

COVER SHEET

Proposer Information

Company Name	Constellation NewEnergy - Gas Division, LLC
Address	2348 SW Topeka Blvd #203
City, State, Zip	Topeka, KS 66611
Main Phone	785-274-4957

Contact Person Information

Name	Amy Williams
Job Title	Account Manager II - Renewal
Phone	785-207-1149
Alt. Phone	785-274-4957
Email	amy.williams@constellation.com

Signature



Date:

9/8/20



September 8, 2020

Richard Appelhanz
Accountant
Topeka Metro
201 N. Kansas Ave.
Topeka, KS 66603

RE: Response to Topeka Metro Request for Bids

Dear Mr. Appelhanz,

Constellation NewEnergy-Gas Division, LLC, a subsidiary of Exelon Corporation, is pleased to offer the attached proposal per the request referenced above. As one of the largest retail energy suppliers in North America, Constellation is uniquely qualified to serve as your retail energy supplier. Constellation is a proud member of the Exelon Corporation family (NYSE: EXC).

Per your request we are prepared to offer you the product(s), term, and price set forth in the attached supply agreement to meet your energy needs.

Constellation's success is built upon strength, flexibility and our intense focus on customer satisfaction. We are the chosen supplier of approximately 100,000 business and public sector customers across the United States and Washington DC, including two-thirds of the Fortune 100. Constellation is committed to providing you with superior service, unique market insight and comprehensive energy solutions to help you manage and lower your total energy cost.

Constellation NewEnergy-Gas Division, LLC is an approved supplier behind Kansas Gas Service.

Constellation is managing five pools between Southern Star, Northern Natural Gas and Panhandle pipelines. Constellation currently manages 2500+ meters behind Kansas Gas Service. These assets and flowing supply are paramount to our commitment to customers, longevity in the market and reputation for reliable, seamless and outstanding customer service.

Thank you for the opportunity to respond to this RFP. As a reliable supplier to Topeka Metro for many years, Constellation and its predecessors have appreciated the opportunity to meet your natural gas supply needs. We appreciate the opportunity to submit our response and we look forward to the opportunity to continue serving your energy needs.

Should you have questions, please do not hesitate to call.

Regards,

Amy Williams
Account Manager II-Renewal
785.207.1149
Amy.williams@constellation.com

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Supply and Service Proposal

Term:

Year 1: SSTAR FERC + \$0.21 plus fuel, plus transportation costs
*No additional incremental charges or cashouts

Year 2: SSTAR FERC + \$0.21 plus fuel, plus transportation costs
*No additional incremental charges or cashouts

Year 3: SSTAR FERC + \$0.21 plus fuel, plus transportation costs
*No additional incremental charges or cashouts

*Additional cost savings options offered by Constellation Energy

Cost Saving Option #1:

Year 4: SSTAR FERC + \$0.21 plus fuel, plus transportation costs
*No additional incremental charges or cashouts

Cost Saving Option #2:

Constellation will offer a Managed Pool Service price with adder of \$0.21, compared to the SSTAR FMI price offered. The Managed Pool Service rate is very similar to the full requirements FMI rate offered but has historically performed just a bit better than the SSCGP FMI rate. This would also be a full-requirements product, no additional incremental charges or cashouts, and all fuel and transportation costs are including in the total invoice price. All things equal, it tends to be a more strategic way to purchase gas the way you have historically with the flexibility to lock-in a fixed price at any time that market conditions allow.

Cost Saving Option #3:

While Constellation cannot sell you competitively-priced electricity, we can help you reduce your electric costs through our Efficiency Made Easy program—our natural gas customers can get funding for their energy efficiency projects with no upfront capital using our Efficiency Made Easy program.

PRICE QUOTE

Please show how much your company will charge above the SSCGP First of the Month Index. This is the only acceptable type of price quote.

Year 1 \$ 0.21 (Plus Fuel, Plus Transportation)

Year 2 \$ 0.21 (Plus Fuel, Plus Transportation)

Year 3 \$ 0.21 (Plus Fuel, Plus Transportation)

If your company does not offer three-year contracts, how long would your contract run? _____ years

Complete your price quote in one of two ways:

- 1) Complete a price quote for each year of the contract.
- 2) Complete a price quote for the first year of the contract and show the maximum percentage increase for years 2-3.

Topeka Metro is tax exempt. Do not include sales tax in your proposed price.

