

## Legislation Text

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**File #:** 180453, **Version:** 0

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Authorizing the Procurement Commissioner and the Free Library of Philadelphia, on behalf of the City of Philadelphia, to enter into a sublease agreement to lease from the Philadelphia Municipal Authority personal computers and associated equipment, and receive related maintenance and other services, for the use of the Free Library of Philadelphia; all under certain terms and conditions.

WHEREAS, The Procurement Commissioner and the Free Library of Philadelphia ("Free Library") have determined there is a current need for personal computers and associated equipment (collectively, the "PCs"), together with certain associated services required for the installation and maintenance of the PCs (the "Services"), and that it is advantageous to the City to lease the PCs and acquire the Services through The Philadelphia Municipal Authority (the "Authority"); and

WHEREAS, The Authority will enter into a lease agreement with a vendor approved by the City, pursuant to which the Authority will lease the PCs from the vendor, or its assignee approved by the Authority and the City, and will require the vendor to furnish the Services to the Free Library; now, therefore

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. The Procurement Commissioner and the Free Library are hereby authorized to enter into a sublease agreement with the Authority for the acquisition of PCs and Services pursuant to terms substantially as set forth in the Term Sheet attached hereto as Exhibit "A."

SECTION 2. The City Solicitor is hereby authorized, jointly and severally, to take all actions and to review and approve all documents and agreements necessary to effectuate this Ordinance, and to impose such terms and conditions as may be deemed necessary and proper to protect the interests of the City of Philadelphia and to carry out the purpose of this Ordinance.

### **EXHIBIT A** **Term Sheet**

1. **Background.** Free Library will work with the City's Procurement Department to prepare a solicitation, to be posted by Procurement, for PC leasing and Services. The terms of the solicitation will provide for award by the Authority and for sublease of PCs by, and delivery of Services to, the City. Following evaluation of responses, Free Library and Procurement will recommend to the Authority the successful respondent. The Authority will award the PC lease (PC Lease).

2. **PMA Sublease.** The Authority and the City will enter into a sublease whereby the Authority subleases the PCs to the City for the use of the Free Library. Under the terms of the sublease, the Authority will arrange for the delivery of the Services, including installation and support services, to the Free Library. The City will retain all management responsibilities related to the PMA Sublease and the PCs and Services provided under it.

3. **Term.** The PC Lease will have a term of four years and five months, commencing approximately five months before the lease obligation commences and the first lease payment becomes due, in order to provide a period for de-installation of existing PCs, and configuration, delivery and installation of new PCs. The term may be extended by an additional seven months at the direction of the City. The term of the PMA Sublease will commence with the award of the PC Lease and shall end ninety days after the PC Lease terminates in accordance with its terms.

4. **Lease Price.** Lease price will depend on the prices bid. Lease payments are to be monthly and will include the price of all Services as well as rent for the PCs.

5. **Locations.** The lease will provide PCs and Services for 56 Free Library facilities, including 49 Neighborhood Libraries as well as seven main and regional locations including the Parkway Central Library, Northeast Regional Library, Joseph E. Coleman-Northwest Regional Library, Lucien E. Blackwell-West Philadelphia Regional Library, Regional Operations Center, The Rosenbach Museum and Library, and The Library for the Blind and Physically Handicapped.

6. **Services.** The PC Lease will include on-site repair services to restore equipment to full operability within one business day of a problem notification. The contractor will also de-install existing PCs, and stage, configure, deliver and install the leased PCs at each of 56 Free Library facilities.

7. **Specifications.** PCs will be acquired both for use by the public and for use by Free Library staff. All PCs will be specified with high-speed multi-core processors, high-resolution displays, and memory and hard disk capacities and speeds that are industry standard for the uses required. PCs will be delivered with City-specified software images pre-installed. An estimated 2158 PCs will be leased, consisting of an estimated 1090 public class use PCs and 1068 staff use PCs.

8. **Participation Ranges.** Participation ranges for Minority Business Enterprises, Woman Business Enterprises and Disabled Business Enterprises (M/W/DSBEs) will be determined by the Office of Economic Opportunity.