millburn”), the Township of Montclair (“Montclair”), the Township of South Orange Village (“South Orange”) and the Township of Verona (“Verona”), have each adopted ordinances establishing GEA programs in their respective municipalities and have each adopted resolutions authorizing their participation in the SEAEPC for the purpose of obtaining the benefits of bulk purchasing, and authorizing Maplewood to act as Lead Agency on their behalf to conduct a procurement process for

purposes of purchasing electric generation services for residents of their municipalities for their GEA programs; and

WHEREAS, the SEAEPC has been established by the Lead Agency and the participating municipalities for the purposes of obtaining electric generation services (a.k.a. power supply) for their residents at a lower cost and with a higher renewable energy content than the default service power supply provided via the local electric utility tariff, and to also promote the more the more efficient usage of energy among residents and, therefore, the particular GEA program being implemented by the SEAEPC is hereinafter referred to as Renewable Government Energy Aggregation (“R-GEA”) program; and

WHEREAS, the residents of Maplewood, Glen Ridge, Millburn, Montclair, South Orange and Verona are included in the SEAEPC R-GEA program on an "opt-out" basis, as set forth in the applicable rules of the New Jersey Board of Public Utilities (“NJBPU”); and

WHEREAS, on March 5, 2019, the Township of Maplewood, in its capacity as Lead Agency of the SEAEPC, publicly noticed and issued a Request for Proposals (“RFP”) for the Provision of Electric Generation Service and Government Energy Aggregation Services for the SEAEPC R-GEA program by NJBPU-licensed and qualified electric power 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, NJBPU-licensed electric power suppliers; and Stage 2 for the submission of price proposals; and

WHEREAS, the RFP provides for the required supply of an Enhanced Renewable Energy Product, and provides for the submission of separate pricing for electric generation service for two pricing groups: 1) Pricing Group 1 - Participating Residential Accounts in the Public Service Electric and Gas Co. (“PSE&G”) service territory; and 2) Pricing Group 2 - Participating Residential Accounts in the Jersey Central Power and Light (“JCP&L”) service territory, for several potential contract durations (terms), and for two different contract language options: Option A) using the form of Master

Performance Agreement attached to the RFP; and Option B) using the form of MPA attached to the RFP except that a new article 2.1.6 as set forth in the RFP is added to the MPA; and

WHEREAS, the RFP provides for the award of a contract, including start date, contract duration and contract language option, at the discretion of the Township of Maplewood, as Lead Agency of the SEAEPC, in consultation with the participating municipalities of the SEAEPC 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 six (6) NJBPU-licensed electric power suppliers; and

WHEREAS, a number of supplier questions and comments were received and, as a result, on March 22, 2019 a document entitled “Responses to Supplier Questions and Addendum No.1,” which supplemented and amended the RFP, was issued and distributed to all suppliers that had submitted a Notice of Intent to Propose and/or requested a copy of the RFP; and

WHEREAS, Stage 2 price proposals and accompanying Transmittal Letters were submitted by two (2) of the qualified NJBPU-licensed electric power suppliers by the 11:00 a.m., April 2, 2019 deadline set forth in the RFP (and as modified via Addendum No. 1 thereto); and

WHEREAS, the Township, in consultation with the participating municipalities of the SEAEPC and the SEAEPC energy agent, has conducted an in-depth evaluation of qualifications and analysis of price proposals, in accordance with the evaluation criteria set forth in the RFP and Addendum No. 1; and

WHEREAS, pursuant to the RFP, the Township reserved the right to make an award to a supplier, or to make no award at all; and

WHEREAS, pursuant to the Rules, the Township shall base its award of a contract to a NJBPU-licensed electric power supplier for the Provision of Electric Generation Service and Government Energy Aggregation Services for the SEAEPC R-GEA program upon the most advantageous proposal, price and other factors considered; and

WHEREAS, as a result of the evaluation of qualifications and proposals and analysis of price proposals submitted on April 2, 2019, and in consultation with the participating municipalities of the