Executive Summary

Constellation is one of the nation's leading retail natural gas suppliers, delivering more than 1.6 TCF of gas annually to customers, and maintaining a retail gas customer retention rate of over 90%. Our presence in the natural gas market includes trading, transport and storage, physical gas supply, pricing and risk management. Constellation helps residential consumers, commercial and industrial businesses, and governments and institutions buy, manage and use their energy. Customers enjoy a wide range of innovative and integrated solutions, from electricity, natural gas and renewable energy supply to energy management solutions, including load response, real-time energy management and solar and energy efficiency projects.

Constellation is Exelon's competitive retail and wholesale energy business. Constellation and its companies provide an array of innovative energy products and services to customers across the United States and in Canada. Headquartered in Baltimore, Constellation serves approximately 2.2 million residential, public sector and business customers, including more than two-thirds of the Fortune 100.

Exelon Corporation

The leading U.S. competitive energy provider, with one of the cleanest and lowest-cost power generation fleets and largest retail customer bases in the country. In 2016 Exelon had approximately \$31.4 billion in annual revenues and trades on the NYSE.

How Exelon Ranks

- Named to Fortune magazine's 2017 list of the "World's Most Admired Companies"
- A top-ranked electric and gas utility on the FORTUNE 500 each year since 2008
- Ranked among the top five U.S. utility companies in Newsweek's 2017 Green Rankings
- Named to the Dow Jones Sustainability North America Index for the 12th year in a row in 2017.

Our Energy Management Business Approach is:

To act as an extension of our Customer's business, by sitting on their side of the table in the negotiation process, utilizing our energy experience and know how to; gain maximum value, manage risks, remove doubt and uncertainty, free-up Customer resources, and have a long and mutually beneficial relationship.

Background and Qualifications

Experience:

Constellation has been a leader in the competitive energy business since the advent of open markets. In 1995, we began serving retail energy customers in the newly competitive electricity market. Today we have teams of energy professionals in each of our local markets and are leading advocates in helping to shape energy markets throughout North America.

Customer Service:

We regularly receive high ratings from customers in customer satisfaction surveys. We know our customers have a choice, and our goal is to provide a consistently high level of service to ensure that their choice of an energy supplier is effortless.



Product and Market Experience:

Constellation offers unparalleled breadth and depth in every category that is critical to fulfilling your business’s natural gas requirements.

Supply	Market participant in all major supply basins and trading points in N. America
Transportation	Active on more than 45 interstate pipelines on a daily basis
Distribution	Schedule, nominate and balance on 145+ LDCs
Risk Management	Unique and proven programs offered to facilitate purchasing strategies
Tariffs	Expertise managing 145+ LDC and pipeline tariffs
Reporting	In-house systems managing over 16,000 customer facilities
Operation	Managing supply, transportation and distribution 24 hrs/day
People	Over 250 Energy Management Professionals

Products:

We tailor our products to fit your needs, bringing you the right product at the right price. We provide innovative supply-side products and services that enable you to manage your total energy costs and mitigate the effects of volatile energy prices.

Values:

You can depend on us. Honesty and integrity are at the core of the way we do business. We demonstrate this through our personalized relationships with customers, our openness with contracts and our involvement in our communities. We honor our commitments.

Driving Competition and Customer Choice

As the nation’s largest competitive energy provider, Exelon maintains a strategic presence in key competitive markets and believes that competition drives choice, innovation and savings for businesses and residential customers alike. The company champions competitive power markets as the best framework for meeting important economic and environmental policy objectives, including ensuring the nation’s shift to a cleaner energy supply in the most cost-effective manner.

Constellation Business Unit Descriptions

Our Businesses	Quick Facts
Retail Supply	<ul style="list-style-type: none"> • Natural Gas: 730 Bcf delivered in open retail markets (2017) • Retail Power: 139 TWh load served (2017) • Energy Efficiency: 850,000 MWh conserved by customers (2017) • Solar: 327 MW of solar installations completed or under construction (2017) • Trusted supplier to 2/3 of the Fortune 100 • Over 195,610 C&I & Public Sector customers • Over 2 million residential customers
Wholesale Supply	Customers include: <ul style="list-style-type: none"> • Municipal electric utilities • Cooperative and investor-owned utilities • Major commodity trading houses • Retail energy suppliers • Power plant gas supply and asset management agreements • Upstream asset management services



Financial Information:

Legal Name: Constellation NewEnergy – Gas Division, LLC 9400 Bunsen Parkway Suite 100 Louisville, KY 40220 Tel 800.900.1982

CNEG is a subsidiary of Exelon Corporation. CNEG's Tax I.D. # is 23-2990190 and is a Kentucky limited liability company. CNEG does not have a credit rating with the rating agencies.

