

**Ordinance Number 1628-2005**

**Constellation Energy Commodities Group 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.

Edison Mission Marketing & Trading, Inc.  
Enron Power Marketing, Inc.  
PG & E Energy Trading  
Cinergy  
CMS Marketing, Services and Trading  
Entergy Power Marketing Corp.  
AEP Energy Services

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

Edison Mission Marketing & Trading, Boston, MA  
Enron Power Marketing, Houston, TX  
AEP Energy Services, Columbus, OH  
PG&E Energy, Bethesda, MD  
Cinergy Services, Florence, KY  
CMS Marketing Services, Jackson MI  
Entergy Power Marketing, Woodlands, TX

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

All companies submitting bids were majority-owned businesses.

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

CMS Marketing Services & Trading, One Jackson Square, Jackson, MI 49201  
Note that the contract was subsequently assigned to Constellation.

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 contract is through December 31, 2006, with provisions for two annual extensions through 2008.

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 attached spreadsheet.

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 will increase funding for the purchase of wholesale electric power and associated services through the remainder of 2005. The addition of the Italian Village Substation as a delivery point will allow Constellation to deliver wholesale electric power to the substation so that it may be distributed to the division's customers.

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. The contract must be increased to cover transmission and ancillary charges for the remainder of 2005.

The Division of Electricity is building a new substation in the Italian Village area, therefore, it was not included in the original contract as a delivery point. It is necessary to add it to the contract so that wholesale electric power may be delivered to the substation.

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)

The City is obligated to honor the existing contract for wholesale electric power purchases through the term of the contract.

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