

BLANKET PURCHASE ORDER

STATE OF MARYLAND

***** STATE OF MARYLAND *****

BPO NO: 001B5600169

PRINT DATE: 09/20/24

PAGE: 01

SHIP TO: AS SPECIFIED ON INDIVIDUAL ORDERS	
VENDOR ID: CONSTELLATION NEWENERGY INC PO BOX 716088 PHILADELPHIA, PA 19171 (410)230-4663	REFER QUESTIONS TO: TIERRA ALI-SAID (410)767-0788 TIERRA.ALI-SAID1@MARYLAND.GOV
ITB:	EXPR DATE: 09/30/26 POST DATE: 09/20/24
DISCOUNT TERMS: . NET 30 DAY CONTRACT AMOUNT: .00	

TERMS:

ARTICLES HEREIN ARE EXEMPT FROM MARYLAND SALES AND USE TAXES BY EXEMPTION CERTIFICATE NUMBER 3000256-3 AND FROM FEDERAL EXCISE TAXES BY EXEMPTION NUMBER 52-73-0358K. IT IS THE VENDOR'S RESPONSIBILITY TO ADVISE COMMON CARRIERS THAT AGENCIES OF THE STATE OF MARYLAND ARE EXEMPT FROM TRANSPORTATION TAX.

STATEWIDE CONTRACT FOR ELECTRICITY COMMODITY COMPONENTS
FOR THE STATE OF MARYLAND AGENCIES AND THE UNIVERSITY
SYSTEMS OF MARYLAND (USM)

CONTRACT INITIAL TERM: 24 MONTHS

VENDOR: CONSTELLATION NEW ENERGY, INC.
VENDOR CONTACT: ADAM WALKER
VENDOR EMAIL: ADAM.WALKER@CONSTELLATION.COM
VENDOR PHONE: 443-452-7536

THIS CONTRACT IS FOR THE SUPPLY OF ALL ELECTRICITY COMMODITY COMPONENTS UP TO THE DELIVERY POINT, INCLUDING ENERGY, CAPACITY, ANCILLARY SERVICES, SCHEDULING, BALANCING AND NETWORK FIRM TRANSMISSION, NECESSARY FOR THE FIRM SUPPLY OF ELECTRICITY TO FACILITIES IN THE POTOMAC EDISON ZONES IN THE STATE OF MARYLAND.

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TERMS (cont'd):

THIS CONTRACT MAY BE USED ON BEHALF OF THE UNIVERSITY SYSTEM OF MARYLAND (USM)

POTOMAC EDISON SERVICE ZONE DETAILS:

- 95750 - FIRM FIXED PRICE - POTOMAC EDISON - \$0.06788/KWH

TERM VOLUME: 48,566,794; ANNUAL VOLUMES: 24,283,397

- ADMINISTRATIVE FEE: \$0.001575/KWH (USM & STATE GOVERNMENT ACCOUNTS)

BID PRICE DOES NOT INCLUDE CAPACITY, TRANSMISSION TLCS, TRANSMISSION NITS, RMR, ARR'S, FERC ORDERS 745, 494, AND ELOS-121-009 COMPLIANCE CHARGES

CAPACITY COST (ICAP & UCAP): PASSED THROUGH AT COST

TRANSMISSION LOSS CREDITS (TLCS): PASSED THROUGH AT COST

TRANSMISSION COST (INCLUDING NETWORK INTEGRATION SERVICE (NITS)

REGIONAL TRANSMISSION EXPANSION PLANNING (RETEP), FINANCIAL

TRANSMISSION REALLOCATION COSTS (TEAC), TRANSMISSION ENHANCEMENT (TEC)

: PASSED THROUGH AT COST

RELIABILITY MUST RUN (RMR): PASSED THROUGH AT COST

AUCTION REVENUE RIGHTS (ARR): PASSED THROUGH AT COST

FERC ORDER 745 AND FERC 494/EL05-121-009 COMPLIANCE COST: PASSED

THROUGH AT COST, MD OFFSHORE WIND RECS (ORECS): PASSED THROUGH @ COST

CONTRACTOR AGREES TO ADHERE TO THE APPLICABLE OPERATING POLICIES, CRITERIA AND/OR GUIDELINES OF THE FERC, NERC, PJM, ANY OF THE AFOREMENTIONED SUCCESSORS AND ANY REGIONAL OR SUB-REGIONAL REQUIREMENTS.

