[PLEASE PRINT ON HARDIN COUNTY BOARD OF EDUCATION LETTERHEAD]

February 16, 2024

Mr. Brad Mason

Trane U.S. Inc.

12700 Plantside Drive

Louisville, KY 40299

Dear Mr. Mason:

It is our understanding that Trane will deliver to Hardin County Board of Education (BOE) a proposed guaranteed energy savings contract (GESC) for consideration and approval in its May 2024 board meeting. The GESC will be incorporated in the Kentucky Department of Education’s version of the *AIA Document A141TM – 2004* (Standard Form of Agreement Between Owner and Design-Builder). The proposed contract will be procured through Trane’s cooperative purchasing agreement with OMNIA and will include various energy conservation measures for multiple buildings. Within the GESC, it is our understanding that Trane is recommending the identified energy conservation measures in the following schools:

|  |  |
| --- | --- |
| **Energy Conservation Measure** | **Facility** |
| HVAC Renovation | Lakewood Elementary SchoolNew Highland Elementary School |
| LED Lighting Upgrades | Multiple Facilities |
| Solar Photovoltaic Arrays | Multiple Schools |

Prior to the execution of the GESC, in an effort to meet the district’s installation schedule demands for summer 2024 construction and upon your written acceptance below, this letter serves as our authorization for Trane to:

1) manufacture and/or order HVAC equipment for work in Lakewood Elementary School and New Highland Elementary School; and

2) deliver all necessary equipment for the installation and commissioning of Lakewood Elementary School and New Highland Elementary School.

This authorization enables Trane to perform construction in the summer of 2024 and to meet the requirements of the Hardin County BOE. The following table summarizes our understanding of the equipment to be manufactured and/or ordered and the associated lead times.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Facility** | **Item** | **Quantity** | **Cost** | **Lead Time (Weeks)** |
| Lakewood Elementary | Water Source Heat Pumps | 45 | $306,430.00 | 8-10 Weeks |
| New Highland Elementary  | Water Source Heat Pumps | 47 | $297,379.00 | 8-10 Weeks |
| **Total** |  | **92** | **$603,809.00** |  |

The equipment to be delivered hereunder is listed in detail in Exhibit A hereto. It is our expectation that Trane and Hardin County Board of Education will enter into the GESC upon approvals by the school board and Kentucky Department of Education. It is the intent of the Hardin County BOE that the equipment listed herein, together with associated savings, will be incorporated into the GESC. However, should Trane and Hardin County Board of Education not enter into the GESC on or prior to June 30, 2024, Hardin County Board of Education will pay to Trane the price of the equipment, materials, and related services for the above-listed HVAC equipment in the amount of $603,809.00 which shall be paid net 30 days from date of invoice.

Hardin County Board of Education and Trane agree that the sale of the equipment, materials, and services for the proposed work in the school district will be performed in accordance with the standard terms and conditions of the GESC attached hereto as Exhibit B, excluding, for the purposes hereof, any exhibits thereto and energy savings guarantees. Hardin County Board of Education acknowledges that Trane is not guaranteeing any of the operational or energy savings that may result from the work and, only upon execution of the GESC, will such work be incorporated into the operational savings and the energy savings guarantee included within the GESC.

Sincerely,

**Hardin County Board of Education Acceptance by Trane U.S. Inc.**

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

 Teresa Morgan Brad Mason

 Its: Superintendent Its: Complex Solutions Leader –Southeast Region

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_