

RESOLUTION 2012 - 73

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO APPROVE THE TERMS AND CONDITIONS AND EXECUTE THE SECOND AMENDMENT TO THE GUARANTEED ENERGY PERFORMANCE SAVINGS CONTRACT WITH TRANE U.S. INC.

WHEREAS, pursuant to Resolution No. 2011-354, the Board authorized the County Administrator to approve the terms and conditions and execute the Guaranteed Energy Performance Savings Contract with Trane U.S. Inc. for staff-identified energy efficiency improvements to County properties; and

WHEREAS, pursuant to Resolution No. 2012-34, the Board authorized the County Administrator to approve the terms and conditions and execute the first amendment to the Guaranteed Energy Performance Savings Contract with Trane U.S. Inc. so that the contract contained specific clauses as required by Chapter 287, Florida Statutes and 10 CFR 600; and

WHEREAS, the proposed second amendment modifies the "Schedule A" (Scope of Work/Installation of Equipment) of the Guaranteed Energy Performance Savings Contract with Trane U.S. Inc, specifically two modifications to the project scope that do not have a financial impact to the overall Contract.

WHEREAS, Florida Statute 489.145 entitled "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting" provides language related to the pursuit of Guaranteed Energy Performance Savings Contracts to achieve energy conservation cost savings; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above Recitals are hereby incorporated into the body of this Resolution, and are adopted as Findings of Fact.

Section 2. Authority to Approve and Execute.

The Board of County Commissioners hereby authorizes the County Administrator or his designee to approve the terms and conditions and execute the second amendment to the Guaranteed Energy Performance Savings Contract with Trane U.S. Inc.

Section 3. Correction of Errors.

To the extent that there are typographical, administrative or scrivener's errors that to do not change the tone, tenor or concept of this Resolution, then this Resolution may be revised without further action by the Board of County Commissioners.

Section 4. Effective Date.

This Resolution shall be effective upon its execution.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, and this 6th day of March 2012.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: _____

Mark P. Miner, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: _____

Deputy Clerk

RENDITION DATE 3/8/12



**Contract Change Order
Between
St. Johns County and Trane**

**For the Guaranteed Energy Performance Savings Contract
Trane Project No. PID00012494**

Amendment No. 2 For the Guaranteed Energy Performance Savings Contract

This **SECOND AMENDMENT to the Guaranteed Energy Savings Contract** ("Amendment"), is made and entered into as of the day last executed below in the County of St. Johns, State of Florida, by and between guaranteed energy performance savings Company, Trane U.S. Inc. ("Company"), having offices located at 8929 Western Way, Jacksonville, Florida 32256 and St. Johns County, a political subdivision of the State of Florida, ("Agency") with its principal offices at 500 San Sebastian View, St. Augustine, Florida 32084.

In consideration of the agreements of the parties herein contained, and other and further consideration, the receipt and sufficiency of which the parties do hereby acknowledge that Company and Customer do hereby agree as follows:

Statement (s) of Change To the Agreement

Item: 1

The Following shall constitute a modification to the Contract within "Schedule A" on page 38, described as ECM 31. The Project Scope shall include the "Traffic Court" roof as follows:

Traffic Court – Retrofit Existing Roof with Cool Roof

Project Scope

Retrofit of existing Modified Bitumen Roof using the Gaco-Western S-20 Silicone Coating System.

- a) Pressure Clean Roof to remove all dirt that could interfere with the proper application of the retrofit.
- b) Flash and seams or breaks in membrane using flashing tape.
- c) Flash around all roof penetrations where needed as determined by the roofing company doing the retrofit.
- d) Flash the existing wall flashing using flashing grade elastomeric.
- e) Spray apply Gacosil S-20 Silicone (Ultra White) at an average rate of 1.75 gallons per square to the entire roof area included in this project per manufacturer's specifications.
- f) Ten (10) year coating manufacturers Leak Proof Warranty.

Item: 2

The Following shall constitute a modification to the Contract within "Schedule A" on page 22, described as ECM 31. Under Project Scope the following item shall be omitted: "Round Roof Section"

The contract amount is unchanged as a result of these Contract Modifications.

Except as expressly provided herein, no other provisions of this Agreement are amended.

IN WITNESS WHEREOF, the duly authorized representatives of the parties have each executed this Amendment No. 2, effective as of the date last executed below.

Trane U.S. Inc.

St. Johns County

By: _____
Signature

Title

Printed Name

Date: _____

By: _____
Signature

By: _____
Title

By: _____
Printed Name

Date: _____