CONTRACTOR IS REQUIRED TO OFFER A FLAT, FIRM FIXED PRICE PER KILOWATT HOUR (KWH.) THE OFFERED PRICES SHALL REMAIN CONSTANT FOR THE FULL CONTRACT TERM. WHERE AVAILABLE, CONTRACTOR WILL PROVIDE CONSOLIDATED BILLING.

FOR ACCOUNTS NOT ELIGIBLE FOR CONSOLIDATED BILLING, CONTRACTORS INVOICE SHALL INCLUDE THE FOLLOWING:

CONTRACTOR NAME,

REMITTANCE ADDRESS,

FEDERAL TAX IDENTIFICATION NUMBER (OR IF SOLE PROPRIETORSHIP, THE

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TERMS (cont'd):

INDIVIDUAL'S SOCIAL SECURITY NUMBER,)
INVOICE PERIOD,
INVOICE DATE,
INVOICE NUMBER,

INVOICES SUBMITTED WITHOUT THE REQUIRED INFORMATION CANNOT BE PROCESSED FOR PAYMENT UNTIL THE CONTRACTOR PROVIDES THE REQUIRED INFORMATION.

CONTRACTOR SHALL INVOICE THROUGH MONTHLY UTILITY BILLS RENDERED BY THE EDC (CONSOLIDATED BILLING,) WHERE AVAILABLE, FOR EACH ACCOUNT INCLUDED IN THIS CONTRACT, IN ACCORDANCE WITH THE EDC PROCEDURES AND IN ACCORDANCE WITH REQUIREMENTS OF THE MARYLAND PUBLIC SERVICE COMMISSION.

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONDUCT ALL REQUIRED NOMINATIONS TO DELIVER ELECTRIC SUPPLY ON BEHALF OF THE FACILITIES SPECIFIED HEREIN. THE CONTRACTOR SHALL BE FULLY FAMILIAR WITH THE IMBALANCE, TRANSMISSION GRID LOSS AND LINE LOSS POLICIES OF BOTH THE EDC AND THE INTERSTATE/INTRASTATE TRANSMISSION COMPANIES. ANY ADDITIONAL COSTS AND/OR PENALTIES ASSOCIATED WITH DELIVERING FULL REQUIREMENTS WILL BE BORNE BY THE CONTRACTOR.

1.1.3 (H): THE CONTRACTOR MUST SATISFY ONE OF THE FOLLOWING FINANCIAL REQUIREMENTS:

1. PRIOR TO CONTRACT EXECUTION, POST AN IRREVOCABLE LETTER OF CREDIT IN THE AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT VALUE TO THE STATE AS THE SOLE BENEFICIARY. THE LETTER OF CREDIT SHALL BE IRREVOCABLE DURING THE TERM OF THE CONTRACT, IN A FORM SATISFACTORY TO THE STATE, AND SHALL BE DRAWN ON A BANK HAVING CAPITAL OF AT LEAST \$100,000,000.0 AND DEMONSTRATED TO BE INSURED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION AND A MEMBER OF THE FEDERAL RESERVE SYSTEM;

.....OR.....

