

**AMENDMENT OF THE POWER SUPPLY AGREEMENT BETWEEN
THE VILLAGE OF OAK PARK AND CONSTELLATION NEWENERGY, INC.
FOR FULL REQUIREMENTS ELECTRICITY SUPPLY AND RELATED SERVICES
FOR THE VILLAGE OF OAK PARK'S ELECTRIC AGGREGATION PROGRAM**

THIS AMENDMENT TO THE POWER SUPPLY AGREEMENT DATED OCTOBER 22, 2015, between the Village of Oak Park, an Illinois home rule municipal corporation, and Constellation NewEnergy, Inc. a Delaware corporation authorized to conduct business in the State of Illinois, is entered into this 8th day of August, 2017 (collectively referred to as the "Parties").

WHEREAS, the Parties entered into a Power Supply Agreement dated October 22, 2015 ("Power Supply Agreement"); and

WHEREAS, the Parties wish to now amend the Power Supply Agreement to extend its term through the October 2018 meter reads and amend the prices set forth in the Agreement.

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the Parties, the Parties hereto agree as follows:

1. **RECITALS INCORPORATED.** The above recitals are incorporated herein as though fully set forth.
2. **AMENDMENT TO AGREEMENT.** Article 5, Section 5.1 of the Power Supply Agreement is amended by adding the underline language and deleting the overstricken language as follows:

**ARTICLE 5
TERM**

5.1 **Term.** This Agreement shall take effect on the Effective Date as defined herein and shall expire upon the October ~~2017~~ 2018 meter read dates (the "***Term***"). The Village and the Supplier may extend the Term for additional periods of time up to 3 years for each extension, by written agreement approved and executed by each of them (each an "***Extended Term***"). Nothing in this Article 5 related to the Term or the possibility of agreement to an Extended Term may be construed or applied in any manner to create any expectation that any right or authority related to this Agreement granted by the Village to the Supplier will continue beyond the Term or an approved Extended Term.

3. **REPLACEMENT OF EXHIBIT C TO THE POWER SUPPLY AGREEMENT.** Exhibit C of the Power Supply Agreement is stricken in its entirety and is replaced with the new Exhibit C, attached hereto and incorporated herein by reference.

4. **OTHER PROVISIONS OF THE POWER SUPPLY AGREEMENT TO REMAIN IN EFFECT.** All other terms and conditions of the Power Supply Agreement shall remain in full force and effect.

5. **COUNTERPARTS; FACSIMILE OR PDF SIGNATURES.** A facsimile or pdf/email copy of this Agreement and any signatures thereon will be considered for all purposes as an original.

6. **EFFECTIVE DATE.** This Amendment to the Power Supply Agreement shall be deemed dated and become effective on August 8, 2017.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the Power Supply Agreement to be signed by their duly authorized representatives on the dates set forth below.

VILLAGE OF OAK PARK

CONSTELLATION NEWENERGY, INC.

By: Cara Pavlicek
Its: Village Manager

By:
Its:

Dated: _____

Dated: _____

ATTEST

ATTEST

By: Vicki Scaman
Its: Village Clerk

By:
Its:

Dated: _____

Dated: _____

**Exhibit C – Price
Amended August 8, 2017**

Term – October 2017 meter reads through October 2018 meter reads

Fixed Rate: \$ 0.0760 per kWh (inclusive of the Administrative Fee below)

Administrative Fee per kWh (defined in Section 4.7): \$.003 per kWh