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June 22, 2018

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Dr. Eric W. Bond, Superintendent
AUGUSTA COUNTY PUBLIC SCHOOLS
18 Government Center Lane
Verona, Virginia 24482

RE: Solar Power Purchase and Self-Generation Agreements

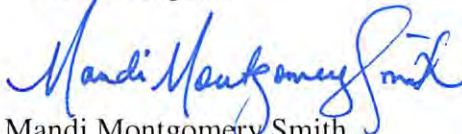
Dear Dr. Bond:

In my capacity as general counsel to the Augusta County School Board, I reviewed Albemarle County's Request for Proposals for Solar Power Purchase Agreement Services, issued July 24, 2014 (RFP), for the purpose of evaluating the capacity of the Augusta County School Board (School Board) to procure similar services through Albemarle's RFP.

To increase efficiency or reduce administrative expenses, the Virginia Code permits a public body to participate in a joint procurement agreement with one or more other public bodies. See Virginia Code section 2.2-4304. Albemarle County's RFP included language, in paragraph Q on page 10 of its RFP, that permits the School Board to contract with the successful offeror, Secure Futures, LLC, without engaging in any additional or separate procurement process under the Virginia Public Procurement Act. Albemarle's RFP permits the School Board to contract directly with Secure Futures, LLC, for purposes of obtaining solar energy services for School Board facilities, using the cooperative procurement arrangement initiated by Albemarle County.

Should you or the School Board have any further questions, please do not hesitate to contact me.

With kind regard,


Mandi Montgomery Smith

MMS:jrb

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March 27, 2018

Mr. Jason Kamras
Superintendent
Richmond Public Schools
301 North Ninth Street
Richmond, Virginia 23219

RE: Solar Power Purchase Agreement - Cooperative Procurement

Dear Superintendent Kamras,

Upon review of the Virginia Code and Albemarle County's Request for Proposal for Solar Power Purchase Agreement Services, a separate procurement process to authorize the contract will not be necessary.

Section 2.2-4304 of the Virginia Public Procurement Act provides that "any public body may participate in, sponsor, conduct, or administer a joint procurement agreement on behalf of or in conjunction with one or more other public bodies, or public agencies ..." Albemarle County's RFP included a provision that allowed for cooperative contracting as set forth in Section VIII, Paragraph Q, which is copied below:

Q. COOPERATIVE CONTRACTING: This procurement is being conducted by County of Albemarle in accordance with the provisions of Virginia Code § 2.2- 4304. Except for contracts for architectural and engineering services, if agreed to by the contractor, other public bodies may utilize this contract. The Contractor shall deal directly with any public body it authorizes to use the contract. Albemarle County, its officials and staff are not responsible for placement of orders, invoicing, payments, contractual disputes, or any other transactions between the Contractor and any other public bodies, and in no event shall the County, its officials or staff be responsible for any costs, damages or injury resulting to any party from use of an Albemarle County contract. The County of Albemarle assumes no responsibility for any notification of the availability of the contract for use by other public bodies, but the Contractor may conduct such notification.

Since the RFP language meets the statutory requirements for joint and cooperative procurement, procurement requirements for this contract have been satisfied. Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Caryl Stephens Johnson

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March 6, 2017

Dr. Brenda M. Tanner
Superintendent of Schools
Orange County Public Schools
Taylor Education Administration Complex
200 Dailey Drive
Orange, VA 22960

Re. Solar Power Purchase Agreement - Cooperative Procurement

Dear Dr. Tanner,

Upon review of the Virginia Code and Albemarle County's Request for Proposal for Solar Power Purchase Agreement Services, a separate procurement process to authorize the contract will not be necessary.

Section 2.2-4304 of the Virginia Public Procurement Act provides that "any public body may participate in, sponsor, conduct, or administer a joint procurement agreement on behalf of or in conjunction with one or more other public bodies, or public agencies..." Albemarle County's RFP included a provision that allowed for cooperative contracting as set forth in Section VIII, Paragraph Q, which is copied below:

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contract for use by other public bodies, but the Contractor may conduct such notification.

Since the RFP language meets the statutory requirements for joint and cooperative procurement, procurement requirements for this contract have been satisfied. Should you have any questions, please do not hesitate to contact me.

Sincerely,



George Keith Martin



To view the full text of Albemarle County Public Schools' July 2014 RFP for a solar power purchase agreement as well as the full text of the ensuing contract with Secure Futures, use the link below.

<https://cdn2.hubspot.net/hubfs/2932192/RVA%20Solar%20Fund/Fact%20Sheets/Albemarle%20County%20Public%20Schools%20-%20PPA%20RFP%20documents.pdf>