



Council Information Briefing: Telling the City's Story

June 7, 2016

Dedicated Service – Every Day, For Everyone!



Telling the City's Story

➤ Standards (4):

- Law (foundational)
- City's Mission

(Dedicated Service – Every Day, for Everyone!)

- City's Values (integrity, professionalism)
- Quality: accuracy and balance

➤ Streams (2) :

PIO and PIA

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Telling the City's Story (cont.)

➤ Components (4):

	<u>PIO</u>	<u>PIA</u>	<u>(I)CM</u>
Requirements:		✓	
Processes:	✓	✓	
Products:	✓	✓	
Requests:			✓

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Department vs. Act

Public Information Department

- Manages dissemination of information via news release, online and broadcast outlets, mailings, etc.
- Responds to media and public inquiries.

Public Information Act

- State law that governs access to and provision of government records
- Officer for public information different than public information officer

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Telling the City's Story

➤ Pushing Information Out

- *News releases*
 - *215 per year*
 - *Multiple uses*
- *Website*
 - *200+ pages*
 - *1.2 million hits*
- *Facebook*
 - *151 posts in 6 months*
 - *10,280 likes*
 - *Average response < 30 min.*
- *Other*

➤ Responding to Inquiries

- *Media requests*
 - *Submitted to PI Department*
 - *200+ per year*
 - *Responses provided to media & public*
- *Deadlines*
- *Submitting public information request*

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Examples

www.KilleenTexas.gov

Information provided

Media inquiry turned public information request

Multiple requests

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Examples

2-29-16 Request by Holden Wilen, Killeen Daily Herald

Request by KDH: Please see the following questions regarding the agenda item about City Hall repairs. My deadline is 5 p.m.

- 1) Was the council made aware of the emergency? If so, when and how? Can you provide a copy of this communication?
- 2) If the council was not told about it, why not?
- 3) Why did the city select Land Masonry?
- 4) What procedure did the city use to select Land Masonry?
- 5) Who authorized the purchase?
- 6) The purchasing policy says authorizations will be made in writing and prior to the purchase. Was this authorization provided in writing? On what date? Can you provide a copy of the authorization? If it wasn't provided in writing, why not? If you can't provide a copy, why not?
- 7) Did the department provide documentation explaining the need for the purchase? Is this documentation available? If so, please provide a copy. If the department did not, why not?
- 8) There was a Special City Council meeting on Sept. 1, 2015. Why was this emergency item not presented to the Council at that meeting?
- 9) Why were these repairs not competitively bid?
- 10) Which qualifications did the purchase have for an exemption (see below), and what is the reasoning behind how it falls under that qualification? According to the purchasing policy: "Emergency purchases exceeding \$50,000.00 will also meet one of the following qualifications for exemption from competitive bidding practices contained in TLGC § 252.022. Purchases meeting one or more of these criteria may be made after normal working hours or on holidays or weekends, by issuing a PO the next business day. The purchase is required to address a public calamity so severe that the prompt purchase of specified items and/or services is required to provide for the needs of the public or to preserve the property of the city. The purchase is necessary to preserve or protect the public health or safety of the residents of the city. The purchase is made necessary by unforeseen damage to public machinery, equipment or other property. If no exemption is satisfied then the items or services will be competitively bid." Where is the money for these repairs coming from? Will there be a budget amendment?

City response: This item will be discussed with City Council at tomorrow's workshop. It is staff procedure to present information to Council prior to discussing an item with media.

The council memorandum attached to the meeting agenda addresses some of your questions including your last two; the repairs have been paid out of a Building Services account with available funds. We will be happy to answer any of your questions that are not answered by the presentation to Council following the workshop tomorrow.

KDH: This is public information that the public has a right to know. These are questions that we and the public have a right to get answered regardless of whether they are on an agenda or if the council has received a presentation. Information is either public or not public, and the city does not get to choose when it wants to release public information.

Can you please direct me to a copy of the procedure or policy that you cited in your previous email? Secondly, when did this become policy and who enacted it?

Finally, how do you expect residents to decide whether they should attend a meeting when the information they have available is incomplete?

City: Section IV. C. of our employee Media Relations Policy states: Employees will not provide information to media regarding agenda items that have not been presented to City Council and/or committees. This policy has been in place since 2011. The City of Killeen posts agenda items in accordance with Texas Open Meetings Law. We also include background information to provide more information to City Council and the public prior to an item's discussion at a public meeting.

