

## Disclosure of Class 3 Contracts

<b>Name of Contract</b>	Retail Energy Supply Contract
<b>Tender Number</b>	RFT 2023/40
<b>Successful Tenderer</b>	Diamond Energy Pty Ltd
<b>Address for Tenderer</b>	101 Greville Street Pahran VIC 3181
<b>Sub-Contractors</b>	NA
<b>Council Meeting Date</b>	20 March 2024
<b>Contract Commencement Date</b>	1 July 2024
<b>Duration of Contract</b>	This is a 2 year contract with a 2 x 2 year extension periods
<b>Description of Goods/Services/ Consultancy</b>	Undertake the manage of retail energy supply to the market
<b>Tendered Amount (excl GST)</b>	Potential for up to \$5,000,000
<b>Provisions for Variation to the Amount</b>	NA
<b>Provisions for renegotiation</b>	NA
<b>Method of Tender</b>	An EOI was undertaken and then a selective tender process was undertaken
<b>Criteria of Tender Evaluation</b>	Price - 30%, Demonstrated understanding of the project requirements – 25%, Experience & Capability - 15%, Approach to Performance Optimisation – 20% and Risk Management - 10%
<b>Provision for Operation and Maintenance Services</b>	NA
<b>Particulars of any future transfer of significant assets to and from the agency</b>	NA
<b>Results of cost-benefit analysis</b>	<p>This contract takes into account:</p> <ul style="list-style-type: none"> <li>• revenue producing sales of excess energy and purchases of consumable energy;</li> <li>• establishment of services;</li> <li>• installation of managing systems; and</li> <li>• anticipated upgrades of electricity meters, and scada systems.</li> </ul> <p>The total value of the submissions has been assessed using a simulated methodology taking into account historical consumption, historical market pricing, anticipated solar array generation and actual site data. This data analysis resulted in an</p>

	<p>estimated value of Councils electricity contract annually. The recommended tenderer after this analysis was complete was Diamond Energy, which had the lowest total cost of energy result.</p>
<p><b>Particulars of how risk will be apportioned, if relevant</b></p>	<p>The following were asked of tenderers:</p> <ul style="list-style-type: none"> <li>• Please supply a risk plan that would inform MWRC implementation and management of the project.</li> <li>• Please expand upon mitigation options for Council if the powerplant becomes unoperational for a period of time.</li> <li>• MWRC requires financial checks as part of due diligence should you become the preferred supplier. Please provide summary documentation for review now.</li> </ul> <p>other due diligence was undertaken to ensure reputable organisation.</p>
<p><b>Particulars of any significant guarantees or undertaking between the parties</b></p>	<p>NA</p>
<p><b>Any other key elements of the contracts</b></p>	<p>NA</p>
<p><b>A copy of the contract must be provided</b></p>	<p>K:\Finance\Procurement\Procurement\2023-24\RFT 2023-40 - Retail Energy Supply Contract incorporating 5MW Solar Generator\6. Close out (Manage)\Contract details\Final Contract Docs - Diamond Energy\MWRC DE_ESA and PPPT Agreement - Schedule (Final)</p> <p>K:\Finance\Procurement\Procurement\2023-24\RFT 2023-40 - Retail Energy Supply Contract incorporating 5MW Solar Generator\6. Close out (Manage)\Contract details\Final Contract Docs - Diamond Energy\MWRC DE_ESA and PPPT agreement T and Cs (Final)</p>