2. PRIOR TO CONTRACT AWARD, PROVIDE A PERFORMANCE BOND IN THE AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT VALUE, IN A FORM SATISFACTORY TO THE STATE. AND DULY EXECUTED BY THE SUPPLIER AND A SURETY QUALIFIED TO DO BUSINESS IN THE STATE OF MARYLAND. THE BOND SHALL BE IRREVOCABLE DURING THE TERM OF THE CONTRACT. THE BOND SHALL BE IN THE FORM SPECIFIED AND REQUIRED BY COMAR 21.07.02.10

THE CONTRACTOR SHALL FURNISH A PERFORMANCE BOND IN THE AMOUNT OF TEN PERCENT (10%) OF THE AMOUNT BID. THE BOND SHALL BE RENEWED AT LEAST SIXTY (60) DAYS PRIOR TO THE ANNUAL ANNIVERSARY DATE OF THE CONTRACT. BOND SPECIFICATIONS, CONTINUED.....

BONDS MAY BE ANNUALIZED. THE PERFORMANCE BOND SHALL BE IN THE FORM SPECIFIED AND REQUIRED BY COMAR 21.07.02.10.

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TERMS (cont'd):

FAILURE BY THE CONTRACTOR TO DELIVER THE REQUIRED PERFORMANCE BOND BY THE SPECIFIED TIME MAY CASE THE CONTRACTOR'S BID TO BE REJECTED AND AWARD MAY BE MADE TO THE NEXT LOWEST RESPONSIVE AND RESPONSIBLE BIDDER.

NOTE: PERFORMANCE BOND OR IRREVOCABLE LETTER MUST BE SUBMITTED VIA PDF COPY.

FOR SERVICE START DATE REPORTING:

PRIOR TO ENROLLING ACCOUNTS WITH AN EDC, CONTRACTOR SHALL PROVIDE THE STATE A SPREADSHEET FOR EACH CONTRACT ENTITY CLEARLY IDENTIFYING EACH ACCOUNT NUMBER BEING SERVED AS A RESULT OF THE CONTRACT AWARD, THE SERVICE ADDRESS, BILLING ADDRESS AND SERVICE START DATE FOR EACH ACCOUNT.

ENROLLMENT REPORT:

NO LATER THAN THIRTY (30) DAYS PRIOR TO THE SERVICE START DATE, THE CONTRACTOR SHALL PROVIDE THE STATE WITH AN ENROLLMENT REPORT DETAILING THE STATUS OF EACH ACCOUNT ENROLLED.

ADMINISTRATIVE FEE:

THE STATE WILL ASSESS AN ADMINISTRATIVE FEE (\$0.001575/KWH) FOR ALL MARYLAND STATE GOVERNMENT & USM ACCTS IN THIS CONTRACT, AND THE CONTRACTOR AGREES TO COLLECT SUCH FEES ON BEHALF OF THE STATE. THE FEES SHALL NOT BE INCLUDED IN THE BID PRICE BUT SHALL BE INCLUDED AS A PASS THRU IN CONTRACTOR'S CHARGES.

FOR EASE OF BILLING, THE CONTRACTOR SHALL BE PERMITTED TO BILL THIS FEE AS A SEPARATE LINE ITEM IN ITS INVOICES. THE AMOUNT OF THE ADMINISTRATIVE FEE WILL BE PROVIDED BY THE STATE TO THE SUCCESSFUL CONTRACTOR.

THESE FEES SHALL BE COLLECTED ON BEHALF OF DGS AS A PASS THRU BY THE SUPPLIER AND PAID TO THE AGENCY MONTHLY, FOR ALL ELECTRICITY CONSUMED BY ACCOUNTS FOR WHICH CONTRACTOR HAS RECEIVED PAYMENT. THE FIRST PAYMENT IS ANTICIPATED TO BE DELIVERED ON OR BEFORE DECEMBER 1, 2024.

