



Legislation Details (With Text)

File #: 0129-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/8/2020 **In control:** Public Utilities Committee

On agenda: 2/24/2020 **Final action:** 2/27/2020

Title: To authorize the Director of the Department of Public Utilities to modify and increase the current contract to obtain capacity and energy for the Division of Power in accordance with terms and conditions of the contract with AEP Energy Partners, Inc., to authorize the expenditure of \$48,500,000.00 from the Electricity Operating Fund, and to declare an emergency. (\$48,500,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord 0129-2020 Additional Info AEP, 2. Ord 0129-2020 AEP Financial Dimensions

Date	Ver.	Action By	Action	Result
2/27/2020	1	CITY CLERK	Attest	
2/26/2020	1	MAYOR	Signed	
2/24/2020	1	COUNCIL PRESIDENT	Signed	
2/24/2020	1	Columbus City Council	Approved	Pass

As authorized by Ordinance No. 2289-2012, passed October 29, 2012, the City of Columbus, Department of Public Utilities, Division of Power, through the Request for Proposal (RFP) process and waiving the relevant Sections of Chapter 329 of the Columbus City Codes, negotiated with suppliers to provide an essentially full-requirements contract for capacity and energy for its needs, at a fixed price, for electrical energy. Four proposals were received. It was determined that AEP Energy Partners, Inc. met all of the Division's requirements and offered the lowest-priced and most responsive proposal.

This legislation will authorize the Director of Public Utilities to modify and increase the contract to obtain capacity and energy from AEP Energy Partners, Inc. based upon the terms and conditions of the contract and authorize the expenditure of funds estimated to cover capacity and energy charges for 2020.

SUPPLIER: AEP Energy Partners, Inc., FID #77-0690681, DAX #010283, Expires November 27, 2020.
AEP Energy Partners, 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: \$48,500,000.00 was budgeted in the Electricity Operating Fund for purchase power. **This ordinance is contingent on the passage of the 2020 Operating Budget (Ordinance #2926-2019).**

\$52,584,512.57 was spent in 2019
\$52,043,848.14 was spent in 2018

EMERGENCY DESIGNATION: This ordinance is being submitted as an emergency measure in order that purchases may continue without interruption and payments can be made on a timely basis.

To authorize the Director of the Department of Public Utilities to modify and increase the current contract to obtain capacity and energy for the Division of Power in accordance with terms and conditions of the contract with AEP Energy Partners, Inc., to authorize the expenditure of \$48,500,000.00 from the Electricity Operating Fund, and to declare an emergency. (\$48,500,000.00)

WHEREAS, Ordinance No. 2289-2012, passed October 29, 2012, waived the relevant Sections of Chapter 329 of the Columbus City Codes, to authorize the Director of Public Utilities to negotiate and enter into contract for purchase power, and

WHEREAS, four proposals were received and through negotiations it was determined that AEP Energy Partners, Inc., met all requirements and offered the lowest-priced and responsive proposal, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power, in that it is immediately necessary to authorize the Director of Public Utilities to modify and increase the contract with AEP Energy Partners, Inc. so that purchases may continue without interruption and payment for purchased power may be made on a timely basis for the 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 and increase the current contract to obtain capacity and energy for the Division of Power in accordance with terms and conditions of the contract with AEP Energy Partners, Inc.

SECTION 2. 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 3. That the expenditure of \$48,500,000.00, or so much thereof as may be needed, is hereby authorized in Fund 6300 Electricity Operating Fund per the accounting codes in the attachment to this ordinance.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby 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.