

# PENDING APPROVAL

## OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

### AGENDA ITEM REQUEST SHEET

FOR THE July 7, 2010 14 AGENDA

DEPARTMENT: Community Sentencing REQUESTED BY: Clarinda Ellis

REQUISITION NO.: \_\_\_\_\_ REQUISITION SHEET ATTACHED: \_\_\_\_\_ YES \_\_\_\_\_ N/A

NAME OF FUNDS: \_\_\_\_\_

FUND NUMBERS: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

DOES THE AGENDA ITEM CONTAIN PRIVACY-PROTECTED OR SECURITY INFORMATION? \_\_\_\_\_ YES  NO

AGENDA ITEMS CONTAINING PRIVACY-PROTECTED OR SECURITY INFORMATION WILL NOT BE HYPERLINKED TO THE AGENDA.

NUMBER OF ORIGINAL DOCUMENTS TO BE RETURNED TO YOUR DEPARTMENT: 2

AGENDA ITEM READS AS FOLLOWS: Review and approved lease Contract between Oklahoma County Community Sentencing Department to cover contract performance period July 1, 2010 thru June 30, 2011. Requisition #11008233 has been issued to BMI Systems Corporation in the amount of \$10,000. This is the second year of a three year contract. One (1) year option to renew remains. The original copier contract CW07083, Award #052-07 awarded by BOCC on July 11, 2007  
(Documents Attached)

APPROVED BY DA  
(If Applicable)

6/29/2010

APPROVED BY ENGINEER  
(If Applicable)

APPROVED BY PURCHASING  
(If Applicable)

[Signature]  
ASSISTANT DISTRICT ATTORNEY

\_\_\_\_\_  
COUNTY ENGINEER

[Signature]  
PURCHASING AGENT

**Please initial that document has been reviewed for privacy-protected or security information**

DISTRICT ATTORNEY:  YES \_\_\_\_\_ N/A

COUNTY CLERK: [Signature] YES  N/A

Indicate any privacy-protected information that exists \_\_\_\_\_

**(NOTE: THE CHAIRMAN/CHIEF DEPUTY MUST APPROVE ALL EMERGENCY REQUESTS FOR ANY ITEM SUBMITTED AFTER THE DEADLINE)**

DATE OF REQUEST: 6-28-10 APPROVED BY: \_\_\_\_\_  
CHAIRMAN

**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 / 28 / 2010

**COUNTY DEPARTMENT MAKING REQUEST:** Oklahoma County Community Sentencing

**STATE WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED:** Review and approve lease Contract between Oklahoma County Community Sentencing and BMI Systems for two copier machines models Cannon Image 3235 and Cannon Image 3245. These were awarded on the Countywide Contract CW07083, Award #052-07 awarded by BOCC on July 11, 2007.

**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:** 6/29/10

**REPLY BY DISTRICT ATTORNEY:** Reviewed

STATE OF OKLAHOMA  
OKLAHOMA COUNTY  
RECORDED OR FILED  
2010 JUN 29 P 4:58  
CLERK OF DISTRICT ATTORNEY

RECEIVED

JUN 29 2010

CIVIL DIVISION  
DISTRICT ATTORNEY

**DISTRICT ATTORNEY**

By:



# PENDING APPROVAL

OKLAHOMA COUNTY, OKLAHOMA

BOARD OF COUNTY COMMISSIONERS

STANDARD LONG TERM LEASE CONTRACT BETWEEN COUNTY AND VENDOR

CONTRACT made as of the 1<sup>st</sup> 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: Oklahoma County Community Sentencing (County Dept.)  
Contact Person: Ron Lock, Director of Community Sentencing  
Telephone Number: (405)713-2324

and the **VENDOR:** **BMI SYSTEMS**  
Address: 913 North Broadway  
Oklahoma City, OK 73102

Contact Person: Monica Samuel  
Telephone Number: 405-600-1351

for the long term lease of the following items:

Cannon Image Runner 3235, Cannon Image Runner 3245

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

9/29/2010  
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)

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Cannon Image Runner 3235, Cannon Image Runner 3245, includes all-inclusive maintenance, black and white copies at \$0.005 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 years. 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: Toshiba ES-452, the cost is One hundred eighty nine dollars and 00/100 per month for lease \$189.00. Annual contract amount \$2,268.00. The County shall pay the Vendor for the lease of this equipment as follows: Toshiba ES-352, the cost is One hundred thirty four dollars and 00/100 per month for lease \$134.00. Annual contract amount \$1,608.00. Estimate for copy charge is \$80.00 per month at a cost of \$0.0059 per copy estimated at 16,000 copies (16,000 x 0.005 = \$80.00). Annual estimated cost for copy charge \$960.00. Total Estimated cost \$4,836.00.

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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 7/1/10 through 6/30/11 the amount of encumbrance will be \$ 10,000.00. Requisition number 11008233.

## 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 July, 2010.

BOARD OF COUNTY COMMISSIONERS  
OKLAHOMA COUNTY, OKLAHOMA

Approved by County Dept.:

Bruce McGill

Chairman

Department Head

ATTEST:

\_\_\_\_\_  
Carolynn Caudill, County Clerk

VENDOR: BMI SYSTEMS

By: Thomas Samuel

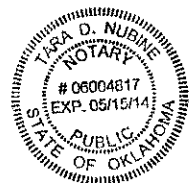
Attest or Notary:

Tara D. Nubie

My Commission Expires: 5-15-14

Requisition Number : \_\_\_\_\_

Blanket Purchase order number: \_\_\_\_\_



OKLAHOMA COUNTY

Printed Requisitions Report

Report Date: 07-JUL-2010 13:57  
Page: 2 of 2

Requisition: 11008233  
Requisition Type: Purchase Requisition  
Creation Date: 22-JUN-10  
Description: CW07083 BMI Lease, Lease for 2 Copiers Second year on Lease Contract.  
Note To Approver:  
Notes:

Preparer: Ellis, Clarinda E  
Approver: Ellis, Becky A  
Currency: USD

Line	Line Type	Item	Rev Category	Description	Unit	Quantity/Amount	Unit Price	Line Amount
1	Blanket	ELLIS, Clarinda E	22-JUN-10	SERVICE.SQ RE Lease on Cannon Image Runner 3235, Cannon Image Runner 3245	Each	1	10,000.00	10,000.00
Supplier								
11008233 - BMI SYSTEMS CORPORATION - *REMIT								
Allocated To Account: 1270.3110.55390.2011.00000.00000.0000								

Justification:  
Note To Approver:  
Notes:

Total: 10,000.00

Previous Approvals:

Sequence Date	Approver	Action	Note
0 07-JUL-10	Ellis, Clarinda E	Rescrvc	
1 07-JUL-10	Ellis, Clarinda E	Submit	
2 07-JUL-10	Ellis, Clarinda E	Forward	
3 07-JUL-10	Ellis, Becky A	Approve	

Approval Action (Circle One):

Approve Forward Reject

Forward To:

Note:

Signature: