

**34407**  
**ADOPTED**  
**BOARD OF TRUSTEES COMMUNITY COLLEGE DISTRICT NO. 508**  
**FEBRUARY 3, 2022**

**BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT NO. 508**  
**COUNTY OF COOK AND STATE OF ILLINOIS**

**ELECTRIC CURTAILMENT AGREEMENT**  
**CONSTELLATION NEWENERGY, INC**  
**ENERWISE GLOBAL TECHNOLOGIES LLC. (DBA CPOWER)**  
**OFFICE OF ADMINISTRATIVE AND PROCURMENT SERVICES**  
**DISTRICT WIDE**

**THE CHANCELLOR RECOMMENDS:**

that the Board of Trustees authorizes the Chair, upon final approval of the General Counsel of the legal form of such agreements, to execute an electric curtailment agreement with Constellation NewEnergy, Inc. and Enerwise Global Technologies LLC., dba CPower for the period beginning June 1, 2022 through May 31, 2023, for all City Colleges of Chicago facilities.

**VENDOR:** Constellation NewEnergy, Inc  
1310 Point Street, 8th Floor  
Baltimore, MD 21231

Enerwise Global Technologies LLC. dba CPower  
111 Market Place, Suite 201  
Baltimore, MD 21202

**USER:** District Wide

**TERM:**

The term shall begin June 1, 2022 and shall end on May 31, 2023.

**SCOPE OF SERVICES:**

Constellation NewEnergy, Inc. will continue to supply electricity and manage the City Colleges account. Enerwise Global Technologies LLC., dba CPower shall serve as the designated demand response provider/ curtailment provider for City Colleges of Chicago.

CPower will facilitate the participation of City Colleges of Chicago facilities in the PJM Emergency Load Response Program ("ELRP") for the 2022/2023 Delivery Year (with Delivery Year meaning June 1st of a year through May 31st of the following year). In accordance with the requirements of the PJM Rules and the terms and conditions of this Confirmation, ELRP provides the Accounts the opportunity to participate in PJM's capacity market and earn compensation for providing verifiable load reductions during ELRP events initiated by PJM or tests of ELRP in the event that PJM does not initiate any ELRP events during an applicable Delivery Year.

Funds earned by the District will be held in escrow by CPower and used for ongoing building automation system and HVAC upgrades and maintenance with Board-approved contractors, including those contractors with agreements through purchasing consortiums pursuant to Board Reports 29816 and 32583.

**BENEFIT TO CITY COLLEGES OF CHICAGO:**

The curtailment compensation provides a financial benefit to the District that is reinvested in energy and air handling equipment. All functionality and energy efficiency work performed contributes to reducing other operational and capital spending.

**VENDOR SELECTION CRITERIA:**

The contract being utilized as a part of the joint purchasing agreement has been advertised and awarded in accordance with the procurement procedures of the State of Illinois, Contract #CMS5882960.

Pursuant to State law, contracts for goods and services procured from another governmental entity are exempt from the District's competitive bidding requirements.

**MBE/WBE COMPLIANCE:**

The Office of Contract Compliance has reviewed the proposed transaction and recommends a waiver of the Board Approved Participation plan due to the nature of the services (electricity curtailment management) and the absence of subcontracting opportunities.

**GENERAL CONDITIONS:**

Inspector General – It shall be the duty of each party to the agreement to cooperate with the Inspector General for City Colleges of Chicago in any investigation conducted pursuant to the Inspector General's authority under Article 2, Section 2.7.4(b) of the Board Bylaws.

Ethics – It shall be the duty of each party to the agreement to comply with the applicable provisions of the Board's Ethics Policy adopted January 7, 1993, and as amended by the Board.

Contingent Liability – Pursuant to Section 7-14 of the Illinois Public Community College Act, all agreements authorized herein shall contain a clause that any expenditure beyond the current fiscal year is subject to appropriation in the subsequent fiscal year.

**FINANCIAL**

**Total:** No Cost

**Respectfully submitted,**

**Juan Salgado, Chancellor**

**February 3, 2022 – Office of Administrative and Procurement Services – District Office**