BALTIMORE COUNTY, MARYLAND

RFP P-063 ENERGY CONSULTING SERVICES TERM CONTRACT

AMENDMENT NO. 3 TO AGREEMENT MA 2045

THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this 15th day of November, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

WHEREAS, Baltimore County, Maryland and the Contractor entered into an Agreement (“Agreement”) dated November 7, 2011, wherein the Contractor agreed to be a part of a consortium of governmental and non-profit entities (each a “Participating Entity,” and, collectively, the “Participating Entities”) for consulting services related to the purchase of electricity, natural gas, and other energy; and

WHEREAS, each of the Participating Entities entered into separate agreements with the Contractor, all of which have a current expiration date of November 6, 2021 (collectively, the “Agreements”; and

WHEREAS, Baltimore County, Maryland, as the leading Entity responsible for the procurement of a new contract, encountered some unforeseen delays in the procurement process that resulted in the inability to make a contract award before the expiration of the existing contract term; and

WHEREAS, the Participating Entities wish to extend their Agreements to permit sufficient time to complete the procurement process, and have agreed to utilize one amendment document, executed by each of them.

NOW, THEREFORE, the parties hereto mutually agree for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged and agreed as follows:

1. The Contractor shall be paid the combined total sum of Fifteen Thousand Four Hundred Sixty-Seven Dollars and No Cents ($15,467.00) per month for electric consulting and Four Thousand Four Hundred Thirty Dollars and No Cents ($4,430.00) per month for natural gas consulting (collectively, the “Fee”) during the extended Term period of November 7, 2021, to June 30, 2022.

2. The Term of each of the Agreements is herein extended to June 30, 2022.

3. The Participating Entities are:

   a. Baltimore Regional Cooperative Purchasing Committee (“BRCPC”) Participating Entities:
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anne Arundel County Community College</td>
<td>101 College Parkway</td>
</tr>
<tr>
<td></td>
<td>Arnold, MD 21012</td>
</tr>
<tr>
<td>Anne Arundel County Government</td>
<td>2660 Riva Road, 3rd Floor</td>
</tr>
<tr>
<td></td>
<td>Annapolis, MD 21401</td>
</tr>
<tr>
<td>Anne Arundel County Public Schools</td>
<td>2644 Riva Road</td>
</tr>
<tr>
<td></td>
<td>Annapolis, MD 21401</td>
</tr>
<tr>
<td>Baltimore City Government</td>
<td>7 East Redwood Street</td>
</tr>
<tr>
<td></td>
<td>10th Floor</td>
</tr>
<tr>
<td></td>
<td>Baltimore, MD 21202</td>
</tr>
<tr>
<td>Baltimore City Housing Authority</td>
<td>417 E. Fayette Street</td>
</tr>
<tr>
<td></td>
<td>Room 401</td>
</tr>
<tr>
<td></td>
<td>Baltimore, Maryland 21202</td>
</tr>
<tr>
<td>Baltimore City Public Schools</td>
<td>200 East North Avenue</td>
</tr>
<tr>
<td></td>
<td>Baltimore, MD 21202</td>
</tr>
<tr>
<td>Baltimore County Government</td>
<td>400 Washington Avenue, Room 148</td>
</tr>
<tr>
<td></td>
<td>Towson, MD 21204</td>
</tr>
<tr>
<td>Baltimore County Libraries</td>
<td>320 York Road</td>
</tr>
<tr>
<td></td>
<td>Towson, MD 21204</td>
</tr>
<tr>
<td>Baltimore County Public Schools</td>
<td>9610 Pulaski Park Drive, Suite 204</td>
</tr>
<tr>
<td></td>
<td>Baltimore, MD 21220</td>
</tr>
<tr>
<td>Baltimore County Rev Authority</td>
<td>115 Towsontown Boulevard</td>
</tr>
<tr>
<td></td>
<td>Towson, MD 21286</td>
</tr>
<tr>
<td>Baltimore Museum of Art</td>
<td>10 Art Museum Drive</td>
</tr>
<tr>
<td></td>
<td>Baltimore, MD 21218</td>
</tr>
<tr>
<td>Carroll County Government</td>
<td>225 North Center Street</td>
</tr>
<tr>
<td></td>
<td>Westminster, MD 21157</td>
</tr>
<tr>
<td>City of Aberdeen</td>
<td>60 North Parke Street</td>
</tr>
<tr>
<td></td>
<td>Aberdeen, MD 21001</td>
</tr>
<tr>
<td>City of Annapolis</td>
<td>161 Duke of Gloucester Street, 1st Floor</td>
</tr>
<tr>
<td></td>
<td>Annapolis, MD 21401</td>
</tr>
<tr>
<td>City of Bowie</td>
<td>15901 Excalibur Road</td>
</tr>
<tr>
<td></td>
<td>Bowie, MD 20716</td>
</tr>
<tr>
<td>City of Westminster</td>
<td>56 West Main Street</td>
</tr>
<tr>
<td></td>
<td>Westminster, MD 21157</td>
</tr>
<tr>
<td>Community College of Baltimore County</td>
<td>7200 Sollers Road</td>
</tr>
<tr>
<td></td>
<td>Baltimore, MD 21222</td>
</tr>
<tr>
<td>Harford Community College</td>
<td>401 Thomas Run Road</td>
</tr>
<tr>
<td></td>
<td>Hickory Center</td>
</tr>
<tr>
<td></td>
<td>Bel Air, MD 21015</td>
</tr>
<tr>
<td>Harford County Government</td>
<td>220 South Main Street</td>
</tr>
<tr>
<td></td>
<td>Bel Air, MD 21014</td>
</tr>
<tr>
<td>Harford County Public Schools</td>
<td>102 South Hickory Avenue</td>
</tr>
<tr>
<td></td>
<td>Bel Air, MD 21014</td>
</tr>
<tr>
<td>Howard Community College</td>
<td>10901 Little Patuxent Parkway</td>
</tr>
<tr>
<td></td>
<td>Columbia, Maryland 21044</td>
</tr>
<tr>
<td>Howard County Government</td>
<td>6751 Columbia Gateway Drive, Suite 226</td>
</tr>
<tr>
<td></td>
<td>Columbia, MD 21046</td>
</tr>
<tr>
<td>Howard County Public Schools</td>
<td>10910 Clarksville Pike</td>
</tr>
<tr>
<td></td>
<td>Ellicott City, MD 21042</td>
</tr>
</tbody>
</table>

