



Legislation Text

File #: 2856-2019, **Version:** 1

The purpose of this legislation is to authorize the City Attorney to enter into a contract with the law firm, McNeese Wallace & Nurick LLC, a Pennsylvania limited liability company, for the purpose of providing Energy Consultant Legal Services for supply-side electric energy procurement, management, and advisory services in matters relating to the City's purchase of electric power for the Department of Public Utilities, Division of Power. This firm will work closely with the City Attorney's Office and the Division of Power to assist the City in identifying energy related issues, identifying the most competitive solutions, and securing the best prices, and terms and conditions available for electricity contract(s) with qualified suppliers.

The Division of Power is a full service electric utility serving residential, commercial, and industrial customers. The Division currently has over 14,000 customer accounts, which include electric service to several City buildings and facilities including the City's water and wastewater treatment facilities, and services to the city street lights. In 2018, Division of Power's customers consumed a total of 904,515 MWh.

The Division regularly solicits competitive proposals through a Request for Proposals process for a power supply agreement. Currently the Division has a power supply agreement in place with AEP Energy Partners, Inc. ("AEPEP"), a subsidiary of American Electric Power. This agreement is to supply power through December 31, 2020. Beginning January 2021, the Division has a power supply agreement in place with American Municipal Power ("AMP"). The agreement is to supply power through December 31, 2025. The Division of Power is in need of energy consultant legal services to assist with contracting for the purchase of wholesale electric power beyond December 31, 2025.

The City Attorney's Office, on behalf of the Department of Public Utilities, solicited proposals for the subject services in accordance with the provisions of City Code Chapter 329 (RFQ013226). Seventy-one (71) vendors were solicited. Two (2) proposals (1 MAJ, 1 not certified) were received, on September 6, 2019. McNeese Wallace & Nurick LLC was selected as the best offeror.

The term of this contract is for one (1) year, renewable for five (5) additional years in one (1) year increments at the City's option, based upon budgeted funds and approval by City Council. If unforeseen issues or difficulties are encountered that would require additional funding, a modification would be requested.

SUPPLIER: McNeese Wallace & Nurick LLC, FID #23-1256003, DAX #001743, Expires October 10, 2021
McNeese Wallace & Nurick LLC does not hold MBE/FBE status.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

FISCAL IMPACT: \$75,000.00 is budgeted and needed for this expenditure.

\$41,002.55 was spent in 2018
\$65,870.07 was spent in 2017

To authorize the City Attorney to enter into a contract with McNeese Wallace & Nurick LLC for Energy Consultant Legal

Services related to the City's purchase of electric power and advisory services; and to authorize the expenditure of \$75,000.00 from the Electricity Operating Fund. (\$75,000.00)

WHEREAS, the City Attorney's Office, on behalf of the Department of Public Utilities, solicited proposals for Energy Consultant Services, and

WHEREAS, proposals were received and opened on September 6, 2019, and

WHEREAS, McNees Wallace & Nurick LLC was selected as the best offeror, and

WHEREAS, the term of this contract is for one (1) year, renewable for five (5) additional years in one (1) year increments at the City's option, based upon budgeted funds and approval by City Council, and

WHEREAS, it has become necessary in the usual daily operation of the City Attorney's Office, to authorize the City Attorney to enter into contract for Energy Consultant Legal Services with McNees Wallace Nurick LLC; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Attorney be and is hereby authorized to enter into contract with McNees Wallace & Nurick LLC for Energy Consultant Legal Services related to the City's purchase of electric power and advisory services, for the Division of Power.

SECTION 2. That the expenditure of \$75,000.00 or so much as may be needed, is hereby authorized in Fund 6300 Electricity Operating Fund, in object class 03 Services per the accounting codes in the attachment to this ordinance.

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.