

Partnership Agreement for Epect 2005 and 26 USC Section 179D between Sarasota County Schools and Willis A. Smith Construction, Inc.

Whereas, the Sarasota County Schools (SCS), has since 2005 erected numerous building projects utilizing highly efficient engineering designs for its facility's Building Envelope, Lighting and Heating, Ventilating and Air Conditioning systems;

Whereas, SCS and the chosen provider WASC to partner with them to select and apply products and systems created by WASC and other vendors to ensure that SCS Buildings and Systems were built to the highest efficiencies;

Whereas, The U. S. Treasury and the Internal Revenue Service have created incentives through the Energy Performance Act of 2005 (EAct) to encourage energy efficient designs and offers incentives for publicly owned buildings in the form of Income Tax Deductions for members of the Design Team which include WASC.

Now, SCS and WASC now enter in an agreement to share the benefits of EAct on the following terms:

SCS will provide electronic copies of drawings and specifications of all major new construction and renovation projects completed in years 2007 and forward

WASC will transfer said electronic drawings and specifications provided by SCS to the third-party firm selected by WASC to create an electronic model and prepare needed tax documentation,

WASC will work with the third-party firm to insure that the buildings are modeled in a manner consistent with the Design Team's intent,

WASC will work to insure that the computer model that is created accurately reflects the building design performance and meets or exceeds the maximum available potential tax deductions,

WASC will provide needed manpower to complete all of the above detailed tasks and pay all fees associated with gathering and transmitting the electronic plans, pay all fees associated with the modeling effort, pay all fees associated with preparing of the supporting documentation of earned tax deductions, pay all fees associated with the filing of tax returns associated with utilizing the tax deductions that have been created and pay all costs related to tabulating, tracking and dispersing payments related to sharing the benefits earned with SCS.

SCS and WASC will execute the completed "Government Building Primary Designer Acknowledgment Form" in a timely manner upon receipt.

SCS portion of the benefit is 15 percent of the total income tax benefits calculated as noted below. WASC will share the balance of the tax benefits.

$$\text{Value to SCS in Dollars} = ((\text{Total Tax Deduction} \times \text{Tax Rate}) - \text{Costs}) \times \text{SCS Percentage}$$

Where:

Total Tax Deduction Amount calculated by modeler/tax preparer
Tax Rate= 30% Average WASC estimated Corporate Tax Rate
Costs = Costs of modeler and tax preparation work
SCS Percentage= SCS participation is 15%

SCS Total Tax Benefits will be distributed in the form of a cash payment made out to the SCS.

The undersigned acknowledge that a signing the Government Building Primary designer Acknowledgment, the Owner's Authorized Representative makes no representation regarding the amount, if any, of Designer's Tax Deduction. All other information on the Government Building Primary Designer Acknowledgement is correct to the best knowledge of the Owner's Representative.

Agreed By:

Mark D. Smith
Director, Construction Services Dept.
Sarasota County Schools



David E. Sessions
President / CEO
Willis A. Smith Construction, Inc.

Date

2024-14

Date

SECTION 179D ALLOCATION

As part of the Energy Policy Act of 2005, Congress enacted Section 179D of the Internal Revenue Code in order to encourage the energy efficient design and construction of new or rehabilitated properties. This program allows tax exempt government building owners to allocate potential Section 179D deductions for energy efficient building envelope, HVAC and hot water systems, or interior lighting systems to taxpayers who worked on those systems for the government-owned buildings. Taxpayers eligible to receive an allocation may include an architect, engineer, contractor, environmental consultant or energy services provider.

In the event that the (see attached schedule) ("Building"), located at (see attached schedule), meets the energy efficiency requirements of Section 179D, Mark D. Smith, representative for Sarasota County Schools ("Property Owner"), the owner of the Building allocates the full federal income tax deduction available under Section 179D attributable to the *lighting systems* to Willis A. Smith Construction, Inc. for their work on the Building. The Building was placed into service in (see attached schedule) and the cost of the property is (see attached schedule).

We acknowledge that at the time of signing, the Building has not yet been certified as meeting the energy efficiency requirements of Sec. 179D. Attached documents (if any) do not relate to the energy efficiency of the Building.

Required IRS Statement:

Under penalties of perjury, I declare that I have examined this allocation, including accompanying documents, and to the best of my knowledge and belief, the facts presented in support of this allocation are true, correct, and complete.

AGREED TO AND ACCEPTED:

Signature (Sarasota County Schools)

Mark D. Smith

Print Name

Director of Construction Services

Title

7895 Fruitville Rd.

Sarasota, FL 34240

Address

(941) 361-6680

Telephone Number

Date



Signature (Willis A. Smith Construction, Inc.)

David E. Sessions

Print Name

President / CEO

Title

5001 Lakewood Ranch Blvd. N.

Sarasota, FL 34240

Address

(941) 366-3116

Telephone Number

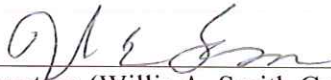
2-24-14

Date

Project Name	Project Address	Placed In Service	Cost
SCS-Sarasota County Technical Institute - Phase II	4748 Beneva Rd. Sarasota, FL 34233	31 January 2011	\$31,282,313
SCS-Sarasota County Technical Institute - Phase III – Building 3	4748 Beneva Rd. Sarasota, FL 34233	19 July 2013	\$8,622,460
SCS-Sarasota County Technical Institute - Phase III – Building 4	4748 Beneva Rd. Sarasota, FL 34233	19 July 2013	\$5,573,106
SCS-Sarasota County Technical Institute - Phase III – Building 5	4748 Beneva Rd. Sarasota, FL 34233	19 July 2013	\$8,797,866
SCS-Sarasota County Technical Institute - Phase III – Building 86	4748 Beneva Rd. Sarasota, FL 34233	19 July 2013	\$903,056
SCS-Booker High School-Building 1	3201 N. Orange Ave. Sarasota, FL 34234	7 November 2012	\$2,225,909
SCS-Booker High School-Building 2	3201 N. Orange Ave. Sarasota, FL 34234	23 October 2013	\$2,738,785
SCS-Booker High School-Building 3	3201 N. Orange Ave. Sarasota, FL 34234	24 February 2012	\$2,927,713
SCS-Booker High School-Building 4	3201 N. Orange Ave. Sarasota, FL 34234	3 January 2013	\$17,538,056
SCS-Booker High School-Building 5	3201 N. Orange Ave. Sarasota, FL 34234	17 August 2012	\$3,439,148

Project Name	Project Address	Placed In Service	Cost
SCS-Booker High School-Building 6	3201 N. Orange Ave. Sarasota, FL 34234	27 September 2011	\$520,715
SCS-Booker High School-Building 8	3201 N. Orange Ave. Sarasota, FL 34234	3 January 2013	\$9,825,969

Signature (Sarasota County Schools)



Signature (Willis A. Smith Construction, Inc.)