

**SECOND AMENDMENT TO
TERM CONTRACT # MRESC 15/16-17
AGGREGATED PURCHASE OF NATURAL GAS SUPPLY
(COMMODITY)**

THIS SECOND AMENDMENT is made as of the 7th day of February, 2019, by and between, Direct Energy Business Marketing, LLC ("Seller") located at 194 South Wood Ave, Iselin, NJ 07095 and The Educational Services Commission of NJ (f/n/a Middlesex Regional Educational Services Commission) ("Buyer"), whose address is 1660 Stelton Rd. Piscataway, New Jersey, 08854, on behalf of the aggregation members, collectively referred herein as the "Co-op."

WHEREAS, the Parties entered into a Natural Gas Transaction Confirmation for the Co-op on September 27, 2016, following the award of the Contract in accordance with the Request for Bid MRESC 15/16-17 (the "Contract"), and

WHEREAS, the Parties entered into a first Amendment as of the 4th day of October, 2017, extending the original Delivery Period of the Contract to December 31, 2019; and

WHEREAS, the Parties seek to further amend the Contract to modify certain existing terms and conditions,

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, it is agreed by and between the Parties as follows:

FIRST: The Parties agree, for those members of the Co-op identified in the table herein, to extend the Contract to ("Extended Delivery Period") and to amend the Purchase Price for that Extended Delivery Period pursuant to the contract terms. The Buyer acknowledges and agrees that the "Purchase Price - Fixed-No-Tax" is provided for informational purposes only, as requested by Buyer; the Buyer will be billed using the "Purchase Price – Fixed – SUT included."

Aggregation Member	Purchase Price - Fixed – SUT included
ESCNJ -NJN Accounts	<u>\$4.483</u>

SECOND: The Parties agree to be bound by all other requirements, terms and conditions of the Contract not otherwise modified by this Second Amendment for the period of the contract.

THIRD: The parties hereto agree that this Second Amendment may be executed in counterpart, each original signed page to become part of the original document.

IN WITNESS WHEREOF, authorized representatives of Direct Energy Business Marketing LLC, and Educational Services Commission of NJ have executed this Second Amendment on the date indicated below, to be effective on the dates recited herein.

Seller: Direct Energy Business Marketing, LLC

By: _____

Name: _____

Title: _____

Date: _____

Buyer: The Educational Services Commission of NJ

By:  _____

Name: Patricia M. Mora

Title: SBA/BS

Date: 2/7/19