

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**  
**RESOLUTION AWARDING FILE FOLDERS**  
**FOR COUNTY AND DISTRICT COURT OFFICES**

**2009-214**

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 1997), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 1997), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, bids for this matter have been solicited, made, opened and reviewed pursuant to applicable Nebraska State Statutes; and,

WHEREAS, based on those proceedings, and after a public hearing, this Board has duly deliberated and considered the bids received; and,

WHEREAS, this Board desires to proceed forthwith in order to expedite and facilitate service to the citizens of Sarpy County.

NOW, THEREFORE, be it resolved by this Board of County Commissioners that:

- (1) The low bid of Midwest Storage Solutions with Option 1, Glossy Strip Label for File Folders in the amount of Nine Thousand One Hundred Ninety One Dollars and Forty Eight Cents (\$9,191.48) is accepted, ratified, and confirmed.
- (2) This Board's Chairman, Clerk, and Attorney are hereby authorized and directed to execute such ancillary documents as may be required to evidence the contract and take any and all steps necessary or required in order to carry out the terms of such contract after said documents have been reviewed by the Attorney, Fiscal Administrator, and County Administrator.

DATED this 4<sup>th</sup> day of August, 2009.

MOVED by Rusty Hiko, seconded by Tom Richards, that the above Resolution be adopted. Carried.

YEAS: <u>[Signature]</u> <u>[Signature]</u> <u>[Signature]</u> <u>[Signature]</u>	NAYS: <u>none</u> _____ _____	ABSENT: <u>none</u> _____ _____
		ABSTAIN: <u>none</u> _____ _____



Attest:  
[Signature]  
County Clerk

SEAL  
Approved As To Form:  
[Signature]  
Deputy County Attorney

**Sarpy County, Nebraska**  
**File Folders for County and District Court Offices**  
**Bid Tab**

2:00 p.m.  
 Thursday  
 July 23, 2009

Qty	Description	American Corporate Services		Ames Safety Envelope		Systems & Space, Inc.		Midwest Storage Solutions		Performance Group, Inc.	
		Price Each	Extended Price	Price Each	Extended Price	Price Each	Extended Price	Price Each	Extended Price	Price Each	Extended Price
375	County Court -Probate	\$ 0.79	\$ 296.25	\$ 0.65	\$ 243.75	\$ 0.71	\$ 266.25	\$ 0.43950	\$ 164.81	\$ 0.74	\$ 277.50
6000	County Court -Civil	\$ 0.58	\$ 3,480.00	\$ 0.65	\$ 3,900.00	\$ 0.71	\$ 4,260.00	\$ 0.43950	\$ 2,637.00	\$ 0.59	\$ 3,540.00
250	County Court - Small Claims	\$ 0.79	\$ 197.50	\$ 0.65	\$ 162.50	\$ 0.55	\$ 137.50	\$ 0.43950	\$ 109.88	\$ 0.58	\$ 145.00
8000	County Court - Criminal	\$ 0.57	\$ 4,560.00	\$ 0.65	\$ 5,200.00	\$ 0.55	\$ 4,400.00	\$ 0.43950	\$ 3,516.00	\$ 0.53	\$ 4,240.00
100	County Court - Adoption	\$ 0.79	\$ 79.00	\$ 0.65	\$ 65.00	\$ 0.71	\$ 71.00	\$ 0.43950	\$ 43.95	\$ 0.74	\$ 74.00
	<b>County Court Total</b>		<b>\$ 8,612.75</b>		<b>\$ 9,571.25</b>		<b>\$ 9,134.75</b>		<b>\$ 6,471.64</b>		<b>\$ 8,276.50</b>
899	District Court - Juvenile	\$ 0.89	\$ 800.11	\$ 0.65	\$ 584.35	\$ 0.70	\$ 629.30	\$ 0.66700	\$ 599.63	\$ 0.68	\$ 611.32
500	District Court - Criminal	\$ 0.89	\$ 445.00	\$ 0.65	\$ 325.00	\$ 0.75	\$ 375.00	\$ 0.70235	\$ 351.18	\$ 0.71	\$ 355.00
2449	District Court - Civil	\$ 0.89	\$ 2,179.61	\$ 0.65	\$ 1,591.85	\$ 0.75	\$ 1,836.75	\$ 0.72235	\$ 1,769.04	\$ 0.73	\$ 1,787.77
	<b>District Court Total</b>		<b>\$ 3,424.72</b>		<b>\$ 2,501.20</b>		<b>\$ 2,841.05</b>		<b>\$ 2,719.84</b>		<b>\$ 2,754.09</b>
899	Option 1: District Court - Juvenile	\$ 0.89	\$ 800.11	\$ 1.20	\$ 1,078.80	\$ 0.570	\$ 512.43	\$ 0.66700	\$ 599.63	\$ 0.68	\$ 611.32
500	Option 1: District Court - Criminal	\$ 0.89	\$ 445.00	\$ 1.20	\$ 600.00	\$ 0.620	\$ 310.00	\$ 0.70235	\$ 351.18	\$ 0.71	\$ 355.00
2449	Option 1: District Court - Civil	\$ 0.89	\$ 2,179.61	\$ 1.20	\$ 2,938.80	\$ 0.620	\$ 1,518.38	\$ 0.72235	\$ 1,769.04	\$ 0.73	\$ 1,787.77
	<b>District Court Total Using Option 1</b>		<b>\$ 3,424.72</b>		<b>\$ 4,617.60</b>		<b>\$ 2,340.81</b>		<b>\$ 2,719.84</b>		<b>\$ 2,754.09</b>
	Samples Included		--		Yes		Yes		Yes		Yes
	Delivery Date		4-6 Weeks		12/8/2009		30 Days		12/8/2009		11/27/2009
	<b>Grand Total for County &amp; District Court Offices</b>		<b>\$ 12,037.47</b>		<b>\$ 12,072.45</b>		<b>\$ 11,975.80</b>		<b>\$ 9,191.48</b>		<b>\$ 11,030.59</b>
	<b>Grand Total for County &amp; District Court with Option 1</b>		<b>\$ 12,037.47</b>		<b>\$ 14,188.85</b>		<b>\$ 11,475.56</b>		<b>\$ 9,191.48</b>		<b>\$ 11,030.59</b>

