

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING THE PURCHASE OF DOCUMENT IMAGING SERVICES BY PIGGYBACKING THE CITY OF SUNNYVALE’S CONTRACT WITH PELLE TECHNOLOGIES**

**WHEREAS**, Section I-2-3.07 of the Milpitas Municipal Code authorizes the City Council to enter into contracts without competitive bid when the Purchasing Agent determines that a piggyback purchase is in the City’s best interest; and

**WHEREAS**, the City of Sunnyvale’s solicitation that resulted in the contract with Peelle Technologies was obtained and reviewed for compliance with the City’s Purchasing Ordinance by the Purchasing Agent; and

**WHEREAS**, there are no local suppliers or contractors who could provide the same range of document imaging services at competitive rates; and

**WHEREAS**, the City’s specifications for document imaging services are the same as those listed in Sunnyvale’s solicitation; and

**WHEREAS**, the price for Peelle Technology document imaging services under the Sunnyvale contract is estimated to be lower than if the City made the purchase pursuant to the City’s Purchasing Ordinance; and

**WHEREAS**, the price the City will pay for the document imaging services from Peelle Technology will be the same price as in the Sunnyvale contract.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Manager is authorized to execute a separate contract with Peelle Technology for document imaging services, which references the solicitation by Sunnyvale and the terms, conditions and prices in the Sunnyvale contract, for a not-to-exceed amount of \$85,000.00.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Robert Livengood, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney



## PIGGYBACK AGREEMENT

This AGREEMENT is entered into this 1st day of October, 2009, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and Peelle Technologies, (hereafter referred to as "VENDOR").

### RECITALS

WHEREAS, VENDOR and the City of Sunnyvale California originally entered into an agreement for document imaging service, on July 1, 2009; and

WHEREAS, the parties aforementioned desire to open the use of their agreement to other municipalities; and

WHEREAS the practice of "Piggyback" procurement is specifically authorized by the City Municipal Code Sec. I-2-3.07 "Piggyback Procurement";

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the CITY agrees to enter into a separate agreement with VENDOR and hereby incorporates by reference the solicitation, terms, conditions, and pricing of the original aforementioned agreement. The term of the new agreement shall be for one (1) year with two (2) additional one (1) year options, and shall be set at the annual not-to-exceed amount of \$85,000.00

This agreement is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

VENDOR

\_\_\_\_\_  
City Manager

Peelle Technologies, Inc.  
Name (Person, Firm or Corp.)

\_\_\_\_\_  
City Attorney as to Form

[Signature]  
Signature of Authorized Representative

Chris Schroeder  
Prepared by Purchasing Agent

Jim Detrick, President  
Name & Title of Authorized Representative

ATTESTED BY:

\_\_\_\_\_  
City Clerk