

1) CONTRACTS — CLASS 1, 2 AND 3 CONTRACTS

a) TRIM Records number of contract	ZEN Energy / KRG Electricity Supply Agreement	2022/076273
	ZEN Energy / SSROC Preferred Supplier Master Agreement	2022/051397
b) Name of contractor	ZEN Energy Retail Pty Ltd	
c) Business address of contractor	Level 1, 100 Hutt Street, Adelaide, SA 5000	
d) Details of any related body corporate of contractor who will be involved in carrying out of any of the contractor's obligations	N/A	
e) Date of contract	4/11/2021	
f) Date contract became effective	1/7/2022	
g) Duration of contract	1/7/2022 to 31/12/2026 (proposed extension term: 1/1/2027 to 30/12/2030)	
h) Provide particulars of the project to be undertaken, the goods or services to be provided or real property to be leased/transferred	Supply of renewable electricity for Council's large-market and small-market sites	
i) Amount payable to contractor	i) approx. \$2,920,000/annum (dependent on Council energy consumption)	* Provide estimate if necessary
	ii) <input type="checkbox"/> Actual <input checked="" type="checkbox"/> Estimate	
j) Can the amount payable under the contract be varied?	i) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No*	* If 'no', go to question 1(k)
	ii) Specify the clause of the contract	Clause 13
	iii) Provide further details below about how amount may be varied	If the Council and portfolio load is greater than or less than the load variance allowed by the contract (+/-20% of contracted load), then the supplier may apply a charge that represents additional costs incurred for the supply or contracting of load.
k) Can the contract be renegotiated?	i) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No*	* If 'no', go to question 1(l)
	ii) Specify the clause of the contract	
	iii) Provide further details about how the contract can be renegotiated	
l) Did the contract involve a tender?	i) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No*	* If 'no', go to question 1(m)
	ii) Specify the method of tendering	Open tender via Tenderlink
	iii) Summarise the criteria against which the various tenders were assessed [this may be provided as a separate attachment]	Ease of Contracting and management of market risk, Novation of PEERS 1 renewable energy supply, Electricity load matching and delivery risk,

		Purchase of LGCs, Volume variation flexibility - load flex, Use of local generation, Handling of small market load as renewable energy, Co benefits and value adds
m) Is the contractor being paid for providing operational and/or maintenance services?	i) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No*	* If 'no', go to question 2(a)
	ii) Specify the clause of the contract	
	iii) Summarise the basis for payment (this may be provided as a separate attachment)	

2) CONTRACTS — CLASS 2 AND 3 CONTRACTS

Additional information may need to be disclosed on the Register of Contracts if the contract is a Class 2 or Class 3 contract. If you respond 'yes' to ANY of these questions in section 2, you must also complete section 3.

a) Identifying Class 2 contracts	i) Was there a tender process, where the proposed contract was NOT made publicly available and the terms and conditions of the contract were negotiated directly with the contractor?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	ii) Have the terms of the contract been substantially negotiated (regardless of whether there was a tender)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	iii) Is one or more of the parties obliged to maintain or operate infrastructure or assets for 10 years or more?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	iv) Does the contract involve a privately financed project (as defined by the NSW Treasury Guidelines)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	v) Does the contract involve the transfer of a significant KC asset to another party in exchange for the transfer of an asset to KC?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b) Identifying Class 3 contracts	i) Is the contract valued at \$5 million or more?	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
	* If you responded 'yes' to this question, the Register of Contracts must contain a copy of the contract. Provide a TRIM link to the redacted contract with this form.	

3) CONTRACTS — ADDITIONAL DETAILS REQUIRED FOR CLASS 2 AND 3 CONTRACTS

Where applicable, the following additional information is required for Class 2 and 3 contracts. Indicate if the question is relevant and provide details as required. If not relevant, choose 'not applicable' (NA).

a) Provide particulars of future transfers of significant assets to KC at zero, or nominal, cost to KC, including the date of their proposed transfer	i) <input type="checkbox"/> Relevant to this contract <input checked="" type="checkbox"/> Not applicable*	* If N/A, go to question 3(b)
	ii) Specify details:	
b) Provide particulars of future transfers of significant assets to the contractor, including the date of their proposed transfer.	i) <input type="checkbox"/> Relevant to this contract <input checked="" type="checkbox"/> Not applicable*	* If N/A, go to question 3(c)
	ii) Specify details:	
c) Provide the results of any	i) <input type="checkbox"/> Relevant to this contract <input checked="" type="checkbox"/> Not applicable*	* If N/A, go to question 3(d)

cost-benefit analysis of the contract conducted by KC	ii) Specify details:	
d) Provide the components and quantum of the public sector comparator if used	i) <input type="checkbox"/> Relevant to this contract <input checked="" type="checkbox"/> Not applicable*	* If N/A, go to question 3(e)
	ii) Specify details:	
e) Provide a summary of information used in the contractor's full base case financial model (e.g. the pricing formula for tolls or usage charges)	i) <input type="checkbox"/> Relevant to this contract <input checked="" type="checkbox"/> Not applicable*	* If N/A, go to question 3(f)
	ii) Specify details:	
f) Provide particulars of how risk, during the construction and operational phases of a contract to undertake a specific project (such as construction, infrastructure or property development), is to be apportioned between the parties, quantified (where practicable) in net present-value terms and specifying the major assumptions involved	i) <input type="checkbox"/> Relevant to this contract <input checked="" type="checkbox"/> Not applicable*	* If N/A, go to question 3(g)
	ii) Specify details:	
g) Provide particulars of any other key elements of the contract	i) <input type="checkbox"/> Relevant to this contract <input checked="" type="checkbox"/> Not applicable*	*If N/A, go to question 4
	ii) Specify details:	

4) EXCLUSION OF CONTRACTS UNDER SECTION 32 OF THE GIPA ACT

Where Class 3 contracts are not disclosed, further information must be given, including the reasons for non-disclosure.

a) Is this a Class 3 Contract and is all or part of the contract to be excluded from the Register of Contracts?	i) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b) If the answer to 4 a) is 'yes', which part(s) are excluded?		
c) On what basis is the contract or part(s) thereof excluded from the Register of Contracts?	• Would it reveal commercial-in-confidence provisions of a contract?	<input type="checkbox"/> Yes* <input type="checkbox"/> No
	• Would it reveal details of any unsuccessful tender?	<input type="checkbox"/> Yes* <input type="checkbox"/> No
	• Would it reveal any matter that could reasonably be expected to affect public safety or security?	<input type="checkbox"/> Yes* <input type="checkbox"/> No
	• Is there an overriding public interest against disclosure (as defined under GIPA).	<input type="checkbox"/> Yes* <input type="checkbox"/> No
* If 'yes' to any of the above, please provide details below or on an attachment.		