



## Legislation Text

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**File #:** 210609, **Version:** 1

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### ORDINANCE NO. 210609

Authorizing a second amendment to the Cooling Service and City Equipment Lease Agreement with Vicinity Energy (formerly Trigen) to provide 2,400-tons of cooling from Vicinity Energy's integrated West Loop Chilled Water System for the Convention and Entertainment Facilities Department.

WHEREAS, Vicinity Energy and the City entered into that certain Cooling Service and City Equipment Lease Agreement, dated as of April 3, 1997 (the "**original agreement**"), whereby Vicinity Energy sold cooling services to the City and leased certain production equipment located in and on the City's buildings; and

WHEREAS, Vicinity Energy and the City amended certain provisions of the original agreement due to additional equipment required for the West Loop (Convention Center) expansion, in that certain first amendment to the Cooling Service and City Equipment Lease, dated April 14, 2006 (the "**First Amendment**"); and

WHEREAS, the original equipment is beyond its reasonable life, and, therefore, Vicinity Energy and the City wish to extend the operational life of the original equipment, to lengthen its emergency use potential, to increase cooling system reliability, and to assist the City in avoiding future capital costs by reducing the use of the original equipment and placing it in layup; and

WHEREAS, Vicinity and the City wish to amend certain provisions of the original agreement, as amended; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section. That the Director of General Services is hereby authorized to enter into a second amendment to the Cooling Service and City Equipment Lease Agreement with Vicinity Energy (formerly Trigen) to provide 2,400-tons of cooling from Vicinity Energy's integrated West Loop Chilled Water System for the Convention and Entertainment Facilities Department. A copy of the Second Amendment is on file in the office of the Director of General Services.

IN WITNESS WHEREOF, the parties hereto have caused this second amendment to be executed by their duly authorized representatives as of the date first written above.

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Approved as to form and legality:

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Nelson V. Munoz

Assistant City Attorney