Ratings of its parent, Exelon Corporation are noted below:

- The NYSE Ticker Symbol for Exelon is EXC
- Exelon's credit ratings are as follows:
- S&P: BBB+; Moody's: Baa1; Fitch: BBB+
- Dun & Bradstreet Number: 062500678

Constellation & Exelon's most recent 10K and 10Q information can be found at:

<http://www.exeloncorp.com/performance/investors/overview.aspx>

Electronic copies of Exelon's Annual Reports can be found at:

<http://www.exeloncorp.com/performance/investors/overview.aspx>

Professional Bio's assigned to Topeka Metro Account

Steven Sorenson – Regional Sales Manager

As Regional Sales Manager, Steven Sorenson has 31 years of experience in the natural gas industry and joined Constellation Energy in 2007 first as a Director of Ethanol Services before becoming a Regional Sales Manager covering 11 Mid Continent states including Minnesota. Mr. Sorenson manages supply and transportation across 11 pipelines, which includes over 3,000 C&I customers and over 100 Bcf of natural gas. Prior to joining Constellation Energy, he was a General Manager of AlintaGas Sales and Marketing in Western Australia, Key Account Executive of UtiliCorp Energy Delivery, and served in accounting, sales, and marketing positions at Northern Minnesota Utilities. He holds a Bachelors of Business Administration (B.B.A.) from the University of Minnesota Duluth.

Amy Williams – Dedicated Account Manager, Renewals

A life-long resident of Kansas; since 2010 Ms. Williams has been involved in multiple aspects of the natural gas business, including Customer Service, Account Management and Analysis, Invoicing and Sales. She has worked with a diverse range of clients including residential, small commercial and large industrial businesses, helping them understand their gas needs. She holds a Bachelor of Science in Business Administration and Marketing from Kansas State University and an Associate of Science, Agribusiness degree from Garden City Community College.

Natural Gas Management and Procurement Services

Constellation is uniquely positioned to provide real value back to Topeka Metro.

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Constellation NewEnergy-Gas service offerings include:

- Natural Gas Baseload Supply Procurement Services – a bid process with three or more wholesale suppliers.
- Capacity Management Services, including Asset Management Agreements with guaranteed capacity release rates and values.
- Risk Management Services, including a risk tolerance assessment for a customized Customer experience.
- Pipeline Management Services: Expertise on Northern Natural Gas Pipeline, including SMS, ROFR, and Capacity recommendations, and invoice audit, review and payment services.
- Volume Management Services: Nomination, scheduling, and balancing services that closely match receipts to deliveries on a daily and monthly basis.
- Natural Gas Budgets Services: provided both quarterly, and annually that encompass all closed price positions and open positions at the then current NYMEX and basis price levels.
- Data, Invoice and Contract Management – to ensure the customer stays informed and information is available 24/7, and that invoices tie out to gas accounting, and are paid on time.
- Online Energy Management Reporting Portal through Energy Manager.
- Natural Gas Products – that systematically manage price risk, ideally suited for the Customer that wants to manage market volatility without dedicating valuable employee resource time.

REPORTING AND CUSTOMER DATA ACCESS

At Constellation, we strive to provide you the best-in-class online account management tools. Energy Manager has new features and streamlined reporting to help you better manage your energy needs 24/7. Energy Manager will provide you:

- Easy access to your accounts in a modern user interface
- Quick access to your account information from your mobile phone and tablet
- Enhanced online bill pay and auto-pay, now including debit and credit card payments
- Visually enhanced energy usage dashboards
- Customized logins for multiple employees at your company

Disclaimers

Constellation Energy Resources, LLC. Constellation NewEnergy, Inc., Constellation NewEnergy-Gas Division, LLC and their respective affiliates are separate legal entities and subsidiaries of Exelon Corporation that use the "Constellation NewEnergy" and "Constellation" names, as well as "Constellation" and/or "Constellation Energy Resources, LLC" trademark and associated logo for marketing and advertising purposes only. No obligation on the part of any such entity should be deemed to arise through the use of such names or marks and nothing in this material is intended to override the legal separateness of each of the entities. Statements made may reflect the combined experience or offerings of one or more of the entities and not necessarily each or any specific entity. Nothing in these materials constitutes an offer to sell or purchase regulated products or services by any such entity in any jurisdiction in which the purchase or sale of such regulated products or services by such entity is prohibited. No claim is made that the electricity or gas supplied in any transaction described or proposed was generated from a specific or renewable resource. The information contained herein has been obtained from sources which Constellation NewEnergy, Inc. and Constellation NewEnergy-Gas Division, LLC (collectively, "Constellation") believe to be reliable. Constellation does not represent or warrant as to its accuracy or completeness. All representations and estimates included herein constitute Constellation's judgment as of the date of the presentation and may be subject to change without notice. This material has been prepared solely for informational purposes relating to our business as a physical energy provider. We are not providing advice regarding the value or advisability of trading in "commodity interests" as defined in the Commodity Exchange Act, 7 U.S.C. §§ 1-25, et seq., as amended (the "CEA"), including futures contracts, swaps or any other activity which would cause us or any of our affiliates to be considered a commodity trading advisor under the CEA. Constellation does not make and expressly disclaims, any express or implied guaranty, representation or warranty regarding any opinions or statements set forth herein. Constellation shall not be responsible for any reliance upon any information, opinions, or statements contained herein or for any omission or error of fact. All prices referenced herein are indicative and informational and do not connote the prices at which Constellation may be willing to transact, and the possible performance results of any product discussed herein are not necessarily indicative of future results. This material shall not be reproduced (in whole or in part) to any other person without the prior written approval of Constellation.