# Deb Houghtaling

Sarpy County Clerk

1210 Golden Gate Drive, Suite 1118  
Papillion, Nebraska 68046-2895

Phone: (402) 593-2105  
Fax: (402) 593-4360

Fred Uhe  
Chief Deputy

August 11, 2009

Midwest Storage Solutions  
Taylor Gilbreath  
5845 S. 118<sup>th</sup> Circle  
Omaha NE 68137

RE: File Folders for County and District Courts

Action by the Sarpy County Board of Commissioners, at the meeting of August 4, 2009,  
is as follows:

Public Hearing and Resolution (2009-214): Bid award for file folders for County and District Court Offices.  
Beth Cunard

MOTION: After a public hearing, Hike resolved, seconded by Richards, to approve Resolution 2009-214 to accept the low bid of Midwest Storage Solutions with Option 1, Glossy Strip Label in the total amount of \$9,191.49. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

Enclosed are **duplicate originals** of the contract agreement. Please have **signed and attested** by a representative of your company and **return ONE** to this office.

**Mail to:** Sarpy County Clerk  
Attn: Chris Vance  
1210 Golden Gate Dr  
Papillion NE 68046-2895

Sincerely,



Debra J. Houghtaling  
Sarpy County Clerk

Enclosures (2)  
DJH/cv

## AGREEMENT

This Agreement is entered into by and between the County of Sarpy, in the State of Nebraska, a body politic and corporate, and hereinafter "County", and Midwest Storage Solutions, hereinafter "Vendor".

WHEREAS, County is desirous of contracting for File Folders for County and District Court Offices; and,

WHEREAS, the Vendor has been awarded this Agreement as a result of the bid made by Vendor in response to the Specifications and Request for Proposals prepared by County;

NOW, THEREFORE, for and in consideration of the declarations and mutual promises and covenants contained herein, the County and Vendor agree as follows:

I. DUTIES OF VENDOR:

- A. Services to be rendered by Vendor under this Agreement shall be all those services necessary and proper for the installation and materials for File Folders in conformity with each and every term, condition, specification, and requirement of the Bid Specifications and the Bid submitted by the Vendor.
- B. Prior to the commencement of any work, Vendor will place the required certificates of insurance on file with the Sarpy County Clerk, if applicable.
- C. Vendor will submit an invoice to County for work completed based on the amounts specified in Vendor's bid. Such invoices shall be submitted to:

Sarpy County District Court  
Attn: Carol Kremer  
1210 Golden Gate Drive  
Papillion, NE 68046

~and~

Sarpy County - County Court  
Attn: Barb Pousson  
1210 Golden Gate Drive  
Papillion, NE 68046

- D. The County and Vendor hereto specifically acknowledge, stipulate and agree that each and every term of the Bid Specifications and the Vendor's bid constitute essential terms of this Agreement, and that, therefore, any violation of any term, condition, provision, or requirement constitutes a material breach hereunder, for which County shall have every right under the law to terminate this Agreement,

and obtain any and all relief necessary.

II. DUTIES OF COUNTY:

In return for full, faithful and diligent rendering of services set forth above, County agrees to pay to Vendor the amount specified in Vendor's bid upon submission of the required invoice and satisfactory completion of all required work.

III. BREACH:

Should Vendor breach, violate, or abrogate any term, condition, clause or provision of this agreement, the County shall notify Vendor in writing that such an action has occurred. If satisfactory provision does not occur within ten (10) days from such written notice, the County may, at its option, terminate this agreement and obtain an alternate provider to provide all required materials. This provision shall not preclude the pursuit of other remedies for breach of contract as allowed by law.

SAVINGS CLAUSE:

This Agreement shall be interpreted, construed and enforced under the laws of the State of Nebraska. It is understood and agreed by the County and Vendor hereto that if any part, term, condition, or provision of this Agreement is held to be illegal or in conflict with any law of the State of Nebraska or of the United States, the validity of the remaining parts, terms, conditions, or provisions shall not be affected, and the rights and obligations of the County and Vendor shall be construed and enforced as if the Agreement did not contain the particular part, term, condition, or provision held to be invalid.

SCOPE OF AGREEMENT

This Agreement, along with the Bid Specifications, and Bid by Vendor contains the entire Agreement between the County and Vendor, and there are no other written or oral promises, contracts or warrants which may affect it. This Agreement cannot be amended except by written agreement of both the County and Vendor. Notice to the County and Vendor shall be given in writing to the agents for each party named below:

County: Ms. Debra Houghtaling  
Clerk of Sarpy County  
1210 Golden Gate Drive, Suite 1116  
Papillion, NE 68046

Vendor: Midwest Storage Solutions  
Taylor Gilbreath  
5845 S. 118<sup>th</sup> Circle  
Omaha, NE 68137

IN WITNESS WHEREOF, we the contracting parties, by our respective and duly authorized agents, hereto affix our signatures and seals in duplicate this 4<sup>th</sup> day of August, 2009.

(Seal)



ATTEST:

*Bernard Houghtaling*  
Sarpy County Clerk

COUNTY OF SARPY, NEBRASKA,  
A body Politic and Corporate

*Tom Jones* 8/4/2009  
Chairperson  
Sarpy County Board of Commissioners

Approved as to form and content:

*Micole O'Kaf*  
Deputy County Attorney

Vendor: *MIDWEST STORAGE SOLUTIONS, INC*  
By: *David B. Fenner*  
DAVID B. FENNER  
Title: *PRESIDENT*

Attest:

*Michael Fenner*  
Witness

\_\_\_\_\_

MSS

Sarpy County, Nebraska  
File Folders  
Bid Form

Qty	Folder	Price Each	Extended
<b>County Court File Folders</b>			
375	Folder 1: County Court - Probate	\$ .4395	\$ 164.81
6,000	Folder 2: County Court - Civil	\$ .4395	\$ 2637.00
250	Folder 3: County Court - Small Claims	\$ .4395	\$ 109.88
8,000	Folder 4: County Court - Criminal	\$ .4395	\$ 3516.00
100	Folder 5: Adoption	\$ .4395	\$ 43.95
<b>County Court Total</b>			<b>\$ 6471.64</b>
<b>District Court File Folders</b>			
899	Folder 6: District Court - Juvenile	\$ .667	\$ 599.63
500	Folder 7: District Court - Criminal	\$ .70235	\$ 351.18
2,449	Folder 8: District Court - Civil	\$ .72235	\$ 1769.04
<b>District Court Total</b>			<b>\$ 2719.85</b>
<b>Option 1: District Court File Folders</b>			
899	Folder 6: District Court - Juvenile	\$ .667	\$ 599.63
500	Folder 7: District Court - Criminal	\$ .70235	\$ 351.18
2,449	Folder 8: District Court - Civil	\$ .72235	\$ 1769.04
<b>District Court Total Using Option 1</b>			<b>\$ 2719.85</b>
<b>Grand Total Bids</b>			
<b>County Court &amp; District Court Grand Total</b>			<b>\$ 9191.49</b>
<b>County Court &amp; Option 1 District Court Grand Total</b>			<b>\$ 9191.49</b>

\*Prices are to be F.O.B. - 1210 Golden Gate Drive, Papillion, NE 68046

FIRM DELIVERY DATE:  
(Folders must be received by December 8, 2008)

December 8, 2009

**Company Information:**

Years in business: 12

# of employees 11

Total sales last 3 years 6 million dollars +

**References:**

Company Name: Omaha Police Department  
Address: 505 S. 15th Street Omaha, NE 68102  
Contact Name: Margo Aguilera Phone Number: (402) 444-5600  
Fax Number: \_\_\_\_\_ Date of Purchase: 9-11-2008

Company Name: Fourth Judicial District of Iowa  
Address: 227 S. 6th Street Council Bluffs, IA 51503  
Contact Name: Robert D Gast Phone Number: (712) 328-5791  
Fax Number: (712) 328-5716 Date of Purchase: 7-2-09

Company Name: Charles Drew Health Center  
Address: 2915 Grand Street Omaha, NE 68111  
Contact Name: Gregory Ochuba Phone Number: (402)-453-1433  
Fax Number: \_\_\_\_\_ Date of Purchase: 9-13-04 thru 6-8-09

I certify that this bid is submitted in accordance with the specifications issued by Sarpy County.

I acknowledge receipt of the following addenda (if applicable):

Addendum #1 Michael K Jamel  
Addendum #2 \_\_\_\_\_

Attachments: **Folder Samples**

Midwest Storage Solutions  
Company Name

Taylor Gilbreath  
Authorized Signature

5845 S. 118<sup>th</sup> CIR.  
Address

Omaha, NE 68137  
City, State & Zip

Taylor Gilbreath  
Company Representative (Please print)

402-935-0357  
Telephone Number

402-935-0361  
Fax Number

taylor@gmss-7.com  
E-Mail Address

**\*NOTE: Sarpy County is tax exempt and will provide the proper form upon request.**

# Sarpy County Purchasing Department

SARPY COUNTY COURTHOUSE  
1210 GOLDEN GATE DRIVE  
SUITE 1129  
PAPILLION, NE 68046-2845  
FAX (402) 593-4304



Brian E. Hanson, Purchasing Agent  
(402) 593-2349  
Debbie Peoples, Assistant Purchasing Agent  
(402) 593-4164  
Beth Cunard, Purchaser/Contract Specialist  
(402) 593-4476  
Lois Spethman, Supply Clerk/Purchaser  
(402) 593-2102

## MEMO

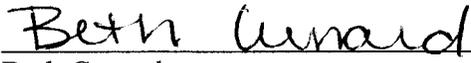
To: Sarpy County Board of Commissioners  
From: Beth Cunard  
Re: Award of bid for File Folders

On July 23, 2009, the Purchasing Department received and opened five (5) bids for File Folders for County and District Court Offices. A bid tab is attached for your review.

The bids have been reviewed by the offices and myself. After careful evaluation, it is recommended that the bid be awarded to the low bidder, Midwest Storage Solutions with Option 1 - adding a gloss strip label for a total of \$9,191.48. The Agreement is for a period of one year commencing on August 27, 2009 until August 26, 2010 with two (2), one (1) year option periods. Our previous contract awarded last year for File Folders was for \$10,898.53.

I have placed this on the agenda for the August 4, 2009 Board meeting for your approval. If you have any questions, please feel free to contact me at 593-4476.

July 28, 2009

  
Beth Cunard

cc: Deb Houghtaling  
Mark Wayne  
Scott Bovick  
Brian Hanson  
Carol Kremer  
Barb Pousson