

Contract - Large Site Electricity Sale Agreement

Contract ID (CM Ref): D23/2108

Contract or Agreement Type: Agreement

Method of Procurement: Direct Negotiation

Tender Criteria Reference: D23/2111

Contractor Name: Flow Power

Contractor Address: Ground Floor, 109 Burwood Rd
Hawthorn VIC 3122

Related Companies: Progressive Green Pty Ltd; also T/A: Power Club; Now Power. Formerly: The Now Power Company, PG Energy, PG Energy Solutions

Contract Start Date: 01/07/2022

Contract Period: 8.5 years

Option/s to Extend: Not Noted

Estimated amount payable to the Contractor: \$7,287,900.00

Provisions under which the amount payable may be varied: Variation dependant on Spot Price for the premises, Margin and Buy-back of generated electricity

Provisions for payments of operational or maintenance services: N/A

Provisions with respect to renegotiation of the Contract: Not recorded

Contract Class: Class 3 - Direct or Varies from Standard AND >\$5M

- 1) Particulars of future transfers of significant assets to Port Authority at zero, or nominal, cost to Port Authority including the date of their proposed transfer: N/A
- 2) Particulars of future transfers of significant assets to the contractor, including the date of their proposed transfer: N/A
- 3) The results of any cost-benefit analysis of the contract conducted by Port Authority: N/A
- 4) The components and quantum of the public sector comparator if used: Not used
- 5) A summary of information used in the contractor's full base case financial model: Commercial in Confidence
- 6) Particulars of how risk, during the construction and operational phases of a contract to undertake the project, is to be apportioned between the parties, quantified (where practicable) in net present-value terms and specifying the major assumptions involved: N/A
- 7) Particulars as to any significant guarantees or undertakings between the parties, including any guarantees or undertakings with respect to loan agreements entered into or proposed to be entered into: N/A
- 8) Particulars of any other key elements of the contract: None
- 9) Copy of the Contract: attached