



Cape Light Compact JPE
261 Whites Path, Unit 4, South Yarmouth, MA 02664
Energy Efficiency 1.800.797.6699 | Power Supply 1.800.381.9192
Fax: 774.330.3018 | capelightcompact.org

September 12, 2018

Dear Tim Carroll:

The Town of Chilmark ("Participant") has indicated an interest in participating in the Cape Light Compact JPE Request for Proposals for All-Requirements Retail Electric Power Supply for Municipal/Government Rate Accounts (the "RFP"). The RFP will be issued by the Cape Light Compact JPE ("Compact") on behalf of participating Compact members and other governmental entities with municipal and governmental accounts located within the Compact's member municipalities.

By signing this letter, Participant hereby authorizes the Compact, effective as of September 12, 2018, to act as agent on its behalf in issuing the RFP, reviewing proposals from bidders, negotiating the form of municipal competitive electric supply agreement ("MCESA") with bidders, evaluating, with assistance from expert consultants and legal counsel, the proposals and terms of the modified MCESA, recommending a contract award, notifying the winning bidder on behalf of participants in the RFP and taking other actions which are convenient or reasonably necessary in carrying out the foregoing tasks. The Participant has designated the accounts set forth in Attachment A to be included in this authorization. This letter agreement does not constitute a binding obligation of any kind by the Participant or the Compact to award a contract to a competitive supplier if the bids, in the Compact's judgment, are not favorable or in the best interest of the Participant and other participants taking part in the RFP, nor does it obligate the Participant to execute an MCESA. Participant understands that if it elects to execute the MCESA recommended by the Compact, or provides the Compact the right to execute the MCESA on its behalf via a separate authorization, the MCESA will have a term anywhere from 12 months to 36 months, will have pricing fixed for each contract year and will commit the Participant to purchase all of the generation for the electricity accounts it designates for participation in the RFP from the chosen competitive supplier for such term, without any right to opt-out during such term.

This letter may be executed in counterparts, each of which, when executed, will be deemed to be an original, but all of which together will constitute one and the same instrument. The parties agree that a scanned or electronically reproduced copy or image of this letter bearing the signatures of the parties hereto will be deemed an original.

The Compact is enthusiastic about moving forward on this RFP and looks forward to working with you. *If you are in agreement with the foregoing, please sign and scan your signature page to this letter and return it to Margaret T. Downey at mdowney@capelightcompact.org.*

Very truly yours,

Margaret T. Downey
Compact Administrator and Chief Procurement Officer

AGREED AND ACCEPTED THIS 12th DAY OF September, 2018 BY ITS DULY AUTHORIZED OFFICER:

Tim Carroll, Town Administrator
Town of Chilmark

By:

Working Together Toward A Smarter Energy Future

Aquinnah | Barnstable | Bourne | Brewster | Chatham | Chilmark | Dennis | Dukes County | Eastham | Edgartown | Falmouth
Harwich | Mashpee | Oak Bluffs | Orleans | Provincetown | Sandwich | Tisbury | Truro | Wellfleet | West Tisbury | Yarmouth



TOWN OF CHILMARK

CHILMARK, MASSACHUSETTS

TOWN OFFICES:
Beetlebung Corner
Post Office Box 119
Chilmark, MA 02535
508-645-2100
508-645-2110 Fax

www.chilmarkma.gov
September 12, 2018

Margaret T. Downey
Cape Light Compact JPE, Chief Procurement Officer
261 Whites Path, Suite 4
S. Yarmouth, MA 02664

RE: *Authorization to Execute Municipal Competitive Electric Supply*

Dear Ms. Downey,

I understand that the Cape Light Compact JPE (the "Compact") issued a Request for Proposals ("RFP") for municipal and other governmental electric accounts for all requirements power supply starting in July 2019 meter read dates and extending up to three years. The Compact issued this RFP for municipal accounts at the request of the municipalities to maximize the benefits of negotiating electricity prices as a single entity with a diverse electric load profile.

I recognize that the bids are due Thursday, October 25, 2018 and in order to avoid any premiums being included in the bid price the price for electricity is valid only until 4:00PM that day. I understand that prior to accepting the most responsive bid, the Compact will have reviewed and vetted the contract terms and conditions with both its outside technical consultant and legal counsel. The term of the contract will be anywhere from 12 months to 36 months and will commit the municipality/governmental entity to purchase all of the generation for the provided electricity accounts from the chosen competitive supplier for such term, without any right to opt-out.

I am unable to attend in person and execute the recommended contract on Thursday, October 25, 2018 and as a result I am authorizing Margaret T. Downey, Compact Administrator and Chief Procurement Officer, to act as my agent and execute the contract recommended by you on behalf of the municipality or other governmental entity set forth below. I further attest that I have been duly authorized to undertake this action on behalf of my Town set forth below.

Signed: _____

Name: **Tim Carroll**
Title: **Town Administrator**
Organization: **Town of Chilmark**
Date: **September 12, 2018**