

9944
Amd 3

**THIRD AMENDMENT TO AGREEMENT
(USING U.S. GENERAL SERVICES ADMINISTRATION CONTRACT # GS-07F-0248K)
BETWEEN
THE CITY OF JACKSONVILLE
AND
TRANE U.S. INC. d/b/a TRANE COMMERCIAL SYSTEMS NORTH FLORIDA
FOR
FACILITIES MAINTENANCE AND MANAGEMENT FOR
ALL MULTI-STORY BUILDINGS IN THE DOWNTOWN CORE**

THIS THIRD AMENDMENT TO AGREEMENT is made and entered into in duplicate this 30 day of March, 2015, by and between the CITY OF JACKSONVILLE (hereinafter the "CITY"), a municipal corporation existing under the Constitution and the laws of the State of Florida, and TRANE US, INC., d/b/a TRANE COMMERCIAL SYSTEMS NORTH FLORIDA (hereinafter the "Contractor"), a foreign profit corporation authorized to do business in Florida with principal office at 8929 Western Way, Suite #1, Jacksonville, Florida 32256, for facilities maintenance and management for all multi-story buildings in the downtown core (hereinafter the "Project").

RECITALS:

WHEREAS, effective April 4, 2000, the U.S. General Services Administration ("GSA") entered into GSA Contract Number GS-07F-0248K (hereinafter the "GSA Contract") with various vendors of alarm and signal systems facility management systems, including Contractor; and

WHEREAS, as of November 21, 2013, CITY and Contractor made and entered into City of Jacksonville Contract No. 9944 (hereinafter the "Agreement") using the GSA Contract; and

WHEREAS, said GSA Contract has had its period extended until September 30, 2015; and

WHEREAS, said Agreement has been amended twice previously; and

WHEREAS, said Agreement should be amended further by extending the period of service from April 4, 2015, through September 30, 2015, so as to align with the extension for

the GSA Contract, with no increase in the maximum indebtedness, such maximum indebtedness remaining a not-to-exceed amount of \$943,954.00, and with all other provisions, terms, and conditions of said Agreement remaining unchanged; now therefore

IN CONSIDERATION of the premises and of the mutual covenants and agreements hereinafter contained and for other good and valuable consideration, the parties agree to amend said Agreement as follows:

1. The above-stated recitals are accurate, true, and correct and are made a part hereof and are incorporated herein by this reference.

2. Article 4 of said Agreement is amended by extending the period of service from April 4, 2015, through September 30, 2015, so as to align with the extension for the GSA Contract, and as amended shall read as follows:

“ARTICLE 4: Duration of Agreement/Pricing Available to Other Entities:

The term of this Agreement shall commence on November 21, 2013, and shall continue and remain in full force and effect as to all its terms, conditions, and provisions as set forth herein through September 30, 2015, unless sooner terminated as provided in **Composite Exhibit 1**. During said period of time, the Services provided hereunder shall be available to all using agencies and other political subdivisions, boards, agencies, or authorities existing in Duval County that may desire to purchase the same at the contract price provided herein.”

3. The total maximum indebtedness shall remain a not-to-exceed amount of \$943,954.00.

SAVE AND EXCEPT as expressly amended by this instrument, the provisions, terms, and conditions of said Agreement, as previously amended, shall remain unchanged and shall continue in full force and effect.

[Remainder of page is left blank intentionally. Signature page follows immediately.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this day of _____ and year first above written.

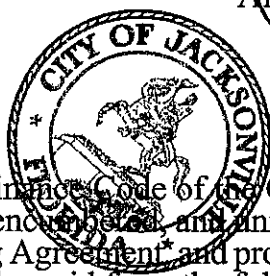
Cleveland Ferguson III
Deputy Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2016-01

ATTEST:

CITY OF JACKSONVILLE

By James R. McCain, Jr.
James R. McCain, Jr.
Corporation Secretary

By Alvin Brown, Mayor
Alvin Brown, Mayor



In compliance with the Ordinance Code of the City of Jacksonville, I do hereby certify that there is an unexpended, unencumbered, and unimpounded balance in the appropriation sufficient to cover the foregoing Agreement, and provision has been made for the payment of the monies provided therein to be paid from the following account:

C. Ronald Belton
Director of Finance
9944 Amd 3
PB

Form Approved:

James R. McCain, Jr.
Office of General Counsel

WITNESS:

TRANE US, INC.

