

## Procurement Code Exemption

### Byproduct Services - Electric and Water/Wastewater

#### Scope of Procurement Code Exemption:

JEA produces byproducts through its normal operations. In efforts to support JEA's environmental sustainability initiative, and to obtain the best use of rate payer dollars, JEA may either beneficially reuse or landfill byproducts. This includes the procurement, sale, marketing and management of Byproducts for Electric and Water/Wastewater (materials resulting from the process of generating electricity, producing potable water and treating wastewater including but not limited to, bottom ash, bed ash, fly ash, gypsum, activated carbon, resin, sludge and biosolids residuals). In an effort to beneficially reuse byproducts, JEA may apply for certification from appropriate state agencies in Florida and other States, may certify contractors to handle the byproducts in accordance with the certification received, may sell the byproducts for use within the certifications, and may procure existing landfill space or lands for landfill purposes to best serve JEA. JEA may operate a landfill for byproducts through use of JEA forces, or may contract for services relating to operation of a landfill for byproducts using methods which will produce the best results for JEA, including requiring that contractors operate landfills be certified and experienced in the use of both byproduct materials and landfill operations. This procurement exemption provides JEA staff with the authority to make timely procurement commitments and to effectively participate in opportunities to market, transport, explore innovative technologies, beneficially reuse, install, sanitation and dewatering to mitigate negative environmental impacts and dispose of byproducts. It governs the marketing, transportation (including the lease/purchase of rail assets), exploration of innovative technologies, beneficial reuse, installation, sanitation and dewatering in mitigation of negative environmental impacts and disposal of byproducts.

	Agreement Price	Contract Signatory Authority
Contracts for the Procurement of Byproduct Services	> \$10,000,000	JEA Board
	\$7,000,000 to \$10,000,000	Interim Managing Director/Chief Executive Officer
	\$4,000,000 to \$7,000,000	Chief Financial Officer <u>and</u> Chief Operating Officer
	\$1,000,000 to \$4,000,000	Deputy Chief of Operations / Energy Systems <u>or</u> VP of Water & Wastewater Systems
	< \$1,000,000	Senior Director, Energy Operations <u>or</u> Director WW & Reuse Treatment <u>or</u> Director Water Operations & Treatment Support Services

All enabling agreements should be reviewed and approved by the Office of General Counsel prior to signature.

Documentation			
	Agreement Price	Term	Responsible Party
Responsible for Retaining Procurement and Contract Documentation	Any Amount	Any	Senior Director, Energy Operations or Director WW & Reuse Treatment <u>or</u> Director Water Operations & Treatment Support Services

Procurement Methodology			
Type of Procurement	Price	Approving Entity	Procurement Guidelines
Accelerated Bids	Any Amount	Senior Director, Energy Operations or Director WW & Reuse Treatment or Director Water Operations & Treatment Support Services	If a short procurement timeframe is required, the JEA business unit may use an accelerated bid process to sell or procure byproducts by issuing a solicitation via email to prospective bidders. Under this procurement method, JEA Byproducts staff will receive bids directly from the bidders for quick evaluation and award of a contract.
Unsolicited Offers	Any Amount	Senior Director, Energy Operations or Director WW & Reuse Treatment or Director Water Operations & Treatment Support Services	JEA may enter into contracts based on unsolicited offers for the marketing, transportation, beneficial reuse, installation and disposal of byproducts without using a competitive bidding process. JEA may engage in negotiations with the party that provided the unsolicited offer to improve the terms, conditions and/or pricing. JEA will be allowed to take advantage of unsolicited offers when such procurements are determined to provide operational and/or economical advantage to JEA and acceptance of such offer is in JEA's best interest.
Collaborative Procurement Agreements	Any Amount	Senior Director, Energy Operations or Director WW & Reuse Treatment or Director Water Operations & Treatment Support Services	JEA may participate in, sponsor, conduct, or administer a collaborative procurement agreement for the procurement or sale of byproducts, with one or more public or utility industry partners in accordance with an agreement entered into between the participants, when such action is deemed to be in the JEA's best interest.
Loan or Sale	Any Amount	Senior Director, Energy Operations or Director WW & Reuse Treatment or Director Water Operations & Treatment Support Services	JEA may loan or sell byproducts, when it is in the best interest of JEA to do so. JEA will be reimbursed for expenses incurred and compensated at fair market value for services or product loaned or sold.

I hereby delegate contract signature authority to the JEA personnel as provided herein.

Approved: Vickie Cavey  
Vickie Cavey  
Interim Managing Director/CEO  
Date: 9/16/2024

Accepted: Ricky Erixton  
Ricky Erixton  
Deputy Chief of Operations / Energy Systems Date:  
9/17/24

Accepted: Hai X. Vu  
Hai Vu  
VP of Water/Wastewater Systems  
Date: 9/17/24