

**AGENDA ITEM REPORT**

**DATE:** June 15, 2021  
**DEPARTMENT:** Solid Waste  
**REQUESTER:** Douglass Whitehead  
**TITLE:** Award Contract for Energy Asset Manager

**I. MOTION REQUESTED**

- A) Award Invitation to Negotiate No. ITN200430ANB, Energy Asset Manager to Rainbow Energy Marketing Corporation to provide asset management services on behalf of Solid Waste for the County-owned Resource Recovery Facility to sell its electrical output to third parties at rates that are greater than “as-available” rates, for an initial term of five years.
- B) Authorize the Chair to execute the contract documents on behalf of the Board of County Commissioners.
- C) Grant the County Manager or designee the authority to renew the contract, for up to 3 additional years, and to execute all associated documents, as approved in the departments’ annual adopted budgets, if doing so is in the best interest of Lee County, and there are no cost increases associated with the renewals

**II. ITEM SUMMARY**

Awards a marketing and brokering contract to Rainbow Energy Marketing Corporation for an initial term of five years. The award is the result of a competitive Invitation to Negotiate.

The County’s Resource Recovery Facility produces electricity as a by-product of its daily operations. The contract to sell this power expires 6/30/2021. In order to obtain the best pricing for the sale of power on an on-going basis, Solid Waste wishes to contract with a firm to oversee the process. Rainbow Energy Marketing Corp. was selected as the qualified firm and will provide management services to sell electrical output to third parties at rates that are greater than “as-available” rates. In FY19/20, this arrangement created \$1,573,000 in greater electrical revenue than the FPL base rate.

**III. BACKGROUND AND IMPLICATIONS OF ACTION**A) Board Action and Other History

Approves the evaluation committee recommendation of award and authorizes the execution of a contract with Rainbow Energy Marketing Corporation for Invitation to Negotiate No. ITN200430ANB Energy Asset Manager. Provides Solid Waste with a qualified firm to provide asset management services for the County-owned Resource Recovery Facility to sell its electrical output to third parties at rates that are greater than “as-available” rates for an initial term of five years.

The County’s Resource Recovery Facility produces electricity as a by-product of its daily operations. The contract to sell this power expires on 6/30/2021. In order to obtain the best pricing for the sale of this power on an on-going basis, Solid Waste wishes to contract with a qualified firm to oversee this process. An Invitation to Negotiate was processed to obtain such a firm.

On the established date of January 6, 2021, Procurement received two responses. Interview meetings were held with both respondents with a final Evaluation/Ranking meeting held on March 9, 2021. During the evaluation process, the Evaluation Committee considered criteria listed in the solicitation such as demonstrable energy management proficiency over a period of 5 years, proven successful provision of energy marketing/sales for 2 or more Florida clients, and a history of having marketed 500,000 MWhs or more annually in each of the past 3 years. Based on the information submitted in the solicitation responses, it was the consensus of the committee to recommend to the Board award to Rainbow Energy Marketing Corporation.

B) Policy IssuesC) BoCC GoalsD) Analysis

This is a revenue generating contract for the marketing and transmission scheduling of the energy generated from the Lee County Waste to Energy Facility. This contract provides opportunities for potentially higher revenues through managed marketing services versus selling this energy at the default as-available prices. This service is critical in maximizing energy sales revenues and in managing the Solid Waste enterprise fund.

E) Options**IV. FINANCIAL INFORMATION**

A)	Current year dollar amount of item:	No funding required.
B)	Is this item approved in the current budget?	Yes
C)	Is this a revenue or expense item?	Revenue
D)	Is this Discretionary or Mandatory?	Discretionary
E)	Will this item impact future budgets? If yes, please include reasons in III(D) above.	Yes
F)	Fund: 40100 Program: Solid Waste Project: NA Account Strings: OB5340040100.343100.9000	
G)	Fund Type?	Enterprise
H)	Comments:	

**V. RECOMMENDATION**

Approve

**VI. TIMING/IMPLEMENTATION**

**VII. FOLLOW UP**

**ATTACHMENTS:**

Description	Upload Date	Type
<a href="#">Energy Asset Management 2021</a>	5/14/2021	Backup Material
<a href="#">Rainbow Energy - Vendor Executed</a>	6/3/2021	Contract

**REVIEWERS:**

Department	Reviewer	Action	Date
Solid Waste	Tucker, Mary	Rejected	6/2/2021 - 3:31 PM
Solid Waste	Whitehead, Douglass	Approved	6/2/2021 - 4:39 PM
Solid Waste	Tucker, Mary	Approved	6/3/2021 - 8:52 AM
Solid Waste	Whitehead, Douglass	Approved	6/3/2021 - 10:12 AM
Budget Services	Guttery, Angela	Approved	6/4/2021 - 8:02 AM
Budget Services	Winton, Peter	Approved	6/4/2021 - 8:48 AM
County Attorney	Swindle, Amanda	Approved	6/4/2021 - 9:57 AM
County Manager	Salyer, Glen	Approved	6/4/2021 - 11:20 AM