

RESOLUTION
R 63-10

**A RESOLUTION AUTHORIZING THE
NORTHERN ILLINOIS MUNICIPAL ELECTRIC COOPERATIVE (NIMEC)
TO SERVE AS THE BROKER FOR THE VILLAGE IN REGARD TO
OBTAINING BIDS FROM ELECTRICITY PROVIDERS FOR THE PERIOD OF
MAY 2010 THROUGH APRIL 2011 AND AUTHORIZING
THE VILLAGE MANAGER OR DIRECTOR OF FINANCE TO APPROVE
A CONTRACT WITH THE LOWEST COST ELECTRICITY PROVIDER**

WHEREAS, the President and Board of Trustees find as follows:

A. On January 2, 2007, the State of Illinois implemented a plan to deregulate Commonwealth Edison;

B. Under the aforementioned deregulation plan, Commonwealth Edison no longer generates electricity for its customers, but continues to provide electric power through its distribution system;

C. As a result of this deregulation, electricity is purchased based on market price and Exelon, the parent company of Commonwealth Edison, no longer is the sole supplier of electricity in Northern Illinois, resulting in new electricity suppliers competing against Exelon, and competitive market forces dictating the price of electricity;

D. During fiscal year 2009, the Village spent just under \$543,000 on electricity, with just under 16% of the total being in regard to Village Hall heating;

E. Since Commonwealth Edison had prices fixed for the nine (9) years prior to the end of deregulation on January 2, 2007 by the Illinois Commerce Commission (ICC), the cost of electricity rose approximately 25% in 2007, according to information received from Commonwealth Edison;

F. Municipalities across the State looked at ways to enter the market to purchase electric power in order to mitigate some of the economic impact of these rising rates, which, on a practical basis, can only be done using a third party who will serve as a broker for the municipalities and has the knowledge and experience to seek bids from the various electricity providers;

G. In September 2006, Village Staff conducted broker interviews and, based on said interviews, Village Staff recommended, and the Village Board approved, that the Northern Illinois Municipal Electric Cooperative (NIMEC) serve as the Village's broker relative to the acquisition of electrical energy for the period of January 2007 through May 2008, due to NIMEC's more reasonable pricing structure, municipal experience, and the fact that NIMEC is a municipal cooperative which will be pooling the energy

needs of members of the cooperative in order to secure more competitive pricing based on higher volumes than can be provided individually to a single municipality; NIMEC also served as the Village's broker for the period of June 2008 to May 2009 and June 2009 to May 2012;

H. That the cost to join NIMEC was a one time fee of \$100, with the amount of compensation that NIMEC receives, if the Village chooses the NIMEC electricity supplier, being built into the prices bid by the electricity supplier, so there will be no direct payments made to NIMEC by the Village other than the one time fee that was previously paid;

I. That because of the way the bidding process works, the Village Manager or Director of Finance will need to have the authority to sign a contract with the lowest cost electricity provider within hours of the bids being received by NIMEC; and

WHEREAS, it is in the best interest of the Village to use NIMEC as its electricity supply broker;

NOW, THEREFORE, BE IT RESOLVED, by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, that the Northern Illinois Municipal Electric Cooperative (NIMEC) is hereby appointed as the Village's broker for purposes of obtaining a supply of electricity for the Village's municipal needs for the period of June 2009 through May 2012, and Village Staff is hereby directed to take all actions necessary to establish said broker relationship.

BE IT FURTHER RESOLVED that, in light of the time constraints applicable to the acceptance of a competitive bid for a supply of electricity, once the bids are received by NIMEC, the Village Manager or Director of Finance is hereby authorized to sign the contract with the lowest bidder, with Village Staff being hereby directed to place said contract on the first available Village Board meeting following the execution thereof by the Village Manager or Director of Finance, for ratification by the President and Board of Trustees.

ADOPTED this 4th day of February, 2010, pursuant to a roll call vote as follows:

AYES: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

NAYS: None

ABSENT: None

APPROVED by me this 4th day of February, 2010.



William J. Mueller, Village President

ATTEST:



Brigitte O'Brien, Village Clerk



To: David A. Hulseberg
Village Manager

From: Timothy Sexton 
Director of Finance

Date: January 27, 2010

Subject: Resolution Regarding Village Participation in Northern Illinois Municipal Electric Cooperative (NIMEC) for the Period of May 2010 through April 2011 for Village Hall heating

As a result of the deregulation that took place in Illinois on January 2, 2007 for electricity, electricity is now purchased based on market price and Exelon, the parent company of ComEd, no longer is the sole supplier of electricity in Northern Illinois. This has resulted in new electricity suppliers being able to compete against Exelon and as a result, competitive forces now dictate the price of electricity. ComEd had prices fixed for the nine years prior to the end deregulation on January 2, 2007 by the Illinois Commerce Commission (ICC).

As part of the deregulation, ComEd began market pricing with their largest accounts and is moving into their medium sized accounts. The Village's water pumping and street lighting electricity were in the large account category, therefore the electricity for these have been bid out previously. However, the Village Hall heating is a medium sized account. Therefore, starting in May, our price for electricity will go to an hourly rate. This would be a significant disadvantage for the Village, as the Village Hall heat works much more during the day, when rates are highest, than it does during the night, when rates are lowest. Therefore, NIMEC, which represents a significant amount of municipalities in the Chicago area, will be bidding out all of these medium sized accounts together in early February to take advantage of the volume of all of the accounts combined.

Therefore, staff is recommending that the Village Board approve NIMEC as the Village's broker to seek electricity bids for the period of May 2010 through April 2011 for Village Hall heating. Because of the way the bidding process works, the Village Manager or Director of Finance will need to have the authority to sign a contract with the lowest cost electricity provider within hours of the bids being received by NIMEC. The resolution attached for Village Board consideration directs the Village Manager engage the services of NIMEC and provides Village Board authorization to allow the Village Manager or Director of Finance to execute a contract with the successful energy supplier upon receipt of the bids by NIMEC. Such contracts would be brought to the Village Board at the next available meeting for ratification.