Sacramento Public Library Authority

May 28, 2009

Agenda Item 6.07: Reimbursement Agreement: Materials, Valley Hi-North Laguna Library

TO: **Sacramento Public Library Authority Board Members**

FROM: **Don Tucker, Director of Facilities**

RE: **Reimbursement Agreement with City of Sacramento: Materials - Valley Hi-North Laguna Library**

RECOMMENDED ACTION(S):

1. **Approve** the Memorandum of Understanding with the City of Sacramento to reimburse the Library for opening day materials purchase for the Valley Hi-North Laguna Library in an amount not to exceed $750,000 as detailed in Exhibit A.

2. **Authorize** the Library Director to sign all documents related to this agreement within the approved terms.

REASON FOR RECOMMENDATION

The City of Sacramento has nearly completed the construction of the Valley Hi-North Laguna Library. The project budget includes $750,000 for the purchase of opening day materials. The Sacramento City Council approved a Memorandum of Understanding on March 24, 2009 to authorize the Sacramento Public Library Authority to competitively procure the collection and to reimburse the Library from the project budget for the cost of the materials, up to $750,000. The Library Board has awarded a purchase contract for the Valley Hi library materials not to exceed $750,000 to provide for timely purchase and delivery of the books and materials for the project. This agreement will provide for the reimbursement of these costs from the City of Sacramento capital project funds. A copy of the Memorandum is attached to this report as Exhibit A.

ATTACHMENT

Exhibit A: MOU for Valley Hi-North Laguna Materials Reimbursement

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SACRAMENTO AND THE SACRAMENTO PUBLIC LIBRARY AUTHORITY REGARDING THE ACQUISITION OF LIBRARY COLLECTION FOR THE VALLEY HI-NORTH LAGUNA LIBRARY

This Memorandum of Understanding dated March 24, 2009, by and between the City of Sacramento (City), a municipal corporation, and the Sacramento Public Library Authority (Library), a Joint Powers Authority.

The City and Library may be referred to collectively as "parties" or in the singular as "party", as the context requires.

RECITALS

WHEREAS, the Library and the City are constructing the Valley Hi/North Laguna Library, and completion of the project requires the acquisition of new library materials.

WHEREAS, a project budget, which include funding for the acquisition of materials for the library, was duly approved by the Sacramento City Council.

WHEREAS, the Library is best suited to competitively bid and implement the procurement process for these materials.

WHEREAS, it is the City's desire to fund the acquisition of materials from the project budget by reimbursing the Library for the cost of these materials.

AGREEMENT

THEREFORE, the City authorizes the Library to competitively procure the collection for the Valley Hi/North Laguna and reimburse the Library for the cost of materials, up to $750,000.00 for materials from the project budget.

MISCELLANEOUS

A. Counterparts. This Amendment may be executed in counterparts so that signatures appear on separate signature pages. A copy, or an original, with all signatures appended together shall be deemed a fully executed MOU. Signatures transmitted by facsimile shall be deemed original signatures.

B. Authority. The people executing this Amendment have the capacity and are authorized to execute this Amendment as the representatives of their respective Party, and to bind their respective Party to the terms of this Amendment.

CITY OF SACRAMENTO ("City")

By: _____

Dated: _____

ATTEST:

_____
City Clerk, City of Sacramento

SACRAMENTO PUBLIC LIBRARY AUTHORITY
("Library")

By: _____
Phil Batchelor, Interim Director

Dated: _____

APPROVED AS TO FORM:

_____
Diane Balter, Library Counsel
Sacramento Public Library Authority

APPROVED AS TO FORM:

_____
Jerry Hicks
Senior Deputy City Attorney
City of Sacramento

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