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Examples

3-3-16 Request by Holden Wilen, Killeen Daily Herald

KDH request: *Can you please tell me more about Land Masonry? We have been searching for any information about this business, but it isn't even registered with the Texas Secretary of State. Was the city aware of this?*

City response: **(Responses provided by Executive Director of Support Services Stu McLennan) No.**

KDH: *How did the city hear about Land Masonry and how did the city choose this company to perform the City Hall repairs?*

City: **The city has leveraged the services of Land Masonry since at least 2011. Emergency city hall repairs required a skilled mason and our Facilities Manager recommended Land Masonry.**

KDH: *What are their credentials?*

City: **Mr. Ferris W. Land is a Master Mason.**

KDH: *Do they have a business license from the city, and are they members of the Chamber of Commerce?*

City: **The City doesn't issue business licenses. No.**

KDH: *Where is Land Masonry's office and who owns the business?*

City: **Mr. Land works from his home. Mailing address is [PO Box 10522, Killeen, Texas.](#)**

KDH: *How did the city determine and know Land Masonry is a legitimate business and capable of performing the repairs?*

City: **See above and below.**

KDH: *Has the city worked with Land Masonry in the past, and what did that work consist of and when?*

City: **Yes. Projects include repairs at Fire Station #1 (Apr 2011), Aquatics Center (June 2011), Lift Station #2 (Oct 2014), Animal Control (Feb 2015), Chamber of Commerce (May 2015), City Hall Annex (June 2015), Pump Station #6 (Sep 2015) and Solid Waste Admin (Sep 2015). All work was performed in a professional and timely manner.**

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Examples

3-7-16 Request by Holden Wilen, Killeen Daily Herald

KDH request: *What is the normal process for approving purchases and paying invoices?*

City response: (Responses provided by Executive Director of Support Services Stu McLennan) See Sections III, IV, V, VI, VII and VIII of the City of Killeen Purchasing Policy, dtd October 2014.

Also see Appendix A, B, C, D and G.

KDH: *Who ultimately made the decision to hire the contractor for the city hall repairs? (McLennan, Patrick Martin, someone else?)*

City: **Stu McLennan**

KDH: *Were p-cards used in paying any of the invoices, if so how many different ones?*

City: **Yes. Three p-cards.**

KDH: *Is this a normal procedure?*

City: **Yes.**

KDH: *What is the tax ID number for Land Masonry, and why doesn't it appear on the invoices for city hall repairs?*

City: **#751855676. Land Masonry is an active vendor in our requisition system, therefore, the tax ID is already on file with the city and not required on invoices.**

KDH: *Is it typical for the city to pay invoices that don't include a tax ID number?*

City: **Yes. See above.**

KDH: *Has the process changed since last purchasing manager left?*

City: **No.**

KDH: *Did the city, at any point in the last 5 years, used to require the tax id on invoices?*

City: **When the vendor was not already in the requisition system.**

KDH: *The city is currently without a purchasing manager. Would the process have worked differently with a purchasing manager in place?*

City: **No.**

KDH: *Since City Hall is a historic building, was there any consideration about consulting the people who gave it the National Register of Historic Places designation to make sure any pertinent construction guidelines were followed in making repairs? What were those considerations?*

City: **THC input had previously been secured. Stu McLennan called THC on October 16, 2013 and spoke with Adam Alsobrook concerning Avenue D School repairs and modifications. In sum, maintain exterior appearance except city can replace entrance doors. THC also prefers the city install interior storm windows as needed instead of replacing original, metal windows.**

KDH: *Is the city council required to sign off on the city hall repair bill, since it exceeded the \$50,000 cap placed on the city manager's purchasing authority?*

City: **No, if by "sign-off" you mean "approve beforehand." The City Council approved the Purchasing Policy on December 9, 2014. It states the City Manager may approve emergency expenditures of greater than \$50,000. The department head then submits the expense afterwards to the council for ratification.**

KDH: *What would happen if the city council declined to approve the expenditure?*

City: **Unknown.**

KDH: *Why didn't TML insurance cover the repairs?*

City: **Unknown.**

KDH: *I have a couple of additional questions. Please provide responses by 5 p.m.*

I just got off the phone with the TML Intergovernmental Risk Pool. They could find no record of the city reporting the damages on Aug. 28, and they said damages are to be reported when they occurred. Did the city report the damages to TMLIRP in August?

City: **No.**

KDH: *If not, why not?*

City: **This situation was the result of "wear and tear" over 92-years and therefore not a reportable incident for insurance purposes.**

KDH: *Did the city ever file a claim? If so, when?*

City: **No. Staff contacted TML on Feb 9, 2016 and confirmed the above on Feb 12, 2016.**

KDH: *If the city did not file a claim, why not?*

City: **See above.**

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Examples

3-8-16 Request by Holden Wilen, Killeen Daily Herald

KDH request: *Can you please send me a copy of the building inspection records for City Hall? Also, is there an inspection schedule and when is City Hall due for its next inspection?*

City response: **City Code does not require regular inspection of a commercial building following an initial inspection to grant a certificate of occupancy.**

Annual inspection of the City Hall elevator and fire suppression system are completed by outside companies. Elevator inspection is due this month, and fire suppression and alarm system inspections are due in May.

KDH: *How many other old buildings does the city own?*

City: **Please define "old."**

KDH: *When were they last inspected:*

City: **In general, all City facilities that require a fire suppression and/or alarm system are inspected annually in May. Elevator inspections are typically in March.**

KDH: *What is the inspection schedule for these other buildings?*

City: **See previous answer.**

KDH: *Also, can you please provide me with a copy of Stu McLennan's bio, resume and qualifications. Additionally, I am still waiting on a copy of Morrison's resume.*

KDH: *My editor would like to know how soon you can get us copies of the inspection records? My understanding is this is not something we should have to do an FOI request for, however we will if it will speed up the process. Please advise as to how to proceed.*

City: **Please submit an open records request defining the exact records and time periods you seek.**

KDH: *With regards to the insurance, the responses yesterday said the city didn't contact TMLIRP in August about the damage because the city decided it wasn't covered due to wear and tear. This raises further questions: Why didn't the city contact TMLIRP in August to make sure it wasn't covered?*

City: **As previously stated, the situation was due to "wear and tear" on a 92-year old building, which is typically not covered.**

KDH: *Why did the city decide it wasn't covered?*

City: **See previous answer.**

KDH: *Why did the city contact TMLIRP in February if it had already decided the damage wasn't covered?*

City: **To confirm that the damage was not covered.**

KDH: *Shouldn't the city have contacted TMLIRP in August when the damage first occurred so an adjuster could make the decision? What harm would there have been in just contacting the insurance in August and letting an adjuster make the call?*

City: **The insurance company was not contacted, and the damage was not covered.**

KDH: *Yesterday we were told it is unknown what would happen if the council doesn't approve the payments. This response came from McLennan, according to you. Can you please provide me a response from Morrison as to what would happen if the city does not ratify the payments?*

KDH: *Also, can you please provide the receipts from Danco and Land Masonry?*

City: **You were provided the invoice copies last Friday. There are not separate receipts for those transactions.**

KDH: *Finally, if I am denied an interview with Morrison, please provide an explanation why. In addition, here are the questions I expect to ask him, please provide responses if I am denied an interview: Where were you while the repairs transpired? You work in City Hall. Didn't you know what was going on? If so, shouldn't you have known the purchasing policy and asked to receive permission to provide approval?*

KDH: *The city is without a purchasing manager, who is filling this role? Is it you? How does the purchasing policy work when there is no purchasing manager (the policy specifically states the purchasing manager fulfills certain roles and responsibilities)?*

City: **The Purchasing Division is under the Support Services Department, therefore, Executive Director of Support Services Stu McLennan is overseeing the duties and responsibilities of the Purchasing Manager while a vacancy exists.**

KDH: *Does the city maintain a master schedule for inspecting buildings? For example, is there a master schedule categorizing buildings by how old they are when they are to be inspected (for example, buildings 0-10 years should be inspected however often, buildings 11-20 years should be expected however often, etc.)...basically is there a master schedule for building maintenance? And can we get a copy of that schedule?*

City: **No. Maintenance is completed as needed.**

KDH: *How does the city determine when it's needed? Does the city wait for emergency situations to arise? How does the city track maintenance and keep track of the last time a building had work done?*

City: **If you could be more specific about what you mean by work, that would be helpful in answering these questions. General maintenance could be anything from replacing a lightbulb to fixing a broken window to changing air filters. Every building is different, so if you could be more specific, it would help me get your answers.**

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Texas Public Information Act: Legal Requirements & Processes

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What is Public Information?

