

**SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF
CORAL SPRINGS AND SIEMENS INDUSTRY, INC. TO PROVIDE HVAC
PREVENTIVE MAINTENANCE AND UNIT REPLACEMENT SERVICES AT
VARIOUS MUNICIPAL FACILITIES**

THIS SECOND AMENDMENT made and entered into this 15th day of June,
2016, by and between:

CITY OF CORAL SPRINGS, FLORIDA
a municipal corporation
9551 West Sample Road
Coral Springs, Florida 33065
(hereinafter referred to as "Customer or CITY")

and

SIEMENS INDUSTRY, INC.
a Delaware corporation
3333 Old Milton Parkway
Alpharetta, Georgia 30005
(hereinafter referred to as "Siemens")

WHEREAS, on June 5, 2012, the CITY entered into an Agreement with Siemens Industry, Inc. to provide HVAC Preventive Maintenance and Unit Replacement Services at Various Municipal Facilities; and

WHEREAS, on May 21, 2014, the parties amended the Agreement to extend the term of the Agreement through June 30, 2016; and

WHEREAS, the current Agreement terminates on June 30, 2016 and the CITY has the option to renew for one (1) additional two (2) year term; and

WHEREAS, the parties are desirous of extending the term of the Agreement; and

NOW THEREFORE, the parties hereto do mutually agree as follows:

Section 1. The above recitals are true and correct and are incorporated herein.

Section 2. **TERM:**

The term of this Agreement is extended to June 30, 2018.

Section 3. **COMPENSATION AND METHOD OF PAYMENT:**

3.01 Exhibit "A" to the Agreement is hereby amended to add new pricing as set forth in Exhibit "A-3", Monthly Maintenance Costs, and Exhibit "A-4", Siemens

Building Technologies - South Florida labor and material rates attached hereto and incorporated herein. The rate sheet is subject to change no more than once per year. However, it is not subject to change prior to June 30, 2017, the end of the first year of the renewal term of the contract.

Section 4. Exhibit "D", Additions to the Scope of Services, is attached hereto and incorporated herein.

Section 5. SEVERABILITY

Should any part, term or provision of this Second Amendment be by the courts decided to be illegal or in conflict with any law of the State, the validity of the remaining portions or provisions shall not affected thereby.

Section 6. All other conditions and terms of the original Agreement, not specifically amended herein, remain in full force and effect.

Section 7. This second amendment shall be effective upon execution of both parties.

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IN WITNESS WHEREOF, the CITY OF CORAL SPRINGS and SIEMENS INDUSTRY, INC.
parties hereto have caused these presents to be executed, the day and year first above written.

CITY OF CORAL SPRINGS



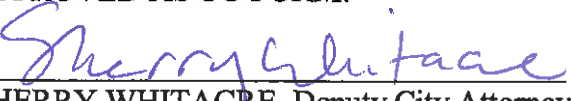
WALTER G. CAMPBELL, JR., Mayor

ATTEST:



DEBRA THOMAS, CMC, City Clerk

APPROVED AS TO FORM:



SHERRY WHITACRE, Deputy City Attorney

SIEMENS INDUSTRY, INC.

By: David Santo

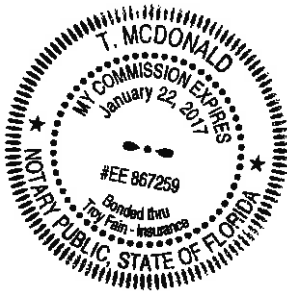
Print Name: David Santo

Title: BAU SVC Sales Mgr

State of FL
County of Orange

On this, the 7 day of June, 2016, before me, the undersigned Notary Public of the State of FL, the foregoing instrument was acknowledged by D. Santo (name of corporate officer), BAU Serv. Mgr. (title), of Siemens (name of corporation), a DELAWARE (state of corporation) corporation, on behalf of the corporation.

WITNESS my hand
and official seal



T. McDonald
Notary Public, State of

Tanya McDonald
Printed, typed or stamped name of Notary Public
exactly as commissioned

☒ Personally known to me, or
☐ Produced identification:

(type of identification produced)

Pricing for FY 2016 and FY 2017									
A	B=A x 12	C=A x 1,021	D=C x 12	E	F=E x 1,021	G=D + F	H	I=H/2	J=H/12
Facility Location	Monthly PM Price '14 & '15	Annual PM Price '14 & '15	Monthly PM Price '16 & '17	Annual PM Price '16 & '17	Annual Add for Repairs under 1K Price '14 & '15	Annual Add for Repairs under 1K Price '16 & '17	Annual Add for Remodel Monitoring & Utility Bill Management Price '14 & '15	Annual Add for Remodel Monitoring & Utility Bill Management Price '16 & '17	Revised Monthly HVAC Service Included in Renewal Price '16 & '17
PUBLIC WORKS									
City Hall South	\$ 93.91	\$	0	\$	0	\$			NA
City Hall South (Deduct)	\$ (93.91)	\$	0	\$	0	\$			NA
City Hall North	\$ 536.64	\$ 6,439.68		\$ 480.79	\$	\$	\$ 1,428.57		NA
West Side Complex	\$ 1,186.15	\$ 14,377.82		\$ 1,073.45	\$	\$	\$ 1,428.57		NA
Economic Development Foundry	\$ 37.15	\$ 445.82		\$ 33.29	\$				NA
PUBLIC SAFETY BUILDING									
Public Safety including Police D.	\$ 1,788.48	\$ 21,461.47		\$ 1,602.31	\$	\$	\$ 1,428.57	\$ 1,000.00	\$ 83.33
Gun Range	\$ 38.18	\$ 458.21		\$ 34.21	\$				NA
Human Office	\$ 38.18	\$ 458.21		\$ 34.21	\$				NA
Volunteer services & victim advor	\$ 38.18	\$ 458.21		\$ 34.21	\$				NA
PARKS									
Mullins Park (all buildings including maintenance building, mini museum, Sattory Hall Center, four league buildings, Velemas Building and soccer field concession stand)	\$ 2,987.00	\$ 35,804.00		\$ 2,658.19	\$	\$	\$ 1,428.57	\$ 1,000.00	\$ 83.33
Cypress Park (2 facilities) - east	\$ 102.17	\$ 1,226.02		\$ 91.53	\$				NA
Cypress Hammock Park (Main Building) - west side of Coral Springs DR	\$ 102.17	\$ 1,226.02		\$ 91.53	\$				NA
North Community	\$ 68.11	\$ 817.34		\$ 61.02	\$				NA
Beth Stradling	\$ 68.11	\$ 817.34		\$ 61.02	\$				NA
Kwanis Park	\$ 102.17	\$ 1,226.02		\$ 91.53	\$				NA
AQUATICS									
Aquatic Complex	\$ 774.00	\$ 9,288.00		\$ 683.44	\$				NA
Cypress Park Pool Concession	\$ 16.51	\$ 198.14		\$ 14.79	\$				NA
Mullins Park Pool	\$ 16.51	\$ 198.14		\$ 14.79	\$				NA
CITY HALL IN THE MALL									
	\$ 42.31	\$ 507.74		\$ 37.91	\$				NA
SPORTS COMPLEX									
Tennis Center	\$ 307.34	\$ 3,616.13		\$ 269.98	\$				NA
Athletic Fields Building	\$ 6.19	\$ 74.30		\$ 5.55	\$				NA
UTILITY WATER PLANT									
East Side Complex (includes 11)	\$ 726.53	\$ 8,718.34	\$ 741.79	\$ 8,901.42	\$ 650.91	\$ 664.58	\$ 9,566.00	\$ 797.17	\$ 9,566.00
CENTER FOR THE ARTS									
	\$ 726.53	\$ 8,718.34	\$ 741.79	\$ 8,901.42	\$ 650.91	\$ 664.58	\$ 9,566.00	\$ 880.30	\$ 10,566.00
CHARTER SCHOOL									
	\$ 1,996.92	\$ 23,963.04	\$ 2,038.86	\$ 24,466.28	\$ 1,788.08	\$ 1,826.65	\$ 26,292.91	\$ 2,274.41	\$ 27,292.91
FIRE STATIONS									
#43	\$ 30.96	\$ 371.32	\$ 31.61	\$ (6)	\$ 189.66	\$ 27.74	\$ 28.32	\$ 203.82	\$ 16.99
#95	\$ 30.96	\$ 371.32	\$ 31.61	\$ (6)	\$ 189.66	\$ 27.74	\$ 28.32	\$ 203.82	\$ 16.99
#71	\$ 30.96	\$ 371.32	\$ 31.61	\$	\$ 378.32	\$ 27.74	\$ 28.32	\$ 407.64	\$ 33.97
#64	\$ 30.96	\$ 371.32	\$ 31.61	\$	\$ 378.32	\$ 27.74	\$ 28.32	\$ 407.64	\$ 33.97
#90	\$ 1,486.18	\$ 17,870.11	\$ 1,520.45	\$ 18,245.38	\$ 1,334.18	\$ 1,362.20	\$ 19,607.58	\$ 1,633.97	\$ 19,607.58
FIRE TRAINING & TECH CENTER									
Controls	\$ 168.22	\$ 2,018.59	\$ 171.75	\$ 2,060.98	\$ 150.71	\$ 153.87	\$ 2,214.86	\$ 1,428.57	\$ 83.33
Mechanical Equipment	\$ 432.41	\$ 5,188.90			\$ 387.40	\$			NA
Totals	\$ 13,905.17	\$ 166,862.02	\$ 5,341.06	\$ 63,712.44	\$ 12,457.90	\$ 4,785.16	\$ 68,470.27	\$ 5,000.00	\$ 5,937.95
									\$ 71,255.42

Exhibit A-3

SIEMENS Industry, Inc.

Building Technologies – South Florida Labor & Material Rates

Please note: Rates effective January 2016.

