

PENDING APPROVAL

REQUISITION SHEET MUST BE ATTACHED
(Applies when agenda item requires a specific payment)

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

For the Wednesday, June 16, 2010 Agenda
(Day of Meeting) (Date and Year of Meeting)

DEPT.: Purchasing BY: Jane Gaston EXT. 1490
(Department Requesting this item) (Contact person for this Item) (Contact's extension)

NAME OF FUND: 1001/2400/55350/2010

AGENDA ITEM DESCRIPTION: Review and approval of lease agreement on a Canon ImageRunner 3235 Copier in the Purchasing Department to cover contract performance period July 1, 2010 thru June 30, 2011. Requisition # 11006098 has been issued to BMI Systems Corporation in the amount of \$3,200.00. This is the second year of a three year agreement. One (1) one year option to renew remains. The original copier contract CW07083 was awarded on July 11, 2007 . AWARD/RESOLUTION # 052-07

(Documents Attached)

(ALL NECESSARY DOCUMENTATION MUST BE ATTACHED FOR APPROVAL)

APPROVED BY ENGINEER
(If Applicable)

County Engineer

APPROVED BY D.A.
(If Applicable)

6/1/2010

Assistant District Attorney

APPROVED BY PURCHASING
(If Applicable)

Jane Gaston

Purchasing Agent

NOTE: A COMMISSIONER MUST APPROVE ALL EMERGENCY REQUESTS
FOR ANY ITEM SUBMITTED AFTER THE DEADLINE
(THE DEADLINE IS 9:00AM ONE WEEK PRIOR TO THE DATE THAT THE AGENDA IS TO BE POSTED)

DATE OF REQUEST:

BY: _____
(Person Submitting or Requesting Emergency Request)

DATE OF APPROVAL:

APPROVED BY:

COUNTY COMMISSIONER

Number of ORIGINAL DOCUMENTS you have attached: _____. **NOTE:** The County Clerk will keep one original and will return the remaining originals to you. If you provide only one original, the Board Secretaries will return one photocopy to you. However, if you have special circumstances that require the County Clerk to (check one): ____ keep more than one original; or ____ return all originals to you, please describe them for the County Clerk's consideration: _____

Special Instructions: _____

REQUEST FOR DISTRICT ATTORNEY LEGAL SERVICES

THIS FORM IS TO BE USED TO REQUEST ADVICE AND/OR REPRESENTATION FROM THE DISTRICT ATTORNEY'S OFFICE REGARDING THE COUNTY OF OKLAHOMA, COUNTY OFFICIALS AND EMPLOYEES AS REQUIRED BY SECTIONS 215.4, 215.5, 215.25 AND 215.26 OF TITLE 19 OF THE OKLAHOMA STATUTES.

IF ADVICE IS SOUGHT, THE REQUEST MUST BE SIGNED BY AN ELECTED COUNTY OFFICER. THIS FORM MUST BE FILLED OUT AND SUBMITTED TO THE CIVIL DIVISION OF THE OKLAHOMA COUNTY DISTRICT ATTORNEY'S OFFICE IN A TIMELY MANNER. ALL RESPONSES TO REQUESTS FOR ADVICE WILL BE IN WRITING.

IF THE REQUEST IS FOR LEGAL REPRESENTATION UNDER 19 O. S. SECTION 215.25, THE REQUEST MUST BE SUBMITTED IN WRITING EARLY ENOUGH TO PERMIT THE DISTRICT ATTORNEY'S OFFICE ADEQUATE TIME TO COMPLETE A THOROUGH "GOOD-FAITH-AND-COURSE-OF-EMPLOYMENT" INVESTIGATION AS CONTEMPLATED BY 19 O.S. SECTION 215.26.

DATE OF REQUEST: 6/1/10.

COUNTY DEPARTMENT MAKING REQUEST: Purchasing

STATE WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED: Review and approval of Lease Agreement between BMI Systems Corporation and Oklahoma County Purchasing for the lease of one (1) Cannon ImageRunner 3235 Copier.

ATTACH ADDITIONAL DOCUMENTS AS APPROPRIATE. (NOTE: Advice, reviews and approvals as to "form and legality" are based on the documentation and information provided to the District Attorney's Office. Please provide all relevant information when requesting an opinion or review from the District Attorney's Office).