- “Public information” means information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:
 - by a governmental body; or
 - for a governmental body and the governmental body owns the information or has a right of access to it.
- All formats covered: audio, video, paper, computer memory, microfilm
- Government Code Sec. 552.002(a)



Is This Public Information?

- E-mails? Deleted e-mails?
 - It's public information if its about public business, even when transmitted through home computer via private internet provider
 - If it can be retrieved from trash bin or hard drive, it must be produced.
- Text messages?
 - If about public business, then they are public information even if on personal cell phone.
- Personal Notes or calendar entries?
 - Yes, if about public business, even if in/on a personal calendar



What is a public information request?

- Must be in writing to trigger the PIA
- Must ask for information in existence as of the date the request was received
- No “magic words” required
- Can be typed or handwritten
- Cannot require the use of a specific form to submit request

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What must a city do when it receives a request for information?

- As a general rule, a city must:
 - Promptly produce information for inspection, duplication, or both; or
 - Ask for a decision from the attorney general about whether the information is excepted from disclosure

- Government Code Sections 552.221, 552.301



Timetable for Producing Information

- “Promptly” means as soon as possible under the circumstances, that is, within a reasonable time, without delay.
- If we cannot produce information within 10 business days after the date the request is received, we must certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available.
- Government Code Section 552.221



What to do if you receive a request for information

- Forward request to the City Attorney's Office, as soon as you receive it.

- Forward any documents you may think are responsive as soon as possible thereafter.
 - Even if you think they can be withheld

- Do not delete/destroy any document that may be responsive to the request.



What if the request is unclear?

- Cannot ask the requestor why he/she wants the information.
- Can ask requestor to clarify request and/or discuss how scope of request might be narrowed.
- Example: “Mention of any money is proposed for a major study in the 2016 or 2017 fiscal years”
- Government Code Section 552.222



Requesting an opinion from the AG

- If we need to withhold information, we must request a decision from the AG not later than the 10th business day after receiving the request.
 - Must also notify requestor that city is seeking an opinion.
- Government Code Section 552.301



What Happens If We Miss a Deadline?

- Mandatory exceptions are not waived
 - Exceptions to disclosure that protect individual privacy interests.
 - Information that is confidential by law

- Permissive exceptions are waived
 - Also called discretionary exceptions
 - Exceptions to disclosure that protect the city's interests.



Key Exceptions to Disclosure

- There are 63 permissible exceptions in the statute
- 552.101 – Information confidential by law
- 552.103 – Information related to litigation
- 552.104 – Information related to bidding
- 552.107 – Attorney/Client privilege
- 552.108 – Law enforcement exception
- 552.117 – Personal information (if employee elects to keep confidential)



When AG Opinion Is Not Required

- Previous determination by AG, or statute
- Allows cities to withhold various types of information without requesting opinion, including:
 - Direct deposit forms
 - Certified agenda or tape of executive session
 - Motor vehicle information
 - Access device numbers
 - Personal e-mail addresses
 - SSNs & DLs
 - Personal information of peace officers
 - Personal information of employees, if privacy requested

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Civil Enforcement & Considerations

- Government Code Sec. 552.321 – Suit for Writ of Mandamus
- Government Code Sec. 552.3215 – Declaratory Judgment
- Government Code Sec. 552.324 – Suit by Governmental Body
- Government Code Sec. 552.223 – Uniform Treatment of Requests for Information
 - The officer for public information or the officer's agent shall treat all requests for information uniformly without regard to the position or occupation of the requestor, the person on whose behalf the request is made, or the status of the individual as a member of the media.



Criminal Violations

- Government Code Sec. 552.351 – Destruction, Removal, or Alteration of Public Information
 - Willfully destroying, mutilating, removing w/o permission, or altering public information
 - Misdemeanor, fine \$25-\$4,000 and/or 3 days – 3 months in jail
- Government Code Sec. 552.352 – Distribution or Misuse of Confidential Information
 - Fine up to \$1,000 and/or up to 6 months in jail.
- Government Code Sec. 552.353 – Failure or refusal of officer for public information to provide access to or copying of public information
 - Fine up to \$1,000 and/or 6 months in jail.
 - Constitutes official misconduct

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What is the City of Killeen's Process?

- Initial receipt of ORR by City of Killeen:
 - Submission in person, or by email, fax or mail; or
 - Submission online by requestor;
- Receive and review request, request clarification if needed;
- Request responsive information from appropriate department;
- Once responsive information received, review and determine whether additional information is needed from the department;
- When necessary, request case dispositions for various courts, search for requested videos, and request audio from the Bell County Communications Center;
- While waiting for information from various departments or agencies, I respond to those requests which do not require any clarification, additional information from departments, information from other agencies, or AG opinions.
- The requests are responded to in the order in which they are received, based upon where I am in the processes set forth above.

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Example #1

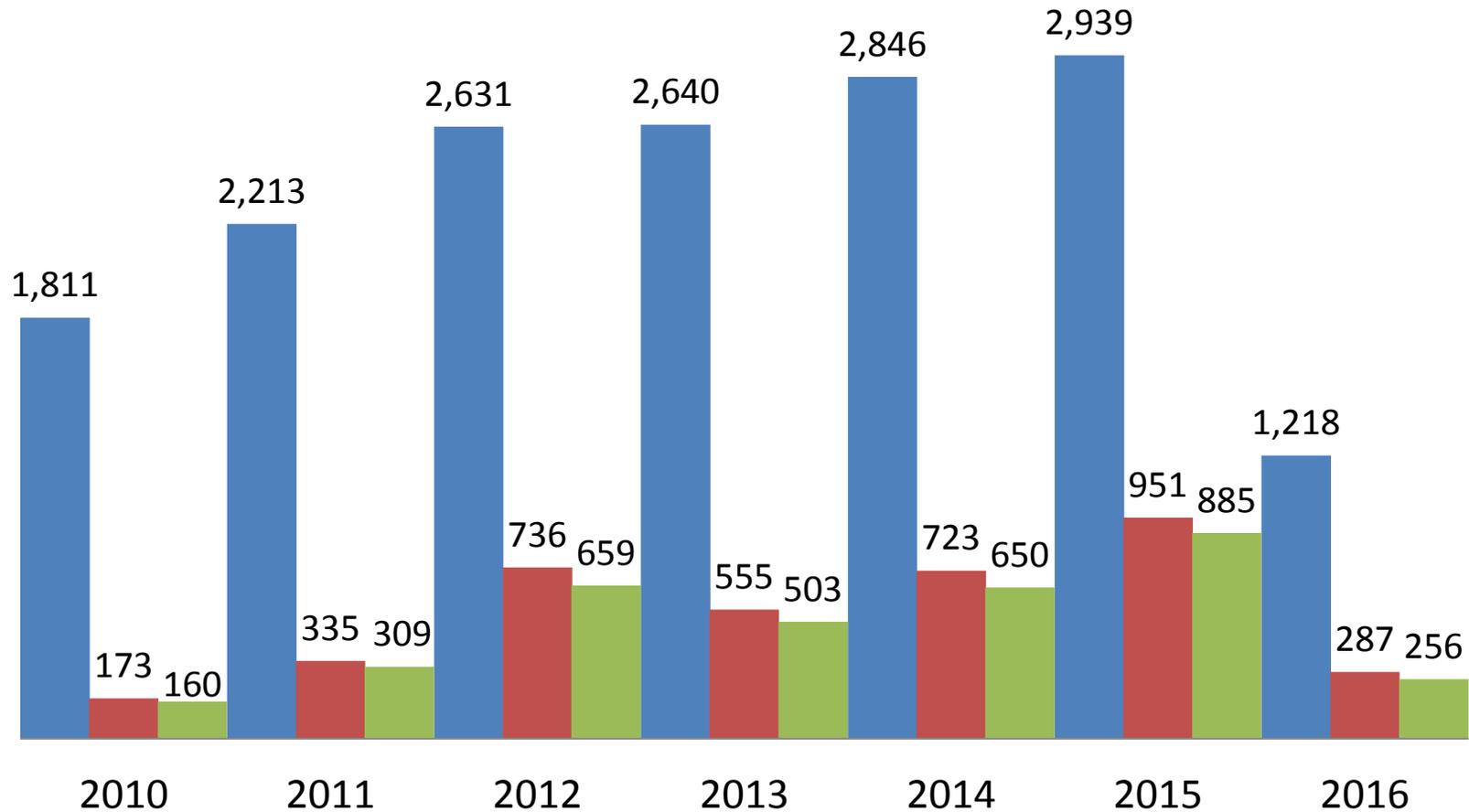
- Saturday, May 14: KDH Reporter 1 filed six time-intensive PIA requests.
- Monday, May 16: Requests sent to departments to gather and provide responsive documents.
- Tuesday, May 17: KDH Reporter 2 requested a copy of P.I.'s letter regarding Scott Cosper.
 - Released Wednesday, May 18. That same day, Reporter 2 requested an electronic copy of “all documents responsive to . . .” the P.I.'s request.
- Thursday, May 26:
 - Provided most responsive documents
 - AG request: law enforcement exception, privacy, juvenile suspect information—exact request that was sent in response to the P.I.'s request.
- Reporter 1 request, to date:
 - returned 260,654 emails
 - 4 employees, 89.25 hours, \$1,928.54 in salary
 - 21% complete