By _____
Signature

Type/Print Name

Title

By Michael Levine
Signature

Michael Levine
Type/Print Name

FL District Service Operations Mgr
Title



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/17/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|---|--|-----------------------|---------------|
| PRODUCER MARSH & MCLENNAN COMPANIES 1166 Avenue of the Americas New York NY 10036 ATTN: 212-345-6000 | CONTACT NAME: | | |
| | PHONE (A/C, No, Ext): | FAX (A/C, No): | |
| INSURED Trane U.S. Inc. dba Trane 8929 Western Way Suite #1 Jacksonville, FL 32256 United States | INSURER(S) AFFORDING COVERAGE | | NAIC # |
| | COMPANY A: National Union Fire Insurance Company of Pittsburgh, PA | | 19445 |
| | COMPANY B: Travelers Property Casualty Co of Amer | | 25674 |
| | COMPANY C: Travelers Indemnity Co of America | | 25666 |
| INSURER E: | | | |
| INSURER F: | | | |

COVERAGES

CERTIFICATE NUMBER: 353364

REVISION NUMBER:

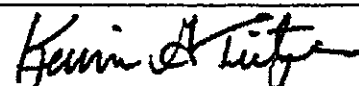
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|------------------|---|--|----------|---|--|--|--|----------------|
| A | GENERAL LIABILITY | | | GL3823549 | 4/17/2014 | 4/17/2015 | EACH OCCURRENCE | \$7,500,000.00 |
| | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$1,000,000.00 |
| | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | | | | MED EXP (Any one person) | \$10,000.00 |
| | <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT | | | | | | PERSONAL & ADV INJURY | \$7,500,000.00 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREGATE | \$7,500,000.00 |
| | <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | PRODUCTS - COMP/OP AGG | \$7,500,000.00 |
| | | | | | | | | \$ |
| A | AUTOMOBILE LIABILITY | | | CA2248429 (AOS) CA2248430 (MA) CA2248431 (VA) | 4/17/2014 4/17/2014 4/17/2014 | 4/17/2015 4/17/2015 4/17/2015 | COMBINED SINGLE LIMIT (Ea accident) | \$2,000,000.00 |
| | <input checked="" type="checkbox"/> ANY AUTO | | | | | | BODILY INJURY (Per person) | \$ |
| | <input type="checkbox"/> ALL OWNED AUTOS | <input type="checkbox"/> SCHEDULED AUTOS | | | | | BODILY INJURY (Per accident) | \$ |
| | <input type="checkbox"/> HIRED AUTOS | <input type="checkbox"/> NON-OWNED AUTOS | | | | | PROPERTY DAMAGE (Per accident) | \$ |
| | <input type="checkbox"/> PHYSICAL | | | APD - Self Insured | | | | \$ |
| | UMBRELLA LIAB | <input type="checkbox"/> OCCUR | | | | | EACH OCCURRENCE | \$ |
| | EXCESS LIAB | <input type="checkbox"/> CLAIMS-MADE | | | | | AGGREGATE | \$ |
| | DED | RETENTION \$ | | | | | | \$ |
| B C B B | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | TC2JUB-7434L10A-14 (AOS) TC2HUB-7434L448-14 (MN) TRJUB-7434L424-14 (AZ, MA, OR, WI) TWXJUB-7434L45A-14 (Ohio Excess) | 4/17/2014 4/17/2014 4/17/2014 4/17/2014 | 4/17/2015 4/17/2015 4/17/2015 4/17/2015 | <input checked="" type="checkbox"/> WC STATU-TORY LIMITS | OTH-ER |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | Y/N <input checked="" type="checkbox"/> N | N/A | | | | E.L. EACH ACCIDENT | \$3,000,000.00 |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - EA EMPLOYEE | \$3,000,000.00 |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | \$3,000,000.00 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Please see page 2 for additional information.

