

COUNTY OF ROCKLAND
Department of General Services
Purchasing Division

Contract Award Notification

Title: **Natural Gas – Interruptible Gas Accounts**

Contract Period: January 1, 2019 through December 31, 2022

Original Date of Issue: December 21, 2018

Date of Revision:

BID No: RFB-RC-2018-116

Catalog: Facilities

Authorized Users: Rockland County and Rockland Community College

Address Inquires To:

Name: Richard Ryan
Title: Purchaser II
Phone: (845) 364-3817
Fax: (845) 364-3809
E-mail: ryanri@co.rockland.ny.us

Description

This contract is to purchase natural gas.

Contract #	Vendor #	Contractor & Address	Telephone No.
BID 18-116	0000009020	Colonial Energy Inc. 3975 Fair Ridge Drive Suite T-10 North Fairfax, VA 22033 Contact: David Arndt darndt@colonialenergy.com	(703) 218-3048 FAX: (703) 218-3059

COUNTY OF ROCKLAND - DGS-PURCHASING
BLDG. A., 2ND FLOOR, 50 SANATORIUM RD, POMONA, NY 10970
TELEPHONE: 845-364-3820 / TELEFAX: 845-364-3809

TITLE: INTERRUPTIBLE NATURAL GAS -
COOPERATIVE

BID NUMBER: RFB-RC-2018-116

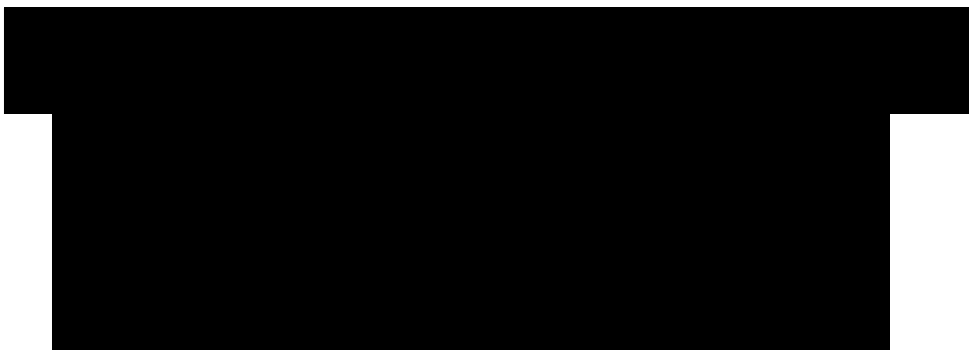
ACCOUNT INFORMATION

PLEASE OBTAIN ELECTRONICALLY VIA EMAIL FROM THE COUNTY
PURCHASING DEPARTMENT

BID PROPOSAL PAGE FOR INTERRUPTIBLE NATURAL GAS (Page 1 of 3)

Bidder Name: Colonial Energy, Inc.

PRICING OPTION 1 - NYMEX + BASIS RATE (100% Swing Tolerance)

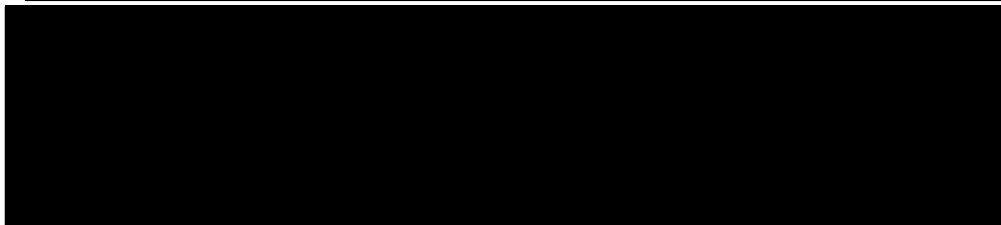
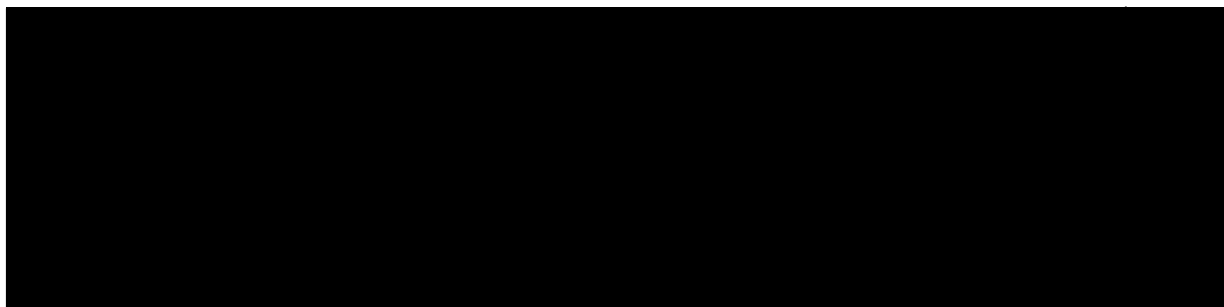


