

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AWARDING TO AND APPROVING A CONTRACT WITH JP GRAPHICS, INC., A CALIFORNIA CORPORATION, TO PROVIDE CITY-WIDE PRINTING SERVICES AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXERCISE UP TO FOUR ANNUAL RENEWAL OPTIONS, SUBJECT TO APPROPRIATION OF FUNDS AND WITHOUT FURTHER CITY COUNCIL APPROVAL

WHEREAS, on October 24, 2014, City of Milpitas (“City”) released a Request for Proposals (RFP) No. 2083 soliciting proposals for Citywide Printing Services, which was published in the local newspaper, on the City website and through the *Public Purchase* electronic procurement website; and

WHEREAS, on November 18, 2014, three (3) proposals were received in response to the RFP and JP Graphics, Inc., was deemed the highest ranking proposer by the evaluation committee; and

WHEREAS, the City’s Purchasing Agent recommends the City Council approve the contract between the City and JP Graphics, Inc., for the period from February 1, 2015, to January 31, 2016, in the initial annual amount not to exceed Seventy Thousand Dollars (\$70,000); and

WHEREAS, City staff also requests authority for the City Manager or designee to exercise up to four (4) annual renewal options in the annual amount of Seventy Thousand Dollars (\$70,000), with annual fee increases not to exceed the Consumer Price Index (excluding adjustments for paper prices) or three percent (3%) each year, whichever is less, without further City Council approval and subject to appropriation of funds.

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 Council awards to and approves the contract with JP Graphics, Inc., a California corporation, to provide printing services for all City departments from February 1, 2015, to January 31, 2016, in the annual amount not to exceed Seventy Thousand Dollars (\$70,000); a copy of the contract is on file with the City Purchasing Agent; and
3. The City Council authorizes the City Manager or designee to extend the term of the contract by exercising up to four (4) annual renewal options in the annual amount not to exceed Seventy Thousand Dollars (\$70,000), with annual fee increases not to exceed the Consumer Price Index (excluding adjustment for paper prices) or three percent (3%), whichever is lower, without further City Council approval and subject to appropriation of funds.

PASSED AND ADOPTED this ____ day of _____, 2015, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

APPROVED AS TO FORM:

APPROVED:

Michael J. Ogaz, City Attorney

Jose S. Esteves, Mayor

ATTEST:

Mary Lavelle, City Clerk



CITY OF MILPITAS CONTRACT

Project: **Citywide Printing Services**
Bid No: **RFP #2083**
Annual Amount of Contract: \$70,000.00

THIS CONTRACT, made this ___ day of _____, 2015, by and between the City of Milpitas, a municipal corporation of the State of California, hereinafter referred to as the "City of Milpitas", and **JP Graphics, Inc., a California corporation**, hereinafter referred to as "Contractor,"

WITNESSETH:

- A. WHEREAS, the City has caused specifications, drawings and other contract documents, hereinafter referred to as "Specifications" to be prepared for certain work on the referenced project; and
- B. WHEREAS, the term of the contract shall be one (1) year with a City option for four (4) additional one (1) year periods as further described herein, and
- C. WHEREAS, said Specifications include:
 - a. Notice of Request For Proposals
 - b. Minimum Qualifications
 - c. Scope of Work/Technical Specifications
 - d. Instructions To Proposers
 - e. Terms and Conditions
 - f. Special Provisions For Services
 - g. Proposal Offer and Price Proposal
 - h. Notice of Exercise of Option to Extend Agreement (Contract Exhibit A)
 - i. Non-Collusion Affidavit
 - j. Proposer's Statement Regarding Insurance Coverage
 - k. Worker's Compensation Insurance Certificate
 - l. Nondiscriminatory Employment Certificate
 - m. Minimum Qualifications & Experience Statement
 - n. Subcontractors List
- D. WHEREAS, Contractor has offered to perform the proposed work in accordance with the terms of said Specifications as set forth by submission of Contractor's Proposal;

NOW, THEREFORE, in consideration of the mutual covenants and agreements of the parties contained in said Specifications and Contractor's Proposal, which are made a part hereof as though fully set forth, Contractor hereby agrees to complete the work at the prices and on the terms and conditions therein contained, and the City hereby employs the Contractor and agrees to pay the Contractor the contract prices therein provided for the fulfillment of the work and the performance of the covenants therein set forth.

The initial term of this Contract is from February 1, 2015 to January 31, 2016 ("Initial Term") in the annual amount not-to-exceed Seventy Thousand Dollars (\$70,000). The City reserves the right at its sole discretion to extend this Contract on an annual basis for up to four (4) years in the annual amount not-to-exceed Seventy Thousand Dollars (\$70,000) by providing written notice to Contractor prior to the expiration of the then applicable term and in the form attached in the Specification entitled "Notice of Exercise of Option to Extend Agreement."

IN WITNESS WHEREOF, this contract has been executed on the day and year first above written.

City of Milpitas,
A Municipal Corporation

CONTRACTOR
JP Graphics, Inc.

Thomas C. Williams, City Manager

Authorized Signature

By: Joan Escover, Owner
Business Tax Compliance:
Certificate No. 21459

Approved As
To Form:

Michael Ogaz, City Attorney