



November 16, 2009

MEMORANDUM

TO: District Board of Trustees
FROM: William D. Law, Jr., President
SUBJECT: Amendment #2 - Preferred Customer Electric Service Agreement with City of Tallahassee

Item Description:

This item requests Board approval for the second amendment to the agreement between the City of Tallahassee and Tallahassee Community College.

Overview:

In July 1999 the College entered into an agreement with the City of Tallahassee for a 'Preferred Customer' status for electric service. This agreement was amended in March 2002 to include additional meter locations and to remove some locations no longer in service.

Salient Facts:

The agreement allows the College to purchase electric service at a discount of 5% to 7% off the City's Standard Rates. This amendment adds the meter locations on Progress Drive and removes two meters for campus signs. This amendment also places all of the meter locations on one account to insure the applicable rates are applied.

Past Actions:

Approved past amendment.

Future Actions:

None

Funding/Financial Matters:

The cost for the electric service for the TCC Main Campus is included in the Plant Operations Operating Budget.

Staff Resource:

Teresa Smith

Recommended Action:

Approve Amendment #2 of the Preferred Customer Electric Service Agreement with the City of Tallahassee.

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT is entered into this _____ day of _____, 2009, 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 ("Agreement"); and,

WHEREAS, the City and Customer desire to amend Exhibit "B" to the Agreement 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:

Gary Herndon, Treasurer-Clerk

By: _____
Anita Favors-Thompson, 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

ORIGINAL EXHIBIT "B"

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

| <u>CUSTOMER NAME</u> | <u>ACCT NUMBER</u> | <u>SERVICE ADDRESS</u> |
|--------------------------|--------------------|---------------------------------------|
| 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 |

Date _____