36 MONTH TERM

\$.702 Dth

ITEM #40513000002

PLEASE NOTE: Do not leave any requested pricing option blank and write "no bid" if applicable



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SPECIFICATIONS

The County of Rockland is seeking bids from Energy Service Companies to provide Interruptible Natural Gas (IT Natural Gas) service to various facilities located in Orange & Rockland Utility. This is a cooperative IT Gas purchase that includes Rockland Community College (RCC).

Notice is hereby given that the sealed proposals will be received on November 29, 2018, no later than 1:00 PM EST by:

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

Proposals must be received either in person, at the hour designated in this advertisement, or previous thereto by either Personal Delivery, Mail, Federal Express, or United Parcel Service to the attention of Paul J. Brennan, CPPO, Director of Purchasing at the address listed above.

Account Lists and information regarding the Energy Consultant Administrative Fee will be provided to ESCOs that complete and submit the enclosed Receipt Confirmation Form to advise the County of their intent to submit a bid response. ESCO's may request an ESCO letter of authorization for Orange and Rockland Utilities to obtain gas usage, profile information and interval data. Please send request to purchasing@co.rockland.ny.us.

Bid Specifications may be obtained electronically from the Empire State Purchasing System (www.empirestatebids.com) or the County's exclusive Energy Consultant of Record for this bid, Resolution Energy Group, (bfitzpatrick@resolutionenergygroup.com).

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.

1. PURPOSE

The County of Rockland is seeking Bids from Energy Service Companies (ESCOs) to provide Interruptible Natural Gas (IT Natural Gas) service to the County of Rockland and Rockland Community College (RCC).

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

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Account Lists and information regarding the Energy Consultant Administrative Fee will be provided to ESCOs that complete and submit the enclosed Receipt Confirmation Form to advise the County of their intent to submit a bid response.

2. ENERGY CONSULTANT OF RECORD

The County and participating agencies have appointed Resolution Energy Group (REG) as its exclusive Energy Consultant of Record for this cooperative IT Natural Gas purchase.

Contact information: Resolution Energy Group
 520 White Plains Rd., Suite 500
 Tarrytown, New York 10591
 Ph.: (914)301-3325 Ext. 114
 Fax: (914)470-3595
bfitzpatrick@resolutionenergygroup.com

The awarded ESCO is fully responsible for REG's fee. Fee shall be universal and based upon the total natural gas loads contracted. Fee is a cost to the ESCO 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.

3. **PRE-BID CONFERENCE** is not scheduled for this solicitation. All questions shall be submitted in writing to Paul J. Brennan, CPPO via email at purchasing@co.rockland.ny.us or via fax at (845)364-3809. Questions received will be forwarded to the County's Energy Consultant and responded to in writing by the County via addendum.
4. **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.
5. **PREPARATION OF BID**
 Respondents shall submit one (1) original and one (1) copy of each required document. Qualifications must be signed by authorities with the capacity to legally bind the bidder to its bid proposal. 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 in a sealed envelope and state the name and number of the Bid, the name of the Bidder, address and subject and title of the specifications.**
6. **QUALIFICATION OF BIDDER**
 Any ESCO with intent on submitting a bid must contact the County's Energy Consultant of Record, Resolution Energy Group, prior to submission for registration and agrees to a preliminary qualification screening if deemed necessary.

ESCO must submit a statement of Bidder Qualifications along with its Bid that includes:

- a. The name, a brief history and description of your firm.

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- b. Name and title of person(s) authorized to bind the Bidder, together with main office address and telephone number.
- c. At least two (2) references from similar municipal, commercial and/or industrial load accounts including company name and complete contact information.
- d. Any additional information that would distinguish your firm in its service to the participating agencies.

County and its Energy Consultant may make such investigations it deems necessary to determine the ability of the Bidder to provide proposed services. Bidder shall furnish to the County, within seven (7) days of a request, all relevant information and data for this purpose as may be reasonably requested.

Conditional Bids will not be accepted.

