

**AGREEMENT AMONG CITY OF FOLEY; SYMBOL
HEALTH SOLUTIONS, LLC; AND ASCEND
PERFORMANCE MATERIALS, LLC**

The City of Foley, Alabama ("City"), as owner of the property located at 230 East Orange Avenue, Foley, Alabama, where Symbol Health Solutions[®], L.L.C. ("Symbol") provides health services to the City pursuant to that certain Services Agreement ("the City Services Agreement") dated on or about August, 2013, hereby authorizes Symbol to provide similar services to Ascend Performance Materials, LLC ("Ascend") at such facility on the following terms and conditions:

- (1) Prior to the commencement of Symbol's performing services for Ascend at such facility, Ascend will pay the City the sum of \$2,401.35, which shall represent the entire compensation due the City for the one (1) year period beginning on the date Symbol commences to perform services at the facility for Ascend.
- (2) As long as the City Services Agreement remains in effect, Symbol may continue to provide such services to Ascend at such facility, but the fee for subsequent years, payable in advance, shall be adjusted as follows: Symbol shall report to both parties the number of total encounters occurring in the facility for the preceding twelve (12) months (an estimate is adequate for the 12th month given that the actual number may not be available yet) and the number of such encounters as occurred pursuant to Symbol's agreement with Ascend; the total number shall be the denominator of a fraction and the Ascend number shall be the numerator; that fraction will be multiplied by 1980, which is the approximate enclosed area of the facility and the result will be multiplied by \$12.00 per square foot, the product of which is the compensation Ascend shall owe the City for the next year..
- (3) Should the City Services Agreement terminate for any reason, neither Symbol nor Ascend shall have any rights under this Agreement, except that the City will reimburse Ascend the amount of any unearned (prorated) prepaid fee. .

Effective this ____ day of January, 2018.

City of Foley, Alabama

By: _____

Honorable, John Koniar
Mayor City of Foley

Symbol Health Solutions, LLC

By: _____

Michael G. Molyneux, Manager

Ascend Performance Materials, Inc.

By: _____

John Hickman, PMP
Spend Manager

Sandra Pate

From: Mike Molyneux [mmolyneux@symbolhealth.com]
Sent: Thursday, December 14, 2017 11:34 AM
To: Michael Thompson; Sandra Pate
Cc: Marcie Moscatelli; rdavis@davis-fields.com; Michael Molyneux, Jr.
Subject: Ascend Performance Materials Request
Attachments: Ascend Clinic Usage Agreement 121417 1130.docx

All,

We have been asked, by Ascend Performance Materials, to proceed with a request to the City of Foley to utilize your clinic. As you recall, the City would require them to pay a prorated amount of market based rent. We used the calculation below and subsequently asked Richard Davis to draft an agreement for you to present to the Mayor and Council. It is hereto attached. I have not presented it to Ascend pending your approval and/or changes you may want to make to the document.

Here's the formula we used assuming 1980 sq ft @ \$12./sq ft

Customer	Encounters YTD	AC Encounters Annualized	%	Proposed Annual Rental Fee
Baldwin County (6 months)	541	588	17%	\$3,922.20
Foley	1081	1176	33%	\$7,844.40
Gulf Shores	212	228	6%	\$1,520.85
Orange Beach	199	216	6%	\$1,440.81
Riviera Utilities (estimated)		994	28%	\$6,630.39
Ascend (Estimated)		360	10%	\$2,401.35
		3,562	100%	\$23,760.00

If everything looks ok I'll send to John Hickman at Ascend for their review.

Let me know what you think.

Michael G. Molyneux
President & Founder | Symbol Health Solutions, LLC
p) 251.338.2942 | f) 251.338.2944
www.symbolhealth.com



Creating a Culture of Wellness at the Workplace.®

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