

COUNTY OF ROCKLAND
Department of General Services
Purchasing Division

Contract Award Notification

Title: **Interruptible and Firm Natural Gas-Cooperative**

Contract Period: January 1, 2024 through December 31, 2025

Original Date of Issue: 9/20/23

Date of Revision:

RFP No: **RFB-RC-2023-060**

Catalog: **Utility Services**

Authorized Users: County of Rockland & Designated Entities as Specified in Bid

Address Inquiries To:

Name: Sabrina Samuels
Title: Purchaser II
Phone: 845-364-3807
Fax: 845-364-3809
E-mail: samuelss@co.rockland.ny.us

Description

This contract is to provide Interruptible Natural Gas service

Contract #	Vendor Number	Contractor & Address	Telephone No.
BID 23-060	000009020	Colonial Energy Inc. 3945 Fair Ridge Dr. Ste T10N Fairfax, VA 22033 Contact: Susan Filgueras sfilgueras@colonialenergy.com	845-429-3229 FAX: 845-786-5341

This contract is only designated for County of Rockland, Rockland Community College (RCC), Rockland County Sewer District #1 and Rockland Solid Waste Management Authority.

COUNTY OF ROCKLAND
 DGS – PURCHASING DEPARTMENT
 BLDG. A, 6TH FLOOR, 50 SANATORIUM ROAD
 POMONA, NY 10970
 TELEPHONE NO.: 845-364-3820

VENDOR: Colonial Energy Inc.

LINE NO.	DESCRIPTION	Item #	EST. QTY.	UNIT	UNIT PRICE
Interruptible (INT) Service- Basis only- Service Start Date: January 2024					
1	Pricing Option 1- 12 Months city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance	40513	1	dekatherm	NOT AWARDED
2	Pricing Option 2- 18 months city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance	40513	1	dekatherm	NOT AWARDED
3	Pricing Option 3- 24 Months city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance	40513	1	dekatherm	\$ 0.99
4	Pricing Option 4- 36 months city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance	40513	1	dekatherm	NOT AWARDED
Firm Service- Basis only- Service Start Month: July 2024					
5	Pricing Option 1- 6 months city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance	40513	1	dekatherm	NOT AWARDED
6	Pricing Option 2- 12 months city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance	40513	1	dekatherm	NOT AWARDED
7	Pricing Option 3- 18 months city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance	40513	1	dekatherm	NOT AWARDED
8	Pricing Option 4- 30 months city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance	40513	1	dekatherm	NOT AWARDED
Upon receipt of all required approvals a Contract shall be deemed executed and created with the successful Bidder(s) upon the Commissioner's mailing or electronic communication to the address on the bid of: (i) a Letter of Acceptance; or (ii) a fully executed contract; or (iii) a Purchase Order authorized by the Commissioner					

COUNTY OF ROCKLAND - DGS-PURCHASING
 BLDG. A., 6TH FLOOR, 50 SANATORIUM RD, POMONA, NY 10970
 TELEPHONE: 845-364-3820 / TELEFAX: 845-364-3809

TITLE: Interruptible and Firm Natural Gas-Cooperative

RFB #: RFB-RC-2023-060

SPECIFICATIONS

The County of Rockland is seeking bids from Retail Energy Supply Companies to provide Interruptible Natural Gas (IT Natural Gas) and Firm Natural Gas service to service accounts located in Rockland County. This is a cooperative purchase that includes the Interruptible Natural Gas Cooperative for County of Rockland and Rockland Community College (RCC), and the Firm Natural Gas Cooperative which includes the County of Rockland, Rockland County Sewer District #1, Rockland Community College (RCC), and Rockland Solid Waste Management Authority.

Notice is hereby given that the sealed proposals will be received on Wednesday, September 20, 2023, no later than 11:30 AM EST to:

Paul J, Brennan, CPPO
 Director of Purchasing
 Department of General Services – Purchasing Division
 50 Sanatorium Rd., Bldg. A, 6th, Pomona, NY 10970
purchasing@co.rockland.ny.us

Proposals must be received electronically on the Bonfire portal as noted in the submission instructions.

The County of Rockland will notify the awarded bidder(s) by 3pm on September 20, 2023.

