

**AUTHORIZE A NEW AGREEMENT WITH DYNEGY ENERGY SERVICES, LLC TO PROVIDE  
ELECTRICITY SUPPLY SERVICES FOR ALL CPS BUILDINGS**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Authorize a new agreement with Dynegy Energy Services, LLC to provide Electricity Supply Services for all CPS buildings at an estimated cost of \$70,000,000.00 for the two (2) year term. Vendor was selected on a competitive basis pursuant to a Request for Proposal (No. B16OP03436) issued by the Chicago Transit Authority (CTA) in 2016. Subsequently, Vendor entered into a Vendor Contract with the CTA (contract #B16OP03436). The Board desires to purchase services based upon that Vendor Contract pursuant to Board Rule 7-2.7, which authorizes the Board to purchase non-biddable or biddable items through government purchasing cooperative contracts. A written agreement for Vendor's services is currently being negotiated. No services shall be provided by Vendor and no payment shall be made to Vendor prior to the execution of their written agreement. The authority granted herein shall automatically rescind in the event their written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

Contract Administrator : Sinnema, Mr. Ethan Cedric / 773-553-5180

**VENDOR:**

- 1) Vendor # 18729  
DYNEGY ENERGY SERVICES, LLC  
1500 EASTPORT PLAZA DRIVE  
COLLINSVILLE, IL 62234

Tamika Cole  
618 343-7803

Ownership - Dynegy Inc. -100%

**USER INFORMATION :**

Project  
Manager: 11880 - Facility Opers & Maint - City Wide  
  
42 West Madison Street  
  
Chicago, IL 60602  
  
Peng, Mr. Yanbo  
  
773-553-1560

**TERM:**

The term of this agreement shall commence on the date the agreement is signed and shall end twenty-four (24) months thereafter. This agreement shall have three (3) options to renew for periods of one (1) year each.

**EARLY TERMINATION RIGHT:**

The Board shall have the right to terminate this agreement with 30 days written notice.

**SCOPE OF SERVICES:**

Vendor will supply electricity for all of the CPS facilities. The contract will allow for the Board to add new facilities or remove facilities from the contract during the term if there are changes to the CPS list of facilities.

**DELIVERABLES:**

Vendor will deliver electricity to all CPS facilities.

**OUTCOMES:**

The approval of this Vendor's services will give the Board hedging flexibility in regards to the purchase of the electricity supply for all CPS facilities. The resulting contract will give the Board the opportunity to better achieve the goals of the CPS hedging strategy overseen by the CPS Energy Hedging Committee.

**COMPENSATION:**

Vendor shall be paid as follows: Estimated costs for the two (2) year term are set forth below:

\$17,500,000.00, FY18

\$35,000,000.00, FY19

\$17,500,000.00, FY20

**REIMBURSABLE EXPENSES:**

None.

**AUTHORIZATION:**

Authorize the General Counsel to include other relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the agreement. Authorize the Chief Procurement Officer to execute all ancillary documents required to administer or effectuate this agreement.

**AFFIRMATIVE ACTION:**

Pursuant to the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts (M/WBE Program), this contract is exempt from any MWBE participation due to the nature of the scope of services. Utilities are exempt of any M/WBE goals.

**LSC REVIEW:**

Local School Council approval is not applicable to this report.

**FINANCIAL:**

Fund 230, Department of Facilities, Unit 11880

\$17,500,000.00 FY18

\$35,000,000.00 FY19

\$17,500,000.00 FY20

Not to exceed \$70,000,000.00 for the two (2) year term.

Future year funding is contingent upon budget appropriation and approval.

**CFDA#:**

Not Applicable

**GENERAL CONDITIONS:**

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former

Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics - The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

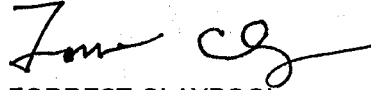
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



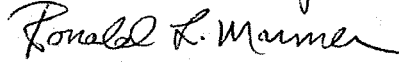
JONATHAN MAPLES  
Chief Procurement Officer

Approved:



FORREST CLAYPOOL  
Chief Executive Officer

Approved as to Legal Form <sup>gmm</sup>



RONALD L. MARMER  
General Counsel