<u>Specialist/Technician</u>	<u>List</u>	<u>Discounted</u>	<u>HVAC Mechanic / Pipefitter</u>	<u>List</u>	<u>Discounted</u>
Building Automation -	\$160.00/hr	\$ 120.00/hr	Service Mechanic -	\$144.00/hr	\$108.00/hr
Fire / Life Safety -	\$140.00/hr	\$ 105.00/hr	Electrical Installer	\$132.00/hr	\$ 99.00/hr
Security	\$140.00/hr	\$ 105.00/hr	Electrical SVC Tech	\$196.00/hr	\$147.00/hr

<u>Other</u>	<u>List</u>	<u>Discounted</u>	<u>HVAC Mechanic / Pipefitter</u>	<u>List</u>	<u>Discounted</u>
Project Manager	\$195.00/hr	\$146.00/hr	Fire Sprinkler Fitter	\$150.00/hr	\$112.50/hr
Application Engineer	\$195.00/hr	\$146.00/hr	Fire Sprinkler Inspector	\$140.00/hr	\$105.00/hr
Energy Engineer	\$250.00/hr	\$187.00/hr			

OVERTIME RATES:

MONDAY – FRIDAY (Outside of Normal Business Hours*)	=	1.5 x APPROPRIATE RATE
SATURDAYS	=	1.5 x APPROPRIATE RATE
SUNDAYS & HOLIDAYS	=	2.0 x APPROPRIATE RATE

*NORMAL BUSINESS HOURS 8:00 AM - 5:00 PM, MONDAY THRU FRIDAY

** A \$170.00/day TRAVEL PER DIEM WILL BE ADDED TO OVER NIGHT STAY AS REQUIRED.

MINIMUM SERVICE TIME

4 HOUR MINIMUM CHARGE, dispatch or via Siemens On-Line Service

Advantage Service Contract Customers:

- RECEIVE A less 50% / less 20% DISCOUNT FROM CURRENT PUBLISHED LIST PRICE ON BUILDING AUTOMATION COMPONENTS as published in the Powers Controls Pneumatic/Electronic & Apogee Automation PRICING GUIDE.
- RECEIVE "Trade Net" PRICING FROM SIEMENS FIRE SAFETY COMPONENTS as published in the FIRE SAFETY PRICE LIST.
- ALL OUTSIDE MATERIAL INCLUDING MATERIAL FROM OTHER SIEMENS DIVISIONS WILL BE SOLD PER THE OUTSIDE PURCHASE MARK-UP SCHEDULE.
- RECEIVE A 25% DISCOUNT ON TECHNICAL LABOR (PROJECT MANAGER, APPLIC. ENGINEER, ENERGY ENGINEER, SPECIALIST/TECHNICIAN)
- RECEIVE A 25% DISCOUNT ON MECHANICAL/ELECTRICAL LABOR (HVAC MECHANIC, PIPEFITTER, ELECTRICAL INSTALLER)
- 2 HOUR MINIMUM CHARGE, dispatch or via Siemens On-Line Service

Mark-Up for Outside Purchased Material

For use when calculating pricing of non-standard products for Labor & Material and Non-Installed product lines.

<u>SIEMENS COST</u>	<u>MULTIPLIER</u>
\$ 0.01 thru \$ 150.00	= X 2.00
\$ 150.01 thru \$ 500.00	= X 1.75
\$ 500.01 thru \$ 5,000.00	= X 1.65
\$ 5,000.01 and up	= X 1.55

Subcontracted Services

For use when calculating pricing for services provided through a 3rd party contractor.

SIEMENS cost X 1.50

Siemens Industry, Inc. Building Technologies, Inc	
3021 N Commerce Pkwy	2969 SW 42nd Avenue
Miramar, FL 33025	Palm City, FL 34990
(954) 364-6600	(772) 419-2800

Changes to the Scope of Services

Whereas the City of Coral Springs is planning to add an in house resource to take on some of the preventive maintenance and repair tasks, the buildings that are part of the general fund budget may be added or removed from this agreement with 30 days written notice. All pricing in this agreement is firm and fixed per the terms of this agreement to accommodate adding or removing the preventive maintenance and repairs for the general fund buildings. At a minimum Siemens will continue to be responsible for the preventive maintenance and repair of non-general fund buildings. These include:

- East side Utilities plant
- The Center for the Arts
- Coral Springs Charter School
- Fire Training and Technology Center: Controls
- Fire stations:
 - ST -43
 - ST -64
 - ST -71
 - ST -80
 - ST -95

During the contract year 2017-2018, the City will re-evaluate the number of general and non-general fund buildings in the Siemens PM service contract.

Buildings selected for preventive maintenance and repair will be covered as described below:

This coverage is provided with the understanding that the City will continue to be the first responder for a repair call and will attempt to resolve any issues that do not require a mechanic or technician to respond.

Energy Consumption

The City of Coral Springs is interested in sustaining the energy savings we have been able to achieve, but would like to scale down the service provided in order reduce the cost of this service. Siemens will provide an annual review of energy consumption history year over year for 5 buildings, Public Safety, Mullins Park, Center for the Arts, Coral Springs Charter School, and the Fire Academy, that were previously supported. Siemens will meet with the all of the key stake holders within the city once a year to discuss specific methods of reducing at these locations. The City and Siemens will determine at that time, the buildings that shall be included in the energy consumption review.