

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO CONTRACTS FOR THE PURCHASE OF FIRM NATURAL GAS SUPPLIES FOR THE CITY'S NATURAL GAS DISTRIBUTION SYSTEM FOR THE CURRENT WINTER SEASON THROUGH APRIL 2022.

WHEREAS, the City of Mesa owns and operates a municipal local gas distribution utility and is authorized by the provisions of the Laws of the State of Arizona and the City of Mesa City Charter to acquire, purchase and manage supplies necessary to meet the requirements of the residential, commercial and industrial customers served by such utility; and

WHEREAS, the City of Mesa Energy Resources Department issued a Request for Proposals, 2022068 ("RFP") for gas supplies and associated gas management balancing and scheduling services; and

WHEREAS, BP Energy Company, Spotlight Energy, LLC, and Tenaska Marketing Ventures (collectively the "Suppliers") in response to the City's RFP have offered to sell to the City a supply of natural gas; and

WHEREAS, the City desires to acquire natural gas for resale by its municipal gas distribution utility and further desires to enter into agreements with one or more of said Suppliers for such supplies to be delivered over the Winter 2022 Season (January through April) (the "Supply Period").

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, AS FOLLOWS:

Section 1: The City hereby approves the procurement firm natural gas supplies based on best and final pricing and terms for the Supply Period beginning on January 1, 2022.

Section 2: The City Manager or his designee is hereby authorized and directed to enter a contract with one Supplier, in the form of a NAESB Agreement and associated transaction Confirmation, pursuant to which for the Supply Period such Supplier shall provide up to 7,500 Dekatherms per day (DTh/day) of natural gas supplies varying by each month based on the structure presented in the RFP ("Second Base Supply") at a price not to exceed ten dollars (\$10.00) per Dekatherm.

Section 3: The City Manager or his designee is further authorized during the Supply Period to enter one or more individual contracts, with such additions, deletions, and substitutions as shall be approved by the City Attorney or his designee and the City Manager or his designee, pursuant to which Suppliers may sell to the City and the City may purchase seasonal supplemental, firm natural gas supplies in amounts above the Base Supply but not to exceed a total of 5,000 DTh/Day at pricing not to exceed ten dollars (\$10.00) per Dekatherm.

Section 4: The signing by the City Manager and approval by the City Attorney or their designees of the various contracts authorized by this Resolution shall constitute conclusive evidence of this Council's approval thereof.

Section 5: The various City officers and employees are hereby authorized to sign any other documents or certificates to perform such other acts as are necessary to carry out the intent and purpose of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Mesa, Arizona, this 1ST day of December, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk