**RESOLUTION**

WHEREAS, office space is needed for the Kentucky Municipal Energy Agency (“KyMEA”) to continue its operations; and

WHERAS, KyMEA desires to lease office space in the metropolitan area of Louisville, Kentucky; and

WHEREAS, KyMEA will solicit and advertise for proposals from vendors of approximately 6,000-8,500 square feet of class A office space; and

WHEREAS, the President of KyMEA will evaluate each proposal to determine which proposal or proposals will provide office space that serves the needs of KyMEA and is most advantageous to KyMEA, and

WHEREAS, competitive sealed bidding is not feasible for procuring the lease of office space and because 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 and because the procurement is for nonstandard supplies and requires review of proposals for terms, conditions and build out and construction allowances;

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 that competitive sealed bidding is not feasible in the procurement of leasable office space, because it is for a nonstandard supply and the evaluation needs to include, in addition to cost and term, other factors, including location, visibility, accessibility, availability of adequate and reasonably priced parking, and lease options; and because it is most advantageous for KyMEA, and in its best interests and the interests of its Members, to solicit proposals through competitive negotiation through solicitations and advertisement; and

That the President of KyMEA is hereby authorized to solicit, advertise and review the proposals for office space; to use the services of a commercial leasing agent and space planner, if needed, to assist in said solicitation and review; to determine which proposals are reasonably susceptible to being awarded a lease for office space; to negotiate the terms of a proposed lease; to sign a letter of intent to lease said office space if necessary to hold the space, and to present to the KyMEA Board the office space lease for its consideration and approval.