SEAEPC and in accordance with the provisions of the RFP, the Township of Maplewood has determined that the proposal submitted for Pricing Group 1 by Direct Energy Services, LLC. for a 17-month term for contract language Option A: 1) is most advantageous and provides the most overall benefit, price and other factors considered, for SEAEPc participants in the PSE&G service territory; 2) will provide for contract power supply prices that are lower than the applicable PSE&G Basic Generation Service tariff prices for power supply, and make it feasible to award a contract, for Pricing Group 1; 3) will include the provision of the Enhanced Renewable Energy Product as set forth in the RFP; and 4) will provide the opportunity for residents currently receiving budget billing from PSE&G to continue to receive that service from the third party supplier.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Maplewood, County of Essex and the State of New Jersey, as follows:

1. The Township hereby finds that the proposal from Direct Energy Services, LLC. for the provision of electric generation service to the Participating Residential Accounts in the PSE&G Pricing Group (Pricing Group 1) of the SEAEPc and the provision of government energy aggregation services in connection therewith is most advantageous to the participating municipalities of the SEAEPc with residents located in the PSE&G service territory, price and other factors considered.
2. The Township hereby awards a contract for the provision of electric generation service to the Participating Residential Accounts in the PSE&G Pricing Group and the provision of government energy aggregation services in connection therewith to Direct Energy Services, LLC. in accordance with the terms and conditions of the RFP (including the applicable form of Master Performance Agreement included therein), as amended pursuant to Addendum No. 1 to the RFP.
3. The government energy aggregation services to be provided by Direct Energy Services, LLC., including implementation of the opt-out process for residential customers as set forth in the RFP and applicable NJBPU rules, shall commence immediately upon execution of the Master Performance Agreement, and electric generation service to be provided by Direct Energy Services, LLC. to the SEAEPc-participating customers in the PSE&G service territory shall commence with the July 2019

meter read date for each electric account served, and shall continue for a 17-month term.

4. The following start date, contract term, contract price and contract language option are awarded for electric generation service to participating SEAEPc residents in the PSE&G service territory to be provided by Direct Energy Services, LLC.:

<u>Pricing Group</u>	<u>Contract Start</u>	<u>Term</u>	<u>Contract Price</u>
PSE&G Residential Accounts	July 2019	17 Months	\$0.11005/kwh

Contract Language Option
Option A

5. The Mayor and/or Administrator is hereby authorized and directed to issue on the Township's behalf as Lead Agency of the SEAEPc, an Award Letter, consistent herewith and in the timeframe set forth in the RFP, to Direct Energy Services, LLC, and to subsequently execute a Master Performance Agreement with Direct Energy Services, LLC, in the form set forth in the RFP and within the timeframe set forth in the RFP.

I, Elizabeth Fritzen, Township Clerk of the Township of Maplewood, in the County of Essex and State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Township Committee of the Township of Maplewood, County of Essex State of New Jersey, at a regular meeting of said Committee held on April 2, 2019.

IN WITNESS HEREOF, I have hereunto set my hand and affixed the seal of the Township of Maplewood in the County of Essex and State of New Jersey, on this 2nd day of April, 2018⁹.


ELIZABETH J. FRITZEN R.M.C.
Township Clerk

TOWNSHIP OF MAPLEWOOD



RESOLUTION #66-19

A RESOLUTION REJECTING PROPOSALS FROM THIRD PARTY POWER SUPPLIERS TO PROVIDE ELECTRIC GENERATION SERVICE TO SUSTAINABLE ESSEX ALLIANCE ENERGY PROCUREMENT COOPERATIVE (SEAEPC) RENEWABLE GOVERNMENT ENERGY AGGREGATION (R-GEA) PARTICIPANTS IN JCP&L TERRITORY AND TO PROVIDE GOVERNMENT ENERGY AGGREGATION SERVICES IN CONNECTION WITH THE SEAEPC R-GEA PROGRAM

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purposes of purchasing electric generation services for residents of their municipalities for their GEA programs; and

WHEREAS, the SEAEPC has been established by the Lead Agency and the participating municipalities for the purposes of obtaining electric generation services (a.k.a. power supply) for their residents at a lower cost and with a higher renewable energy content than the default service power supply provided via the local electric utility tariff, and to also promote the more the more efficient usage of energy among residents and, therefore, the particular GEA program being implemented by the SEAEPC is hereinafter referred to as Renewable Government Energy Aggregation (“R-GEA”) program; and

