

RESOLUTION OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY

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**TITLE:**

**RESOLUTION OF THE MORRIS COUNTY IMPROVEMENT  
AUTHORITY AUTHORIZING THE AWARD AND EXECUTION  
OF A CONTRACT FOR SOLAR RENEWABLE ENERGY  
CERTIFICATE CONSULTANT SERVICES**

**WHEREAS**, the Morris County Improvement Authority (including any successors and assigns, the "Authority") has been duly created by resolution duly adopted by the Board of Chosen Freeholders of the County of Morris (the "County") in the State of New Jersey (the "State") as a public body corporate and politic of the State pursuant to and in accordance with the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto (the "Act"), and other applicable law; and

**WHEREAS**, the Authority is authorized pursuant to the Local Public Contracts Law N.J.S.A. 40:11A-1 *et. seq.* (the "Public Contracts Law") to enter into contracts as deemed necessary for the efficient operation of the Authority; and

**WHEREAS**, the Authority, in combination with and for the County, created the Morris County Renewable Energy Program (the "Renewable Energy Program") which developed photovoltaic energy systems for certain local government buildings, parking canopy and other structures, and lands owned or controlled by local governments within and including the County (the "Renewable Energy Projects"); and

**WHEREAS**, the Authority desires to engage the services of a renewable energy consultant to act as an advisor to the Authority in relation to the Renewable Energy Program, for services including, but not limited to, consulting on current and future New Jersey solar renewable energy credits ("SRECs") pricing and evaluating and making recommendations to the Authority on timing of the SREC sales (collectively, the "Services"); and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.1 *et seq.*, an authority may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$300.00, in the aggregate, to the member municipality's political parties or to any candidate's committee of any person serving in an elective public office of the member municipality when such contract was awarded, unless said business entity is awarded a contract under a "fair and open process"; and

**WHEREAS**, the Authority received a proposal dated March 19, 2018 from Gabel Associates ("Gabel"), which Proposal is attached hereto as Exhibit A (the "Proposal"); and

**WHEREAS**, it is the finding of the Authority, after careful consideration of the Proposal, that the Proposal meets the Authority's needs for the Services; and

**WHEREAS**, the Authority desires to appoint Gabel to provide the Services for a period of one (1) year, unless extended as permitted by law, at rates as described in the Proposal; and

**WHEREAS**, the Authority is appointing Gabel pursuant to N.J.S.A. 40A:11-3, as the cost of the Services is not anticipated to exceed \$29,000 in the contract year; and

**WHEREAS**, the Authority desires to authorize the Chairperson of the Authority to execute a contract with Gabel for the Services; and

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Authority as follows:

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Authority hereby awards the contract to perform the Services to Gabel for a term not to exceed one (1) year, unless extended as permitted by law at rates as described in the Proposal (the "Contract").

**Section 3.** The Chairperson is hereby authorized and directed to execute the Contract with Gabel.

**Section 4.** Subject to the second sentence of this section, this resolution shall take effect immediately. In accordance with N.J.S.A. 40:37A-50, the Secretary of the Authority is hereby authorized and directed to submit to each member of the Board of Freeholders, by the end of the fifth business day following this meeting, a copy of the minutes of this meeting. The Secretary is hereby further authorized and directed to obtain from the Clerk of the Board of Freeholders a certification from the Clerk stating that the minutes of this meeting have not been vetoed by the Director of the Board of Freeholders.

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Exhibit A