



SIEMENS

Ingenuity for life

Proven Outcomes

Service Agreement for Town of Apex

May 17, 2022

Proposal # JAL2202006

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1 Overview

1.1 Executive Summary

The Outcome Based Service Offering proposed in this agreement is specifically designed for Town of Apex in order to meet the mutually agreed upon specific business needs below:

- **System Efficiency:** Maintain the health of the building management system to ensure efficient building operation. Work with Town of Apex to address current control improvement initiatives.
- **Environment:** Assist the Town of Apex in providing a safe, quality, and comfortable environment for building occupants.
- **Team Proficiency:** Assist the Town of Apex team with training and support needed to give them the tools to provide exceptional service in their day-to-day responsibilities.

Vision

This agreement will serve as the cornerstone of a relationship whereby Siemens Industry, Inc. assists Town of Apex in operating an exceptionally quality and energy efficient facilities.

You have made a significant investment in your facilities and their complex technical systems which are critical to the safety, quality of service and cost effectiveness of the facilities. This proposed service solution, our Service Agreement, will proactively serve to optimize that substantial investment through an integrated program of services by our highly trained technical staff. By Benchmarking and measuring throughout the process, Siemens will provide the Town of Apex with real data to help direct decisions regarding the building systems.

Our Proven Outcomes Service Framework has three primary components:

Define

We work with you to understand your goals and strategies, and ultimately Key Performance Indicators (KPI's). By establishing KPI's, we ensure that a service program is designed with them in mind, so the expected results will be achieved and measured.

Deliver

We deliver services that are directly aligned with the expected outcomes (KPI's). This helps to ensure that the services and tasks are aligned with your goals. In addition, we provide transparency to the services as they are performed

Demonstrate

We quantify performance against your KPI's and review this performance with you on a *quarterly* basis. We also review any recommendations for improvement and establish next steps with you. This keeps the services we provide relevant to your needs. The Proven Outcomes Service Framework is a collaborative approach which ensures that we work together and ultimately help you achieve organizational outcomes.

This Service Agreement has been specifically developed to support your unique facility, and the services provided herein will help you in achieving your facility goals.

1.2 Service Summary Overview

- Remote Specialist Support Services – 8 hours
- Business Protection & Recovery Services
- Systems Health Analytic Reports
 - Semi-Annual Automation Health Reports
 - Semi-Annual Zone RX Report
- Operator Coaching / Training
 - Quarterly Training sessions to re-enforce controls strategies and operation
- Systems Improvement Services
 - Monthly Onsite System Improvement Initiative Support
- Technical Support Services
 - Siemens Software Subscription Updates – Desigo CC
- Annual Proven Outcomes Review
- Buildings covered include – Town Hall, Community Center, Cultural Arts Center, Public Works Operations, Public Safety #4, Police Station, Public Works P&I & Admin, Nature Park, Electric Ops Center (Added in 2021), Senior Center (Added in 2021)

1.3 Goal Alignment

Goal Alignment

Town of Apex has a multitude of facility goals. Siemens can have a direct impact on many of these, which are measurable. The Proven Outcomes based service plan herein is written with these goals as the drivers. The primary focus of the Town of Apex is to provide a safe, quality, and comfortable environment for the facility occupants.

1.) System Efficiency – using our Automation Health Reports and collaboration between Town of Apex and Siemens, we will identify and take action on system improvement measures discovered.

2.) Zone Comfort – Siemens will use the ZoneRx analytics reporting to identify, investigate, resolve and report zone deficiencies/repairs.

3.) Training – Siemens will discuss topics of focus with Town of Apex to set-up and provide training for the Apex team to further their understanding and comfortability with building systems and operation.

1.4 Key Performance Indicators (KPI's)

Key performance indicators to measure goal alignment

- **# Point in Operator, Unique Alarms, Failed Points identified and addressed**
- **# of Spaces that meet +/- 3 degrees of Setpoint**
- **% of team members trained and show of proficiency based on the material presented**

1.5 Current Situation

Siemens Industry, Inc. has been providing services to the Town of Apex for several years. This long-standing relationship has allowed the Town of Apex to provide a safe, quality, comfortable environment, stay current with technology and manage utility costs to a degree. The intent of this outcome-based agreement is to continue down the path to better measure the impact of these services and provide information for the Town of Apex to make informed decisions about their facilities.

