

TOWN OF 
Brownsburg

CITIZEN INPUT FORM

Name: **Scott Black**

Address: **9382 Windmill Drive**

City: **Pittsboro*** State: **IN** ZIP: **46167**

Email Address: **HelloScott@aol.com/scott_black@siemens.com**

Day Phone Number: **317.532.7124** Evening Phone Number: **317.858.0288**

Agenda Item: **08.03 – Memorandum of Understanding with JCI**

Please Mark One: _____ For **X** Against _____ Other

Purpose of Request, Comment, and/or Suggestion:

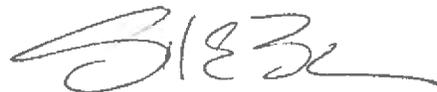
I am asking, as an employee of Siemens Building Technologies, based in Indianapolis, that the Town Council agree to enter into an identical "Memorandum of Understanding" with Siemens Building Technologies as they are doing with Johnson Controls for potential projects for Brownsburg.

The reason being is that any document put in writing and signed by two parties, does in fact, constitute an agreement. If the town is going to only enter into an agreement with Johnson Controls, it would give Johnson an unfair competitive advantage during the RFQ process. Siemens is equal to Johnson Controls for this scope of work and we would be glad to demonstrate our qualifications to the Brownsburg Town Council and Administration.

I do not wish to speak, but want to provide this information to the Town Council

August 10, 2011

Date



Signature

**Please note that my mail comes through the Pittsboro USPS. We live in Brown Township. Our home is located in a little bubble of homes that the Brownsburg Post Office refused to service at the time they were built. So, Pittsboro took the route. Now, despite having 100% petition signatures of homeowners, Pittsboro will not give up the route. Our children attend Brownsburg Schools and we consider Brownsburg our home.*

August 17, 2011

**Brownsburg Town Council Members
Town of Brownsburg
61 North Green Street
Brownsburg, IN 46112**

RE: Request for Consideration

Dear Gentlemen,

Thank you for giving me the opportunity to address you at the Town Council meeting of August 11, 2011. My appearance before you was caused by the Town's Memorandum of Understanding with Johnson Controls regarding energy savings and revenue enhancements for the Town.

During the discussion prior to the vote, one of the Town Council said to the Johnson Controls representative, "why would you be willing to do so much work for free?" I'm not sure that he answered that question but here is my response.

Siemens has been in this industry for well over 100 yrs, and we are committed to working in a co-authored fashion with customers that we serve. Our willingness to engage and make an upfront investment is because of the following key reasons:

1. Doing this assessment will let Siemens know if there really is a potential project with the Town of Brownsburg.
2. It will give both groups a chance to know each other better and get a feel for the situation.
3. There is an opportunity for you to be educated on what improvements are possible and for our company to become educated on the needs of the Town of Brownsburg.

However, some companies want to do up front "free" work for the following reasons, which can give them an unfair competitive advantage:

1. By developing the list of potential FIM's (Facility Improvement Measures) the company can suggest doing the FIM's that most closely match the company's strengths.
2. By getting the Owner (Town) to invest their time the company then has reason to hope that the project will move forward with their company because the process is in motion.
3. By having a written agreement, even a loose one, the company can go to the market and announce that they "have an agreement with the Town of Brownsburg." This gets them the full attention of area consultants, subcontractors and material suppliers. They are "in the catbird seat" as the old saying goes and will often receive preferential treatment and pricing.
4. By helping with the feasibility study and the subsequent RFQ or RFP, they can "steer" it in one direction or another to make sure it is a better match for their company instead of a competitors company.

(Continued...)

Siemens Industry, Inc. – Building Technologies Division

6200 Technology Center Drive
Indianapolis, IN 46278

Tel: (317) 293-8880
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Brownsburg Town Council Members

August 17, 2011

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Siemens would like the opportunity to offer the same group of preliminary, no cost services to the Town of Brownsburg as were done by Johnson Controls. By doing so, you will allow us the same opportunity. An additional agreement with Siemens will require a little more time from your staff. However, having Siemens' engineering staff looking at your potential projects will validate the ones that are a good idea and perhaps even find savings or revenue opportunities that were missed by our competitor.

Please feel free to contact me via phone or email anytime. As you would expect, this potential opportunity with the Town of Brownsburg is very important to me.

Sincerely yours,



Scott E. Black
Exec Sales | Energy Environmental Solutions

scott_black@siemens.com
317.715.4368 Direct
317.532.7124 Cell

cc: Dale Cheatham – Brownsburg Town Manager
Grant Kleinhenz – Brownsburg Assistant Town Manager
George Taylor, Siemens Building Technologies - Area Sales Manager
Fredrick Rovet, Siemens Building Technologies – Indianapolis Branch Manager

Siemens Industry, Inc. – Building Technologies Division

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Industry

Building Technologies Division

August 26, 2011

Town of Brownsburg
Attention: Dale Cheatham - Town Manager
61 North Green Street
Brownsburg, IN 46112

Re: Letter of Understanding for Feasibility Study ("Study")

Dear Mr. Cheatham:

The Town of Brownsburg ("Town") has asked the Building Technologies Division of Siemens Industry, Inc. ("Siemens") to conduct a(n) Study to estimate the implementation costs and the energy and operational savings of a variety of facility improvement measures ("FIMs") at the following location(s): as requested by the Town.

Siemens is pleased to perform this Study for the purpose of determining if any FIMs are financially viable and will do so at no charge to the Town of Brownsburg with the following understandings:

1) Client will provide the following:

- Copies of all actual utility bills for gas, electric, water, oil, and distributed steam, hot water, and chilled water (if any), for at least the past twenty-four (24) months.
- Available copies of lists, specifications, and drawings of the current mechanical and electrical equipment.
- Physical access to survey the facility and its associated equipment and an escort that is knowledgeable in the operation and use of this equipment.

2) Siemens will use the information to:

- Identify FIMs that could be implemented as a project to improve the mechanical/electrical system infrastructure and operational efficiencies.
- Make preliminary estimates of implementation costs and operational savings.
- Present the results of this Study, including a preliminary financial analysis and recommended approach/process.

3) Client and Siemens agree to:

- Treat exchanged information as confidential and not share it with anyone who is not directly involved with this Study, except to meet legal requirements.
- Maintain fully adequate, comprehensive insurance on their respective goods, services, and operations, as applicable. Each party agrees to indemnify, defend and hold the other harmless from all claims, costs, suits, damages or liability to the extent related to the indemnifying party's negligent acts or omissions.

Thank you for the opportunity to be of service. Please sign and date in the space below and return this letter to me at your earliest convenience in order to proceed.

Best regards,

Scott Black
Executive Sales - Indianapolis Branch
Energy & Environmental Solutions

Accepted for Town of Brownsburg:

Sign: _____

Print: _____

Title, Date: _____