



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

Topic: Discussion and possible action to designate the Superintendent of Schools as the authority to negotiate, approve and enter into a Contract with the Electrical Provider, who is offering the best electricity rates to the School District, based on the Responses the School District receives from Electrical Providers, who submit responses to the School District's issued Request for Proposals for said services.

Submitted by: Ms. Cordelia Flores-Jackson **of:** Purchasing Department

Approved for transmittal to school board: July 21, 2020

Recommendations:

Administration is recommending that the Board of Trustees delegate authority to the Superintendent to award RFP 2020-047 to the vendor that provides the best value to the District and enter into a contract with the successful Retail Electric Service Provider (REP). Due to the fluctuating nature of this commodity, prices change daily and award and execution must be made the day the price is given.

Rationale:

The District's current Electric Provider contract will expire on December 31, 2020.

Budgetary Information:

To be provided for in the 2020-2021 budget as well as in future budgets dependent on term selected by District

Board Policy Reference and Compliance

CH local – Purchasing and Acquisition

CH legal – Purchasing and Acquisition

CV Local – Facilities Construction

CV Legal – Facilities Construction

CVB Legal – Facilities Construction – Competitive Seal Proposals

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE UNITED INDEPENDENT SCHOOL DISTRICT
TO DESIGNATE THE SUPERINTENDENT OF SCHOOLS
TO NEGOTIATE TERMS AND CONDITIONS AND EXECUTE A CONTRACT
WITH ELECTRICITY PROVIDER ON BEHALF OF THE BOARD OF TRUSTEES**

WHEREAS, The United Independent School District ("UISD"), a political subdivision of the State of Texas, will be seeking Request for Proposals ("RFP") for an Electricity Provider to meet UISD's electricity service needs; and

WHEREAS, UISD, through its Purchasing Department, will be seeking through its RFP an Electricity Provider, who will provide UISD with a firm electrical energy supply to meet all load requirements for UISD for a term of thirty-six (36) months or sixty (60) months with the option to extend if contracted; and

WHEREAS, UISD will contract with the Electricity Provider who offers the best value for UISD with pricing being a critical factor in the evaluation criteria established by UISD in their RFP; and

WHEREAS, due to the nature of the deregulated electricity sales industry in Texas, once an Electricity Provider is selected through the RFP process and the terms and conditions of a contract are negotiated, the pricing window to establish a fixed contract rate may change (increase) if the contract is brought back to the United Independent School District's Board of Trustees ("Board of Trustees") for approval given electricity rates fluctuate on a day-to-day basis; and

WHEREAS, the "Board of Trustees" finds that it is in the best interest of UISD, in order to establish the best electricity rate for UISD, designates and gives the Superintendent of Schools the authority to enter into a contract with UISD's selected Electrical Provider on behalf of the Board of Trustees, once all terms and conditions of the contract, including pricing, have been negotiated; and

WHEREAS, the Board of Trustees has also determined that a public purpose would be served in allowing UISD, through its Superintendent of Schools, to enter into a contract with the Electricity Provider, who provides the best value to UISD, in order to contract the best fixed electrical contract rate for UISD.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The United Independent School District shall authorize the United Independent School District's Purchasing Department to solicit Request for Proposals for an Electricity Provider for UISD.

Section 2. The Board of Trustees hereby determines that it is in the best interest of UISD for the Superintendent of Schools to be able to negotiate the terms and condition and enter into a contract with the Electricity Provider, who offers the best value for UISD, without bringing the contract for approval to the Board of Trustees in order to establish the best pricing rate from the recommended Electrical Provider.

Motion was made by _____, seconded by _____, that the resolution above and foregoing be adopted.

For _____ Against _____

The above resolution was voted on at a regular meeting of the Board of Trustees held on the ____ day of July, 2020.

BY: _____
Ramiro Veliz, III
President of the Board

ATTEST:

Ricardo "Rick" Rodriguez
Board Secretary