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Open Records Requests

■ Requests Received ■ AG Requests ■ Police-Related



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What the Statistics Show 2010-2015

- 15,080 requests for information received
- 62% increase
- 2010:
 - 150.9 per month
 - 34.8 per week
- 2015:
 - 244.9 per month
 - 56.5 per week
- 3,476 AG requests (23%)
 - 3,170 (91.1%) were police-related
 - 306 (8.9%) were not police-related



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What the Statistics Don't Show

- Even though we ask for an AG opinion, we usually give out some part of the requested information.
- We send an entire document to the AG, who will mark which portions need to be redacted.



Example #2

- November 13, 2015, request by KDH Reporter:
 - RFP for upgrades to KFHRA's security system
 - Contract between G4S and COK for airport security upgrades
 - RFP for security upgrades to Annex
 - Contract between G4S and COK for Annex security upgrades
- December 1, 2015: released RFP and contract for airport
 - AG request: Homeland Security Act, Proprietary Information, Judicial Records
 - Received AG response on Feb. 16: “information we have marked relates to an assessment of the risk or vulnerability of persons or property, including critical infrastructure, to an act of terrorism or related criminal activity. . . Therefore, the city **must** withhold the information we have marked. . . . “ (emphasis added).





Requests Since January 1, 2016

- 1,218 requests received
- 287 sent to AG
 - 256 (89.1%) police-related
 - 31 (10.9%) non police-related
- All requests, except for those received in the last several days and that are currently being processed, have been responded to.



QUESTIONS?

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Telling the City's Story

Requests (2):

- Protect our priority: Council first
- Tell the City's story.



Linda R. Pemberton

From: Holden Wilen <holden.wilen@gmail.com>
Sent: Friday, November 13, 2015 12:53 PM
To: Linda R. Pemberton
Cc: Kathy Davis; Hilary Shine
Subject: TPIA request - Airport security improvements RFP

Dear Linda,

This is a request under the Texas Public Information Act. I am requesting you please search your records for the following, and provide me with electronic copies, preferably, or hard copies if not in electronic form:

- 1) The Request For Proposal, RFP 13-16, that was issued for upgrades to the Killeen-Fort Hood Regional Airport security system. I believe this RFP was issued in December 2013.
- 2) The subsequent contract between G4S and the City of Killeen for security system upgrades at the airport. I believe this contract was signed in May or June of 2014.
- 3) The RFP for the security upgrades at the City Hall Annex which houses the municipal court and other departments.
- 4) The contract between G4S and the City of Killeen for security upgrades at the City Hall annex. I am not sure, but I believe this contract was approved by the council in January 2015.

Please note – the documents listed above are being requested in the public interest on behalf of a news organization, The Killeen Daily Herald, and I am therefore requesting a waiver of any fees. If there are fees, please advise me as to how much the copies will cost and when I can come inspect the records in person at no cost as permitted by state law.

If you anticipate the cost of producing electronic copies or hard copies will be more than \$50, please alert me prior to fulfilling my request and provide me with an itemized list of the costs involved. In addition, please provide me with a written explanation for why a waiver of fees would not be granted in the public interest.

The requested documents may be emailed to me as an attachment.

Thank you for your anticipated fulfillment of this request.

Sincerely,

Holden Wilen
Killeen Daily Herald



Quotation for the provision of
Killeen Municipal Court

For
City of Killeen TX
101 North College St, Killeen, TX 76541

For the attention of
Mr. Stu McLennan

Confidential

G4S Technology LLC

3073 Teagarden St
San Leandro , CA 94577

Phone: ;
Email: jim.policastro@usa.g4s.com

Presented by: Wendell Lind - Project Manager

Thursday, September 04,
2014

WH pg - 1011418-177

Scope Of Work

G4S Technology LLC,
3073 Teagarden St,
San Leandro,
CA 94577
Tel:



Proposal Reference: T00014946

Proposal Name: Killeen Municipal Court

Financial Summary



Killeen Municipal Court

Prepared for:

City of Killeen TX
101 North College St
Killeen, TX, 76541

at the following location:

City of Killeen TX
101 North College St
Killeen, TX, 76541

Killeen Municipal Court

Equipment :	\$97,153.59
Labor :	\$130,989.48
Tax :	\$19,392.16
<u>Total :</u>	<u>\$247,535.23</u>

The price includes applicable Federal, State and Local Sales and Use Taxes.

The prices shown are valid for 60 days from the date of the quotation shown above.

Confidential and proprietary information, not for disclosure to any other party for purposes other than the evaluation of this quotation.

For further information please contact

Wendell Lind - Project Manager

3073 Teagarden St
San Leandro , CA 94577

Tel:

Email: jim.policastro@usa.g4s.com

[418.177
throughout

System Specification

G4S Technology LLC.
3073 Teagarden St.
San Leandro,
CA 94577
Tel:



Proposal Reference: T00014946

Proposal Name: Killeen Municipal Court

Part Number	Description	Qty	Total Price
			\$605.08
			\$219.60
			\$302.55
			\$3,865.35
			\$305.44
			\$313.88
			\$5,411.90
			\$93.09
			\$33.79
			\$46.55
			\$305.44
			\$305.44
			\$24.05
			\$808.36
			\$46.55
			\$16.89
			\$46.55
			\$696.43
			\$610.91
			\$17.26
			\$6.03
			\$1,446.61
			\$46.55
			\$16.89
			\$46.55
			\$696.43
			\$305.44
			\$1,111.86
			\$6.03
			\$6.03

System Specification

G4S Technology LLC.
3073 Teagarden St.
San Leandro,
CA 94577
Tel:



Proposal Reference: T00014946

Proposal Name: Killeen Municipal Court

Part Number	Description	Qty	Total Price
			\$36.08
			\$36.08
			\$41.70
			\$41.70
			\$2,007.04
			\$2,007.04
			\$232.53
			\$232.53
			\$5,284.73
			\$290.90
			\$290.90
			\$213.32
			\$1,461.74
			\$266.58
			\$7,808.17
			\$3,517.97
			\$5,787.01
			\$822.20
			\$420.84
			\$48.47
			\$98.91
			\$486.77
			\$480.96
			\$1,338.11
			\$302.41
			\$636.09
			\$13,939.53

System Specification

G4S Technology LLC,
3073 Teagarden St,
San Leandro,
CA 94577
Tel:



Proposal Reference: T00014946

Proposal Name: Killeen Municipal Court

Part Number	Description	Qty	Total Price
			\$26,027.22
			\$7,601.04
			\$1,386.24
			\$1,551.38
			\$116.34
			\$877.42
			\$69.82
			\$345.88
			\$37,075.14
			\$903.73
			\$2,342.73
			\$3,246.46
			\$5,333.20
			\$3,868.98
			\$290.90
			\$930.88
			\$10,423.96
			\$124,077.81
			\$124,077.81
			\$207,667.48
			\$3,520.23
			\$62.45
			\$893.88
			\$15,188.72
			\$2,156.70
			\$21,821.98

System Specification

G4S Technology LLC,
3073 Teagarden St,
San Leandro,
CA 94577
Tel:



Proposal Reference: T00014946

Proposal Name: Killeen Municipal Court

Part Number	Description	Qty	Total Price
			\$18,045.77
			\$18,045.77
			\$39,867.75
			\$247,535.23

G4S Technology LLC **Standard Terms**

1. Liquidated Damages

Liquidated damages will not apply to any contract or scope of work performed by G4S Technology LLC (G4S).

2. Installation Responsibility

G4S will provide all required labor to mount, terminate and test the equipment detailed in this proposal. Installation will be performed in a workmanlike manner, meeting or exceeding industry standards and local code requirements.

