



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

---

**File #:** 0122-2011, **Version:** 1

---

**BACKGROUND:** This ordinance authorizes the Director of Public Utilities to modify Contract Number CT09743 and EL008750 with American Municipal Power, Inc. to provide funding for the purchase of wholesale electricity and associated services during 2011 for the Division of Power and Water.

**Amount of additional funds to be expended:** \$5,908,185.00

**Reasons additional goods/services could not be foreseen:** The Division of Power and Water (Power) currently has contracts in place with American Municipal Power, Inc. for the purchase of wholesale electricity. This legislation authorizes increases in the amounts of the contracts to cover needs for 2011.

**Reason other procurement processes are not used:** American Municipal Power, Inc. is a non-profit organization for state municipalities and, acting as a broker, has contracted competitive prices on the City's behalf through a bidding process.

**How cost of modification was determined:** This modification is based upon estimated requirements for 2011 at rates as established in the existing contract.

**Contract Compliance Number:** 310943223, expires 12/15/2011

American Municipal Power, Inc. does not hold MBE/FBE status.

Emergency action is requested in order that purchases may continue without interruption and payments can be made on a timely basis.

**FISCAL IMPACT:** This ordinance is contingent upon the passage of the 2011 operating budget. The amount budgeted in the Electricity Operating Fund 550 for purchase power is \$65,000,000.00. The total amounts spent for purchase power in 2009 and 2010 were \$57,531,882.86 and \$62,971,078.62, respectively.

To authorize the Director of Public Utilities to modify the contract for the purchase of wholesale electric power with American Municipal Power, Inc. for the Division of Power and Water and to authorize the expenditure of \$5,908,185.00 and to declare an emergency. (\$5,908,185.00)

WHEREAS, it is necessary to increase the existing contracts to provide for wholesale electric power and associated services required in 2011 by the Division of Power and Water; and

WHEREAS, emergency action is requested in order that purchases may continue without interruption and payments for purchased power may be made on a timely basis; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is necessary to modify contracts with American Municipal Power, Inc. for the purchase of wholesale electric power for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the director of Public Utilities be and is hereby authorized to modify the Master Services Agreement Contract

EL008750 and the Gorsuch Contract CT-09743 with American Municipal Power, Inc. by increasing the amounts by \$5,908,185.00, as follows:

<u>CONTRACT NUMBER</u>	<u>AMOUNT</u>
EL008750-001 (Master Services Agreement)	\$ 237,650.00
EL008750-002 (Membership Services)	150,000.00
CT09743 (Gorsuch)	<u>5,520,535.00</u>
Total	\$5,908,185.00

SECTION 2. That this modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

SECTION 3. That to pay the cost of the aforesaid contract modification, the expenditure of \$5,908,185.00, or so much thereof as may be needed, is hereby authorized from Electricity Operating Fund 550, Division No. 60-07, OCA Code 600830, and shall be disbursed among the following Object Level Three Codes:

Object Level Three 2233	\$5,758,185.00
Object Level Three 3333	<u>150,000.00</u>
Total	\$5,908,185.00

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.