

County of Passaic
Board of County Commissioners



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Date: May 27, 2025 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING THE PASSAIC COUNTY PURCHASING AGENT TO ENTER INTO A CONTRACT AT THE CONCLUSION OF THE ONLINE REVERSE AUCTION FOR THE PURCHASE OF BULK ELECTRICITY AS A COMMODITY, PURSUANT TO N.J.S.A. 40:20-1, ET SEQ.

THIS RESOLUTION WAS REQUESTED BY:
PURCHASING

REVIEWED BY:


Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:


Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	5/27/2025
Introduced Date	5/21/2025
Adopted Date	
Agenda Item	6.
CAF#	
Purchase Req. #	
Result	

Administration and Finance
COMMITTEE NAME

RESOLUTION AUTHORIZING THE PASSAIC COUNTY PURCHASING AGENT TO ENTER INTO A CONTRACT AT THE CONCLUSION OF THE ONLINE REVERSE AUCTION FOR THE PURCHASE OF BULK ELECTRICITY AS A COMMODITY, PURSUANT TO N.J.S.A. 40:20-1, ET SEQ.

WHEREAS, the County of Passaic (“County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic (“Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, on November 25, 2014, the Board approved Resolution No. R-14-0905, authorizing the Passaic County Purchasing Agent to enter into an agreement with third-party energy suppliers obtained through the means of an approved on-line bid to purchase energy supply; and

WHEREAS, the County’s current contract for the bulk purchase of electricity is expiring, so it is necessary to go out to bid and give the Purchasing Agent this authority once again; and

WHEREAS, on October 22, 2024, the Board approved Resolution No. R-24-923, qualifying a pool of licensed third-party electric and/or natural gas suppliers for 2025, pursuant to a fair and open process under RFQ 25-005, New Jersey Board of Public Utilities (NJBPU) Licensed Third Party Electric and/or Natural Gas Suppliers (“RFQ-25-005”); and

WHEREAS, because of the volatile nature of the energy procurement process, upon the conclusion of the online reverse auction, the County will need to expeditiously approve and enter into a contract with the lowest responsible bidder(s) to meet the County’s electricity supply needs in response to the Request for Bids to be solicited by the County; and

WHEREAS, Concord Engineering Group, Inc., (“Concord”) is an approved on-line purchasing agent and their online procurement plan is approved by the State of New Jersey, Division of Local Government Services, Department of Community Affairs, Local Unit Electronic Procurement Act, N.J.A.C. 5:34-5.1, for Online Receipt of Bids and Online Reverse Auctions; and

WHEREAS, Concord’s Online Auction Platform complies with N.J.A.C. 5:34-5.1, et seq., which establishes the regulatory framework for electronic procurement; and

WHEREAS, given the need to promptly enter into a contract upon the conclusion of the online reverse auction, the County desires to have its Purchasing Agent, upon consultation and recommendation from Concord, approve and enter into a contract with the selected vendor(s); and

WHEREAS, participation in the program is facilitated by submission of contract documentation to determine responsibility and eligibility to participate in the process prior to the date of auction; and

WHEREAS, this matter was discussed at the May 14, 2025 Administration and Finance Committee meeting, 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 authorizes the Passaic County Purchasing Agent, upon consultation with Concord, to initiate an online reverse auction for the bulk purchase of electricity as a commodity, with notice to all vendors qualified by the Board pursuant to RFQ-25-005, and, upon completion of the auction, to select and enter into a contract with the responsible bidder(s) submitting the most advantageous bid(s) to the County, price and other factors considered.

LET IT BE FURTHER RESOLVED, that the County will not enter into a contract with any bidder(s) if the bid pricing received does not result in a savings, based on the respective utility benchmark.

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

