



RESOLUTION 19-178

Resolution Awarding Contract and Authorizing Participation in the E-Procurement Pilot Program - Gabel Associates

WHEREAS, Princeton ("Municipality") is interested in selecting a third-party supplier to provide electric generation services with an enhanced renewable energy content to Municipality residents, through a "government energy aggregation" program or "GEA"; and

WHEREAS, the "Local Unit Electronic Technology Pilot Program and Study Act" ("Pilot Program"), P.L. 2001, c.30, permits a municipality to apply to the Director of the Division of Local Government Services ("DLGS") in the New Jersey Department of Community Affairs for authorization to purchase electric generation services from a third-party supplier through means of electronic technology (i.e., online auction) rather than the utilization of traditional sealed bids; and

WHEREAS, to participate in said Pilot Program, a municipality must submit to the Director of the DLGS for approval a written plan setting forth, inter alia, the commodities and services it plans to purchase, the identity of the on-line purchasing agent and a description of the process to be used in the on-line auction; and

WHEREAS, the Pilot Program requires that the Municipal Council adopt a resolution authorizing the Municipality to apply to the Director of the DLGS to participate in said Pilot Program; and

WHEREAS, the firm of Gabel Associates ("Gabel") has submitted a proposal to the Municipality to render the necessary energy consulting services for management of the Municipality's GEA, which includes, as more specifically outlined in the proposed Agreement, services necessary to: prepare for and manage the GEA; obtain necessary approvals in connection with the GEA, including but not limited to, drafting and submitting a plan for approval to participate in the Pilot Program; and conduct the on-line auction; and

WHEREAS, the Municipality seeks to hire Gabel to render the necessary energy consulting services for management of the Municipality's GEA as set forth immediately above and in the proposed Amendment; and

WHEREAS, under the proposed Agreement, the successful third-party supplier shall be responsible for the payment of all of Gabel's fees, and the Municipality shall not be obligated to make payments to Gabel; and

WHEREAS, the Municipality is obtaining these services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law" and in connection therewith, Gabel has completed and filed with the Municipality the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8 and Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44-20.26; and

WHEREAS, P.L. 2001, c.30 authorizes the Municipality to award this Agreement hiring the services of an on-line purchasing agent without competitive bidding; and

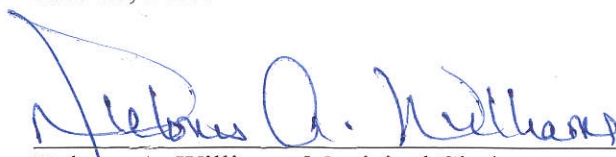
WHEREAS, A certificate of availability of funds from the Chief Financial Officer is not necessary because the Municipality will not be making payments to Gabel for its services

NOW, THEREFORE, BE IT RESOLVED by the Municipality Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an Agreement with Gabel Associates ("Gabel") hiring Gabel to provide energy consulting services necessary to manage the Municipality's government energy aggregation program ("GEA") and obtain the necessary approvals in connection therewith, as more specifically set forth in the proposed Agreement, including but not limited to:
 - a. Assisting the Municipality in drafting and compiling the requisite information for approval of the Municipality's application for participation in the "Local Unit Electronic Technology Pilot Program and Study Act" ("Pilot Program"), P.L. 2001, c.30; and
 - b. Conducting the approved on-line bid on the Municipality's behalf; and
2. The Agreement is awarded without competitive bidding pursuant to P.L. 2001, c. 30;
3. The Agreement may be extended beyond the initial two-year term for an additional two-year term, as permitted by law.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X	X		X			
Ms. Crumiller		X		X	X			
Ms. Fraga		X			X			
Ms. Niedergang	X							
Mr. Quinn		X			X			
Mr. Williamson		X			X			
Mayor Lempert		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held June 10, 2019.


 Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- CONSULTING SERVICES PRINCETON DRAFT AGREEMENT (DOCX)