1.6 Siemens Capabilities & Commitment to Our Customers

Siemens Industry, Inc. is the leading single-source provider of cost-effective facility performance solutions for the comfort, life safety, security, energy efficiency and operation of some of the most technically advanced buildings in the world. Siemens is pleased to offer this proposal for technical support services to your facility. For more than 150 years, Siemens has built a culture of long-term commitment to customers through innovation and technology. We are confident that we have the capabilities to meet your critical facility needs today and in the future, and we look forward to the opportunity to serve you.

2 Service Solution

Services that deliver the outcomes you want to achieve.

We've structured our service portfolio around achieving the common facility outcomes that help organizations meet their business goals.

		
<h4>Manage System Operation & Compliance</h4>	<h4>Optimize Performance & Productivity</h4>	<h4>Protect Lifecycle Investment</h4>
<p>Services that keep systems performing at their best, as designed and intended to operate, help you achieve:</p> <ul style="list-style-type: none"> • Optimized comfort, safety, and security • Fulfilled regulatory requirements • Reduced operating risk <p>Facility Assessment & Planning In-depth building system assessment and recommendations, definition of relevant KPIs, and development of your service program</p> <p>Test & Inspection Regular check-ups to measure system performance compared to your defined facility and regulation requirements and risks</p> <p>Preventive Services Services performed on a regular schedule or based on data analytics to verify and improve system state</p> <p>Documentation Management Management of critical building system and compliance information with organization and access determined by your needs</p> <p>Corrective Services Immediate response to system failures or faults to restore functionality and integrity to desired state</p>	<p>Enhance building performance with improvement measures that increase productivity and efficiency; common outcomes include:</p> <ul style="list-style-type: none"> • Enhanced system performance • Streamlined operational processes • Maximized energy efficiency <p>Optimization Planning Planning and prioritization of improvement measures to increase building and/or process performance and efficiencies</p> <p>Predictive Services Systems are audited and monitored to detect abnormalities or faults, with recommendations provided and/or corrective actions taken</p> <p>System Improvements & Integration Enhancements or additions to your current system to increase staff productivity, system performance, and operational/energy efficiencies</p> <p>Training & Operational Support Training, coaching, and on-site support to increase staff productivity and knowledge</p> <p>Managed Services On-site and/or remote resources monitor system events and alarms and take appropriate action</p>	<p>Leverage past investments and address future requirements with advanced and proven technology, to achieve outcomes such as:</p> <ul style="list-style-type: none"> • Extended system life • Maximized return on investment • Realized benefits of new technology <p>Technology Planning Consulting services identify technology improvement opportunities that help achieve performance goals while leveraging past investments</p> <p>System Updates / Upgrades Software upgrades and firmware updates are completed, delivering the most current technology and functionality</p> <p>System Migration / Modernization Enhancements to your systems by elevating them to the most current hardware and software platforms, resulting in increased functionality and performance levels</p> <p>Retrofits & Extensions Modifications are made to existing systems to accommodate changes to your facility usage and footprint</p> <p>New Installation Services Startup, commissioning, and other installation services are completed to ensure new equipment operates at maximum performance</p>

Performance Reporting • Quality Assurance Meetings

2.1 HVAC CONTROL SERVICES – Automation

Emergency Online/Phone Response:

To provide faster response to emergency service requests and to reduce the costs and disruptions of downtime, we will use our Powerful Online Support Technologies (POST), and respond online within 2 hours of receiving notification for emergency service during the hours of Monday through Friday, 8 a.m. to 5 p.m. Emergencies will be determined by the Apex Town Campus staff and Siemens Industry Inc.

Emergency Onsite Response: Monday through Friday, 8 a.m. to 5 p.m.

