

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0084

Sponsored by: County Executive Budish/Department of Public Works	A Resolution making an award on RQ42445 to Dynegy Energy Services East, LLC in the amount not-to-exceed \$3,922,000.00 for electric power services for various County buildings for the period 5/1/2018 - 4/30/2021; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended making an award on RQ42445 to Dynegy Energy Services East, LLC in the amount not-to-exceed \$3,922,000.00 for electric power services for various County buildings for the period 5/1/2018 - 4/30/2021; and

WHEREAS, the Ohio Revised Code Section 9.48 allows political subdivisions to participate in joint purchasing programs; and

WHEREAS, the County entered into a joint purchasing Participation Agreement with Cuyahoga County Commissioners Association of Ohio Service Corporation (“CCAOSC”) to participate in the Electricity Purchase Program in order to receive energy consulting services, such as assistance with various electricity cost reduction and control efforts, securing competitive proposals for electricity supplies, providing recommendations on various purchase mechanisms regarding term and methodology, and to purchase electric power services at a reduced cost for various County buildings; and

WHEREAS, CCAOSC has assisted the County by issuing a Request for Proposal which resulted in six (6) proposals from third party power suppliers and by selecting the following finalists to resubmit electric power rates on the reset date of April 24, 2018:

- (a) Dynegy Energy Services East, LLC; and
- (b) Interstate Gas Supply, Inc.; and

WHEREAS, on April 24, 2018, Dynegy Energy Services East, LLC submitted the lowest electric power rate; and

WHEREAS, pursuant to County Council's approval, the County Executive/ Department of Public Works intends to enter into a contract for electric power services with Dynegy Energy Services East, LLC; and

WHEREAS, the contract for electric power services is funded by the Internal Service Fund; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ42445 to Dynegy Energy Services East, LLC in the amount not-to-exceed \$3,922,000.00 for electric power services for various County buildings for the period 5/1/2018 - 4/30/2021.

SECTION 2. That the County Executive is authorized to execute the contract and all other documents consistent with said award and this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Tuma, seconded by Mr. Brady, the foregoing Resolution was duly adopted.

Yeas: Schron, Conwell, Jones, Brown, Houser, Simon, Baker, Miller, Tuma, Gallagher and Brady

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 10, 2018

Committee(s) Assigned: Public Works, Procurement & Contracting

Legislation Amended in Committee: April 18, 2018

Legislation Substituted on the Floor: April 24, 2018

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