COUNTY OFFICER

.....
DATE RECEIVED BY DISTRICT ATTORNEY: 6/1/10

REPLY BY DISTRICT ATTORNEY: Reviewed

DAVID PRATER
DISTRICT ATTORNEY

By: _____

[Handwritten signature]

RECEIVED
JUN 01 2010
CIVIL DIVISION
DISTRICT ATTORNEY

STATE OF OKLAHOMA
COUNTY OF OKLAHOMA
RECEIVED OR FILED
2010 JUN -2 P 12:01

PENDING APPROVAL

OKLAHOMA COUNTY, OKLAHOMA

BOARD OF COUNTY COMMISSIONERS

STANDARD LONG TERM LEASE CONTRACT BETWEEN COUNTY AND VENDOR

CONTRACT made as of the 1st day of July, 2010

BETWEEN the **COUNTY:** The Board of County Commissioners of the
County of Oklahoma
320 Robert S. Kerr, Rm. 101
Oklahoma City, Oklahoma 73102

on behalf of: Purchasing (County Dept.)
Contact Person: Jane Gaston, Director of Purchasing
Telephone Number: (405)713.1490

and the **VENDOR:** **BMI Systems Corporation**
Address: 913 N. Broadway
Oklahoma City, OK 73102

Contact Person: Monica Samuel
Telephone Number: 405.600-1351

for the long term lease of the following items:

Canon ImageRunner 3235 Copier

County or State Contract Number: Countywide Contract No. CW07083.

This contract has been examined and approved as to legality by the District Attorney, Oklahoma County.


Assistant District Attorney

6/11/2010
Date

THE COUNTY AND THE VENDOR AGREE AS SET FORTH BELOW.

ARTICLE 1 EQUIPMENT LEASED

The Vendor shall supply the following equipment to the County: (describe item/s and serial numbers/s)

PENDING APPROVAL

Cannon ImageRunner 3235 Copier, includes all-inclusive maintenance, black and white copies at \$0.0059 each. Includes all parts, labor, and supplies. (Excludes paper)

ARTICLE 2 INSURANCE/LIABILITY

The Vendor agrees to maintain liability and Workers' Compensation insurance to cover the acts of Vendor and his employees or agents regarding any services rendered pursuant to this contract. Such liability and Workers' Compensation insurance shall be sufficient in coverage and policy limitations to cover all claims arising under the Oklahoma Governmental Tort Claims Act. The Vendor agrees to indemnify and hold harmless the County for any negligent acts of Vendor in the performance of this Contract.

ARTICLE 3 TERM OF CONTRACT AND RENEWAL

This contract shall commence on July 1, 2010 and by operation of Article 10 Section 26 of the Oklahoma Constitution, shall terminate at the end of the fiscal year on June 30, 2011. County shall have the right to renew this Contract for successive annual renewal periods. Each annual renewal period shall expire on the last day of the then current fiscal year of County. It is the present intent of the County to continue this lease for an additional 1 fiscal year. However, in order for the contract to be continued the contract must be renewed on July 1 or thereafter of each succeeding fiscal year by an affirmative action of the Board of County Commissioners. Pursuant to 62 O.S. §430.1 in no event shall the County's obligation be deemed to continue past the end of the County's fiscal year ending June 30 of every year, nor shall County be deemed to be indebted beyond the indebtedness created by each fiscal year's obligation.

It is agreed between the parties that the County may terminate this contract at any time before the end of the fiscal year for any reason after giving the Vendor a thirty day written notice and may terminate immediately if Vendor breaches any of the terms of this contract.

ARTICLE 4 CONTRACT AMOUNT

The County shall pay the Vendor for the lease of this equipment as follows:
Two hundred thirty six dollars and .01/100 per month for lease \$236.01. Annual contract amount \$2,832.12. Estimate for copy charge is \$29.50 per month at a cost of \$0.0059 per copy estimated at 5000 copies (5000 x 0.0059 = \$29.50). Annual estimated cost for copy charge \$354.00. Total Estimated cost \$3,186.12.

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ARTICLE 5 MISCELLANEOUS PROVISIONS

ARTICLE 6 BLANKET PURCHASE ORDER

This contract is null and void unless the amount of the contract has been encumbered by the Oklahoma County Clerk. Upon approval of this contract a Blanket Purchase Order Number will be issued by Oklahoma County as set out below.

For the contract period of 7/1/2010 through 6/30/2011 the amount of encumbrance will be \$3,200.00.

ARTICLE 7 LEGAL AUTHORITY

It is expressly understood that the County is a subdivision of the State of Oklahoma and consequently may only contract pursuant to the procedures and with limitations provided by Oklahoma Law, including the County Purchasing Act, 19 O.S.A. Section 1500 et. seq. 19 O.S.A. Section 1 and 62 O.S.A., Section 430.1.

APPROVED this _____ day of June _____, 2010_____.

BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA

Approved by County Dept.:

Chairman

Department Head

ATTEST:

Carolynn Caudill, County Clerk

VENDOR: BMI Systems Corporation

By: [Signature]

Attest of Notary: [Signature]

My Commission Expires: 5/15/14

Requisition Number :11006098

Blanket Purchase order number: _____

