




October 21, 2013

## MEMORANDUM

**TO:** District Board of Trustees

**FROM:** Jim Murdaugh, President 

**SUBJECT:** Amendment # 3 - Preferred Customer Electric Service Agreement with City of Tallahassee

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### Item Description

This item requests Board approval for the third amendment to the Electric Service Agreement between the City of Tallahassee and Tallahassee Community College.

### Overview and Background

In July 1999 the College entered into an agreement with the City of Tallahassee for a "Preferred Customer" status for electrical service. The agreement allows the College to purchase electrical service at a discount of 5% to 7% off of the City's standard commercial rates.

This agreement was last amended by Board action in November 2009 to update the electrical meter locations then in service. The third amendment revises the meter locations to reflect the current holdings of the College.

### Past Actions by the Board

The agreement was last amended by the Board in November 2009.

### Funding/Financial Implications

The cost for electrical service to Tallahassee Community College facilities in the City of Tallahassee is included in the operating budget for the Physical Plant, Facilities Planning & Construction Department.

### Staff Resource

Teresa Smith

### Recommended Action

Approve Amendment # 3 of the Preferred Customer Service Agreement with the City of Tallahassee.

**THIRD AMENDMENT TO AGREEMENT**

THIS THIRD AMENDMENT TO AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the **CITY OF TALLAHASSEE**, a Florida municipal corporation (the "City") and **DISTRICT BOARD OF TRUSTEES, TALLAHASSEE COMMUNITY COLLEGE, FLORIDA** ("Customer").

WHEREAS, the City and Customer entered into a certain Preferred Customer Electric Service Agreement dated July 16, 1999 and an Amendment to Agreement dated March 5, 2002 and a Second Amendment to Agreement dated January 15, 2010 (such documents collectively referred to as "Agreement"); and,

WHEREAS, the City and Customer desire to amend Exhibit "B" to the Agreement, as currently in effect, which enumerates accounts of the Customer which qualify for discounts under the Agreement;

NOW, THEREFORE, in consideration of the following mutual covenants and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The attached Amended Exhibit "B" shall replace and supersede Exhibit "B" which is currently in force and effect.
2. Except as specifically amended hereby, the terms and conditions of the Agreement shall continue in full force and effect.

IN WITNESS WHEREOF the City and Customer have caused this Amendment to Agreement to be executed by the duly authorized representatives effective the date and year first written above.

CITY OF TALLAHASSEE

Attach:

\_\_\_\_\_  
James O. Cooke IV, Treasurer-Clerk

By: \_\_\_\_\_  
Anita Favors, City Manager

DISTRICT BOARD OF TRUSTEES,  
TALLAHASSEE COMMUNITY COLLEGE,  
FLORIDA

\_\_\_\_\_  
Witness as to Customer

By: \_\_\_\_\_

\_\_\_\_\_  
Witness as to Customer

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Title

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**THIRD AMENDMENT EXHIBIT "B"**

**QUALIFYING ACCOUNTS FOR TALLAHASSEE COMMUNITY COLLEGE  
(Preferred Customer Electric Service Agreement)**

<b>CUSTOMER NAME</b>	<b>ACCT NUMBER</b>	<b>SERVICE ADDRESS</b>
TALLAHASSEE COMM COLLEGE	2455175610	115 PROGRESS DR
TALLAHASSEE COMM COLLEGE	2455175610	444 APPEYARD DR
TALLAHASSEE COMM COLLEGE	2455175610	140 FLD HS CENTURY PARK DR FLD HS
TALLAHASSEE COMM COLLEGE	2455175610	3900 N BBF LT CENTURY PARK CIR BBF LT
TALLAHASSEE COMM COLLEGE	2455175610	444 APPEYARD DR SOFBAL
TALLAHASSEE COMM COLLEGE	2455175610	3958 W PENSACOLA ST
TALLAHASSEE COMM COLLEGE	2455175610	150 PROGRESS DR
TALLAHASSEE COMM COLLEGE	2455175610	150 PROGRESS DR #4
TALLAHASSEE COMM COLLEGE	2455175610	3958 W PENSACOLA ST BLDG 43
TALLAHASSEE COMM COLLEGE	7377555798	1528 SURGEONS DR