

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH
BLUE SKY POWER FOR SOLAR DESIGN SERVICES FOR THE ATLANTIC COUNTY
INSTITUTE OF TECHNOLOGY AND THE ATLANTIC COUNTY SPECIAL SERVICES
SCHOOL DISTRICT JOINT SOLAR RENEWABLE ENERGY PROJECT**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of the County of Atlantic, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, by Resolution adopted June 1, 2011, the Board of Commissioners authorized the Executive Director to execute a Shared Services Agreement (hereafter the "agreement") with the Atlantic County Institute of Technology and the Atlantic County Special Services School District (hereafter "ACIT/ACSSD") for the Authority to serve as Project Manager for their Joint Solar Renewable Energy Project (hereafter the "Project"); and

WHEREAS, included in the scope of services of the agreement is that the Authority will provide the procurement of a qualified firm to perform design and other related services including providing assistance in procuring a Power Purchase Provider for the systems; and

WHEREAS, On August 3, 2011 the Board of Commissioners Authorized an Amendment to the Shared Services Agreement with ACIT /ACSSSD specifying that the Authority will be reimbursed for all incurred costs associated with the Solar Design Contract through the PPA or through the ACIT/ACSSSD should the project not proceed, and

WHEREAS, on July 28, 2011 the Authority received seven (7) proposals in response to the Request for Proposal for Design Services for the Project; and

WHEREAS, on Monday August 8, 2011, based on those submissions, four (4) of the seven (7) firms were interviewed by the committee to further clarify that the scope of services proposed were complete and that they met the intent of the request for proposals; and

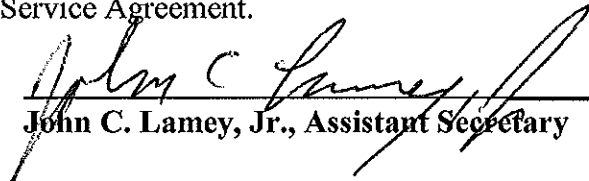
WHEREAS, upon review and evaluation of the proposals, the interviews and subsequent due diligence, and considering price and the responsiveness to the scope of services requested in the RFP, staff recommends that the Board of Commissioners authorize the Executive Director to execute a contract with the Blue Sky Power for a fee not to exceed \$222,000; and

WHEREAS, such services are classified as Professional Services pursuant to N.J.S.A. 40A11-5(1)(a)(i) and as such are exempt from the public bidding requirements of the New Jersey Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director is authorized to execute a Contract with the Blue Sky Power to perform Design Services for the ACIT/ACSSD Joint Solar Renewable Energy Project for a fee not to exceed \$222,000.00, and that this approval is contingent on ACIT/ACSSD's approval of the aforementioned amendment to the Shared Service Agreement.



Roy M. Foster, Chairperson



John C. Lamey, Jr., Assistant Secretary

ADOPTED: August 12, 2011

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____ Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 12th day of August, 2011.
