



## Legislation Details (With Text)

<b>File #:</b>	2961-2023	<b>Version:</b>	1
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	10/18/2023	<b>In control:</b>	Public Utilities Committee
<b>On agenda:</b>	12/4/2023	<b>Final action:</b>	12/7/2023
<b>Title:</b>	To authorize the Director of Public Utilities to modify and increase the contract for the purchase of wholesale electric power with American Municipal Power, Inc. for the Division of Power; and to authorize the expenditure of \$1,150,000.00 from the Electricity Operating Fund. (\$1,150,000.00)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. ORD 2961-2023 AMP 2023 Purchase Power Agreement Mod. #20 - Additional Information Form, 2. ORD 2961-2023 Financial Coding - AMP 2023 Purchase Power Agreement - Mod..pdf		

Date	Ver.	Action By	Action	Result
12/7/2023	1	CITY CLERK	Attest	
12/6/2023	1	ACTING MAYOR	Signed	
12/4/2023	1	COUNCIL PRESIDENT	Signed	
12/4/2023	1	Columbus City Council	Approved	Pass
11/20/2023	1	Columbus City Council	Read for the First Time	

This ordinance authorizes the Director of Public Utilities to modify and increase the Master Services Agreement with American Municipal Power, Inc. (AMP, Inc.) to provide additional funding for the purchase of wholesale electricity in 2023 and early 2024 for the Division of Power. The funds authorized by this ordinance will cover the costs of power supply provided by AMP, Inc.

This Ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of City Code pertaining to contract modifications.

- Amount of additional funds: The total amount of additional funds needed for this contract modification #20 is \$1,150,000.00. Total contract amount including this modification is \$336,655,534.00.
- Reason additional funds were not foreseen: The need for additional funds was known at the time of the initial contract and this legislation authorizes additional funding to cover the wholesale electricity for 2023.
- Reason other procurement processes were not used: American Municipal Power, Inc. is a non-profit organization for state municipalities and, acting as a broker, has contracted for competitive prices on the City's behalf through a bidding process.
- How was cost determined: The modification is based upon updated purchase power estimates for 2023 and early 2024 at rates established in the existing contract.

### SUPPLIER:

American Municipal Power, Inc. | D365 Vendor #004495 | Federal EIN on file | Expired 2/4/2023 | Nonprofit Organization  
American Municipal Power, Inc. does not hold MBE/FBE status.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

**FISCAL IMPACT:**

\$59,785,000.00 was budgeted and encumbered for purchase power needs via PO369897. The Division can support the additional \$1,150,000.00 purchase based on year-to-date trends and expected surplus in materials and supplies.

\$46,375,372.81 has been spent in 2023

\$58,758,819.00 was spent in 2022

\$51,546,573.96 was spent in 2021

To authorize the Director of Public Utilities to modify and increase the contract for the purchase of wholesale electric power with American Municipal Power, Inc. for the Division of Power; and to authorize the expenditure of \$1,150,000.00 from the Electricity Operating Fund. (\$1,150,000.00)

**WHEREAS**, the Division of Power has an existing contract for the purchase of wholesale electricity and associated services with American Municipal Power, Inc.; and

**WHEREAS**, it is necessary to modify and increase the existing contract with American Municipal Power, Inc. in the amount of \$1,150,000.00 and to authorize the expenditure in order to provide additional funding for the wholesale electric power required in 2023 and early 2024 by the Division of Power; and

**WHEREAS**, this ordinance is being submitted in accordance with the relevant provisions of Chapter 329 of City Code pertaining to contract modifications; and

**WHEREAS**, the expenditure of \$1,150,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6300, Electricity Operating Fund, from object class 02, Materials & Supplies, per the accounting codes attached to the ordinance; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power, to authorize the Director of Public Utilities to modify and increase the current contract for the purchase of wholesale electricity with American Municipal Power, Inc.; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Public Utilities is hereby authorized to modify and increase the contract with American Municipal Power, Inc. for the purchase of additional wholesale electricity for the Department of Public Utilities, Division of Power, in accordance with the terms and conditions as shown in the Master Service Agreement on file in the office of the Division of Power. Modification No.20 to this contract adds \$1,150,000.00 for wholesale electric power.

**SECTION 2.** That this modification is in accordance with the relevant provisions of Chapter 329 of City Code.

**SECTION 3.** That the expenditure of \$1,150,000.00 or so much thereof as may be needed, is hereby authorized in Fund 6300, Electricity Operating Fund, from object class 02, Materials & Supplies, per the accounting codes attached to the ordinance.

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated and the City Auditor shall establish such accounting codes as necessary.

**SECTION 5.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 6.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law