

COUNTY OF ROCKLAND
Department of General Services
Purchasing Division

Contract Award Notification

Title: **Electricity, Firm**
Contract Period: November 1, 2020 through October 31, 2023
Original Date of Issue: October 22, 2020
Date of Revision: 11/15/2021
BID No: **RFB-RC-2020-098**
Authorized Users: County Agencies, Political Subdivisions

Address Inquiries To:

Resolution Energy Group
520 White Plains Rd, Suite 500
Tarrytown, NY 10591
914-301-3325 (phone)
914-470-3595 (fax)
rocklandenergybid@resolutionenergygroup.com
Contact: Christopher J. Schiller

County of Rockland
DGS-Purchasing
50 Sanatorium Road
Building A, 6th Floor
Pomona, NY 10970
(845) 364-3807 (phone)
(845) 364-3809 (fax)
samuels@co.rockland.ny.us
Contact: Sabrina Samuels

Description

This contract is for Firm Electricity.

Contract #	Vendor Number	Contractor & Address	Telephone No.
RFB-RC-2020-098	0000020003	Engie Power & Gas LLC 920 Railroad Avenue Woodmere, NY 11598 Contact: Andy Sookram andy@plymouthenergy.com	516-734-0408 FAX: 516-295-1417

Please note: County of Rockland Award is highlighted line Item #1-3

Engie Power & Gas LLC

#	Items	Estimated Quantity	Unit of Measure	Unit Price	Total Cost
1					
#1-1	FIXED ELECTRIC 100% GREEN - DUAL BILL - 12 MONTH TERM	1	kWh	\$ 0.05196	\$ 0.05196
#1-2	FIXED ELECTRIC 100% GREEN - DUAL BILL - 24 MONTH TERM	1	kWh	\$ 0.05325	\$ 0.05325
#1-3	FIXED ELECTRIC 100% GREEN - DUAL BILL -36 MONTH TERM	1	kWh	\$ 0.05492	\$ 0.05492
2					
#2-1	FIXED ELECTRIC 100% GREEN - POR BILL - 12 MONTH TERM	1	kWh	\$ 0.05329	\$ 0.05329
#2-2	FIXED ELECTRIC 100% GREEN - POR BILL - 24 MONTH TERM	1	kWh	\$ 0.05461	\$ 0.05461
#2-3	FIXED ELECTRIC 100% GREEN - POR BILL - 36 MONTH TERM	1	kWh	\$ 0.05633	\$ 0.05633
3					
#3-1	FIXED ELECTRIC 51% GREEN - DUAL BILL - 12 MONTH TERM	1	kWh	\$ 0.05132	\$ 0.05132
#3-2	FIXED ELECTRIC 51% GREEN - DUAL BILL - 24 MONTH TERM	1	kWh	\$ 0.05261	\$ 0.05261
#3-3	FIXED ELECTRIC 51% GREEN - DUAL BILL - 36 MONTH TERM	1	kWh	\$ 0.05428	\$ 0.05428
4					
#4-1	FIXED ELECTRIC 51% GREEN - POR BILL - 12 MONTH TERM	1	kWh	\$ 0.05263	\$ 0.05263
#4-2	FIXED ELECTRIC 51% GREEN - POR BILL - 24 MONTH TERM	1	kWh	\$ 0.05395	\$ 0.05395
#4-3	FIXED ELECTRIC 51% GREEN - POR BILL - 36 MONTH TERM	1	kWh	\$ 0.05567	\$ 0.05567
5					
#5-1	FIXED ELECTRIC BROWN - DUAL BILL - 12 MONTH TERM	1	kWh	\$ 0.05068	\$ 0.05068
#5-2	FIXED ELECTRIC BROWN - DUAL BILL - 24 MONTH TERM	1	kWh	\$ 0.0519	\$ 0.0519
#5-3	FIXED ELECTRIC BROWN - DUAL BILL - 36 MONTH TERM	1	kWh	\$ 0.05353	\$ 0.05353
6					
#6-1	FIXED ELECTRIC BROWN - POR BILL - 12 MONTH TERM	1	kWh	\$ 0.05197	\$ 0.05197
#6-2	FIXED ELECTRIC BROWN -POR BILL - 24 MONTH TERM	1	kWh	\$ 0.05323	\$ 0.05323
#6-3	FIXED ELECTRIC BROWN - POR BILL - 36 MONTH TERM	1	kWh	\$ 0.0549	\$ 0.0549

