

**RESOLUTION NO. 3-24-92
HIGHLAND PARK BOROUGH
COUNTY OF MIDDLESEX**

**RESOLUTION AUTHORIZING ISSUANCE OF A REQUEST FOR PROPOSALS
FOR COMMUNITY SOLAR DEVELOPERS**

WHEREAS, the New Jersey Board of Public Utilities (NJBPU) Community Solar Program has been made into a permanent program and Highland Park seeks to move forward to develop and manage a Community Solar Program; and

WHEREAS, the Program allows municipal entities to form subscriber groups for community solar projects by including the residents of the Borough in an ‘opt-out’ participation program; and

WHEREAS, the Borough desires to submit an application to the Program and form a subscriber group of low and moderate income (LMI) customers to receive the economic benefit from a community solar project via energy savings; and

WHEREAS, in order for the Borough to submit a viable application to the Program, the Borough also needs to identify a third-party solar developer that will finance, own, operate, and maintain a community solar project; and

WHEREAS, the Borough desires to undertake the development and implementation of a competitive contracting Request for Proposals (“RFP”) seeking proposals from solar developers to fund, install, own, operate and maintain a photovoltaic energy system, partner with the Borough in the preparation and submission of an application to the Program, and provide low cost renewable energy to the Borough’s subscriber group via a master service agreement; and

WHEREAS, pursuant to law, specifically, N.J.S.A. 40A:11-4.1(j), and N.J.S.A. 40A:11-15(44) the Borough of Highland Park is authorized to utilize competitive contracting process to procure solar developer proposals for development of the Project and completion of the Program application and award of a master services agreement for the Borough’s subscriber group; and

WHEREAS, Highland Park entered into a Consulting Agreement with Gabel Associates on October 10, 2023, by which Gabel Associates will support development of the Program; and

WHEREAS, there shall be no cost to Highland Park under the Gabel Associates’ consulting agreement, and all fees for Gabel Associates’ services shall be paid by the successful developer in connection with a Master Performance Agreement (MPA), as more fully set forth in Gabel Associates’ Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, County of Middlesex, State of New Jersey, that:

1. The Borough Administrator hereby authorized and directed, working with legal counsel and Gabel Associates, to develop, issue and administer a competitive contracting Request For Proposals process seeking proposals from solar developers for development of the Project, completion of the Program application and award of a Master Services Agreement for the Borough’s subscriber group which defines the terms and conditions of service by the successful respondent.

2. The Mayor, Borough Administrator, Borough Clerk, Borough Attorney, and other appropriate officers, employees, professionals, and Gabel Associates are hereby authorized and directed to prepare and execute any and all other documents and undertake any and all acts necessary to effectuate Highland Park’s participation in the NJBPU Community Solar Program.

3. The Mayor’s designee is hereby authorized and directed to include in the request for proposals a requirement that the successful respondent reimburse the Borough for costs associated with the development and implementation of the RFP and Program application process.

4. This resolution shall take effect immediately.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on March 5, 2024.

 Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

| Council Member | Ayes | Nays | Abstain | Absent |
|----------------|------|------|---------|--------|
| Canavera | | | | |
| George | | | | |
| Hale | | | | |
| Hersh | | | | |
| Kim-Chohan | | | | |
| Postelnik | | | | |