7. PRICING REQUIREMENTS FOR INTERRUPTIBLE NATURAL GAS

- 7.1 This is a cooperative IT Natural Gas purchase and the County is seeking one (1) aggregate price for both agencies.
- 7.2 The service start date for all accounts shall be December 1, 2018, or the first meter read after that.
- 7.3 The County requests IT Natural Gas Bids for six (6), twelve (12), twenty-four (24) and thirty-six (36) month terms.
- 7.4 The County requests both Fixed and NYMEX + Basis pricing options for all requested service terms.
- 7.5 The County requests pricing for both 100% and 10% Swing Tolerances for all requested pricing options.
- 7.6 Pricing shall be stated for IT Natural Gas supply service only.
- 7.7 All pricing shall be based on a burner tip rate per dekatherm, including utility line losses. **Please note: Grossing of volumes to account for distribution losses is not permitted.**
- 7.8 All NYMEX + Basis pricing must include a Trigger Option permitting the buyer to lock in its IT Natural Gas rate for all or a portion of its natural gas load during the service term.
- 7.9 Each agency shall contract and be billed separately for its IT Natural Gas supply.
- 7.10 Billing method is Dual Bill and Monthly Summary Billing shall be provided at no additional cost to the customer(s).
- 7.11 Payment terms are **Net 30**.
- 7.12 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

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usage, profile information and interval data. Please send request to purchasing@co.rockland.ny.us.

- 7.13 **PLEASE NOTE:** Section 8 “Contract Quantities” contains additional instructions concerning Rockland Community College’s IT gas consumption.
- 7.14 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 Resolution Energy Group or any of their officers, directors, representatives, members, employees, principals, consultants and agents, on 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.

Please note: Rockland Community College (RCC) has entered into an energy performance contract, which includes the installation of a high-efficiency electric chiller estimated to reduce its IT gas consumption for the calendar months of June, July, and August by 50%, compared to historical data for same.

The County requests all ESCOs adjust its forecasted usage for RCC accordingly, to develop its bid.

9. TERM OF CONTRACT

Contract Terms shall be for six (6) months, twelve (12) months, twenty-four (24) months or thirty-six (36) months from the service start date; whichever is determined to be in the best interest of the County.

The service start date for all IT natural gas accounts shall be on December 1, 2018, or the first meter read after that.

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

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.

11. BID EVALUATION AND AWARD

Bids shall be evaluated by the County’s Energy Advisory Group and Awards shall be made to the lowest responsible bidder(s) meeting the requirements of the Bid, for the pricing method and term determined to be in the best interests of the County and RCC. While it is the intention of both agencies to award coterminous contracts to the same ESCO, each agency reserves the right to make separate awards.

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It is the intention of the County to award the bids by 3:30 PM on the bid due date, November 29, 2018. Any Award shall be contingent on pending approval of the applicable ESCO's contract terms and conditions by the County's Attorney.

RCC reserves the right to have its own attorney review and approve the Awarded ESCO's contract terms and conditions.

The County reserves the right to reject any and all Bids, in whole or in part, submitted in response to its RFB.

DEPARTMENT OF GENERAL SERVICES, PURCHASING DIVISION

Dr. Robert L. Yeager Health Center
50 Sanatorium Rd, Building A
Pomona, New York 10970
Phone: (845) 364-3820 Fax: (845) 364-3809
Email: purchasing@co.rockland.ny.us

Paul Brennan, FNIGP, CPPO
Director of Purchasing

ADDENDUM # 1

RFB #: RFB-RC-2018-116
Interruptible Natural Gas

Please note that the start date for the resulting contract will be January 1, 2019 based on the bid opening date of 11/29/18.

Please see the following question submitted in relation to this RFB and the County's response.

1. Q: The bid states 7.7 All pricing shall be based on a burner tip rate per dekatherm, including utility line losses. **Please note: Grossing of volumes to account for distribution losses is not permitted.** We provide City gate pricing, and we gross up the volumes on our billing as line loss factors can change per the utility. Is this an absolute deal breaker?

A: Suppliers can submit IT gas pricing to the City Gate, but must also note their billing price that includes current line loss charges. As per the RFB Specifications, grossing of volumes to account for distribution losses is **not** permitted.

The information in this addendum supersedes any contradictory information set forth in the contract documents. Acknowledge receipt of this addendum in the space provided on the signature page of the bid proposal. Failure to do so, may subject the bidder to disqualification. This addendum forms a part of the contract documents.

SIGNED:

Paul J. Brennan

PAUL J. BRENNAN, FNIGP, CPPO
DIRECTOR OF PURCHASING