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CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

Memorandum

DATE March 5, 2014

TO Rosa A. Rios, City Secretary
City Secretary's Office

SUBJECT File Correction – Resolution No. 13-1757

Supplemental Agreement No. 1 to the contract for services with *AAF-McQuay, Inc. d/b/a McQuay International* (Bid Number BV0821) was approved by Council Resolution No. 13-1757 on October 8, 2013. Effective October 1, 2013, AAF-McQuay changed their legal name to *Daikin Applied Americas, Inc. d/b/a Daikin Applied*, as evidenced by the Amendment to Registration and the Assumed Name Certificate filed with the Texas Secretary of State, both attached to this memo.

Administrative Action No. 14-5326, effective January 29, 2014, documents and memorializes this name change.

As a result of Administrative Action No. 14-5326, the name AAF-McQuay, Inc. d/b/a McQuay International is no longer valid.

Please add this memo to Files 13-1757 and 14-5326.

If you have any questions, please contact me at (214) 671-9574.

Warren M. S. Ernst
City Attorney

Attachments (2)

c: Stephanie Cooper, Assistant Director, Business Development & Procurement Services

PAR 3/12/14
R 3/6/14

Form 406
(Revised 05/11)

Submit in duplicate to
Secretary of State
P O Box 13697
Austin, TX 78711-3697
512 463-5555
FAX 512/463-5709
Filing Fee See instructions

**Amendment to Registration**

This space reserved for office use

FILED
In the Office of the
Secretary of State of Texas

OCT 01 2013

Corporations Section**Entity Information**

1 The legal name of the filing entity is

AAF McQuay Inc

State the name of the entity as currently shown in the records of the secretary of state

2 If the entity attained its registration under an assumed name, the qualifying assumed name as shown on the records of the secretary of state is

3 The registration was issued to the entity on

03/25/1992

mm/dd/yyyy

The file number issued to the filing entity by the secretary of state is 9098106

Amendments to Application

4 The registration is amended to change the legal name of the entity as amended in the entity's jurisdiction of formation The new name is

Daikin Applied Americas Inc

5 The new name of the entity is not available for use in Texas or fails to include an appropriate organizational designation Or, the entity wishes to amend the qualifying assumed name stated on its application for registration or amended registration The assumed name the entity elects to adopt for purposes of maintaining its registration is

6 The registration is amended to change the business or activity stated in its application for registration or amended registration The business or activity that the entity proposes to pursue in this state is

The entity certifies that it is authorized to pursue the same business or activity under the laws of the entity's jurisdiction of formation

Other Changes to the Application for Registration

7 The foreign filing entity desires to amend its application for registration to make changes other than or in addition to those stated above. Statements contained in the original application or any amended application are identified by number or description and changed to read as follows

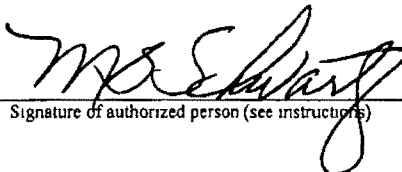
Effectiveness of Filing (Select either A, B, or C)

- A ☒ This document becomes effective when the document is filed by the secretary of state
- B ☐ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is _____
- C ☐ This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is _____
- The following event or fact will cause the document to take effect in the manner described below

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument


Date Sept 19, 2013



 Signature of authorized person (see instructions)

Michael G. Schwartz Vice President

 Printed or typed name of authorized person

Form 503 (Revised 09/13) Return in duplicate to Secretary of State P O Box 13697 Austin, TX 78711-3697 512 463-5555 FAX 512 463-5709 Filing Fee \$25	<div style="text-align: right;">This space reserved for office use</div> <div style="text-align: center;">  Assumed Name Certificate </div> <div style="text-align: right;"> FILED In the Office of the Secretary of State of Texas OCT 01 2013 Corporations Section </div>
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Assumed Name

1 The assumed name under which the business or professional service is, or is to be, conducted or rendered is Daikin Applied

Entity Information

2 The legal name of the entity filing the assumed name is

Daikin Applied Americas Inc

State the name of the entity as currently shown in the records of the secretary of state or on its organizational documents if not filed with the secretary of state

3 The entity filing the assumed name is a (Select the appropriate entity type below)

- | | |
|--|--|
| <input checked="" type="checkbox"/> For profit Corporation | <input type="checkbox"/> Limited Liability Company |
| <input type="checkbox"/> Nonprofit Corporation | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Professional Corporation | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Professional Association | <input type="checkbox"/> Cooperative Association |
| <input type="checkbox"/> Other | |

Specify type of entity For example foreign real estate investment trust state bank, insurance company etc

4 The file number, if any, issued to the entity by the secretary of state is 9098106

5 The state, country, or other jurisdiction of formation of the entity is Delaware

6 The entity's principal office address is

13600 Industrial Park Boulevard

Street or Mailing Address

<u>Minneapolis</u>	<u>MN</u>	<u>USA</u>	<u>55441</u>
<i>City</i>	<i>State</i>	<i>Country</i>	<i>Postal or Zip Code</i>

Period of Duration

☒ 7a The period during which the assumed name will be used is 10 years from the date of filing with the secretary of state

OR

☐ 7b The period during which the assumed name will be used is _____ years from the date of filing with the secretary of state (not to exceed 10 years)

OR

☐ 7c The assumed name will be used until _____ (not to exceed 10 years)
mm/dd/yyyy

County or Counties in which Assumed Name Used

8 The county or counties where business or professional services are being or are to be conducted or rendered under the assumed name are

☐ All counties

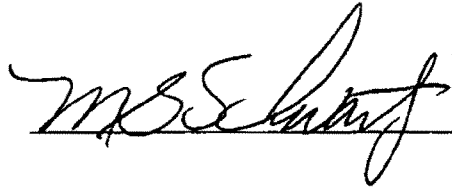
☐ All counties with the exception of the following counties _____

☒ Only the following counties Bexar, Dallas, and Harris

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and also certifies that the person is authorized to sign on behalf of the identified entity. If the undersigned is acting in the capacity of an attorney in fact for the entity, the undersigned certifies that the entity has duly authorized the undersigned in writing to execute this document.

Date 09/19/13



Signature of a person authorized by law to sign on behalf of the identified entity (see instructions)
Michael G. Schwartz Vice President

WHEREAS, on January 14, 2009, City Council authorized a sixty-month service contract for centrifugal chiller maintenance at the Convention Center and a service contract to remove and replace the cooling tower at the White Rock Pump Station by Resolution No. 09-0158;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to increase the service contract with AAF-McQuay, Inc. dba McQuay International (239070) for centrifugal chiller maintenance at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$101,502.31, increasing the service contract amount from \$913,580.00 to \$1,015,082.31.

Section 2. That the City Controller is authorized to disburse funds in an amount not to exceed \$101,502.31 (subject to appropriations).

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