To reduce the costs and disruptions of downtime when an unexpected problem does occur, we will provide Emergency Onsite Response within the next business day upon your notification. We will provide this service between scheduled service calls, Monday through Friday, 8 a.m. to 5 p.m., to minimize downtime. Non-emergency calls, as determined by your staff and Siemens will be incorporated into the next scheduled service call. **(Performed on a Time & Material basis)**

Business Protection & Recovery Services

Through this service we help protect your HVAC Control System's vital databases of business information from unforeseen and costly catastrophic events (lightning strike, electrical power surge, hard drive or controller failure, flood, physical damage, etc.). Siemens will perform scheduled database back-ups of your Insight workstation database & graphics and field panel databases and provide safe storage of this critical business information. Should a catastrophic event occur, we can respond onsite (or online if such service is included in this proposal) to reload the databases and system files from our stored backup copy, to restore your operation as soon as possible.

Remote Specialist Support Services –8 hours per year

System software troubleshooting and diagnostics will be provided by remote technicians to provide faster response to emergency service requests and to reduce the costs and disruptions of downtime. We will provide this service Monday through Friday, 8 a.m. to 5 p.m. Online service technology enables us to remotely dial into your Building Management System, through a dedicated connection provided by the Town of Apex. If remote diagnostics determine a site visit is required to resolve the problem, a technician can be dispatched.

2.1.1 Automation Services for Indoor Environmental Performance

Proven Outcomes Data Generation

Under this agreement we shall generate and organize data to drive our services. The following tools will be used to generate and report this data: Automation Health Report and ZoneRx. The results will drive the resolution tasks and feed the annual KPI reporting.

Definitions of these services are below.

System Reporting – via Automation Health Report

Automation Health is a report-based Digital Service which provides customers with an assessment of their building automation system. It includes—among many other items—a panel summary for lifecycle planning, a table of generated alarms over a defined period of time (30/60/90 days), and a detailed listing of failed points and points in operator override.

Siemens will create an Automation Health Report for the Town of Apex Siemens System on a semi-annual basis and will be provided to the Town and service technician to be used to investigate and take corrective action through the Task-Based Services listed below. Siemens will provide feedback during our annual Proven Outcome meeting with the details in the report and resolutions taken to address issues.

Building Zone Reporting – via ZoneRx

ZoneRx is a report-based Energy Service that allows customers to evaluate the performance of their standard-application Siemens zone controllers (P1 or BACnet TECs and DXRs). This report will identify basic faults (failed terminal unit controller, room temperature deviation, VAV airflow deviation, valve control issues, etc.), prescribe recommended repairs and corrective actions for each identified fault, estimate energy and operational impact if identified issues are corrected, and track identified faults and resolutions from previous report iterations. Siemens will create a ZoneRx Report for the Town of Apex Siemens System on a semi-annual basis and will be provided to the Town and service technician to be used to investigate and take corrective action through the Task-Based Services listed below. Siemens will provide feedback during our annual Proven Outcome meeting with the details in the report and resolutions taken to address issues.

Monthly Task-Based Services

Under this agreement we shall provide services specifically scoped to help your team accomplish your facility goals. These services are defined below and will be conducted on normal business days and hours, during scheduled visits or may be performed remotely.

Definitions of these services are below.

Monthly System Improvement Support (1 day/month or 12 days/yr) – from AHR and ZoneRx Reports and Customer Directed Requests

Siemens will utilize an onsite technician to address and resolve faults identified through the semi-annual reports. The intent is to ensure that the Town of Apex building automation system is operating at optimal conditions.

Technical Support Services

Under this agreement we shall provide services specifically scoped to help your team accomplish your facility goals. These services are defined below.

Siemens Software Support Services – Desigo CC

A Software Support Agreement is a vital component of your comprehensive security support plan. On an annual basis, the latest Desigo CC software revision will be installed to provide the most advanced security features and functionality. Software patches will be installed when available and incorporated into new releases to enhance performance and maximize uptime. You will have peace of mind knowing that your system software is at the most current release.

Siemens will provide you with an annual revision upgrade to your existing Siemens Desigo CC graphical software. We will provide corresponding support documentation outlining the features of the releases. Included is onsite training to familiarize you with the new features along with their associated benefits. This update delivers the benefits of Siemens Industry, Inc. commitment to compatibility by design, a commitment unique in our industry. (Upgrades to PC's and related workstation hardware are excluded.)