4. All other terms and conditions of the Agreements shall remain unchanged and in full force and effect.
IN WITNESS WHEREOF, it is the intent of the parties that the Contractor hereto has set its hand and signed this Amendment under seal and further, that the parties have executed this Amendment the day and year first written above.

WITNESS:

[Signature]

ENEL X NORTH AMERICA, INC.
Federal Identification No. 87-0698303

By: [Signature] (SEAL)
Andrew Thomas
Head of Customer Insights Business Development

Signatures continued on next page
WITNESS:

[Signature]

APPROVED FOR FORM AND LEGAL SUFFICIENCY*

(Subject to Execution by A Duty Authorized County Administrative Official and County Council, If Indicated)

Susan Dubin
Office of the County Attorney
sbd 10-22-21

*Approval of Form and Legal Sufficiency Does Not Convey Approval or Disapproval of Substantive Nature of Transaction. Approval Is Based Upon Typed Document. All Modifications Require Re-Approval.

REVIEWED AND APPROVED:

[Signature]
Edward P. Blades, Director
Office of Budget and Finance

REVIEWED AND APPROVED:

[Signature]
Purchasing Division

BALTIMORE COUNTY, MARYLAND a body corporate and politic

By:
Stacy L. Rodgers
County Administrative Officer

OFFICE OF BUDGET AND FINANCE:

[Signature]

MASTER AGREEMENT ONLY ENCUMBRANCES ARE BY DELIVERY ORDER

[Signature]
Office of Budget and Finance

BALTIMORE COUNTY COUNCIL

By:
Julie F. Jones
Chair

[Signature]

[Date]

[Date]
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this 29th day of September, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is Anne Arundel Community College’s acknowledgement and agreement to this Amendment No. 3.

Melanie Henrickson
Digitally signed by
Melanie Henrickson
Date: 2021.09.29 07:19:02 -04'00'
9/28/21
Melanie Henrickson
Director of Purchasing and Contracting
Anne Arundel Community College
THIS ACKNOWLEDGEMENT TO BALTIMORE REGIONAL COOPERATIVE PURCHASING COMMITTEE ("BRCPC") AMENDMENT NO. 3 TO RFP P-063 Energy Consulting Services AGREEMENT MA 2045 ("Amendment") is made this 15th day of September, 2021 by and between each "Participating Entity" and, collectively, the "Participating Entities" constituting the Baltimore Regional Purchasing Committee ("BRCPC") (hereinafter "Entity") and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the "Contractor"); and

Below is ANNE ARUNDEL COUNTY, MARYLAND’S acknowledgement and consent to this BRCPC Amendment No. 3 to Agreement MA 2045.

ANNE ARUNDEL COUNTY, MARYLAND

[Signature]
9/30/2021
Matthew J. Power Date (Seal)
Chief Administrative Officer

Approved:

[Signature]
9/30/2021
Andrew Hime Date
Purchasing Agent

APPROVED FOR FORM AND LEGAL SUFFICIENCY
GREGORY SWAIN, COUNTY ATTORNEY

[Signature]
9/30/2021
By: Jason Fetterman Date
Senior Assistant County Attorney
THIS AMENDMENT NO. 3 TO AGREEMENT (this "Amendment") is made this 
________ day of ________, 2021 by and between each Participating Entity and ENEL X
NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110
(hereinafter the "Contractor").