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References

1. **Most Pure Heart of Mary Church**
Bruce Burns
bruceburns@cox.net
2. **Advisors Excel**
Robin Boudreau
robin.boudreau@advisorsexcel.com
3. **YWCA of Northeast Kansas, Topeka**
Kathleen Marker
kathleenm@ywcaneks.org

DISADVANTAGED BUSINESS ENTERPRISES (DBE) CERTIFICATION

This contract is subject to the requirements of Title 49, Code of Federal Regulations, Part 26, *Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs*. The national goal for participation of Disadvantaged Business Enterprises (DBE) is 10%. Metro's overall 2019-2021 goal for DBE participation is 2.00%; the race neutral goal is 1.12%, and the race conscious goal is 0.88%. There is no contract goal for this procurement.

The contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of this DOT-assisted contract. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as Metro deems appropriate. Each subcontract the contractor signs with a subcontractor must include the assurance in this paragraph (see 49 CFR 26.13(b)).

The contractor is required to pay its subcontractors performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor's receipt of payment for that work from Metro.

The contractor may not hold retainage from its subcontractors.

The contractor must promptly notify Metro, whenever a DBE subcontractor performing work related to this contract is terminated or fails to complete its work, and must make good faith efforts to engage another DBE subcontractor to perform at least the same amount of work. The contractor may not terminate any DBE subcontractor and perform that work through its own forces or those of an affiliate without prior written consent of Metro.

Signature:

Amy Williams

Name and Title:

Amy Williams, Account Manager II - Renewal

Company Name:

Constellation NewEnergy - Gas Division, LLC

Date:

9/8/20

NON-COLLUSION CERTIFICATION

This is my sworn statement to certify that this proposal was not made in the interest of or on behalf of any undisclosed entity. This proposal is not collusive.

This proposer has not been a party to any agreement or collusion in restraint of freedom of competition by agreement to bid a fixed price, to refrain from bidding, or otherwise. This proposer has not, directly or indirectly, by agreement, communication or conference with anyone, attempted to induce action prejudicial to the interest of Topeka Metropolitan Transit Authority, or of any proposer, or anyone else interested in the proposed contract.

Signature: Amy D. Williams

Name and Title: Amy Williams, Account Manager II - Renewal

Company Name: Constellation NewEnergy - Gas Division, LLC

Date: 9/8/20

SUSPENSION / DEBARMENT CERTIFICATION

In regard to 2 CFR Parts 180 and 1200

In accordance with 2 CFR Parts 180 and 1200, the contractor is required to verify that none of its principals or affiliates:

- 1) is included on the federal government's suspended and debarred list;
- 2) is proposed for debarment, declared ineligible, voluntarily excluded or disqualified;
- 3) within three years preceding this proposal, has been convicted of or had a civil judgment rendered against them for (a) commission of fraud or criminal offense pertaining to performing a public transaction, (b) violation of any federal or state antitrust statute, or (c) embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
- 4) is indicted or charged by a governmental entity for any of the charges in 3) above; and
- 5) has had any public transaction terminated for cause or default within three years preceding this proposal.

The contractor is required to include this requirement in any subcontracts related to this contract.

By signing and submitting its proposal, the proposer certifies that the certification in this clause is a material representation of fact relied upon by Metro. If it is later determined that the proposer knowingly rendered an erroneous certification, in addition to remedies available to Metro, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment. The proposer agrees to verify that none of its principals or affiliates is included on the federal government's suspended and debarred list at any time throughout the period of this contract. The proposer further agrees to include a provision requiring the same compliance in its subcontracts related to this contract.

Signature:

Amy Williams

Name and Title: Amy Williams, Account Manager II - Renewal

Company Name: Constellation NewEnergy - Gas Division, LLC

Date: 9/8/20