2.2 Proven Outcomes Meetings

Proven Outcomes Meeting – Annual KPI Performance Review

Through implementation of our Proven Outcomes agreement, Siemens will ensure that our delivered services are of the highest quality. Siemens will meet with the Town of Apex on an annual basis to track our KPIs. We will meet with you to discuss our performance and your satisfaction with the quality of service that is being provided under your agreement. We will discuss the performance of your systems, your facilities, and make recommendations for improvement.

Siemens will provide this Proven Outcomes review to directly addresses the KPIs we agreed upon and are listed in section 1.4 of this agreement. Along with highlighting the KPIs, Siemens will include detailed supporting documentation. This annual KPI review presentation is the cornerstone of the Proven Outcomes methodology.

3 Service Implementation Plan

3.1 HVAC Control Services – Automation On-site Response Time and Call Windows

Attribute	
Emergency Online/Phone Response	2 hours
Response time - onsite for critical components	Next Day
Response time - onsite for non-emergency	Next scheduled service visit
Hours of Service	Monday – Friday, 8 a.m. to 5 p.m.
Window for Call Handling	24 x 7 – Availability to take your call

*Labor and material costs for troubleshooting problems and repairing or replacing components are handled separately. These costs can be billable or included within your Repair and Replacement Coverage. See [List of Maintained Equipment](#) to view your current Repair and Replacement Coverage.

3.2 Maintained Equipment Table

List of Maintained Equipment, Software, Firmware and Control Loops

Qty	Equipment	Manufacturer	Serial/Model No.	Size	R&R Coverage See Code Key
2	PXCM – Ethernet Modular Building Controller	Siemens Industry, Inc.	Town Hall		D
91	TEC's – Terminal Equipment Controllers	Siemens Industry, Inc.			D
1	FLNC – Floor Level Network Controller	Siemens Industry, Inc.			D
1	Apogee Desigo Software	Siemens Industry, Inc.	Community Center		A
5	PXCM – Ethernet Modular Building Controller	Siemens Industry, Inc.			D
22	TEC's – Terminal Equipment Controllers	Siemens Industry, Inc.			D
1	PXCM – Ethernet Modular Building Controller	Siemens Industry, Inc.	Cultural Arts Center		D
1	PXCM BACnet MS/TP Ethernet Gateway	Siemens Industry, Inc.			D
18	TEC's – Terminal Equipment Controllers	Siemens Industry, Inc.			D
1	Ethernet PXCM – Programmable Controller	Siemens Industry, Inc.	Public Works Operations		D
11	TEC's – Terminal Equipment Controllers	Siemens Industry, Inc.			D
1	Ethernet PXC-C Programmable Controller	Siemens Industry, Inc.	Public Safety #4		D
6	TEC's – Terminal Equipment Controllers	Siemens Industry, Inc.			D
2	Ethernet PXCM – Programmable Controller	Siemens Industry, Inc.	Police Station		D
38	TEC's – Terminal Equipment Controllers	Siemens Industry, Inc.			D
4	Ethernet PXC-C Programmable Controller	Siemens Industry, Inc.	Public Works P&I & Admin		D
3	TEC's – Terminal Equipment Controllers	Siemens Industry, Inc.			D
2	PPM – Point Pickup Module	Siemens Industry, Inc.			D

1	Ethernet PXC-C Programmable Controller	Siemens Industry, Inc.	Nature Park		D
6	ATEC's – Terminal Equipment Controllers	Siemens Industry, Inc.			D
1	TEC's – Terminal Equipment Controller	Siemens Industry, Inc.			D
2	Ethernet PXC-C Programmable Controller	Siemens Industry, Inc.	Apex Senior Center		D
1	PXCM – Ethernet Modular Building Controller	Siemens Industry, Inc.			D
12	Variable Frequency Drives (VFD)	Siemens Industry, Inc.			D
24	DXR's – Room Automation Application Controller	Siemens Industry, Inc.			D
1	PXCM – Ethernet Modular Building Controller	Siemens Industry, Inc.	Apex Electrical Operations Center		D
19	DXR's – Room Automation Application Controller	Siemens Industry, Inc.			D

Repair & Replacement Coverage Code Key:

- A = Labor & Materials Included
- B = Labor Included & Materials Not Included
- C = Labor Not Included & Materials Included
- D = Labor Not Included & Materials Not Included

3.3 Service Team

An important benefit of your Service Agreement derives from having the trained service personnel of Siemens Industry, Inc. familiar with your building systems. Our implementation team of local experts provides thorough, reliable service and scheduling for the support of your system.