Below is the Board of Education of Anne Arundel County acknowledgement and agreement
to this Amendment No. 3.

Board of Education of Anne Arundel County:

[Signature]
Mary Jo Childs, Supervisor of Purchasing

Date
10/1/21
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this ______ day of __________, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is the Baltimore County Revenue Authority’s acknowledgement and agreement to this Amendment No. 3.

WITNESS:

[Signature]

Baltimore County Revenue Authority

By: [Signature]  
Kenneth F. Mills, Jr.  
Chief Executive  
Date: 10/18/21
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this 1st day of October 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is Baltimore Museum of Art, INC., 10 Art Museum Drive, Baltimore, MD 21218 acknowledgement and agreement to this Amendment No. 3.

ATTEST:

By: Christine Dietze
(Signature) (Date)

Christine Dietze, COO
(Signatory and Title)
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this ___ day of ________, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is Baltimore County Public Schools’ acknowledgement and agreement to this Amendment No. 3.

Accepted by:

BOARD OF EDUCATION OF BALTIMORE COUNTY
on behalf of Baltimore County Public Schools

[Signature]
Melanie L. Webster
Manager, Office of Purchasing
Baltimore County Public Schools

APPROVED FOR LEGAL FORM AND SUFICIENCY*
(Subject to Execution by a Duly Authorized
Representative of the Board
of Education of Baltimore County)

OFFICE OF LAW
*Approval of Legal Form and Sufficiency
Does not Convey Approval or Disapproval
Of the Substantive Nature of this Transaction.
Approval is Based Upon Typeset Document-
All Modifications Require Re-Approval.
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this 29th day of September, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is The Board of Library Trustees for Baltimore County acknowledgement and agreement to this Amendment No. 3.

The Board of Library Trustees for Baltimore County Representative

Date: 9/29/21

By: [Signature]

By: Sonia Alcantara-A Antoine, MLIS | Director
Baltimore County Public Library
320 York Road, Towson, MD 21204

WITNESS

By: [Signature]

By: [Print Name and Title here]
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this _____ day of ________, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is Carroll County Government’s acknowledgement and agreement to this Amendment No. 3.

IN WITNESS WHEREOF, the parties have executed this Agreement and have caused their respective seals to be affixed on or before the date first set forth herein.

THE COUNTY COMMISSIONERS OF CARROLL COUNTY, MARYLAND,
a body corporate and politic
of the State of Maryland

[Signature]
Recoverable Signature

X
Robert M. Burk
Comptroller

Signed by: d77b1c0f-6280-4a3d-ab2b-d8ec6332e6e0
(SEAL)

Robert M. Burk
Carroll County Comptroller
“County”

Approved for legal sufficiency:

Timothy A. Dixon
Assistant County Attorney
THIS AMENDMENT NO. 3 TO AGREEMENT (this "Amendment") is made this 21st day of October, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the "Contractor").

Below is ________________ (County's Name) acknowledgement and agreement to this Amendment No. 3.

[INCLUDE ALL REQUIRED SIGNATURES BELOW]

X Ruby Sherman
Assistant Vice President Finance
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this 28th day of September, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is City of Aberdeen acknowledgement and agreement to this Amendment No. 3.

Recommended for Approval

Reviewed and Approved

[Signature]
Shawn Brogan
Procurement Officer, City of Aberdeen

[Signature]
Rolla Chng
City Engineer, City of Aberdeen

Reviewed and Approved

[Signature]
Kyle E. Torster, P.E.
Director of Public Works, City of Aberdeen
THIS AMENDMENT NO. 3 TO RFP P-063 Energy Consulting Services AGREEMENT ("Amendment") is made this 15th day of September 2021 by and between each "Participating Entity" and, collectively, the "Participating Entities" constituting the Baltimore Regional Cooperative Purchasing Committee ("BRCPC") (hereinafter "Entity") and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the "Contractor"); and

Below is the City of Annapolis acknowledgement and agreement to this Amendment No. 3.

ATTEST:

Regina C. Watkins-Eldridge, MMC,
City Clerk

CITY OF ANNAPOLIS

By: Gavin Buckley, Mayor (Seal)

APPROVED FOR SUFFICIENT APPROPRIATIONS AND AVAILABILITY OF FUNDS:

Joanna D. Dickinson, Director
Finance Department
Source of Funds: XXXX-521010

APPROVED FOR FORM AND LEGAL SUFFICIENCY:

D. Michael Lyles, City Attorney

[insert other signature pages here]
THIS AMENDMENT NO. 3 TO AGREEMENT (this "Amendment") is made this __15th__ day of __October__ 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the "Contractor").