CERTIFICATE HOLDER**CANCELLATION**

| | |
|---|--|
| City of Jacksonville 555 West 44th Street Jacksonville, FL 32208 United States | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Marsh USA, Inc. BY: Kevin G. Tietjen |
| |  |

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AGENCY CUSTOMER ID: _____

LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page ____ of ____

| | | | |
|---------------|-----------|--|--|
| AGENCY | | NAMED INSURED | |
| POLICY NUMBER | | Trane U.S. Inc. dba Trane 8929 Western Way Suite #1 Jacksonville, FL 32256 United States | |
| CARRIER | NAIC CODE | EFFECTIVE DATE: | |

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: _____ FORM TITLE: _____

Job Description: HVAC Sales, Service &/or Installation

For questions regarding this certificate of insurance contact: Kimberly Houston Email: Kimberly.houston@trane.com
Phone: 904-596-4122

REFERENCE AWARD

BID # PSC-0399-14

Subject: PIGGYBACK ON GSA# GS-07F-0248K: FACILITIES MAINTENANCE & MANAGEMENT
Department: PUB BLDGS

Description of Purchase:
RECOMMEND APPROVAL TO PIGGYBACK ON GSA CONTRACT #GS-07F-0248K WITH TRANE COMMERCIAL SYSTEMS NORTH FLORIDA FOR FACILITIES MAINTENANCE AND MANAGEMENT FOR ALL MULTI-STORY BUILDINGS IN THE DOWNTOWN CORE. PERIOD OF SERVICE FROM DATE OF AWARD THROUGH SEPTEMBER 30, 2014. TOTAL ESTIMATED EXPENDITURE NOT EXCEED \$350,000.00.

FUNDING SOURCE: PWPB5A1MAPR-06302 - TO BE EXECUTED BY FORMAL CONTRACT THROUGH THE OFFICE OF GENERAL COUNSEL.

Reference Award To: TRANE COMMERCIAL SYSTEMS NORTH FLORIDA

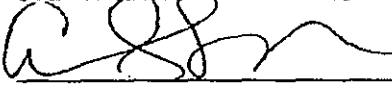
Price Justification:
SEE ATTACHED

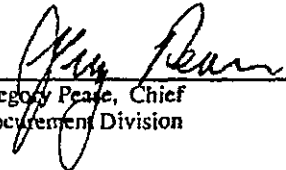
Total Award: \$ 350,000.00

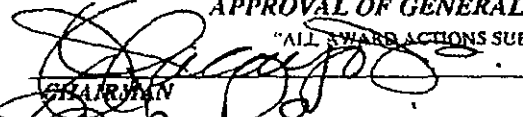
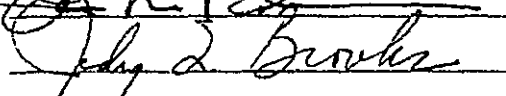
Requisition #

Attachments:
RECOMMENDATION MEMO, SCOPE OF SERVICES, GSA CONTRACT & INSURANCE CERTIFICATE

THE ABOVE PURCHASE IS RECOMMENDED FOR AWARD IN ACCORDANCE WITH CHAPTER 126.107.

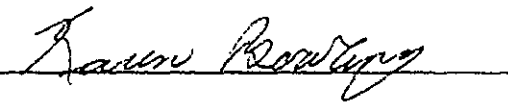

Buyer: ANNETTE BURNEY
mb


Gregory Pease, Chief
Procurement Division

APPROVAL OF GENERAL GOVERNMENT AWARDS COMMITTEE
"ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS"

CHAIRMAN

Jody Brooks
DATE: 11/21/13

ACTION OF AWARDING AUTHORITY DATE: 11/21/13

APPROVED DISAPPROVED
OTHER

SIGNATURE OF AUTHENTICATION 
Karen Bowling
Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2013-04