

Ordinance Number 1628-2005

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 contracts. 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-Ohio, Columbus, Ohio

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

American Municipal Power-Ohio is a non-profit organization.

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

American Municipal Power-Ohio, CT007199 (Generic Contract) and CT009743 (Gorsuch Contract)

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 Electricity and provide necessary services associated with the delivery of said energy.

An updated contract timeline to contract completion.

The term of the generic contract, CT007199, is through December 31, 2005 and the term of the Gorsuch contract, CT009743, is through April 1, 2008. It is anticipated that both contracts will be extended.

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 increased cost of purchase power is a direct result of rising transmission costs associated with FERC's move toward deregulation of the electric utility industry. In addition for Gorsuch, back up power costs are higher than last year; SO2 and Nox purchases were made this year; and the cost of transporting coal has gone from \$4 per ton to over \$9 per ton.

The Division of Electricity has several contracts available to purchase power. In the beginning of 2005 the Division estimated the amounts that would be needed for each contract and upon council's approval each contract was increased accordingly. However, because of the uncertainties in the industry, the Division did not encumber all of its budget authority for purchased power at that time in anticipation that some contracts might need to be increased.

It is now apparent that the Amp-Ohio Generic agreement and the Amp-Ohio Gorsuch agreement must be increased to meet the division's need for the remainder of 2005.

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. The City is obligated to honor these contracts which are in effect until December 31, 2005 (Generic) and April 1, 2008 (Gorsuch).

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 is 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.

8/29/05

CT-07199
AMERICAN MUNICIPAL POWER OHIO
PURCHASE POWER CONTRACT (GENERIC)
TERM: 3/11/1986 THROUGH 12/31/2005

<u>ORDINANCE #/DATE</u>	<u>AMOUNT</u>	<u>CEILING CONTRACT AMOUNT</u>	<u>CITY DOCUMENT NUMBER</u>
589-86, 3/3/86	2,856,620	2,856,620	CT-07199
242-87, 2/9/87	2,452,247	5,308,867	CT-07199
162-88, 1/25/88	3,894,000	9,202,867	CT-07199
333-89, 2/13/89	1,309,696	10,512,563	CT-07199
2138-89, 9/1//89	258,000	10,770,563	CT-07199
2419-89, 10/16/89	602,000	11,372,563	CT-07199
3146-89, 12/18/89	270,000	11,642,563	CT-07199
258-90, 2/5/90	2,609,760	14,252,323	CT-07199
2046-90, 7/16/90	1,863,000	16,115,323	CT-07199
3308-90, 12/17/90	1,268,347	17,383,670	CT-07199
132-91, 1/28/91	4,741,924	22,125,594	CT-07199
2168-91, 9/30/91	(800,000)	21,325,594	CT-07199
141-92, 2/3/92	3,056,600	24,382,194	CT-07199
165-93, 2/1/93	4,181,014	28,563,208	CT-07199
146-94, 1/31/94	2,689,170	31,252,378	CT-07199
2515-94, 12/5/94	577,000	31,829,378	CT-07199
116-95, 1/30/95	12,116,481	43,945,859	CT-07199
2319-95, 10/16/95	(3,500,000)	40,445,859	CT-07199
2682-95, 12/4/95	(200,000)	40,245,859	CT-07199
119-96, 1/29/96	4,257,240	44,503,099	CT-07199
79-97, 1/27/97	7,400,000	51,903,099	CT-07199
279-98, 2/9/98	11,200,000	63,103,099	CT-07199
2879-98, 11/16/98	1,233,702	64,336,801	CT-07199
1630-98, 7/6/98 (Network Transmission Service)	0	64,336,801	CT-07199

CT-07199 (continued)
AMERICAN MUNICIPAL POWER OHIO
PURCHASE POWER CONTRACT (GENERIC)
TERM: 3/11/1986 THROUGH 12/31/2005

<u>ORDINANCE #/DATE</u>	<u>AMOUNT</u>	<u>CEILING CONTRACT AMOUNT</u>	<u>CITY DOCUMENT NUMBER</u>
196-99, 2/8/99	14,600,000	78,936,801	EA001308-002
1466-99, 6/28/99 (Add City of Bryan , & DPL thru 12/31/05)	0	78,936,801	CT-07199
2552-99, 11/15/99 (Add PG & E – thru 12/31/01)	0	78,936,801	CT-07199
2553-99, 11/15/99 (Add City of Shelby)	0	78,936,801	CT-07199
2685-99, 11/15/99	6,675,000	85,611,801	EL900979-001
468-00, 2/28/00 (Increase and Add DPL Short Term thru 12/31/01)	27,722,000	113,333,801	EL000163-001
1329-00, 6/5/00 (Reserve Power Supply Pool)	0	113,333,801	CT-07199
0205-01, 2/5/01	21,436,114	134,769,915	EL001129-001 EL001129-002
0210-02, 2/11/02	8,620,000	143,389,915	EL002137-001 EL002137-002
0198-03, 2/10/03	9,230,000	152,619,915	EL003215-001 EL003216-002
0148-2004, 2/23/04	4,127,000	156,746,915	EL004135-001 EL004135-002
0783-2004, 5/17/04	800,000	157,546,915	EL004355-001
2088-2004, 12/6/04	310,000	157,856,915	EL005079-001 EL005079-002
0131-2005, 2/14/05	5,244,000	163,100,915	EL005143-001 EL005143-002
1628-2005, in process	1,520,000	164,620,915	

CT-09743
AMERICAN MUNICIPAL POWER OHIO
PURCHASE POWER CONTRACT – GORSUCH
TERM: 1/1/1988 THROUGH 4/1/2008

<u>ORDINANCE #/DATE</u>	<u>AMOUNT</u>	<u>CEILING CONTRACT AMOUNT</u>	<u>CITY DOCUMENT NUMBER</u>
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
TERM: 1/1/1988 THROUGH 4/1/2008

<u>ORDINANCE #/DATE</u>	<u>AMOUNT</u>	<u>CEILING CONTRACT AMOUNT</u>	<u>CITY DOCUMENT NUMBER</u>
0131-2005, 2/14/2005	5,700,000	70,612,088	EL005144-001
1628-2005 (In Process)	2,750,000	73,362,088	