



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920
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Resolution #2011-0158

Bid Award Ground Lease of the Bernards Landfill for Installation of a Solar Photovoltaic System Awarded to Syncarpha EFGI, LLC

WHEREAS, the Township of Bernards advertised on December 20, 2010 for the receipt of bids for a Ground Lease of the Bernards Landfill Installation of a Solar Photovoltaic System; and

WHEREAS, the township received two proposals as follows;

Bidder	Annual Lease Payment (15 Year)	One Time Lump Sum Payment (option)
Just Energy. LLC	\$ 103,00.00	
Syncarpha EFGI, LLC		\$ 450,000.00

WHEREAS, it is the combined recommendation of the Township Engineer, Town Administrator and the Purchasing Agent to recommend award of this project to Syncarpha EFGI, LLC, 645 Madison Avenue 14th Floor, New York, NY 10022 for a one time lump sum bid of \$ 450,000.00; and

WHEREAS, this contract has been awarded to Syncarpha EFGI, LLC through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq."

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bernards, County of Somerset, State of New Jersey, that the Purchasing Agent, is hereby authorized to accept the proposal from the second responsible and responsive bidder Syncarpha EFGI, LLC, 645 Madison Avenue, 14th Floor, New York, NY 10022 contingent upon approval by the township attorney a contract prepared within two (2) weeks and signed to enter into this agreement.

I agree to the terms as stated in this Resolution and by signing this document, I am committed to following all terms of this award.

Richard Turnure, Managing Member

EXPLANATORY STATEMENT

Finding a partner for a land lease for a solar project at the landfill has been going on for 2.25 years. This is the third time we went out for bid; and the first actual bids we received. Just Energy's bid had a higher NPV, but they recently indicated that they have withdrawn from consideration. Syncarpha's bid has the advantage of upfront, albeit lower total revenues. As discussed numerous times, the project needs to be "grid connected", which devalues the land lease when compared to utilizing a power purchase agreement (PPA). The door on getting any value out of the site is sliding closed as the Federal incentives that created the demand for these sites will end 12/31/11. Mr. Stephen Parnes of the Syncarpha/EnviroFinance Group has indicated a quick ramp up of developing the site. The lump sum payment can be reserved on our balance sheet, and used gradually as a non-tax revenue in future budgets.
Bruce D. McArthur, CFO/Township Administrator, 3/9/11

PURCHASING CERTIFICATION

I hereby certify that I have prepared this resolution and reviewed it for accuracy.

Date: March 9, 2011

Francis J. Decibus, QPA, RPPO, Purchasing Agent

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 03/15/2011.

Denise Szabo, Municipal Clerk