Account Lists and information regarding the Energy Consultant Administrative Fee will be provided to all qualified firms.

ESCO's may request an ESCO letter of authorization to provide to Orange and Rockland Utilities to obtain gas usage and account information. Please send request by **September 13, 2023** to purchasing@co.rockland.ny.us.

THE COUNTY IS NOT RESPONSIBLE FOR ANY BID PROPOSALS THAT ARE NOT RECEIVED IN A TIMELY MANNER.

The proposal must be accompanied by all documents required by the conditions and specifications for submitting a proposal.

The County of Rockland reserves the right to reject any and all proposals, waive informalities, and make such awards or take action as may be in the best interest of the participating agencies.

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1. PURPOSE

The County of Rockland is seeking Bids from Retail Energy Supply Company to provide Interruptible Natural Gas (IT Natural Gas) service to the County of Rockland and Rockland Community College (RCC), and Firm Natural Gas to the County of Rockland, Rockland County Sewer District #1, Rockland Community College, and Rockland Solid Waste Management Authority.

Each Agency shall contract separately and shall individually be responsible for all payments for the natural gas purchased on its behalf.

Account Lists, including monthly volumes, may be obtained electronically via email from the Energy Consultant of Record for this Bid.

Below please find a summary of the account groups, number of accounts and entities included in this bid process:

Account Group	Service Start Month*	Number of Accounts	Number of Entities (Also, # of Contracts)	Approximate Annual Usage
Interruptible-service accounts	January 2024	2	2 (County, RCC)	71,000 Dth
Firm-service accounts	July 2024	39	4 (County,RCC,Sewer,Waste)	112,000 Dth

* Note that the start dates for each group of accounts is not the same. It is the County's intent to establish coterminous ending dates for each group of accounts.

Each group of accounts will be priced separately. Bidders are not required to bid on both groups of accounts. There can be more than one successful bidder in this process.

2. ENERGY CONSULTANT OF RECORD

The County and participating agencies have appointed NORESKO, LLC as its exclusive Energy Consultant of Record for this cooperative natural gas purchase.

Contact information: NORESKO, LLC
 510 Thornall St., Suite 170
 Edison NJ 08837
 Tofik Shiliwala
tofik.shiliwala@noresko.com

The awarded Retail Energy Supply Company is fully responsible for the energy consultant's fee and should contact the consultant directly for details of payment prior to the bid. Fee must be universal and based upon the total natural gas loads contracted. Fee is a cost to the supplier and any price offered to the participating Agencies shall be inclusive of this cost. At no time shall the ESCO pass through any additional cost to the customer for this fee.

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3. RECEIPT, OPENING, WITHDRAWAL OF BIDS, AND FAILURE TO RESPOND

Sealed Bids shall be received by the County on the date, time and locations as well as the manner listed in the advertisement. Any bid may be withdrawn prior to the time for opening of bids or the authorized postponement thereof. Any bid received after the opening of the bids will not be considered.

4. PREPARATION OF BID

The County reserves the right to reject any or all bids or to waive any informality in the bids received as permitted by law. All bids must be submitted electronically through the Bonfire Portal.

5. QUALIFICATION OF BIDDER

Any Retail Energy Supply Company must be pre-qualified by the County of Rockland and notified as such under RFB-RC-2023-043.

Conditional Bids will not be accepted.

5. SECTION I: PRICING REQUIREMENTS FOR INTERRUPTIBLE (INT)-SERVICE NATURAL GAS

- 5.1 This is a cooperative INT Natural Gas purchase. The County is seeking one (1) aggregate, weighted average price for both agencies, for each pricing option requested.
- 5.2 This is an interruptible service natural gas purchase; the flow start date for both accounts will be the meter read on or after December 31, 2023.
- 5.3 The County is seeking NYMEX + Basis pricing to the City Gate for the requested terms.
- 5.4 The County requests INT Natural Gas Bids for the following terms: Twelve (12) month, Eighteen (18) month, Twenty-four (24) month, Thirty-six (36) month
- 5.5 The County requests pricing for 100% Swing Tolerances for all requested pricing terms.
- 5.6 Pricing shall be stated for INT Natural Gas supply service only.
- 5.7 **Pricing Option 1** must be based on a city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance – 12 month term.
- 5.8 **Pricing Option 2** must be based on city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance- 18 month term.
- 5.9 **Pricing Option 3** must be based on city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance- 24 month term.
- 5.10 **Pricing Option 4** must be based on city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance- 36 month term.
- 5.11 Grossing of volumes to account for any losses to the city gate is strictly prohibited.
- 5.12 All NYMEX + Basis pricing must include a “trigger option” permitting the customer to lock in a fixed NYMEX natural gas rate at any time during the service term.

