

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2011 Legislative Session

Legislative Day No. 16

Resolution No. 103-2011

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION TO APPROVE AMENDMENT #1 TO AGREEMENT TO PROVIDE PHASE I ENERGY PERFORMANCE SERVICES.

WHEREAS, on March 4, 2011, the County and Energy Systems Group entered into an Agreement to Provide Phase I Energy Performance Services; and

WHEREAS, it was discovered after the execution of the Agreement that the boiler in the Sheriff's Office was experiencing catastrophic failures; and

WHEREAS, a request has been made to amend Section 4 of the Agreement to include the design and installation of a new boiler in the Sheriff's Office/Public Safety Building.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND THAT Amendment #1 to Agreement to Provide Phase I Energy Performance Services shall be in substantially the form attached hereto as Exhibit A and made a part hereof, and in such form Amendment #1 to Agreement to Provide Phase I Energy Performance is approved and adopted.

Done at Salisbury, Maryland, this 2nd Day of August 2011.

ATTEST:

[Handwritten signature of Matthew E. Creamer]

Matthew E. Creamer, Council Administrator

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

[Handwritten signature of Gail M. Bartkovich]

Gail M. Bartkovich, Council President

CERTIFICATION

This Resolution was Adopted [checked], Adopted with Amendments ____, Failed ____, Withdraw ____ by the County Council on August 2, 2011.

Certified by [Handwritten signature of Matthew E. Creamer] Matthew E. Creamer, Council Administrator

Exhibit "A"

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**AMENDMENT #1 TO AGREEMENT TO PROVIDE PHASE I ENERGY PERFORMANCE
SERVICES
EXECUTED BY WICOMICO COUNTY ON MARCH 4, 2011.**

This amendment is to add \$192,088.00 to the above referenced contract for the design and installation of a new boiler in the Sherriff's Office/Public Safety Building (401 Naylor Mill Rd, Salisbury, MD 21801). This is in addition to the \$1, 089,375.00 currently included in Section #4 of the existing contract. A detailed cost break down is attached for the additional requested allowance.

This existing boiler in the Sherriff's Office experienced catastrophic failures after the signing of this initial contract and ESG was requested to design and install a boiler in order to provide heating to the Sherriff's for the 2011 - 2012 heating season.

All other terms and conditions of the original contract are not changed. This particular project component is not subject to ARRA requirements.

It is critical that this amendment be approved no later than Tuesday, July 26, 2011 in order for the boiler to be ordered and installed prior to the next heating season.