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

TITLE: FIRM ELECTRICITY

RFB #: RFB-RC-2020-098

PURCHASES BY OTHER

LOCAL GOVERNMENTS, SCHOOL DISTRICTS, AND NON PROFIT AGENCIES

As per the New York State General Municipal Law, all political subdivisions of New York State are allowed to make purchases through the resulting contract(s). As per Rockland County Procurement Policy, Non Profit Agencies approved to participate in New York State's Contract Extension Program are authorized to make purchases through the resulting contract(s).

1. The County of Rockland shall make all contract award information available to other political subdivisions and non profit agencies through our website: www.rcpurchasing.com
2. Any other political subdivision or Rockland County non profit agency will issue purchase orders directly to vendors within the specified contract period referencing the County's contract and shall be liable for any payments due on such purchase orders; and shall accept sole responsibility for any payment due.
3. All purchases shall be subject to audit and inspection by the other political subdivisions and Rockland County non profit agencies for which the purchase was made.
4. No officer, board or agency of a county, town, village, or school district shall make any purchase through the County when bids have been received for such purchase by such officer, board or agency, unless such purchase may be made upon the same terms, conditions and specifications at a lower price through the County.
5. All Bidders shall be on notice that as a condition of the award of a County contract, the successful bidder shall accept the award of a similar contract with any other political subdivision in New York State and Rockland County non profit agencies authorized to use New York State's contracts, if called upon to do so. A listing of approved Rockland County non profit agencies is available on the Purchasing Division's website at www.rcpurchasing.com. The County, however, will not be responsible for any debts incurred by the participants pursuant to this or any other agreement.
6. Necessary deviations from the County's specifications in the award of a participant contract, whether such deviations relate to quantities, or delivery points shall be resolved between the successful bidder and the other political subdivisions and Rockland County non profit agencies.

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SPECIFICATIONS

FIRM ELECTRIC FROM ENERGY SERVICE COMPANIES

1. PURPOSE

The County of Rockland is seeking Bids from Energy Service Companies (ESCOs) to provide firm electricity supply to the County of Rockland, Rockland County Sewer District No. 1, Rockland County Solid Waste Management Authority, and Rockland Community College.

Each Agency shall contract separately and shall be responsible for all payments for energy purchased on its behalf.

Proposal Specifications and Account Lists may be obtained electronically via email from the Energy Consultant of Record for this Bid.

2. ENERGY CONSULTANT OF RECORD

The County has named Resolution Energy Group as its exclusive Energy Consultant of Record for this cooperative energy purchase.

Contact information: Resolution Energy Group
 520 White Plains Rd., Suite 500
 Tarrytown, New York 10591
 Ph.: (917) 621-5415
 Fax: (914) 470-3595
pricing@resolutionenergygroup.com

The awarded ESCO is fully responsible for the energy consultant's fee and should contact the consultant directly for details of payment prior to the bid. Fee shall be universal and based upon the total energy loads contracted. Fee is a cost to the supplier and any price offered to the County shall be inclusive of that cost.

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 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.

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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 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.
- 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 FIRM ELECTRICITY SUPPLY

- 7.1 This is a cooperative electricity purchase; the County is seeking one (1) aggregate price for all agencies, for each pricing option requested.
- 7.2 The County is seeking 100% Green, 51% Green, and Non-Renewable (brown) electricity pricing for each pricing option requested.
- 7.3 The County is seeking both Dual and POR billing prices for each pricing option requested.
- 7.4 The flow start date for all agencies shall be the November 2020 meter reads.
- 7.5 The County is seeking Fixed Electric Rates only.
- 7.6 The County requests three (3) fixed electric rates (Dual and POR) for a twelve (12) month term.
- 7.7 The County requests three (3) fixed electric rates (Dual and POR) for a twenty-four (24) month term.
- 7.8 The County requests three (3) fixed electric rates (Dual and POR) for a thirty-six (36) month term.
- 7.9 Renewable Electricity (Green) pricing shall include all energy, capacity, transmission, ancillary, capacity, and green price components, and all line losses – including Orange and Rockland Utility line loss.