Below is City of Bowie acknowledgement and agreement to this Amendment No.3.

IN WITNESS WHEREOF, on the date hereinafore set forth, the parties hereto have executed this Agreement in two duplicate originals, any one of these shall be adequate proof of this Agreement without locating or accounting for the other.

WITNESS:  

Mati Bazurto – Business Operations Manager

CITY OF BOWIE, MARYLAND

BY: Alfred D. Lott, City Manager
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this ________ day of _______, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is City of Westminster (County’s Name) acknowledgement and agreement to this Amendment No. 3.

[INCLUDE ALL REQUIRED SIGNATURES BELOW]

[Signature]

City of Westminster, Finance Director
THIS AMENDMENT NO. 3 TO AGREEMENT (this "Amendment") is made this day of __________, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the "Contractor").

Below is Harford County, Maryland acknowledgement and agreement to this Amendment No. 3.

WITNESS/ATTEST:                                HARFORD COUNTY, MARYLAND

[Signature]

BY:                  [Signature]

Karen D. Myers,
NIGP-CPP, CPPO, CPPB, CPCP, CTPS
Director of Procurement
Secretary, Board of Estimates

Approved for form and legal sufficiency.  Approved for financial sufficiency.

[Signature]
Margaret Hartka
Senior Assistant County Attorney

[Signature]
Robert F. Sandlass, Jr.
Treasurer
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this 29th day of September, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is Harford County Public Schools’ acknowledgement and agreement to this Amendment No. 3.

Seal in Signature

Teresa Schmid
Board of Education of Harford County
Witness

09-29-2021
Date

Board of Education of Harford County

Sean W. Bulson, Ed.D., Superintendent of Schools

5
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this 30th day of September, 2021, by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is HOWARD COMMUNITY COLLEGE’S acknowledgement and agreement to this Amendment No. 3.

IN WITNESS WHEREOF, the undersigned have executed this Addendum on the dates indicated below.

HOWARD COMMUNITY COLLEGE

By: Domenic Cusimano

Title: Director of Procurement

Date: 9/30/2021

Page 1 of 1
IN WITNESS WHEREOF, it is the intent of the parties that the Contractor hereeto has set its hand and signed this Amendment under seal and further, that the parties have executed this Amendment the day and year first written above.

THIS AMENDMENT NO. 1 TO RFP P-063 Energy Consulting Services AGREEMENT ("Amendment") is made this 29th day of September 2021 by and between each "Participating Entity" and, collectively, the "Participating Entities" constituting the Baltimore Regional Cooperative Purchasing Committee ("BRCPC") (hereinafter "Entity") and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the "Contractor"); and

Below is Howard County’s acknowledgement and agreement to this Amendment No. 1.

HOWARD COUNTY, MARYLAND a body corporate and politic

Lonnie R. Robbins
Chief Administrative Officer

Calvin Ball
County Executive

APPROVED FOR LEGAL SUFFICIENCY
this day of , 2021:

Gary W. Kuc
County Solicitor

REVIEWING ATTORNEY:

Constance Tucker
Type Name: Constance Tucker
Title: Principal Counsel

APPROVED FOR SUFFICIENCY OF FUNDS:

Rafiu Ighile
Director of Finance

DEPARTMENT APPROVED:

Thomas Meunier
Director
Department of Public Works
THIS AMENDMENT NO. 3 TO AGREEMENT (this “Amendment”) is made this 26th day of October 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the “Contractor”).

Below is Housing Authority of Baltimore City (County’s Name) acknowledgement and agreement to this Amendment No. 3.

Approved By

Steve Suit
Sr. V.P. of Procurement and Contracts
Housing Authority of Baltimore City
THIS AMENDMENT NO. 3 TO AGREEMENT (this "Amendment") is made this 25th day of October, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the "Contractor").

Below is Harford Community College's (County's Name) acknowledgement and agreement to this Amendment No. 3.

Trevor S. Jackson  
Vice President for Finance and Administration

Oct 27, 2021  
Date
THIS AMENDMENT NO. 3 TO AGREEMENT (this "Amendment") is made this __________ day of __________, 2021 by and between each Participating Entity and ENEL X NORTH AMERICA, INC., 101 FEDERAL STREET, SUITE 1100, BOSTON, MA 02110 (hereinafter the "Contractor").

Below is ______________________ (County's Name) acknowledgement and agreement to this Amendment No. 3.

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to be duly executed and delivered by their proper and duly authorized officers as of the day and year first above written.

Baltimore City Board
Of School Commissioners

By: __________________________
Name: Sonja B. Santelises
Title: CEO

Approved as to Form and Legal Sufficiency this __________ day of __________, 2021.

Office of Legal Counsel

By: __________________________
Name: Daniel A. Coleman

Director of Procurement

DBA6CC9133234F...