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- 5.13 Each agency shall contract and be billed separately for its INT Natural Gas supply.
- 5.14 Billing method is Dual Bill.

6. SECTION II: PRICING REQUIREMENTS FOR FIRM-SERVICE NATURAL GAS

- 6.1 This is a cooperative Firm Natural Gas purchase. The County is seeking one (1) aggregate, weighted average price for all four (4) agencies, for each pricing option requested.
- 6.2 This is a firm-service natural gas purchase; the flow start date for all accounts will be the meter read on or after June30, 2024.
- 6.3 The County is seeking NYMEX + Basis pricing to the City Gate for the requested terms.
- 6.4 The County requests Firm Natural Gas Bids for the following terms: six (6) months, twelve (12) months, and eighteen (18) months.
- 6.5 The County requests pricing for 100% Swing Tolerances for all requested pricing terms.
- 6.6 Pricing shall be stated for Firm Natural Gas supply service only.
- 6.7 **Pricing Option 1** must be based on a city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance – 6 month term.
- 6.8 **Pricing Option 2** must be based on city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance- 12 month term.
- 6.9 **Pricing Option 3** must be based on city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance- 18 month term.
- 6.10 **Pricing Option 4** must be based on city gate rate per dekatherm, including any Orange & Rockland Utility line loss charges to the city gate – and 100% Swing Tolerance- 30 month term.
- 6.11 Grossing of volumes to account for any losses to the city gate is strictly prohibited.
- 6.12 All NYMEX + Basis pricing must include a “trigger option” permitting the customer to lock in a fixed NYMEX natural gas rate at any time during the service term.
- 6.13 Each agency shall contract and be billed separately for its Firm Natural Gas supply.
- 6.14 Billing method is Dual Bill.

7. PAYMENT TERMS

- 7.1 Payment terms are **Net 20**.
- 7.2 The ESCO shall obtain the latest account and usage information directly from Orange & Rockland Utility to develop its bid. Should any accounts be identified that are not included in the account list, the ESCO shall identify those accounts as additional accounts in its Bid. ESCO’s may request an ESCO letter of authorization for Orange and Rockland Utilities to obtain gas usage or other applicable account information. Please send request to purchasing@co.rockland.ny.us.
- 7.3 In submitting a Bid, the bidder acknowledges that it waives any and all claims and causes of action against all participating County of Rockland Agencies, the members of NORESCO LLC or any of their officers, directors, representatives, members, employees, principals, consultants and agents, on

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the basis of the historical usage that the bidder may have relied upon. The Agreement will not be on a “take-or-pay” basis.

8. CONTRACT QUANTITIES

Contract Quantities shall be determined by historical consumption patterns for each account and shall be mutually agreeable to both the contracting agency and the Awarded ESCO.

9. TERM OF CONTRACT

Contract Term shall be for a period to be determined by the pricing option selected by the County and deemed by the County to be in the best interest of the County.

The service start date for all INT natural gas accounts must be the meter read on or after December 31, 2023.

The service start date for all Firm natural gas accounts must be the meter read on or after June 30, 2024.

It is the intent of the County to have the contracts for Firm service accounts and Interruptible service accounts be coterminous.

Each Agency must contract with and be billed separately by the Awarded ESCO for its natural gas supply.

The General Terms & Conditions in Appendix “A” are in addition to the ESCO’s standard Terms & Conditions. Any contract awarded must be executed on the ESCO’s New York State Sales Agreement, pending approval of contract language by the County Attorney, as stated in the RFB Specifications.

10. AVAILABILITY OF FUNDS

Pursuant to New York State Law any contract(s) resulting from this Bid shall be subject to the annual availability and appropriation of sufficient funds.