

RESOLUTION NO. 255-13

AUTHORIZING THE CHAIRMAN TO ENTER INTO A POWER PURCHASE AGREEMENT WITH SOLAR LIBERTY

WHEREAS, in June 2013 the Madison County Department of Solid Waste ("Department") issued and advertised a written request for proposals under Article 9 of the New York Energy Law soliciting competitive proposals for an energy performance contract ("Power Purchase Agreement" or "PPA") whereby the vendor will build, finance, own and operate a solar powered photovoltaic array at the landfill and sell the power to the Department at a cost less than it currently pays; and

WHEREAS, the Department received three proposals for PPA's and after evaluating each proposal determined that a proposal by Solar Liberty Electric Company, Inc. ("Solar Liberty") provided the best proposal with a fixed price of five cents per kilowatt hour (\$0.05/kWh) for a period of 15 years with a capital investment of zero dollars (\$0.00 investment) by the County; and

WHEREAS, the Department's projections indicate that the PPA will generate an approximate savings of 50% compared to its current arrangement with National Grid; and

WHEREAS, the PPA is expressly contingent upon the project qualifying for a grant by the New York State Energy Research and Development Authority ("NYSERDA") under its Program Opportunity Notice 2112 which grant will be applied for jointly by the Department and Solar Liberty; and

WHEREAS, the County is engaged in discussions with the New York State Department of Labor ("DOL") with respect to the application of the prevailing wage statute to the proposed PPA and although the matter is unresolved, this Resolution is based upon the understanding that costs set forth in the Solar Liberty proposal will not be affected by the determination regardless of the outcome.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman is hereby authorized to execute a PPA with Solar Liberty in substantially the same form as is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the Chairman is hereby authorized to execute an Installation Agreement with Solar Liberty in substantially the same form as is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that the Chairman is hereby authorized to execute a joint application with Solar Liberty for a grant from NYSERDA under PON 2112 in substantially the same form as is on file with the Clerk of the Board; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Dated: August 13, 2013


James S. Goldstein, Chairman
Solid Waste/Recycling Committee