

# Purchase Change Request



Marshall University  
Office of Purchasing  
One John Marshall Drive  
Huntington, WV 25755-4100

**Order #**  
MU20NATGAS

FY 24	Buyer MD	Date 07/28/23	Account VARIES	P.O. Date 05/14/2019	Contract MU20NATGAS
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<b>Document</b> <input type="checkbox"/> Requisition (Cancellation only) <input type="checkbox"/> Regular Purchase Order <input type="checkbox"/> Contract Purchase Order <input checked="" type="checkbox"/> Open End Contract Purchase <input type="checkbox"/> Agreement	<b>Document Action</b> <input type="checkbox"/> Cancellation <input checked="" type="checkbox"/> Increase/Decrease <input type="checkbox"/> Unused Balance <input type="checkbox"/> Freight <input type="checkbox"/> Renewal <input checked="" type="checkbox"/> Extension Error	<input type="checkbox"/> Error in Total Amount <input type="checkbox"/> Change of Account <input type="checkbox"/> Change of Vendor Name/Address <input type="checkbox"/> Other
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Vendor Name, Address, Phone #, etc. Direct Energy Business, LLC P.O. Box 32179 New York, NY 10087-2179	Vendor Code 25-1821047	BOG Unit Name & Address Marshall University Office of Purchasing One John Marshall Drive Huntington, WV 25755-4100
Ph# 330-832-3860	Fax	FEIN# 25-1821047

Item#	Quantity	Description of Change	Unit Price	Extended Price
		<p align="center"><b>Change Order # 5</b></p> <p align="center">Natural Gas and Transportation Service Contract</p> <p>To make the following changes in accordance to all terms, conditions and pricing contained in the original contract and all approved change orders.</p> <p>1. Add the following locations: Buskirk Hall and 1615 3rd Ave. Ref. Natural Gas Transaction Confirmation Dated 7/10/23.</p> <p>2. To correct the renewal dates listed on change order 4.            - Original Term listed: 11/1/22 - 10/31/23            - Corrected Term: 11/1/22 - 10/31/24            Renewal 3 of 4, 1 renewal remaining.</p> <p>No other changes made.</p> <p>Vendor Contact: Chris Feucht: Christine.feucht@directenergy.com</p>		

Reason for Change: Adding locations and correcting renewal term	Previous Total	\$ OPEN-END
	Increase	\$ _____
	Decrease	\$ _____
	New Total	\$ OPEN-END

Approved: Misty DiSilvio 7/31/23  
 Authorized Signature Date

N/A  
 Attorney General if required Date



**Direct Energy Business Marketing, LLC**  
**d/b/a Direct Energy Business**  
 804 Carnegie Center Dr, Princeton, NJ,  
 08540 1.888.925.9115  
[www.directenergy.com](http://www.directenergy.com)

**Date:** 07/10/2023  
**Time:** 9:05 AM  
**Proposal ID:** 68559575  
**Marketer Name:** Feucht, Chris

**CUSTOMER INFORMATION**

**Customer Name:** Marshall University  
**Contact Name:** Accounts Payable  
**Address:** 1 John Marshall Drive PO #P2300132  
 HUNTINGTON, WV 25755 US  
**Telephone:** (304) 696-2992      **Fax:** (304) 696-3333  
**Email:**

New       Renew  
**Billing Contact:**  
**Billing Address:**  
**Telephone:**      **Fax:**

**NATURAL GAS TRANSACTION CONFIRMATION**

This Transaction Confirmation confirms the terms of the Gas Transaction entered into between Direct Energy Business Marketing, LLC d/b/a Direct Energy Business (“Seller”), and the customer above (“Buyer” or “Customer”) pursuant to the terms of the Commodity Master Agreement (CMA) between Buyer and Seller dated April 25, 2019 as may be amended. The Purchase Price excludes Utility distribution charges and Taxes that are or may be the responsibility of Buyer. Gas volumes will be adjusted for Utility line loss, where applicable. The prices listed below are based on market conditions as of the time, stated above, that this Transaction Confirmation was issued and may be adjusted by Seller to reflect market conditions as of the date it is executed and returned by Buyer. THIS TRANSACTION CONFIRMATION WILL NOT BE EFFECTIVE UNTIL SIGNED BY BOTH PARTIES.

**SERVICE LOCATIONS**

(Additional pages may be attached if necessary)

Service Address	Utility Account Number	Rate
Buskirk Hall	350780-416028	Unknown
1615 3rd. Ave.	366652-436494	Unknown

**DELIVERY PERIOD**

Begin: 09/01/2023

End: 10/31/2024

The service start date hereunder will be the date that the Utility enrolls Customer for Seller’s service. Seller will request the Utility to enroll Customer on the first meter read date within the Delivery Period.

