



BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



RESOLUTION #24-20

AUTHORIZING THE EXECUTION
OF THE FIXED VOLUME ENERGY SUPPLY SCHEDULE
WITH AMERICAN MUNICIPAL POWER, INC. ("AMP")

WHEREAS, the Borough of Tarentum, Pennsylvania (the "Municipality") is a political subdivision organized and existing pursuant to the laws of the Commonwealth of Pennsylvania that owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and customers;

WHEREAS, in order to satisfy the electric energy requirements of its electric utility system, the Municipality has heretofore purchased economical and reliable energy from AMP, an Ohio non-profit corporation, of which the Municipality is a member, or has heretofore purchased energy arranged by AMP;

WHEREAS, the Municipality, acting individually and, along with other municipalities that own and operate electric utility systems, jointly through AMP, endeavors to arrange for reliable, reasonably priced supplies of electric energy for ultimate delivery to its customers;

WHEREAS, Municipality has executed a Master Services Agreement with AMP, which sets forth the general terms and conditions for the provision of power supply and other services by AMP to the Municipality;

WHEREAS, AMP will negotiate with one or more reputable and financially sound third-party power suppliers to enter into an agreement(s) to purchase electric energy in various megawatt ("MW") or megawatt hour ("MWh") blocks for a term beginning on and ending no later than , all of which will provide an economical source of electric energy (herein "Long-term Energy Purchase(s)") for Municipality;

WHEREAS, AMP, on behalf of the Municipality, desires to purchase from third-party supplier(s) and then to resell the energy available from these Long-term Energy Purchase(s) on a long-term basis to Municipality at contract cost (excluding any taxes, transmission costs, replacement energy, losses, congestion costs, security costs, or AMP service fees) not to exceed \$52.00 per MWh;

WHEREAS, AMP, has prepared and delivered to the Municipality the form of a Fixed Volume Energy Supply Schedule, pursuant to which the Municipality may purchase energy; and



BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



RESOLUTION #24-20

WHEREAS, AMP has provided and will continue to provide appropriate personnel and information regarding the Long-term Energy Purchase(s) to the Municipality, as such officers and representatives of the Municipality deem necessary or appropriate, to enable the Municipality to evaluate the benefits and risks of the Long-term Energy Purchase(s), to take actions contemplated by the Resolution hereinafter set forth and to determine that the same are in the public interest.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF TARENTUM, PENNSYLVANIA.

SECTION 1. That the form of the Fixed Volume Energy Supply Schedule between this Municipality and AMP, substantially in the form attached hereto as Exhibit 1, is approved, subject to and with any and all changes provided for herein and therein.

SECTION 2. That the Borough Manager be authorized to execute the Fixed Volume Energy Supply Schedule and to acquire the Municipality's energy from one or more Long-term Energy Purchase(s), each with a term beginning on January 1, 2025 and ending no later than December 31, 2027, and with a third-party contract price (excluding any taxes, transmission costs, replacement energy, losses, congestion costs, security costs, or AMP service fees) not to exceed \$52.00 per MWh for purchases, from AMP, and is further authorized to execute and deliver any and all documents necessary to participate in one or more Long-term Energy Purchase(s), pursuant to the conditions set forth herein, as set forth in the Fixed Volume Energy Supply Schedule; provided, however, that the volume of such purchases under the Fixed Volume Energy Supply Schedule shall not exceed 5 MWh per hour (i.e., 5 MW) each hour from January through December in the calendar years 2025 through 2027 as set forth more specifically in the Fixed Volume Energy Supply Schedule.

SECTION 3. That competitive bidding is not required on the Municipality's acquisition of its right to secure energy under the Fixed Volume Energy Supply Schedule, and in the event any competitive bidding requirements are applicable, any such competitive bidding requirements that might otherwise be applicable, are hereby waived.

SECTION 4. That is it found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of a quorum of the Council, and that all deliberations of this Council and of any its committees that resulted in such formal action, were held in meetings open to the public, in compliance with all legal requirements.



BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



RESOLUTION #24-20

SECTION 5. If any section, subsection, paragraph, clause or provision or any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of this Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 6. Pursuant to 8 Pa.C.S.A. § 1402, competitive bidding is not required on the Municipality's purchase of power and energy, through the Schedule.

SECTION 7. That this Resolution shall take effect at the earliest date allowed by law.

RESOLVED and ENACTED this 10th day of September, 2024.

ATTEST:

BOROUGH OF TARENTUM

Dwight D. Boddorf, Borough Manager

Scott Dadowski, President of Council

EXAMINED AND APPROVED by me this 10th day of September, 2024.

Bob Lang, Mayor

I, the undersigned, duly qualified Secretary of the Borough of Tarentum, Allegheny County, Pennsylvania, hereby certify that this resolution is a true and correct copy of the Resolution duly adopted and ratified by a majority vote of the Borough of Tarentum at a regular meeting.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Borough of Tarentum on this 10th day of September 2024.

Dwight D. Boddorf, Borough Manager