WHEREAS, the residents of Maplewood, Glen Ridge, Millburn, Montclair, South Orange and Verona are included in the SEAEPC R-GEA program on an "opt-out" basis, as set forth in the applicable rules of the New Jersey Board of Public Utilities (“NJBPU”); and

WHEREAS, on March 5, 2019, the Township of Maplewood, in its capacity as Lead Agency of the SEAEPC, publicly noticed and issued a Request for Proposals (“RFP”) for the Provision of Electric Generation Service and Government Energy Aggregation Services for the SEAEPC R-GEA program by NJBPU-licensed and qualified electric power 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, NJBPU-licensed electric power suppliers; and Stage 2 for the submission of price proposals; and

WHEREAS, the RFP provides for the required supply of an Enhanced Renewable Energy Product, and provides for the submission of separate pricing for electric generation service for two pricing groups: 1) Pricing Group 1 - Participating Residential Accounts in the Public Service Electric and Gas Co. (“PSE&G”) service territory; and 2) Pricing Group 2 - Participating Residential Accounts in the Jersey Central Power and Light (“JCP&L”) service territory, for several potential contract durations (terms), and for two different contract language options: Option A) using the form of Master

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WHEREAS, the RFP provides for the award of a contract, including start date, contract duration and contract language option, at the discretion of the Township of Maplewood, as Lead Agency of the SEAEPC, in consultation with the participating municipalities of the SEAEPC 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 six (6) NJBPU-licensed electric power suppliers; and

WHEREAS, a number of supplier questions and comments were received and, as a result, on March 22, 2019 a document entitled “Responses to Supplier Questions and Addendum No.1,” which supplemented and amended the RFP, was issued and distributed to all suppliers that had submitted a Notice of Intent to Propose and/or requested a copy of the RFP; and

WHEREAS, Stage 2 price proposals and accompanying Transmittal Letters were submitted by two (2) of the qualified NJBPU-licensed electric power suppliers by the 11:00 a.m., April 2, 2019 deadline set forth in the RFP (and as modified via Addendum No. 1 thereto); and

WHEREAS, the Township, in consultation with the participating municipalities of the SEAEPC and the SEAEPC energy agent, has conducted an in-depth evaluation of qualifications and analysis of price proposals, in accordance with the evaluation criteria set forth in the RFP and Addendum No. 1; and

WHEREAS, pursuant to the RFP, the Township reserved the right to make an award to a supplier, or to make no award at all; and

WHEREAS, pursuant to the Rules, the Township shall base its award of a contract to a NJBPU-licensed electric power supplier for the Provision of Electric Generation Service and Government Energy Aggregation Services for the SEAEPC R-GEA program upon the most advantageous proposal, price and other factors considered; and

WHEREAS, as a result of the evaluation of qualifications and proposals and analysis of price proposals submitted on April 2, 2019 for the JCP&L Pricing Group (Pricing Group 2), and in consultation

with the participating municipalities of the SEAEPC, the Township Committee of the Township of Maplewood has determined that no contract award shall be made at this time for Pricing Group 2.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Maplewood, County of Essex and the State of New Jersey, as follows:

1. The Township Committee shall make no contract award for the JCP&L Pricing Group (Pricing Group 2) as a result of the price proposals submitted on April 2, 2019; said price proposals are hereby rejected on the basis that the award of a contract based thereon is not in the best interests of the Township and the participating municipalities of the SEAEPC.

2. The RFP shall be held open for a period of up to 120 days, and the Township may accept refreshed prices in accordance with the RFP, at any time during that 120-day period, consistent with applicable law.

I, Elizabeth Fritzen, Township Clerk of the Township of Maplewood, in the County of Essex and State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Township Committee of the Township of Maplewood, County of Essex State of New Jersey, at a regular meeting of said Committee held on April 2, 2019.

IN WITNESS HEREOF, I have hereunto set my hand and affixed the seal of the Township of Maplewood in the County of Essex and State of New Jersey, on this 2nd day of April, 201~~8~~⁹.


ELIZABETH J. FRITZEN R.M.C.
Township Clerk