Upon the expiration of the Delivery Period, this Transaction shall continue for successive one month terms (collectively the “Renewal Term”) until either Party notifies the other Party in writing of its intention to terminate, at least 15 days prior to (1) the end of the Delivery Period or (2) during the Renewal Term, the earlier of the end of each successive month Renewal Term or the next cycle read date. After notice is given as contemplated in the previous sentence, the date of termination (“Termination Date”) shall be the next effective drop date permitted by the Utility. The Purchase Price for delivery to the Delivery Point during the Renewal Term or for any period outside of the Delivery Period, shall be the then Market Price for delivery to the Delivery Point, unless otherwise agreed to in writing.

**DELIVERY POINT**

Mountaineer Gas Co. / MGC 27-16 POINT

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**CONTRACT QUANTITY (MMBTU)**

Buyer and Seller agree that the Contract Quantity purchased and received means a positive volume up to or greater than the estimated quantities listed below, provided, that for purposes of determining whether a Material Deviation has occurred and for purposes of calculating Contract Quantities remaining to be delivered under the Remedies section of the CMA, Contract Quantity shall be determined by reference to the applicable estimated quantity(ies) listed below.

<u>      </u>	Daily	<u>  X  </u>	Monthly		
September		330		March	600
October		390		April	465
November		320		May	360
December		585		June	260
January		630		July	400
February		725		August	335

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**PURCHASE PRICE**

Fixed Price : \$3.77/MMBTU

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**SPECIAL PROVISIONS**

Change in Utility Account Numbers:

The account number for a Service Location shall be the Utility Account Number set forth in the Service Locations section above or as attached, as applicable, or any replacement account number issued by the Utility from time to time.

Fixed Price: The Purchase Price for the Contract Quantity, unless otherwise specified in this Transaction Confirmation is \$3.77 / MMBTU

Buyer acknowledges that it is acting for its own account, and that it has made its own independent decisions with respect to this Transaction Confirmation and that Seller is not acting as a fiduciary, financial, investment or commodity trading advisor for it in connection with the negotiation and execution of this Transaction Confirmation.

Full Plant Requirement – No GSA

**TAX EXEMPTION STATUS - If exempt, must attach certificate**

**In order to ensure accurate billing, tax status indication is required. Please check the appropriate status below:**

Non-Exempt

Exempt (e.g. Residential, Non-Profit Organization, Manufacturing, Small Business, Agricultural, Resale, etc.)

**Buyer: Marshall University**

**Seller: Direct Energy Business Marketing, LLC**

By: Misty DiSilvio

By: \_\_\_\_\_

Name: Misty DiSilvio

Name: Stephen E. Girard 2023-07-31

Title: Contract Specialist

Title: Stephen E. Girard 10:34-04:00  
Vice President C&I Sales

Date: 07/31/23

Date: \_\_\_\_\_

Proposal ID: 68559575

Internal ID: 00183256 - CMA V.3

Vendor/Customer

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Vendor/Customer	Legal Name	Alias/DBA	Vendor Active Status	Customer Active Status	Previous Name
✓ VC0000104612	DIRECT ENERGY BUSINESS LLC		Active	Inactive	

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**General Info**

Vendor/Customer : VC0000104612	Restrict Use by Department : <input type="checkbox"/>
Legal Name : DIRECT ENERGY BUSINES	Miscellaneous Account : <input type="checkbox"/>
Alias/DBA :	Internal Account : <input type="checkbox"/>
Vendor Active Status : Active	Third Party Only : <input type="checkbox"/>
Vendor Approval Status : Complete	Third Party Vendor : <input type="checkbox"/>
Customer Active Status : Inactive	Third Party Customer : <input type="checkbox"/>
Customer Approval Status : Incomplete	Inventory Customer : <input type="checkbox"/>
Location Name :	Healthcare Provider : <input type="checkbox"/>
First Name :	Never Archive : <input type="checkbox"/>
Middle Name :	Restrict VSS Access : No
Last Name :	Discontinue - No New Business : <input type="checkbox"/>
Company Name : DIRECT ENERGY BUSINES	Prevent MA Reference : <input type="checkbox"/>
Previous Name :	PunchOut Enabled : <input type="checkbox"/>
Previous Street :	Re-PunchOut Enabled : <input type="checkbox"/>
Previous City :	Electronic Order Enabled : <input type="checkbox"/>
Previous State/Province :	W-9 Received : <input type="checkbox"/>
Previous Country :	W-9 Received Date : <input type="text"/>
	W-8 Received : <input type="checkbox"/>
	W-8 Received Date : <input type="text"/>
	Accepts Credit Cards : <input type="checkbox"/>
	Active From : 05/27/2021
	Active To : <input type="text"/>
	Last Usage Date : 07/21/2023
	Department : <input type="text"/>
	Unit : <input type="text"/>

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Fee Exempt : <input type="checkbox"/>	Tax Clearance : <input type="checkbox"/>
Registration Application Date : <input type="text"/>	Unemployment Insurance : <input type="checkbox"/>
Registration Effective Date : <input type="text"/>	Worker's Compensation : <input type="checkbox"/>
Registration Expiration Date : <input type="text"/>	Secretary of State Registration : <input type="checkbox"/>
Pre-Registration Code : <input type="text"/>	Federal Debarred : <input type="checkbox"/>

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