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TERMS (cont'd):

PAYMENT SHALL BE MADE PAYABLE TO:
STATE OF MARYLAND - DEPARTMENT OF GENERAL SERVICES
DIRECTOR OF FISCAL SERVICES
301 W. PRESTON ST.; ROOM 1309
BALTIMORE, MD 21201

ATTESTATION OF RENEWABLE ATTRIBUTES AND GREEN REPORTING:
CONTRACTOR SHALL COMPLY WITH THE RPS AS DEFINED BY STATUTE AND
ACCOMPANYING REGULATIONS HEREIN AND SHALL PROVIDE ITS PROPORTIONAL
SHARE OF THE RPS IN ITS FUEL MIX. WITHIN THIRTY (30) DAYS FOLLOWING
EACH CONTRACT ANNIVERSARY DATE, THE CONTRACTOR SHALL PROVIDE THE
AGENCY WITH A REPORT ATTESTING TO THE AMOUNT OF RENEWABLE ENERGY, AS
DEFINED BY STATE LAW, THAT HAS BEEN SUPPLIED INTO THE PJM GRID ON
BEHALF OF THE STATE OF MARYLAND, AND THE PERCENTAGE OF EACH
PARTICULAR RENEWABLE SOURCE USED TO GENERATE THE ELECTRICITY.

INSURANCE:
WITHIN FIVE (5) BUSINESS DAYS OF RECOMMENDATION FOR CONTRACT AWARD,
THE CONTRACTOR SHALL PROVIDE THE CONTRACT MONITOR WITH CURRENT
CERTIFICATES OF INSURANCE AND SHALL UPDATE SUCH CERTIFICATES
ANNUALLY.

THE CONTRACTOR SHALL PROVIDE CONTACT INFORMATION TO THE CONTRACT
MONITOR AS WELL AS TO OTHER STATE PERSONNEL AS DIRECTED.

THE DEPARTMENT OF GENERAL SERVICES "TERMS AND CONDITIONS FOR
COMMODITY CONTRACTS OVER \$100,000 AND ALL SPECIFICATIONS, TERMS AND
CONDITIONS OF SOLICITATION 001IT821447 / BPM043977 ARE INCORPORATED
HEREIN.

POTOMAC EDISON 95750

\$0.06788

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TERMS (cont'd):

POWER GENERATION, TRANSMISSION, DISTRIBUTION (DESIGN SERVICES)

(EFT) UNLESS THE STATE COMPTROLLER'S OFFICE GRANTS AN EXEMPTION. PAYMENT BY EFT IS MANDATORY FOR CONTRACTS EXCEEDING \$100,000. THE SELECTED BIDDER/OFFERER SHALL REGISTER USING THE COT/GAD X-10 VENDOR EFT REGISTRATION REQUEST FORM. ANY REQUEST FOR EXEMPTION MUST BE SUBMITTED TO THE STATE COMPTROLLER'S OFFICE FOR APPROVAL AT THE ADDRESS SPECIFIED ON THE COT/GAD X-10 FORM, SHALL INCLUDE THE BUSINESS IDENTIFICATION INFORMATION AS STATED ON THE FORM AND SHALL INCLUDE THE REASON FOR EXEMPTION. THE COT/GAD X-10 FORM MAY BE DOWNLOADED FROM:

[HTTPS://COMPTROLLER.MARYLANDTAXES.COM/GOVERNMENTSERVICES/STATE_ACCOUNTING-INFORMATION/STATIC_FILES/APM/GADX-10.PDF](https://comptroller.marylandtaxes.com/governmentservices/state_accounting-information/static_files/apm/gadx-10.pdf).

AGENCY CONTACT: LIONEL HILL, LIONEL.HILL@MARYLAND.GOV, 410-767-4386

AGENCY CONTACT: SUZANNE RUSSELL, SUZANNE.RUSSELL@MARYLAND.GOV
410-767-5330

0005 90668-ELECSE EA .0678

ELECTRICITY TRANSMISSION AND DISTRIBUTION SERVICE FOR MULTIPLE METERS

_____ END OF ITEM LIST _____

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AUTHORIZED BY: _____

Tierra Ali Said

DATE: 9/20/2024

BUYER AUTHORIZED DESIGNEE