



# Rochester Hills

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## Master

**File Number: 2013-0078**

**File ID:** 2013-0078

**Type:** Purchase

**Status:** To Council

**Version:** 1

**Reference:** 2013-0078

**Controlling Body:** City Council  
Regular Meeting

**File Created Date :** 02/11/2013

**File Name:** Multi Function Devices and Printer Management

**Final Action:**

**Title label:** Request for Purchase Authorization - MIS: Five-Year Lease Agreement for multi function devices in the amount of \$110,257.80 and Maintenance Agreement for multi function devices and printer management in the amount of \$89,742.20 through April 1, 2018; PNC Equipment Finance, LLC, Cincinnati, OH; Applied Imaging, Novi, MI

**Notes:** Applied Imaging  
26620 Ryan Court  
Novci MI 48377

PNC Equipment Finance, LLC  
995 Dalton Avenue  
Cincinnati, Ohio 45203

**Sponsors:**

**Enactment Date:**

**Attachments:** Agenda Summary.pdf, Lease Documents.pdf

**Enactment Number:**

**Contact:**

**Hearing Date:**

**Drafter:**

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council Regular Meeting	03/04/2013					

### Text of Legislative File 2013-0078

#### Title

Request for Purchase Authorization - MIS: Five-Year Lease Agreement for multi function devices in the amount of \$110,257.80 and Maintenance Agreement for multi function devices and printer management in the amount of \$89,742.20 through April 1, 2018; PNC Equipment Finance, LLC, Cincinnati, OH; Applied Imaging, Novi, MI

#### Body

**Resolved**, that the Rochester Hills City Council hereby waives under Section 2-273(b), the 3-year requirement for long term contracts, under Section 2-281, which allows City Council the authority to waive

any regulation or procedure pertaining to purchasing, deeming it to be in the best interest of the City.

**Resolved**, that the Rochester Hills City Council hereby authorizes a five-year lease agreement for multi function devices to PNC Equipment Finance, LLC, Cincinnati, Ohio, in the amount of \$ 110,257.80 and a Maintenance Agreement for multi function devices and printer management to Applied Imaging , Novi, Michigan, in the amount of \$89,742.20 for a total amount not-to-exceed \$200,000.00 through April 1, 2018 and further authorizes the Mayor to execute agreements on behalf of the City.

**Whereas**, Lessee, a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State or Commonwealth ("the State) is authorized by the laws of the State to purchase, acquire, lease certain equipment and other property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

**Whereas**, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the Lessee.

**Whereas**, the Governing Body hereby finds and determines that the execution of one or more Lease-Purchase Agreements or lease schedules ("Leases") in the principal amount not exceeding the amount stated (\$99,762.76) for the purpose of acquiring the property ("Equipment") to be described in the leases is appropriate and necessary to the functions and operations of the Lessee.

**Whereas**, PNC Equipment Finance, LLC ("Lessor") shall act as lessor under said Leases.

**Now, Therefore, Be It Resolved** by the Rochester Hills City Council ("Governing Body") of the Lessee:

Section 1. That the Mayor of the City of Rochester Hills, acting on behalf of the Lessee, is hereby authorized to negotiate, enter into, execute and deliver one or more Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. The authorized representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute and deliver such other documents relating to the Lease as the Authorized Representative deems necessary and appropriate . All other related contracts and agreements necessary and incidental to the Leases are hereby authorized.

Section 2. By a written instrument signed by any Authorized Representative , said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Leases on behalf of the Lessee.

Section 3. The aggregate original principal amount of the Leases shall not exceed the amount stated above and shall bear interest as set forth in the Leases and the Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 4. The Lessee's obligations under the Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Lease and the Lessee's obligations under the Leases shall not constitute general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

Section 5. As to each Lease, the Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the fiscal year in which each such Lease is issued and hereby designates each Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended. As of the date of this resolution, the Rochester Hills City Council is not considering any issuance of bonds.

Section 6. This resolution shall take effect immediately upon its adoption and approval .