**RESOLUTION**

WHEREAS, the procurement of peaking capacity and energy to meet the needs of the Members of the Kentucky Municipal Energy Agency (“KyMEA”) is its primary mission; and

WHERAS, KyMEA proposes to issue a request for proposals (“RFP”) to interested parties soliciting the supply of peaking capacity and energy beginning in May 2019 to one or more of its Members, and

WHEREAS, the RFP requests interested parties to present proposals under the provisions of KRS 45A.370 for peaking capacity and energy; and

WHEREAS, KyMEA, through its committees and consultants, will evaluate each proposal to determine which proposal or proposals will produce the supply of peaking capacity and energy that is most advantageous to KyMEA and its Members, including reliability of supply and transmission, and

WHEREAS, competitive sealed bidding is not feasible for procuring the supply of peaking capacity and energy required by KyMEA and specifications cannot be made sufficiently specific to permit an award on the basis of either the lowest bid price or the lowest evaluated bid price because the procurement is for nonstandard supplies and requires technical discussions;

NOW THEREFORE BE IT RESOLVED:

That pursuant to KRS 45A.370(1)(a), and as set forth in the recitals above, KyMEA hereby finds and determines, and has found and determined, that competitive sealed bidding is not feasible in the procurement of the above described supply of Peaking capacity and energy, and that it is most advantageous for KyMEA, and in its best interests and the interests of its Members, to solicit proposals through competitive negotiation and to issue any addendum or addenda to the preliminary RFP that has been issued, as may be necessary or desirable.