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- 7.10 Non-renewable Electricity (Brown) pricing shall include all energy, capacity, transmission, ancillary, and capacity price components and all line losses – including Orange and Rockland Utility line loss.
- 7.11 Suppliers (upon request and with 24 hours) are required to provide a breakdown of their bids to ensure transparency and better understand price components. The County requests a specific answer as to the unit cost, and whether or not the following component is fixed or an estimate with the actual cost subject to a pass-through or true-up: Energy, Capacity, Transmission, Ancillaries Voluntary Green Attributes, Compliance Green Attributes, and any other electricity supply costs.
- 7.12 All Dual Pricing shall **exclude** GRT (Gross Receipt Tax).
- 7.13 All POR Bill Pricing shall **include** GRT (Gross Receipt Tax)
- 7.14 All pricing must allow a minimum 25% bandwidth and material deviation, above or below the contract volumes.
- 7.15 All electricity pricing **must** include RECs, ZECs, and TOTs charges.
- 7.16 If Dual Bill is selected, the Awarded ESCO shall provide Monthly Summary Billing at no additional cost to the customer(s).
- 7.17 Payment terms are Net 30.
- 7.18 Each agency shall contract and be billed separately for its electricity supply.
- 7.19 The ESCO shall obtain the latest account and usage information directly from Orange & Rockland Utility to develop their 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.
- 7.20 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.

9. TERM OF CONTRACT

Contract Terms for all electricity accounts shall be for twelve (12) months, twenty-four (24) months or thirty-six (36) months from the service start date. **The service start date for all electricity accounts shall be the November 2020 meter reads.** All electricity contracts shall be coterminous.

Each Agency shall contract separately with the Awarded ESCO(s) and be billed separately for its electricity and/or natural gas supply.

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The General Terms & Conditions in Appendix “A” are in addition to the ESCO’s standard Terms & Conditions. Any contract awarded shall 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.

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 selected electricity product.

It is the intention of the County to **Award the Bid within 48 hours of the bid opening.** Any Award shall be pending approval of the applicable ESCO’s contract terms and conditions by the County’s Attorney.

The County reserves the right to make individual Awards by billing method if deemed in its best interest or to Award the bid in its entirety if deemed in its best interest.

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

12. “PIGGY BACKING”

As per New York State General Municipal Law, all political subdivisions of New York State are allowed to make purchases through the resulting contract(s). As per Rockland County Procurement Policy, Rockland County based Non-Profit Agencies approved to participate in New York State’s Contract Extension Program are authorized to make purchases through the resulting contract(s). This type of procurement option is called "piggy backing."

Should any government agency contact the Awarded ESCO(s) seeking an electricity and/or natural gas contract based on the County Award(s), ESCO shall immediately direct them to the County’s Energy Consultant of Record. Based on market conditions, the awarded ESCO(s) shall have the option of offering the same (or better) contract price(s) to other government agencies and Rockland County based non-profits provided such contract is executed under the same terms and conditions of the County’s approved contract.

ESCO(s) acknowledge, and agree, that any additional contract(s) by way of “piggy backing” shall be under the same terms and conditions of the County’s contract and executed through Resolution Energy Group. Consulting fees shall be the same as the County Bid, and any price offered to additional Agencies shall be inclusive of that cost. Consulting fees on piggybacked contracts shall be payable to Resolution Energy Group.

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At no time shall the addition of any Agency negatively impact Bid prices for the County of Rockland, Rockland County Sewer District No. 1, Rockland County Solid Waste Management Authority, and Rockland Community College.