

AMENDMENT TO THE SERVICES AGREEMENT

This Amendment to the Services Agreement, by and between the City of Urbana, Illinois, located at 400 S. Vine St. Urbana, Illinois and Good Energy, L.P., with offices located at 232 Madison Avenue, New York, NY 10016 (collectively, the "Parties") is hereby entered into as of January 11, 2016.

WHEREAS, the Parties entered into a Services Agreement (the "Agreement") on April 17, 2012, and

WHEREAS, the original term of the Agreement has expired.

WHEREAS, the Parties desire to renew and extend the Agreement under the same terms and conditions contained therein; and

NOW, THEREFORE, in consideration of the mutual promises contained herein and in the Agreement, and other good and valuable consideration given and received, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The Agreement shall be automatically renewed and extended on its original terms and conditions, except as otherwise provided in Paragraph 2 below, for a term equal to the term of the electricity supply contract entered into or renewed by the City of Urbana. Nothing in this Amendment shall be deemed, construed or interpreted as altering the rights of the City of Urbana to terminate the Agreement, including this Amendment, in accordance with Paragraph III of the Agreement concerning "Term and Termination."
2. By mutual agreement, the Parties agree to strike Paragraph I.A.7. of the original Agreement in its entirety.
3. This Amendment binds the Parties and their successors or assigns.
4. This document, including the attached original Agreement incorporated herein and made a part hereof but as amended herein, constitutes the entire agreement between the Parties, superseding any prior understandings, arrangements or agreements whether in writing or oral.
5. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the dates set forth below, to be effective as of the date first set forth above

GOOD ENERGY, L.P.
By: Good Offices Technology Partners, LLC,
General Partner

Sign: 
Print: Maximilian Hoover
Title: Manager
Date: 2/5/16

City of Urbana, IL
By: Mayor Laurel Lunt Prussing

Sign: 
Print: Laurel Lunt Prussing
Title: Mayor
Date: 2/3/16

RESOLUTION NO. 2016-01-001R

**A RESOLUTION APPROVING A PROFESSIONAL ENERGY CONSULTING SERVICES
AGREEMENT WITH GOOD ENERGY, L.P.**

(Municipal Electrical Aggregation)

WHEREAS, the City is a home-rule unit of local government pursuant to Article VII, Section of the Illinois Constitution of 1970; and

WHEREAS, Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1-92, permits a municipality, if authorized by referendum, to adopt an ordinance by which it may operate a program to solicit bids and enter into service agreements for the sale and purchase of electricity and related services and equipment to residential and small commercial customers who do not opt-out of such a program; and

WHEREAS, the City of Urbana ("City"), in a referendum held on March 20, 2012, submitted the public question of whether it should operate the program as an opt-out program; and

WHEREAS, the referendum passed by a majority vote of the qualified electors voting on the question; and

WHEREAS, the City Council finds that the best interests of the City are served by entering into an agreement with the lowest responsible bidder, pursuant to 20 ILCS 3855/1-92, to aggregate the residential and small commercial retail electric loads located within the City and to arrange for competitive electric supply to these retail electrical accounts; and

WHEREAS, because electricity is a commodity for which supply bids typically are made each morning and expire the same day at the close of business, the City must act promptly to accept any such desired bid in order to contractually guarantee a per kilowatt hour electric rate for its residential and small commercial customers; and

WHEREAS, the City and Good Energy, L.P. entered into a Services Agreement on September 3, 2012 (the "Agreement"), and

WHEREAS, the original term of the Agreement has expired; and

WHEREAS, the Parties desire to renew and extend the Agreement under the same terms and conditions contained therein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

The Agreement (a copy of which is attached hereto and made a part hereof), shall be and hereby will be and is extended for a term equal to that of the term of the electricity supply contract entered into or renewed by the City and Good Energy, L.P.

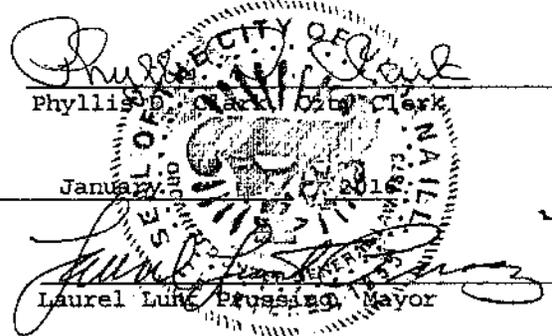
PASSED BY THE CITY COUNCIL this 11th day of January, 2016.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINS:

APPROVED BY THE MAYOR this 13th day of


Phyllis [Signature] City Clerk
January [Signature] 2016
Laurel Lunt Prussing, Mayor