

**RESOLUTION NO. 23-16**

**THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**February 22, 2016**

**Resolution Awarding a Contract for the Provision of Electric Supply Service for Commercial and Industrial Energy Pricing Class Issued by the Brick Township Municipal Utilities Authority**

**WHEREAS**, the Brick Township Municipal Utilities Authority did on January 6, 2016 in accordance with law request bids for electric supply service for commercial and industrial energy pricing; and

**WHEREAS**, three (3) bids were submitted in timely fashion on January 20, 2016 by 2:00 PM from Titan Energy (\$.06312) and South Jersey Energy (\$.06676) and Plymouth Rock Energy (\$.0686); and

**WHEREAS**, the bids were considered by the Qualified Purchasing Agent, Robert Bowers, as well as with Ben A. Montenegro, Esquire, general counsel for the Authority; and

**WHEREAS**, the Authority via Resolution No. 09-16, approved award of the contract to apparent low bidder Titan Energy;

**WHEREAS**, low bidder Titan Energy (Broker) with its supplier of energy Champion Energy was unable to enter into the proposed contract on terms required by the Authority pursuant to the Local Public Contracts Law and withdrew from consideration on February 8, 2016;

**WHEREAS**, second low bidder South Jersey Energy (\$.06676) is within estimates and appropriation designation of the Authority for a contract period of two (2) years, from the March 2016 meter read through the March 2018 meter read.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Brick Township Municipal Utilities Authority as follows:

1. That Award to Titan Energy via Resolution 09-16 is hereby rescinded.
2. That a contract for the provision of electric supply service for commercial and industrial pricing be awarded to South Jersey Energy Company in accordance with their transmittal of January 20, 2016, with such bid being awarded on the basis of a fixed cost of \$.06676 per KWH.
3. That the Chairman, Deputy Executive Director, Qualified Purchasing Agent, Secretary of the Authority, and Gary Vaccaro, Director of Compliance, Safety and GIS of the Authority are hereby authorized to execute any and all documents in accordance with this resolution and that all action taken in furtherance of this matter are hereby confirmed and ratified.

4. A copy of this Resolution shall be forwarded by the Administrative Secretary of the Authority to the following:

- A. George Cevalasco, Chairman
- B. Stephen T. Specht, PE, Deputy Executive Director
- C. Frank Planko, C.F.O.
- D. All Bidders
- E. Nicholas C. Montenegro, Esquire

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 22<sup>nd</sup> day of February, 2016, a quorum being present and voting in the majority.



---

Gregory M. Flynn  
Authority Secretary

Prepared By:  
**Montenegro, Thompson,  
Montenegro & Genz, P.C.**  
Brick, NJ 08724