

# County of Passaic

## Board of County Commissioners



### OFFICE OF COUNTY COMMISSIONERS

Director John W. Bartlett  
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Matthew P. Jordan, Esq.  
Administrator  
Nadege D. Allwaters, Esq.  
County Counsel  
Louis E. Imhof, RMC  
Clerk Of The Board

Date: Feb 02, 2024 - 12:00 PM

Agenda: RESOLUTION ACKNOWLEDGING THE VENDOR'S NAME CHANGE AND ASSIGNMENT OF ALL DUTIES, RIGHTS, AND INTERESTS UNDER THE AGREEMENT FROM ONYX RENEWABLE PARTNERS, LP TO OBSIDIAN II EAST COAST HOLDINGS, LLC, PURSUANT TO N.J.S.A. 40:20-1

THIS RESOLUTION WAS REQUESTED BY:  
ENGINEERING

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	2/2/2024
Introduced Date	1/18/2024
Adopted Date	
Agenda Item	38.
CAF#	
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

**RESOLUTION ACKNOWLEDGING THE VENDOR'S NAME CHANGE AND ASSIGNMENT OF ALL DUTIES, RIGHTS, AND INTERESTS UNDER THE AGREEMENT FROM ONYX RENEWABLE PARTNERS, LP TO OBSIDIAN II EAST COAST HOLDINGS, LLC, PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, *et seq.* and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners for the County of Passaic (hereafter "Board") is vested with decision-making powers on behalf of the County; and

**WHEREAS**, on February 25, 2020, the Board approved Resolution No. R20200195 authorizing a solar energy power purchase agreement between the County and Onyx Renewable Partners, LP; and

**WHEREAS**, Onyx Renewable Partners, LP has notified the County in writing of its intention to assign all of its rights, duties, and interests under the agreement to its subsidiary affiliate, Obsidian II East Coast Holding, LLC; and

**WHEREAS**, the fully executed agreement between the County and Onyx Renewable Partners, LP authorizes the assignment of rights, duties, and interests to Obsidian II East Coast Holding, LLC; and

**WHEREAS**, this matter was discussed on January 12, 2024, by the Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic acknowledges the assignment of all Onyx Renewable Partners, LP's rights, duties, and interests to Obsidian II East Coast Holding, LLC, pursuant to the fully executed agreement and recognizes Onyx Renewable Partners, LP's name change to Obsidian II East Coast Holding, LLC.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Purchasing Agent are authorized to take any action necessary to carry out the purpose of this Resolution.

PCR

January 23, 2024