Added to the team is a Remote Services Specialist. Siemens is looking to move to a more digital workspace hour than a physical workspace hour. The benefits you receive are less disruption to your employees at the site, less intrusive on the system at peak hours, fewer emissions for trucks rolled, and real time analytics with digital workspace hours.

The following list outlines the service team that will be assigned to the service agreement for your facility.

Your Assigned Team of Service Professionals will include:

Joe Latore - Sales Account Representatives

manage the overall strategic service plan based upon your current and future service requirements.

Jason Lambert – Client Services Manager

is responsible for ensuring that our contractual obligations are delivered, your expectations are being met and you are satisfied with the delivery of our services.

Christian Anderson - Primary Service Specialist is responsible for performing the ongoing service of your system.

Drew Tysinger - Secondary Service Specialist who will be familiarized with your building systems to provide in-depth backup coverage.

Digital Service Center – Remote Services

Specialist is responsible for remote services including report generation and backups.

Craig Martin - Service Operations Manager

is responsible for managing the delivery of your entire support program and service requirements.

Vonda Harrison - Service Coordinator is responsible for scheduling your planned maintenance visits and handling your emergency situations by taking the appropriate action.

Allyson Okin - Service Administrator is responsible for all service invoicing including both service agreement and service projects.

4 Siemens Industry, Inc.

4.1 Signature Page and Investment By and Between:

Siemens Industry, Inc.
215 Southport Drive, Suite 900
Morrisville, NC 27560

Town Of Apex
P.O. Box 250
Apex, NC, NC 27502

Services shall be provided at Town Hall, Community Center, Cultural Arts Center, Public Works Operations, Public Safety #4, Police Station, Public Works P&I & Admin, Nature Park, Electric Ops Center, and Senior Center.

Siemens Industry, Inc. shall provide the services as outlined in the attached proposal dated 5/17/22 and the attached terms and conditions.

Duration: This agreement shall remain in effect for an Initial Term of 3 Years beginning 7/01/2022 and from year to year thereafter.

Initial Term Investments:

	3 Year Agreement Pricing		
	ANNUAL	SEMI-ANNUAL	QUARTERLY
Year 1	\$37,920	\$38,299	\$38,678
Year 2	\$39,058	\$39,448	\$39,839
Year 3	\$40,229	\$40,632	\$41,034
TOTAL INVESTMENT	\$117,207	\$118,379	\$119,551
Billing Terms Accepted (please initial or sign under one option)			

Applicable sales taxes are excluded from the Investments. The pricing quoted in this proposal are firm for 30 days.

The Customer acknowledges that when approved by the Customer and accepted by Siemens Industry, Inc., this Proposal and the terms and conditions, (together with any other documents incorporated into the forgoing) shall constitute the entire agreement of the parties with respect to its subject matter.

Proposal accepted by:
Town of Apex Representative

Proposal submitted by:
Joe Latore
Siemens Industry, Inc.

Signature _____ Date _____

Signature _____ Date _____

P.O.# _____

- ☐ Customer purchase order included as an attachment to this agreement and will be referenced on invoices.

Or

- ☐ Customer purchase order not required. Invoices will be approved and processed with signature of authorized customer representative.

Craig Martin
Service Operations Manager

Signature _____ Date _____

5 Terms and Conditions

Terms and Conditions (Click to download)

[Terms & Conditions](#)

(<https://www.siemens.com/download?A6V11628573>)

As a result of the global Covid-19 Virus outbreak, temporary delays in delivery, labor or services from Siemens and its sub-suppliers or subcontractors may occur. Among other factors, Siemens' delivery is subject to the correct and punctual supply from sub-suppliers or subcontractors, and Siemens reserves the right to make partial deliveries or modify its labor or services. While Siemens shall make every commercially reasonable effort to meet the delivery or service or completion date mentioned above, such date is subject to change.

Attachment A

Riders (Click on rider below to download)

[SI Online Backup and Data Protection](#)

(<http://www.siemens.com/download?A6V10946174>)