

**Ordinance Number 1385-2009**

**American Municipal Power (Gorsuch) contract modification for purchased power.**

**Information to be included in all Legislation Modifying Contracts:**

The names of all companies bidding or submitting an RFP or RFSQ for the original contract.

Bids were not taken for the original contract. AMP-Ohio is a non-profit organization for state municipalities and, acting as a broker, has contracted on the City's behalf competitive prices through a bidding process.

The location by City and State of all companies bidding or submitting an RFP or RFSQ for the original contract.

American Municipal Power, Columbus, Ohio

The status, Majority, MBE, FBE, of all companies bidding or submitting an RFP or RFSQ for the original contract.

American Municipal Power is a non-profit organization. (CC# 310943223)

The name and location of the firm awarded the original contract and the Contract Number.

American Municipal Power, CT009743 (Gorsuch Contract)  
Columbus, Ohio

A description of work performed to date as part of the contract and a full description of work to be performed during any future phasing of the contract.

Supply wholesale electric power to the Division of Power and Water and provide necessary services associated with the delivery of said energy.

An updated contract timeline to contract completion.

Contracts will remain open unless terminated in accordance with the terms of the Master Services Agreement, Section 2.1 or Gorsuch Contract CT09743, Section 33.

A description of any and all modifications to date including the amounts of each modification and the Contract Number associated with any modification to date. (List each modification separately)

Please see attachment.

A full description of the work to be performed as part of the proposed contract modification. (Indicating the work to be a logical extension of the contract is not sufficient explanation)

This modification is solely for the purpose of increasing the funding for the purchase of wholesale electric power and associated services. There is no modification to the terms or scope of the contract.

If the contract modification was not anticipated and explained in the original contract legislation a full explanation as to the reasons the work could not have been anticipated is required. (Changed or field conditions is not sufficient explanation. Describe in full the changed conditions that require modification of the contract scope and amount.)

The cost of power to be purchased from AMP (Gorsuch) was underestimated when funds were requested earlier this year, therefore, it is necessary to increase the contract to provide funding for purchase power for the remainder of 2009 and until such time that the 2010 budget will be approved by Columbus City Council. The anticipated costs for the remainder of the year on another purchase power contract have been reduced so there will be no overall impact on the existing budget.

An explanation of why the work to be performed as part of the contract modification cannot be bid out. (Indicating the work to be a logical extension of the contract is not sufficient explanation)

AMP-Ohio is a non-profit organization for state municipalities and, acting as a broker, has contracted on the City's behalf competitive prices through a bidding process.

A cost summary to include the original contract amount, the cost of each modification to date (List each modification separately), the cost of the modification being requested in the legislation, the estimated cost of any future known modifications and a total estimate of the contract cost.

Per the terms of the contract, modifications for funding are requested each year based upon annual budget authority authorized by City Council.

Note: The Contract should be considered to include any and all work that is anticipated to be awarded to the company awarded the original contract throughout the contract/project timeline. This includes the original contract and any and all future anticipated modifications to the contract to complete the contract/project.

**Ord. 1385-2009**

**CT-09743  
AMERICAN MUNICIPAL POWER OHIO  
PURCHASE POWER CONTRACT – GORSUCH**

| <b><u>ORDINANCE #/DATE</u></b> | <b><u>AMOUNT</u></b> | <b><u>CEILING<br/>CONTRACT<br/>AMOUNT</u></b> | <b><u>CITY<br/>DOCUMENT<br/>NUMBER</u></b> |
|--------------------------------|----------------------|---|--|
| 1181-88, 5/23/88               | 2,000,000            | 2,000,000                                     | CT-09743                                   |
| 334-89, 2/13/89                | 2,317,896            | 4,317,896                                     | CT-09743A                                  |
| 2139-89, 9/11/89               | 217,000              | 4,534,896                                     | CT-09743A                                  |
| 2420-89, 10/16/89              | 868,000              | 5,402,896                                     | CT-09743                                   |
| 257-90, 2/5/90                 | 3,120,000            | 8,522,896                                     | CT-09743                                   |
| 3308-90, 12/17/90              | 431,350              | 8,954,246                                     | CT-09743                                   |
| 133-91, 1/28/91                | 3,500,000            | 12,454,246                                    | CT-09743                                   |
| 2186-91, 10/21/91              | 100,000              | 12,554,246                                    | CT-09743                                   |
| 140-92, 2/3/92                 | 3,826,370            | 16,380,616                                    | CT-09743                                   |
| 164-93, 2/1/93                 | 4,000,000            | 20,380,616                                    | CT-09743                                   |
| 147-94, 1/31/94                | 3,700,000            | 24,080,616                                    | CT-09743                                   |
| 116-95, 1/30/95                | 3,750,000            | 27,830,616                                    | CT-09743                                   |
| 2682-95, 12/4/95               | 200,000              | 28,030,616                                    | CT-09743                                   |
| 119-96, 1/29/96                | 4,000,000            | 32,030,616                                    | CT-09743                                   |
| 79-97, 1/27/97                 | 4,200,000            | 36,230,616                                    | CT-09743                                   |
| 279-98, 2/9/98                 | 4,300,000            | 40,530,616                                    | CT-09743                                   |
| 916-99, 2/8/99                 | 4,500,000            | 45,030,616                                    | EA001309-002                               |
| 2685-99, 11/15/99              | 300,000              | 45,330,616                                    | EL900980-001                               |
| 468-00, 2/28/00                | 500,000              | 45,830,616                                    | EL000162-001                               |
| 205-01, 2/5/01                 | 4,721,472            | 50,552,088                                    | EL001128-001                               |
| 0210-02, 2/11/02               | 4,600,000            | 55,152,088                                    | EL002136-001                               |
| 0198-03, 2/10/03               | 4,400,000            | 59,552,088                                    | EL003217-001                               |
| 0148-2004, 2/23/04             | 4,500,000            | 64,052,088                                    | EL004136-001                               |
| 0783-2004, 5/17/04             | 400,000              | 64,452,088                                    | EL004356-001                               |
| 2088-2004, 12/06/04            | 460,000              | 64,912,088                                    | EL005080-001                               |

**CT-09743 (continued)**  
**AMERICAN MUNICIPAL POWER OHIO**  
**PURCHASE POWER CONTRACT – GORSUCH**

| <b><u>ORDINANCE #/DATE</u></b> | <b><u>AMOUNT</u></b> | <b><u>CEILING<br/>CONTRACT<br/>AMOUNT</u></b> | <b><u>CITY<br/>DOCUMENT<br/>NUMBER</u></b> |
|--------------------------------|----------------------|---|--|
| 0131-2005, 2/14/2005           | 5,700,000            | 70,612,088                                    | EL005144-001                               |
| 1628-2005, 11/07/2005          | 2,750,000            | 73,362,088                                    | EL005689-001                               |
| 0073-2006, 01/30/2006          | 7,000,000            | 80,362,088                                    | EL005857-001                               |
| 0108-2007, 02/26/2007          | 5,675,000            | 86,037,088                                    | EL006818-001                               |
| 0153-2008, 02/25/2008          | 4,400,000            | 90,437,088                                    | EL007834-001                               |
| 0097-2009, 02/23/2009          | 4,680,000            | 95,117,088                                    | EL009192-001                               |
| <b>1385-2009, In Process</b>   | <b>1,400,000</b>     | <b>96,517,088</b>                             |  |