

ORD. 1691-2018 – Central Ohio BioEnergy, LLC

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.

N/A

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

Anthony D Cieslak, Director of Finance
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216-986-9999 x 124
Central Ohio BioEnergy, LLC
5755 Granger Road, Suite 320
Cleveland OH 44131

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

Central Ohio BioEnergy, LLC - Majority

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

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216-986-9999 x 124
Central Ohio BioEnergy, LLC
5755 Granger Road, Suite 320
Cleveland OH 44131
EL013649

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.

Central Ohio BioEnergy ('COBE') has an interconnection agreement (ORD # 1285-2010) pursuant to which the generating facility is a "Behind the Meter" generating unit that will sell excess electricity to the Division of Power.

An updated contract timeline to contract completion.

The original contract provided for an initial five year term that may be extended at Columbus' option for additional one year renewal terms. The contract began October 16, 2012 and will be modified yearly.

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.)

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See cost summary on Page 2.

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.)

The Power Purchase Agreement was effective October 16, 2012. At the time of execution of the agreement a price for electricity was not available for the year 2019. The pricing has recently become available and the Division of Power and COBE desire to modify Exhibit A of the Purchase Power Agreement to reflect the rate in the Electricity Price Schedule for the year 2019 of \$38.80 per MWH.

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 Power Purchase Agreement was drafted with the assistance of legal counsel. Its provisions included a 5-year term with prices specified for each year. The price structure is contingent upon certain power supply costs of the Division. At the time of execution, these costs were not known for 2019. In the future, as annual renewals of the term may occur, similar modifications will likely be needed.

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 purchase the excess energy produced by the Central Ohio BioEnergy, LLC facility and this agreement will be reviewed annually.

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.

EL 013649, Ord. 1985-2012, passed 10/03/2012	\$ 84,000.00	Original CT
EL 013982, Ord. 0248-2013, passed 02/14/2013	250,000.00	Mod. #1
EL 015343, Ord. 0118-2014, passed 02/10/14	220,000.00	Mod #2
EL 016704, Ord. 0260-2015, passed 02/09/15	150,000.00	Mod #3
PO 003723, Ord. 0172-2016, passed 02/08/16	120,000.00	Mod #4
PO N/A, Ord. 3326-2017, passed 01/23/17	0.00	Mod #5
PO 048098, Ord. 3327-2016, passed 01/23/17	110,000.00	Mod #6
PO 085343, Ord. 2095-2017, passed 09/11/17	150,000.00	Mod #7
PO N/A, Ord. 1691-2018, passed TBD (Pending)	0.00	Mod #8
Total	\$1,084,000.00	

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.