3. Change Orders

Any change to this proposal as outlined herein will require an additional cost review by G4S. A revised proposal will be submitted, which will incorporate any requested changes. If the requested change occurs after G4S is under contract, then a signed change order will be required. Equipment/Material provided by G4S is limited to the items listed within the attached schedule of values or material list.

4. Insurance and Liability

All necessary insurance and certificates will be submitted prior to receipt of contract and are included in the proposal cost. In no event will G4S be liable for any incidental or consequential damages arising from system(s) problems or failure, including, without limitation, loss of use, profit, or theft of property owned by and/or located at the premise(s) where this equipment is installed. The total cumulative liability of G4S and any of G4S's related companies to Owner for all claims, losses, damages, and expenses resulting in any way from the performance of this Agreement, shall not be greater than the compensation received by G4S under this Agreement. The express remedies, obligations and liabilities of G4S and Owner set forth herein are exclusive, and are in lieu of any others available at law or otherwise. This proposal is based on contract documents and/or drawings only. Should the authority having jurisdiction or Owner require additional changes to the system, G4S reserves the right to seek additional costs if necessary. G4S reserves the right to charge labor costs for troubleshooting, repairing, or rewiring the system due to other contractors' installation methods, which may have caused such problems.

5. Warranty

G4S provides a one (1) year warranty on all materials and labor. This warranty extends from the date of installation and initial acceptance of the equipment. This warranty does not cover any existing equipment incorporated into this project, if applicable. This warranty is non-transferable.

6. Payment Terms

Payment terms are Net 30-days based on progressive billing.

7. Written Consent

No work shall proceed without an acceptable purchasing document, which incorporates G4S's Standard Terms, being received by G4S from the Owner.

8. Mobilization

Once the Owner/Buyer's purchasing document has been approved, G4S will begin project mobilization.

G4S Technology LLC
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9. Equipment Delivery

Once the Project Manager's order(s) for the required material(s) and/or equipment have been placed, the Project Manager will provide the Owner with an initial construction schedule based on the manufacturers' acknowledged delivery dates.

10. Equipment Modifications

G4S assumes no responsibility for modifications to or errors in equipment manufacturers' specifications, literature, or revisions to equipment operation at the manufacturers' discretion.

11. Termination or Alteration

A contract resulting from the acceptance of an offer may be canceled or altered by the Owner only if agreed to in writing by G4S and subject to the following:

- a. If any equipment covered by this contract has been delivered and/or installed, payment for the equipment, installation (if applicable), and freight will be due in full, per the agreed upon terms referenced above.
- b. If the equipment has not been delivered, it may be canceled or altered only if agreed to by the manufacturer. Equipment is then subject to either a 25% retail price restocking charge or the manufacturers' imposed cancellation/change fees (whichever is higher).
- c. Owner/Buyer will also be responsible to reimburse G4S for any other reasonable fees assessed as a result of an alteration or cancellation after order placement.

12. Proposal Expiration

G4S shall honor this proposal for a period sixty (60) days.

13. Intellectual Property

This proposal, consisting of but not limited to designs, concepts, and ideas, which are represented herein, is the exclusive intellectual property of G4S and may not be reproduced or copied in any manner without the express written consent of G4S. This proposal and all associated materials (including drawings) must be returned promptly to G4S upon request.

14. Standard Exclusions

Unless specifically noted otherwise, this proposal **EXCLUDES**:

- a. Furnishing and/or installing any required plywood equipment backboards.
- b. Cost associated with telephone or network connectivity as part of the installation or as a reoccurring expense.
- c. Arrangement for and/or coordination of any required telephone or network service installation.
- d. Any expense associated with working in an environment containing asbestos.

15. Installation Conditions

This proposal **REQUIRES** that:

G4S Technology LLC
Standard Terms

- a. All existing equipment, which is to be incorporated into the new system, is operable and suitable for its intended purpose.
- b. No area in which G4S is to install equipment is classified as hazardous or explosive.
- c. Owner/Buyer will provide adequate parking accommodations and equipment storage for G4S's personnel while on the job site.
- d. All work to be performed by G4S's personnel is during normal business hours. Normal business hours are defined as Monday through Friday (excluding Federally recognized holidays) from the hours of 8 AM until 5 PM (local time).

Please indicate your acceptance of the quote, scope of work, terms, exclusions, and assumptions, by signing below:

Company Name:

Name:

Title:

Signature:

Date:

