

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

February Session of the January Adjourned

Term. 20 11

In the County Commission of said county, on the 24<sup>th</sup> day of February 20 11

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the utilization of the State of Missouri cooperative contract C111077001 Patrol Vehicles: Model Year 2011 Crown Victoria with Joe Machens Ford of Columbia, Missouri. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Done this 24<sup>th</sup> day of February, 2011.

ATTEST:

Wendy S. Noren  
Wendy S. Noren  
Clerk of the County Commission

Edward H. Robb  
Edward H. Robb

Presiding Commissioner

Karen M. Miller  
Karen M. Miller

District I Commissioner

Skip Elkin  
Skip Elkin

District II Commissioner

# Boone County Purchasing

**Melinda Bobbitt, CPPB**  
Director



601 E. Walnut, Room 208  
Columbia, MO 65201  
Phone: (573) 886-4391  
Fax: (573) 886-4390

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## MEMORANDUM

TO: Boone County Commission  
FROM: Melinda Bobbitt, CPPB  
DATE: February 20, 2011  
RE: C111077001 – Patrol Vehicles: Model Year 2011 – Crown Victoria

Purchasing and the Sheriff Department request permission to utilize the State of Missouri cooperative term and supply contract *C111077001 – Patrol Vehicles* with Joe Machens Ford of Columbia, Missouri.

This is a Term and Supply contract. The initial order is for one (1) 2011 Ford Crown Victoria Police Interceptor for a total cost of \$23,792.00 and will be paid from department 1195 –Insurance Claim Activity, account 92400 – Replacement Auto / Trucks. This vehicle is to replace the vehicle that was totaled in January 2011 and that vehicle and title were turned over to our insurance carrier.

cc: Contract File  
Chad Martin, Leasa Quick / Sheriff Dept.

PURCHASE AGREEMENT  
FOR  
PATROL VEHICLES: MODEL YEAR 2011

**THIS AGREEMENT** dated the 24 day of Feb 2011 is made between Boone County, Missouri, a political subdivision of the State of Missouri through the Boone County Commission, herein "County" and **Joe Machens Ford** herein "Vendor."

**IN CONSIDERATION** of the parties performance of the respective obligations contained herein, the parties agree as follows:

1. **Contract Documents** - This agreement shall consist of this Purchase Agreement for **Patrol Vehicles: Model Year 2011** in compliance with all bid specifications and any addendum issued for the State of Missouri Contract number **C111077001**. All such documents shall constitute the contract documents which are incorporated herein by reference. Service or product data, specification and literature submitted with bid response may be permanently maintained in the County Purchasing Office bid file for this bid if not attached. In the event of conflict between any of the foregoing documents, this Purchase Agreement and the State of Missouri Contract number C111077001 shall prevail and control over the vendor's bid response.

2. **Purchase** – This is a term and supply contract. For the initial order, the County agrees to purchase from the Vendor and the Vendor agrees to supply the County with one (1) of the following:

- |   |             |
|---|-------------|
| • 2011 Ford Crown Victoria Police Interceptor   | \$25,023.00 |
| • Less line item 006 – Fire Suppression System  | (\$2936.00) |
| • Add Line Item 432 - Fleet Keyed Alike (1294X) | \$50.00     |
| • Add Line Item 026 Dealer Prep                 | \$625.00    |
| • Add Item 61K – Heated Mirrors                 | \$35.00     |
| • Add Item I – Cloth Front / Vinyl Rear Seats   | \$65.00     |
| • Add Item 175 – Horn, Sire, Wiring Prep        | \$40.00     |
| • Delete Line Item 005 Trunk Pack               | (\$160.00)  |
| • Add Item 948 Power Windows Control by Driver  | \$25.00     |
| • Add Item 67R – Rear Door handles inop         | \$25.00     |
| • For a total cost per each vehicle of          | \$22,792.00 |
|   |             |
| • Colors: Arizona Beige                         |             |

Total contract cost for one (1) vehicle is Twenty Three Thousand Seven Hundred Ninety Two Dollars (\$23,792.00).

3. **Delivery** - Vendor agrees to deliver vehicles as set forth in the bid documents and within 90-120 days after receipt of order (subject to delays).

4. **Billing and Payment** - All billing shall be invoiced to the Boone County Sheriff Department and billings may only include the prices listed in the vendor's bid response. No additional fees for paper work processing, labor, or taxes shall be included as additional charges in excess of the charges





STATE OF MISSOURI  
 OFFICE OF ADMINISTRATION  
 DIVISION OF PURCHASING AND MATERIALS MANAGEMENT

**NOTIFICATION OF STATEWIDE CONTRACT**

January 20, 2011

**CONTRACT TITLE:** Patrol Vehicles: Model Year 2011  
**CURRENT CONTRACT PERIOD:** January 3, 2011 through End of 2011 Model Year  
**BUYER INFORMATION:** Tammy Michel  
 (573) 751-3114  
[tammy.michel@oa.mo.gov](mailto:tammy.michel@oa.mo.gov)

<b>RENEWAL INFORMATION</b>	<b>NO RENEWAL OPTION AVAILABLE</b>
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ALL PURCHASES MADE UNDER THIS CONTRACT MUST BE FOR **PUBLIC USE ONLY**.  
 PURCHASES FOR PERSONAL USE BY PUBLIC EMPLOYEES OR OFFICIALS ARE PROHIBITED.

THE USE OF THIS CONTRACT IS **MANDATORY** FOR ALL STATE AGENCIES.  
 Local Purchase Authority shall not be used to purchase supplies/services included  
 in this contract unless specifically allowed by the contract terms.

*~ Instructions for use of the contract, specifications, requirements, and pricing are attached ~.*

CONTRACT NUMBER	VENDOR NUMBER	VENDOR INFORMATION	MBE/WBE	COOP PROCUREMENT
C111077001	4309186700 0	Joe Machens Ford Contact: Steve Veltrop, Jr. 1911 West Worley Columbia, MO 65203 Phone: (573) 445-4411 ext. 119 Fax: (573) 445-8164	No	Yes
C111077002	4313370020 1	Don Brown Chevrolet, Inc. and Ally Contact: David Helderbrand 2244 South Kingshighway St. Louis, MO 63110 Phone: (314) 772-1400 Fax: (314) 772-1022	No	Yes

CONTRACT NUMBER	VENDOR NUMBER	VENDOR INFORMATION	MBE/WBE	COOP PROCUREMENT
C111077003	4312893570 3	West Brothers Chevrolet Contact: John Schaefferkoetter 47 North Service Road Sullivan, MO 63080 Phone: 573-205-3925 Email: <a href="mailto:johns@westbrothers.com">johns@westbrothers.com</a>	No	Yes
C111077004	4312062830 4	Lou Fusz-Chrysler, Jeep, Dodge, Ram Contact: Donna Garrison 3480 Hwy K O'Fallon, MO 63368 Phone: 636-448-0146 Fax: 636-442-8126	No	Yes

### STATEWIDE CONTRACT HISTORY

The following summarizes actions related to this Notification of Statewide Contract since its initial issuance. Any and all revisions have been incorporated into the attached document.

Contract Period	Issue Date	Summary of Changes
01/03/11- End of 2011 Model Year	01/20/11	Contact C111077002 line item 016 is corrected to read 2011 Chevrolet Tahoe PPV in lieu of 2010 Chevrolet Tahoe PPV.
01/03/11- End of 2011 Model Year	01/18/11	Contact C111077004 pricing for line item 030 was corrected to read \$1.50 per mile.
01/03/11- End of 2011 Model Year	01/13/11	Line Item 019 was corrected by deleting the word (credit) and Line item 031 pricing was corrected to read \$421.00 for contract C111077004.
01/03/11- End of 2011 Model Year	01/07/11	Initial issuance of new statewide contract

**PATROL CARS – 2011 MODEL YEAR**  
(Statewide)

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**GENERAL INFORMATION**

C111077001, C111077002, C111077003, and C111077004 are established for the purchase of model year 2011, police package sedans. These are law enforcement vehicles and their purchase must be intended for law enforcement use. Specific information on warranty, ordering and delivery terms follows. Vehicle specifications and prices, including options, are included herein.

**BRAND AND MODEL**

C111077001:	Brand: Ford	Model: Crown Victoria Police Interceptor
C111077002:	Brand: Chevrolet	Model: Impala
	Brand: Chevrolet	Model: Tahoe
C111077003:	Brand: Chevrolet	Model: Caprice 9C1
C111077004:	Brand: Dodge	Model: Charger Police

**WARRANTY**

The Standard Factory Warranty shall apply to all vehicles. A properly executed warranty must be delivered with the vehicle. The warranty shall not become effective until the unit is placed in service. If special forms must be filed with the contractor, the State of Missouri will comply with this request.

The warranty shall commence upon delivery and acceptance of the equipment/supplies by the State of Missouri.

**ORDERING**

The agency shall issue its own PGQ (Quick Price Agreement) order on an as needed basis. The contractor must not ship until they are in receipt of a hard copy PGQ order.

The commodity service code to use for line items 001, 007, 010 and 017 in SAM II will be 07006. The commodity service code to use for line item 016 will be 07048.

**DELIVERY**

Must be made between the hours of 8:00 AM and 12:00 Noon or 1:00 PM and 4:00 PM, Monday through Friday, holidays excepted.

In the event the contractor fails to deliver the vehicle by the stated ARO time, the State of Missouri reserves the right to find the same or similar vehicle from another source, and to charge the contractor the difference for the substitution. The State of Missouri reserves the right to exercise this clause on a case-by-case basis, and to consider the degree of contractor responsibility in the delay.

**PATROL CARS – 2011 MODEL YEAR**  
(Statewide)

**Contract Number: C111077001**

**Contractor: Joe Machens Ford**

**Line Item 001**

**Commodity Service Code: 07006**

**MAKE/MODEL: 2011 Ford Crown Victoria Police Interceptor**

**PRICE: \$25,023.00**

**EQUIPMENT INCLUDED IN PRICE**

- V-8, 4.6 Liter Flexible Fuel Engine
- Heavy-Duty Cooling System
- Auxiliary Engine Oil Cooler
- Rear Wheel Drive
- Air Conditioning
- 4 speed Automatic Transmission with Overdrive
- 3.27 to 1 Rear Axle Ratio
- Speed Control
- Heavy Duty Power Steering with Oil Cooler
- Anti-lock braking system with power booster
- Front License Bracket
- Spotlight Provision, Left Hand with 6”  
Unity Halogen Spotlight Installed
- 200 Ampere, Maximum Output Alternator
- 78 Ampere Hour Battery
- Automatic Trunk Release
- Heavy Duty Cloth Fabric Front Bucket Seats (option 21A)
- Reinforced Cloth Fabric Rear Bench Seat
- Standard production solid color exterior and standard interior trim
- Body on frame construction
- AM/FM Radio
- Radio Noise Suppression Package
- Power Windows and Door Locks
- Power adjustable brake and accelerator pedals
- Engine Hour Meter
- Full carpeting, both front and rear & floor mats
- Protective body side moldings
- Intermittent Wipers
- Tilt Steering Wheel
- Speedometer, Police Type, 0-140 MPH, certified for accuracy within two percent
- Five Tires, P235/55R17  
BSW “W” speed rated
- Five wheels, heavy duty steel, 17” x 7.5”, Equipped with Full Wheel Covers
- Heavy-Duty Front and Rear Springs and Shock Absorbers
- 20.6 minimum cubic feet luggage compartment capacity
- Heavy-Duty Front and Rear Stabilizer Bars
- Auxiliary Dome Lamp, High Intensity
- Single Key Locking System
- Air Bags: Driver and Passenger Air Bags
- Power Driver Seat
- Side Air Bags: Driver and Passenger
- Interceptor Trunk Pack (option code 14T)
- Police Power Pigtail (Option Code 179)
- Grill Lamp, Siren and Speaker, Wiring (Option Code 172)
- Automatic Fire Suppression System (Option Code 60S)
- Courtesy Lamp Disable (Option Code 478)
- Electric Rear Window Defroster
- Rear Inside door locks and handles fully operable

**AVAILABLE OPTIONS**

**Line Item 002 – \$ 319.00 (credit)**

Power driver seat, delete and replace with manual adjustment seat

**Line Item 003 – \$ 189.00 (credit)**

Speed control, delete

**Line Item 004 – \$38.00 (credit)**

Full wheel covers, delete and replace with standard police hub caps

**Line Item 005 – \$ 160.00 (credit)**

Ford Police Interceptor Trunk Pack, delete

**Line Item 006 – \$ 2,936.00 (credit)**

Ford Automatic Fire Suppression System, delete

**DELIVERY:** 90-120 days after receipt of order - Subject to delays.

**PATROL CARS – 2011 MODEL YEAR  
(Statewide)**

*The following line items will apply to co-operative procurement and state agency orders.*

**Line Item 026 - \$625.00 per vehicle**

Other state agencies and cooperative procurements may purchase cars off of this contract. The total vehicle preparation cost for the vehicles processed through the contractor's dealership is a per vehicle price.

**Line Item 030 - \$ .40 per mile**

Total round trip per mile to deliver the cooperative procurement and other state agencies vehicles if requested.

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**Contract Number: C111077002**

**Contractor: Don Brown Chevrolet, Inc. and Ally**

**Line Item 007**

**Commodity Service Code: 07006**

**MAKE/MODEL: 2011 Chevrolet Impala 9C1**

**PRICE: \$19,183.00**

**EQUIPMENT INCLUDED IN PRICE**

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>-V-6, 3.9 Liter Gasoline Engine with Heavy-Duty Cooling System</li><li>-Heavy-Duty Cloth Fabric Rear Bench Seat</li><li>-AM/FM Stereo</li><li>-Front Wheel Drive</li><li>-Radio Noise Suppression Package</li><li>-Air Conditioning</li><li>-Power Windows and Door Locks</li><li>-4 Speed Automatic Transmission with Overdrive/Column Shifter and External Oil Cooler</li><li>-Electric Rear Window Defroster</li><li>-Cruise Control</li><li>-Full Carpeting, both Front and Rear</li><li>-Protective Body Side Moldings</li><li>-Heavy Duty Power Rack And Pinion Steering With Oil Cooler</li><li>-Police Type 0-140 mph Speedometer Certified For Accuracy Within 2%</li><li>-Heavy-Duty Fade Resistant Four Wheel Anti-Lock Disc Brakes with Power Booster</li><li>-Driver and passenger front air bag</li><li>-Side Curtain Air Bags Driver and passenger</li><li>-Driver and front passenger seat mounted thorax air bags</li><li>-Front and Rear Floor mats</li><li>-Rear inside door locks and handles fully operable</li></ul> | <ul style="list-style-type: none"><li>-Power Adjusting driver and passenger seat</li><li>-Four Wheel Heavy Duty Independent Suspension</li><li>-Four (4) P225/60R16 BSW "V" speed rated tires</li><li>-Four (4) 16" x 6.5" heavy duty steel wheels.</li><li>-Manufacturers optional full wheel covers.</li><li>-Compact Spare tire/wheel</li><li>-150 Ampere Alternator</li><li>-720 CCA Battery</li><li>-Intermittent Wipers</li><li>-Automatic Trunk Release</li><li>-Tilt Steering Wheel</li><li>-Reinforced Heavy Duty Front Bucket Seats with heavy duty cloth fabric</li><li>-Front License Bracket</li><li>-No Center Console</li><li>-Spotlight Provision; Left Hand With 6" Unity Halogen Spotlight</li><li>-Single Key Locking System</li><li>-Standard Production Solid Color Exterior and Standard Interior Trim</li><li>-Auxiliary Dome Lamp</li><li>-Grill Lamp, Siren and Speaker Wiring</li><li>-Trunk Key Lock Cylinder</li></ul> |
|--|--|

**AVAILABLE OPTIONS**

**Line Item 008 – \$ 96.00 (credit)**

Full Wheel covers, delete

**Line Item 009 – \$ 0.00**

Detective Street Appearance Package (9C3 Option)

**MUST STATE 9C3 AT TIME OF ORDER**

**DELIVERY:** Approximately 80 days after receipt of order.

**PATROL CARS – 2011 MODEL YEAR**  
(Statewide)

*The following line items will apply to co-operative procurement and state agency orders.*

**Line Item 027 - \$495.00 per vehicle**

Other state agencies and cooperative procurements may purchase cars off of this contract. The total vehicle preparation cost for the vehicles processed through the contractor's dealership is a per vehicle price.

**Line Item 030 - \$ 1.10 per mile**

Total round trip per mile to deliver the cooperative procurement and other state agencies vehicles if requested.

\*\*\*\*\*

**Contract Number: C111077003**

**Contractor: West Brothers Chevrolet**

**Line Item 010**

**Commodity Service Code: 07006**

**MAKE/MODEL: 2011 Chevrolet Caprice 9C1 Police Package Sedan**

**PRICE: \$24,662.00**

**EQUIPMENT INCLUDED IN PRICE**

- V-8, 6.0 Liter Gasoline Engine
- Auxiliary Engine Oil Cooler
- Six (6) Speed Automatic Transmission with Overdrive
- 2.92 to 1 Rear Axle Ratio, limited slip
- 4 Wheel heavy duty disc anti-lock braking system with power assist
- 170 Ampere with idle boost alternator
- Heavy duty bucket seats, reinforced for increased support
- No Center Console
- Heavy duty cloth rear bench seat.
- Driver and Passenger side curtain airbags
- Heavy Duty Cooling System
- Rear Wheel Drive
- Floor Mounted Shift lever without console
- Heavy Duty Power Rack and pinion with auxiliary oil cooler
- Heavy Duty 4 wheel independent suspension equipped with heavy duty front and rear stabilizer bars.
- 700 c.c.a battery, located in trunk
- Front seat covered with heavy duty cloth fabric
- Power adjusting driver and passenger seats.
- Driver and front passenger air bags
- Front Seat back mounted thorax air bags
- AM/FM Radio
- Power Windows with rear window lockout switch
- Rear inside door locks and handles fully operable
- Deck lid key lock cylinder
- Cruise Control
- Full Carpeting, both front and rear
- Speedometer, Police Type, 0-160 MPH, Certified for accuracy 0 to 120 +/- 2 MPH.
- Five (5) Wheels, 18" x 8" heavy duty Steel Wheels, (includes full size spare)
- Intermittent Windshield Wiper with Windshield washer
- Spotlight Provision, Left Hand with 6" Unity Halogen Spotlight installed
- Courtesy Lamp Disable
- Horn/Siren Wiring Circuit
- Standard Production Solid Color exterior and standard interior trim
- Police Radio Noise Suppression Package
- Power door locks
- Automatic Trunk Release
- Power heated rear view mirrors
- Electric Rear Window Defroster
- Front and rear carpeted mats
- Five (5) tires, P235/50R18 BSW "W" speed rated (includes full size spare)
- Bolt-on Aluminum center caps
- Front License Bracket
- Overhead high intensity auxiliary dome lamp
- Grill lamp, siren and speaker wiring
- Single Key Lock System with 2 keyless entry key fobs.

**PATROL CARS – 2011 MODEL YEAR**  
**(Statewide)**

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**AVAILABLE OPTIONS**

**Line Item 011 – \$ 212.50**

600 c.c.a auxiliary equipment battery, located in trunk. Includes isolator to prevent main battery run down.

**Line Item 012 – \$ 51.00 (credit)**

Power, heated outside rearview mirrors, delete and replace with standard outside mirrors.

**Line Item 013 – \$0.00**

Head curtain roof rail mounted airbags, combined front and rear passenger.

**Line Item 014 – \$ 80.75**

Top Speed Limiter. Limits top speed to 130 mph.

**Line Item 015 – \$ 0.00**

Detective Street appearance package (9C3 Option)

**DELIVERY:** 60-80 days after receipt of order - Subject to delays.

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*The following line items will apply to co-operative procurement and state agency orders.*

**Line Items 028 - \$335.00 per vehicle**

Other State agencies and Cooperative Procurements may purchase cars off this contract. The total vehicle preparation cost for the vehicles processed through the contractors dealership is a per vehicle price.

**Line Item 030 - \$0.75 per mile**

Total round trip per mile to deliver cooperative procurement and other state agencies vehicles if requested.

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**PATROL CARS – 2011 MODEL YEAR**  
(Statewide)

**Contract Number: C111077002**

**Contractor: Don Brown Chevrolet, Inc. and Ally**

**Line Item 016**

**Commodity Service Code: 07048**

**MAKE/MODEL: 2011 Chevrolet Tahoe PPV**

**PRICE: \$24,663.00**

**EQUIPMENT INCLUDED IN PRICE**

- V-8 type, 5.3 liter gasoline engine with Heavy-duty cooling system and auxiliary engine oil cooler
- Rear wheel drive
- Front and rear air conditioning with integral heater and defroster.
- Six speed minimum automatic with overdrive transmission heavy duty for police operation.
- Body on frame construction
- 3.08 to 1 Rear Axle Ratio
- 6,700 lbs. G.V.W.R.
- Heavy duty power rack and pinion steering with auxiliary oil cooler.
- 4 wheel disc anti-lock braking system with power assist.
- Heavy-duty front and rear suspension equipped with heavy-duty front and rear stabilizer bars
- 160 ampere alternator
- Heavy duty 730 C.C.A battery
- Heavy duty high back front bucket seats reinforced for increased support
- Front Seats covered with heavy duty cloth fabric.
- No center console.
- Power driver and Front passenger seats
- Heavy duty vinyl bench rear seat.
- Driver and front passenger air bags.
- Side curtain air bags
- AM/FM stereo
- Front seat mounted thorax air bags
- Radio Noise Suppression Package
- Power windows with rear window lockout switch
- Power door locks
- Cruise Control
- Electric rear window defroster
- Full Color keyed carpeting.
- Front and Rear floor mats
- Protective Body Side Moldings
- Police Type Speedometer, 0-140 MPH, certified for accuracy within 2%.
- Five tires, P265/60R17 BSW, H speed rated. (includes spare)
- Five 17" x 7.5" heavy duty steel wheels (includes spare)
- Metal bolt-on chrome center caps.
- Intermittent wipers with windshield washer.
- Rear wiper/washer, lift gate
- Tilt steering wheel
- Deep tinted glass, all windows except windshield and front door windows which shall be a light tinted glass.
- Spotlight Provision, Left Hand With 6" Unity Halogen spotlight
- High intensity Auxiliary Dome Lamp
- Single Key Locking System
- Standard Production Solid Color Exterior and Standard Interior Trim
- Front License Bracket
- Rear inside door locks and handles must be fully operable
- Horn and Siren Wiring Circuit
- Rear Liftgate Lock Cylinder

**DELIVERY:** Approximately 80 days after receipt of order.

*The following line items will apply to co-operative procurement and state agency orders.*

**Line Item 029 - \$ 495.00 per vehicle**

Other state agencies and cooperative procurements may purchase cars off of this contract. The total vehicle preparation cost for the vehicles processed through the contractor's dealership is a per vehicle price.

**Line Item 030 - \$ 1.10 per mile**

Total round trip per mile to deliver the cooperative procurement and other state agencies vehicles if requested.

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**PATROL CARS – 2011 MODEL YEAR**  
(Statewide)

**Contract Number: C111077004**

**Contractor: LouFusz-Chrysler, Jeep, Dodge, Ram**

**Line Item 017**

**Commodity Service Code: 07006**

**MAKE/MODEL: 2011 Dodge LDDE48 Charger Police RWD**

**PRICE: \$22,654.00**

**EQUIPMENT INCLUDED IN PRICE**

- V-8 type, 5.7 liter gasoline engine
- Heavy duty cooling system
- Rear wheel drive
- Air conditioning with manual temperature control with integral heater and defroster
- Five speed automatic with overdrive transmission, heavy duty for police operation.
- Column shifter and external oil cooler
- Heavy duty power rack and pinion steering with auxiliary oil cooler.
- Heavy duty fade resistant four wheel disc anti-lock braking system with power booster.
- Heavy duty four wheel independent suspension
- 220 ampere alternator
- Heavy duty 800 C.C.A minimum
- Heavy duty front bucket seats reinforced for increased support
- Front seat covered with heavy duty cloth fabric.
- No center console.
- Power adjusting driver seat
- Heavy duty cloth bench rear seat.
- Driver and front passenger air bags.
- AM/FM stereo radio
- Power windows
- Power door locks
- Speed Control
- Electric rear window defroster
- Full carpeting both front and rear
- Police Type Certified 0-160mph Speedometer, certified for accuracy 2% +/- MPH.
- Four tires, P225/60R18 BSW, "V" speed rated.
- Four 18" x 7.5" steel wheels with manufacturers optional 18" full wheel covers
- Intermittent wipers
- Tilt steering wheel
- Spotlight Provision, Left Hand With 6" Unity Halogen spotlight
- Auxiliary Police Dome Lamp
- Single Key Locking System
- Standard Production Solid Color Exterior and Standard Interior Trim
- Front license bracket
- Floor mats
- Front seat mounted airbags and supplemental side curtain air bags, front and rear outboard passengers
- Automatic Trunk Release
- Rear inside door locks and handles must be fully operable
- Dome lamp with door switch deactivated
- 2.65 to 1 Rear Axle Ratio
- Road Noise Suppression Package
- Space-Saver type spare tire/wheel
- Power Heated Outside Rearview Mirrors

**AVAILABLE OPTIONS**

- Line Item 018- \$1,281.00 (credit)**  
5.7 liter V8 engine delete and replace with 3.6 liter V6 engine (credit).
- Line Item 019- \$160.00**  
Compact spare tire/wheel, delete and replace with full size spare.
- Line Item 020- \$120.00 (credit)**  
Full wheel covers, delete and replace with standard police hub caps (credit)
- Line Item 021- \$1,125.00**  
Power adjustable pedals
- Line Item 022- NA**
- Line Item 023- No Charge**  
Police equipment mounting bracket located between front seats.
- Line Item 024- No Charge**  
Top speed reduction option for 5.7 liter engine. Limits top speed to 129 mile per hour.

**PATROL CARS – 2011 MODEL YEAR**  
**(Statewide)**

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**Line Item 025-           \$495.00**  
Detective street appearance package.

**DELIVERY:**   Approximately 90-120 days after receipt of order.

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*The following line items will apply to co-operative procurement and state agency orders.*

**Line Item 031 - \$ 421.00 per vehicle**

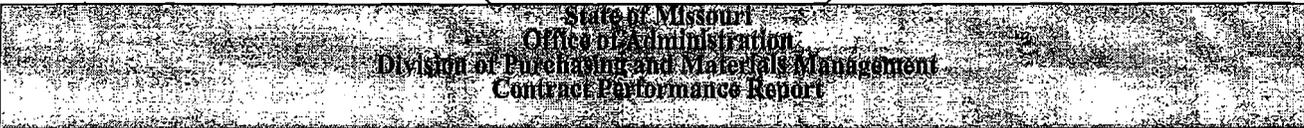
Other state agencies and cooperative procurements may purchase cars off of this contract. The total vehicle preparation cost for the vehicles processed through the contractor's dealership is a per vehicle price.

**Line Item 030- \$ 1.50 per mile**

Total round trip per mile to deliver the cooperative procurement and other state agencies vehicles if requested.

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**PATROL CARS- 2011 MODEL YEAR  
(STATEWIDE CONTRACT)**



Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve products and services available to state agency users. **Comments should include those of the product's end user.**

**Contract No.:** \_\_\_\_\_ **Contractor:** \_\_\_\_\_

**Describe Product Purchased (include Item No's., if available):** \_\_\_\_\_

**Rating Scale:** 5 = Excellent, 4 = Good, 3 = Average, 2 = Poor, 1 = Fails to meet expectations

Product Rating	Rate 1-5, 5 best
Product meets your needs	
Product meets contract specifications	
Pricing	

Contractor Rating	Rate 1-5, 5 best
Timeliness of delivery	
Responsiveness to inquiries	
Employee courtesy	
Problem resolution	
Recall notices handled effectively	

**Comments:** \_\_\_\_\_

**Prepared by:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Agency:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Please detach or photocopy this form & return by FAX to 573/526-9816, or mail to:**

Office of Administration  
Division of Purchasing and Materials Management  
301 West High Street, RM 630  
PO Box 809  
Jefferson City, Missouri 65102  
**You may also e-mail form to the buyer as an attachment at**  
**tammy.michel@oa.mo.gov**



State of Missouri  
 Office of Administration  
 State Fleet Management Program  
 Post Office Box 809, Jefferson City, MO 65102  
 573/751-4534 FAX 573/751-7819  
<http://www.oe.mo.gov/gsfm/index.htm>

**VEHICLE PRE-APPROVAL FORM**  
 INFORMATION & INSTRUCTIONS ON PAGE 2

<b>1. REQUEST NEW VEHICLE</b>	
Department/Division _____	
SAM II Order #: (Document Type, Agency Number & Document Number) _____	
Year/Make/Model _____	Estimated Annual Miles _____
<input type="checkbox"/> Expansion Vehicle <input type="checkbox"/> New <input type="checkbox"/> Replacement Vehicle <input type="checkbox"/> Used	<b>Vehicle Purpose (see instructions)</b> <input type="checkbox"/> Employee Transportation <input type="checkbox"/> Client Transport <input type="checkbox"/> Task Specific Vehicle (list Task Code) _____  <input type="checkbox"/> Special Purpose Vehicle (must be specially equipped, please list Special Purpose Code) _____
Vehicle Category (see instructions) _____	
Vehicle Subcategory (see instructions) _____	
<b>Primary Assignment</b> <input type="checkbox"/> Individual <input type="checkbox"/> Function <input type="checkbox"/> Pool	
Assignment Name (name of employee, work unit) _____	
<b>2. IDENTIFY SURPLUS VEHICLE</b>	
VIN _____	<b>Vehicle Purpose (see instructions)</b> <input type="checkbox"/> Employee Transportation <input type="checkbox"/> Client Transportation <input type="checkbox"/> Task Specific Vehicle (list Task Code) _____  <input type="checkbox"/> Special Purpose Vehicle (must be specially equipped, please list Special Purpose Code) _____
License Number _____	
Year/Make/Model _____	
Current Odometer Reading _____	
Vehicle Category (see instructions) _____	
Vehicle Subcategory (see instructions) _____	<b>Reason for Replacement</b> <input type="checkbox"/> Normal (7 years old or 105,000 miles) <input type="checkbox"/> Other (attach additional page if necessary)
<b>Primary Assignment</b> <input type="checkbox"/> Individual <input type="checkbox"/> Function <input type="checkbox"/> Pool	
<b>3. APPROVALS</b>	
Agency Head Signature or Designee _____	State Fleet Manager _____
Date: _____	Date: _____

\*\*\*Additional information may be submitted on a separate page if necessary.



State of Missouri  
Office of Administration  
State Fleet Management Program  
Post Office Box 809, Jefferson City, MO 65102  
573/751-4534 FAX: 573/751-7819  
<http://www.oe.mo.gov/gf/fm/index.htm>

## VEHICLE PRE-APPROVAL FORM

### GENERAL INFORMATION

All purchases of expansion or replacement vehicles must be compliant with the Vehicle Acquisition Section of the State Vehicle Policy (SP-4). The State Vehicle Policy may be viewed at <http://www.oe.mo.gov/gf/fm/index.htm>.

All new or used vehicle purchases under 8,500 GVWR (Gross Vehicle Weight Rating) must be pre-approved by the State Fleet Manager. This includes vehicles purchased directly from other agencies or State Surplus Property. Agencies must use one of the following commodity codes when processing a PGQ or PDQ document:

- 07006 – Automobiles & Station Wagons
- 07007 – Autos, Station Wagons, Vans, Trucks, Alternative Fuel
- 07048 – Trucks (One Ton And Less Capacity)
- 07092 – Vans

Agencies must submit the Vehicle Pre-Approval Form to the State Fleet Manager as soon as possible to facilitate the review of the purchase order.

### INSTRUCTIONS

1. Complete Section 1 with information on the vehicle to be purchased. For expansions, submit letter explaining the need to expand the size of the fleet.
2. Complete Section 2 with information on the vehicle to be replaced (if applicable).
3. Obtain approval from agency head or designee and submit to the State Fleet Manager at the above address.
4. The below codes/values are available on the Fleet Management Website at: <http://www.oe.mo.gov/gf/fm/tablevalues.htm>
  - Vehicle Category
  - Vehicle Subcategory
  - Task Specific Vehicle
  - Special Purpose Vehicle
5. The State Fleet Manager will apply final approval to the purchase order once the Vehicle Pre-Approval Form has been approved.
6. State Surplus Property requires a signed pre-approval form prior to selling a used vehicle to a state agency.

**QUESTIONS:** Contact Cynthia Dixon, State Fleet Manager at 573/751-4534.



**FordCredit**

Municipal Finance  
The American Road-MD7500  
Dearborn, MI 48126

## MUNICIPAL FINANCE PROGRAM

**OUR MUNICIPAL FINANCE STAFF UNDERSTANDS THE UNIQUE REQUIREMENTS OF STATE AND LOCAL GOVERNMENT FINANCING. CONTACT ONE OF OUR EXPERIENCED PROFESSIONALS TO HELP YOU MAKE THE MOST OF YOUR ANNUAL BUDGET.**



- AVOID LARGE LUMP SUM EXPENDITURES
- LOW COST, TAX EXEMPT INTEREST RATES
- FLEXIBLE PAYMENT SCHEDULES
- VOTER APPROVAL TYPICALLY NOT REQUIRED (NOT LONG TERM DEBT)
- REPLACE WORN OUT VEHICLES & EQUIPMENT

**CALL NOW FOR A QUOTE  
1-800-241-4199  
PRESS 1**

### **REMINDER: 2011 CROWN VIC POLICE INTERCEPTOR – FINAL ORDERING**

- **THE 2011 CVPI FINAL DATE FOR ORDERING IS MARCH 1, 2011, WITH FINAL PRODUCTION ENDING IN AUGUST 2011. PLEASE CONTACT YOUR FORD DEALER TO PLACE YOUR ORDERS NOW AND AVOID MISSING OUT ON THE FINAL PRODUCTION OF THE CVPI.**

**JOE MACHENS**  
**FORD LINCOLN MERCURY**



1911 West Worley • P.O. Box 1078 • Columbia, Missouri 65205 • (573) 445-4411 • 800-745-4454  
www.machens.com

**ATTENTION: POLICE CHIEF, SHERIFF, FIRE CHIEF, GUN ADMINISTRATOR, MAYOR**

ONCE AGAIN, *JOE MACHENS FORD* HAS BEEN AWARDED THE STATE OF MISSOURI HIGHWAY PATROL CAR BID FOR THE 2011 **FORD CROWN VICTORIA POLICE INTERCEPTOR CAR**. NOW, FOR THE FOURTEENTH YEAR, YOU HAVE THE OPPORTUNITY TO BUY THESE CARS—THE ONLY FULL SIZE, REAR WHEEL DRIVE, V8 POLICE INTERCEPTOR AVAILABLE FOR OFFICIAL POLICE USE—FROM THE STATE COOPERATIVE CONTRACT AGREEMENT AND ONLY THROUGH *JOE MACHENS FORD*.

WE WILL EAGERLY ACCEPT ANY TRADE-INS YOU MAY HAVE. *JOE MACHENS FORD* IS ONE OF THE LARGEST FORD DEALERSHIPS IN THE COUNTRY AND WE HAVE THE **BEST BUYERS** FOR YOUR CARS.

IN ORDER TO COMMUNICATE IN A MORE EFFECTIVE AND TIMELY MANNER IN THE FUTURE, IT WOULD BE GREATLY APPRECIATED TO RECEIVE AN EMAIL (NO CONTENT NECESSARY), AT YOUR CONVENIENCE, TO THE FOLLOWING ADDRESS: [sveltropjr@machens.com](mailto:sveltropjr@machens.com)

CONTACT PERSON: STEPHEN J. VELTROP, JR.  
573-445-4411 ext 119

I AM TAKING ORDERS NOW—BY MAIL OR FAX: 573-445-8164

EMAIL: [sveltropjr@machens.com](mailto:sveltropjr@machens.com)  
MY MAILING ADDRESS: STEPHEN J. VELTROP, JR.  
C/O JOE MACHENS FORD  
P.O. BOX 1078  
COLUMBIA, MO 65205

**MODEL BID—2011 FORD 4-DOOR CROWN VICTORIA POLICE INTERCEPTOR**

- 17" FULL WHEEL COVERS
- HD POLICE SUSPENSION PACKAGE
- 4.6L SEFI V8 ENGINE FFV
- AUTOMATIC OVERDRIVE TRANSMISSION
- 3.27 REAR AXLE RATIO WITH NON-LOCKER AXLE
- ANTI-LOCK BRAKES
- AIR CONDITIONING
- SPEED CONTROL MAY BE DELETED FOR CREDIT
- TILT STEERING
- POWER DOOR LOCKS AND POWER WINDOWS
- REAR WINDOW DEFROSTER
- AM/FM STEREO RADIO
- RADIO NOISE SUPPRESSION PACKAGE MAY BE DELETED FOR CREDIT
- ENGINE IDLE METER
- AUTOMATIC FIRE SUPPRESSION SYSTEM W/MANUAL OVERRIDE MAY BE DELETED FOR CREDIT
- POWER DRIVERS SEAT MAY BE DELETED FOR CREDIT
- GRILL LAMP, SIREN, AND SPEAKER WIRING
- POLICE POWER PIGTAIL MAY BE DELETED FOR CREDIT

- REMOTE DECKLID RELEASE
- DRIVER AND FRONT PASSENGER AIR BAGS
- TRUNK PACK WITH KEVLAR FRONT LINER CODE 14T MAY BE DELETED FOR CREDIT
- COURTESY LAMP DISABLED CODE 478 MAY BE DELETED FOR CREDIT
- DRIVER AND PASSENGER SIDE AIR BAGS
- 200-AMP MAX OUTPUT ALTERNATOR
- 78-AMP HR, 750 CCA BATTERY
- TINTED GLASS
- HD FRONT BUCKET SEATS COVERED WITH CLOTH
- CLOTH REAR BENCH SEAT
- CARPETED FLOOR COVERING (FULL FRONT AND REAR) MAY BE DELETED FOR CREDIT
- CARPETED FLOOR MATS
- FRONT BODYSIDE MOLDINGS
- BLACK DUAL ELECTRIC REMOTE CONTROL MIRRORS
- POWER ADJUSTABLE ACCELERATOR & BRAKE PEDALS
- CALIBRATED SPEEDOMETER
- (5) P235/55R17 BSW SPEED RATED TIRES
- TPMS (TIRE PRESSURE MONITORING SYSTEM)
- INTERMITTENT WIPERS
- SINGLE KEY LOCKS
- DRIVERS SIDE SPOTLIGHT MAY BE DELETED FOR CREDIT
- BLACK FRONT GRILLE
- PLUS ALL STANDARD EQUIPMENT

**YOUR COST--\$21,768.00 PLUS \$625.00 DEALER PREP DOES NOT INCLUDE FIRE SUPPRESSION\* AND POWER DRIVERS SEAT\*.**

**YOUR COST--\$25,023 PLUS \$625.00 DEALER PREP INCLUDES FIRE SUPPRESSION AND POWER DRIVERS SEAT.**

STATE CONTRACT # C111077001

FOB *JOE MACHENS FORD*, COLUMBIA, MISSOURI

\*\*\*REMEMBER, WE WELCOME YOUR TRADE-INS.

Payment is required within 15 days of delivery without incurring any interest charges.

**FORD MOTOR COMPANY HAS ANNOUNCED THAT THE INTIAL LAST DAY TO ORDER IS MARCH 1, 2011 (SUBJECT TO CHANGE WITHOUT NOTICE)**

**YOU MAY DELETE FOR CREDIT:**

SPOTLIGHT	(\$160.00)
14T-TRUNK PACK	(\$160.00)
478-COURTESY LAMP DISABLE	(\$ 15.00)
53M-RADIO NOISE SUPPRESSION PACKAGE	(\$ 80.00)
525-SPEED CONTROL (MAY NOT BE DELETED WITH BENCH SEAT)	(\$189.00)
FULL WHEEL COVERS (REPLACES WITH HUB CAPS)	(\$ 38.00)
128-CARPETED FLOOR COVERING & FLOOR MATS (REPLACED WITH VINYL FLOOR & NO FLOOR MATS)	(\$ 105.00)
179-POLICE POWER PIGTAIL	(\$ 20.00)

**YOU MAY ADD THE ITEMS LISTED BELOW AT ADDITIONAL COST:**

*21A-POWER DRIVERS SEAT	\$ 319.00
*608-FIRE SUPPRESSION PACKAGE	\$2936.00
432-FLEET KEYED ALIKE	\$ 50.00
45C-LIMITED SLIP DIFFERENTIAL	\$ 125.00
948-POWER WINDOWS OPERATED BY DRIVER	\$ 25.00
67R-REAR DOOR HANDLES INOPERABLE/LOCK OPERABLE	\$ 25.00
41H-ENGINE BLOCK HEATER	\$ 35.00
177-SILICONE HOSES WITH AIRCRAFT CLAMPS	\$320.00
51Y-DUAL SPOTLAMPS	\$170.00

187-WIRING FOR ROOF (HOLE IN ROOF) N/A WITH 17D INCLUDES LATERAL BOW REINFORCEMENT	\$195.00
189-ROOF WIRING (NO HOLE IN ROOF)	\$ 85.00
476-LAMP PRE-WIRE GROUP	\$ 45.00
946-2-WAY PRE-WIRE RADIO	\$ 45.00
175-HORN, SIREN, WIRING PREP PACKAGE	\$ 40.00
185-LATERAL BOW REINFORCEMENT	\$ 80.00
98G-LOCKING GAS CAP	\$ 10.00
61K-HEATED MIRRORS	\$ 35.00
952-TU-TONE PAINT (BLACK AND WHITE)	\$743.00
730A-3.55 AXLE PACKAGE	\$170.00
552-TRACTION CONTROL	\$275.00
60B-STREET APPEARANCE PACKAGE	\$155.00
I-CLOTH FRONT BUCKETS/VINYL REAR	\$ 65.00
P-CLOTH SPLIT BENCH/CLOTH REAR (SPEED CONTROL CAN NOT BE DELETED) ALSO INCLUDES AN AM/FM CD PLAYER	\$504.00
58Z-AM/FM CD	\$185.00
66C-CHROME GRILLE	\$ 45.00
14R-REMOTE KEYLESS ENTRY KEY FOB	\$ 255.00
63B-SMOKERS PACKAGE	\$ 10.00
77D-DAYTIME RUNNING LIGHTS	\$ 50.00
UNDERCOAT	\$ 95.00
UNDERCOAT AND RUSTPROOF	\$180.00
65A-BASE POLICE PREP PACKAGE	\$ 715.00

INCLUDES:

- (2) FRONT STROBE BULBS & (2) REAR STROBE BULBS, INSTALLED IN MARKER LIGHTS AND TAIL LIGHT LENSES  
**WIRING HARNESS INCLUDING THE FOLLOWING ITEMS:**
- 6 STROBE CABLES-SHEILDDED AND GROUNDED PRE-RUN TO MARKER LIGHTS, TAIL LIGHT LENSES AND FRONT GRILLE
- GLOVE BOX POWER DISTRIBUTION CENTER 50-AMPS, FUSED IN ENGINE COMPARTMENT. 5-POWER AND GROUND WIRES FOR CUSTOMER USE, 5 FUSES (2 BATTERY AND 3 IGNITION POWERED)
- TRUNK POWER DISTRIBUTION CENTER 50-AMPS, FUSED IN ENGINE COMPARTMENT. 4 POWER AND GROUND WIRES FOR CUSTOMER USE, 4 FUSES (2 BATTERY AND 2 IGNITION POWERED)
- 50-AMP BATTERY CIRCUIT AND GROUND ACCESSIBLE AT CONSOLE BASE ONLY
- 50 AMP BATTERY CIRCUIT AND GROUND ACCESSIBLE AT CONSOLE BASE OR TRUNK. AVAILABLE IN TRUNK FROM PIGTAIL HARNESS
- 2 50 AMP BATTERY CIRCUITS AND GROUND ACCESSIBLE AT TRUNK ONLY. AVAILABLE IN TRUNK FORM PIGTAIL HARNESS
- 50 AMP BATTERY CIRCUIT AND GROUND ACCESSIBLE AT CONSOLE OR TRUNK FOR RADIO COMMUNICATIONS
- 30 AMP IGNITION CIRCUIT ACCESSIBLE AT TRUNK ONLY. AVAILABLE IN TRUNK FROM PIGTAIL HARNESS
- SIREN/SPEAKER WIRING PRE-RUN TO FRONT OF VEHICLE WITH WATERPACK CONNECTOR. AVAILABLE IN TRUNK FROM PIGTAIL HARNESS
- 2 EXTRA WIRES PRE-RUN TO FRONT OF VEHICLE ACCESSIBLE AT CONSOLE OR TRUNK
- HORN/SIREN RELAY CIRCUIT AVAILABLE AT CONSOLE OR TRUNK
- 4 EXTRA WIRES PRE-RUN FROM THE ENGINE COMPARTMENT TO THE CONSOLE (ONE CIRCUIT IS HEAVY GAUGE FOR ADDITIONAL BATTERY OR GROUND CONNECTION)
- 4 EXTRA WIRES PRE-RUN FROM THE CONSOLE TO THE TRUNK
- ALTERNATING HEADLIGHT FLASHER—CONTROL WIRE ACCESSIBLE AT CONSOLE FOR CONNECTION TO CUSTOMER SUPPLIED POSITIVE CONTROL SWITCH BOX
- NOT AVAILABLE WITH THE FOLLOWING**
- FRONT POWER DISTRIBUTION BOX (65F) AND POLICE POWER PIGTAIL (179)
- BASE VISIBILITY PACKAGE (65N)
- COMPLETE POLICE PREP PACKAGE (68P)
- VISIBILITY PACKAGE (65W)
- READY FOR THE ROAD PACKAGE (65U)
- DELETES**
- LIGHT BAR CONNECTOR AND REAR POWER ACCESS POINT

**STANDARD COLORS AVAILABLE**

COLOR	CODE	INTERIOR COLOR
ARIZONA BEIGE CC MET	AQ *	CHARCOAL / CAMEL / LT STONE
MEDIUM BROWN MET	BU *	CAMEL
SMOKESTONE CC MET	HG	CHARCOAL / CAMEL / LT STONE
DARK TOREADOR RED CC MET	JL	CHARCOAL / CAMEL / LT STONE
SILVER BIRCH CC MET	JP	CHARCOAL / LT STONE
NORSEA BLUE CC MET	KR	CHARCOAL / CAMEL / LT STONE
DARK BLUE	LK *	CHARCOAL / LT STONE
ROYAL BLUE	LM *	CHARCOAL / LT STONE
LIGHT BLUE MET	LN *	CHARCOAL / LT STONE
LIGHT ICE BLUE CC MET	LS	CHARCOAL / LT STONE
ULTRA BLUE CC MET	MM *	CHARCOAL / LT STONE
LIGHT GREY CC	TM *	CHARCOAL / LT STONE
SILVER GREY MET	TN *	CHARCOAL / LT STONE
BLACK CC	UA	CHARCOAL / CAMEL / LT STONE
VIBRANT WHITE CC	WT	CHARCOAL / CAMEL / LT STONE
MEDIUM TITANIUM CC MET	YG *	CHARCOAL / LT STONE

\* THESE COLORS ARE NOT AVAILABLE WITH 60B STREET APPEARANCE PACKAGE

(NOTE: EQUIPMENT AND COLORS ARE SUBJECT TO CHANGE)  
\*(THE EXTENSION DATE MAY CHANGE WITHOUT NOTICE)

IN ADDITION, PLEASE NOTE THAT THE MUNICIPAL LEASE PROGRAM IS STILL AVAILABLE. THIS PROGRAM OFFERS AN EXCELLENT OPPORTUNITY FOR AN ALTERNATIVE SOURCE OF FINANCING FOR THE PURCHASE OF YOUR NEW VEHICLES.

THANK YOU FOR THE OPPORTUNITY TO EARN YOUR BUSINESS. PLEASE DO NOT HESITATE TO CALL OR E-MAIL YOUR QUESTIONS OR CONCERNS. I'M LOOKING FORWARD TO WORKING WITH YOU.

SINCERELY,



STEPHEN J. VELTROP, JR.  
FLEET MANAGER

**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI }  
 County of Boone } ea.

February Session of the January Adjourned

Term. 20 11

In the County Commission of said county, on the 24<sup>th</sup> day of February 20 11

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve Amendment # 2, to C209079001 Electronic Monitoring Services, adding the BI HomeCell Unit Rental Charge of \$3.50 per day. It is further ordered the Presiding Commissioner is hereby authorized to sign said amendment.

Done this 24<sup>th</sup> day of February, 2011.

ATTEST:

Wendy S. Noren  
 Wendy S. Noren  
 Clerk of the County Commission

Edward H. Robb

Edward H. Robb  
 Presiding Commissioner

Karen M. Miller

Karen M. Miller  
 District I Commissioner

Skip Elkin

Skip Elkin  
 District II Commissioner

# Boone County Purchasing

**Melinda Bobbitt, CPPB**  
Director



601 E. Walnut, Room 208  
Columbia, MO 65201  
Phone: (573) 886-4391  
Fax: (573) 886-4390

---

## MEMORANDUM

TO: Boone County Commission  
FROM: Melinda Bobbitt, CPPB  
DATE: February 20, 2011  
RE: Amendment Number Two – C209079001 – Electronic Monitoring Services

Contract C209079001 – Electronic Monitoring Services was approved by commission for award to B.I. Incorporated on July 1, 2010, commission order 331-2010. This amendment has been requested by Pete Bakutes, Court Services Supervisor of the 13<sup>th</sup> Judicial Circuit Court. The amendment adds the BI HomeCell Unit Rental Charge of \$3.50 per day.

Attached is a memo from Pete Bakutes of Court Administration explaining the need for this device.

cc: Pete Bakutes, Court Administration  
Contract File

**From:** <Pete.Bakutes@courts.mo.gov>  
**To:** "Melinda Bobbitt" <MBobbitt@boonecountymmo.org>  
**CC:** <Diana.Vaughan@courts.mo.gov>  
**Date:** 12/30/2010 10:17 AM  
**Subject:** ACS HD Equipment Contract -- Home cell units  
**Attachments:** Home cell units -- Addendum 1 to State K.pdf

Melinda,

This message is a housekeeping matter overlooked by both the vendor and Court Services.

BI, Inc. uses one type of cellular monitoring unit (HG 206) for defendants on electronic monitoring who lack a land line but do not have an alcohol monitoring device involved and a different one (home cell unit) for defendants using a sobriety. Both BI, Inc. and Court Services overlooked the fact that we do not have the home cell unit covered by a contract (State of MO does not use the home cell unit and Boone County contract is essentially an adoption of the State contract). Thus the need for this addendum #1.

Please process this addendum #1 for approval by, and signature on behalf of, the County Commission. Thanks, Melinda.

(See attached file: Home cell units -- Addendum 1 to State K.pdf)

Pete Bakutes  
Court Services Supervisor  
13th Judicial Circuit Court  
573-886-4182

Amendment #2 to C209079001

ADDENDUM NO. 1  
BI HOMECCELL ADDENDUM

TO THE  
PURCHASE AGREEMENT FOR ELECTRONIC MONITORING SERVICES  
COMMISSION ORDER NO. 311-2010 DATED JULY 1, 2010 ("Agreement")  
BETWEEN  
BI INCORPORATED ("BI")  
AND  
BOONE COUNTY COMMISSION ("Agency")

---

This Addendum is entered into by and between Agency and BI.

In consideration of the promises contained herein, and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto, desiring to be legally bound, hereby agree as follows:

1. The following equipment shall be added to the Agreement:

**BI HomeCell Unit:** Used in conjunction with BI HomeGuard®, it enables BI's electronic monitoring services to be installed without a telephone line connected to the Client's home. Cellular telephone service must be available within the Client's home.

2. The following conditions shall be added to the Agreement:

**SERVICE CONDITIONS**

Agency recognizes and acknowledges that information is transmitted via third-party telecommunications service providers. BI makes no representations or warranties regarding carriage of information over any communications medium not directly controlled by BI, including, but not limited to, wireless and "land-line" telecommunications services. Further, BI shall not be liable for any interruption of service or non-transfer of information due to interruptions, temporary downtime or other failure to any system that is not directly in BI's control. BI agrees to notify Agency as soon as is practicable in the event BI Equipment is not operational due to any such interruption.

BI SPECIFICALLY EXCLUDES ANY WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT WILL BI BE LIABLE FOR ANY DIRECT, INDIRECT, SPECIAL, CONSEQUENTIAL OR INCIDENTAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THE PROVIDING, PERFORMANCE OR USE OF THE SERVICES OR THE EQUIPMENT PROVIDED UNDER THE AGREEMENT. THIS LIMITATION SPECIFICALLY INCLUDES ANY CLAIMS RELATING TO ANY FAILURE OR DELAY IN PERFORMANCE HEREUNDER WHICH IS DUE, IN WHOLE OR IN PART, TO ANY CAUSE BEYOND BI'S CONTROL. BI EXPRESSLY DISCLAIMS ANY WARRANTY THAT THE SERVICE OR EQUIPMENT IS COMPLETE, ACCURATE, RELIABLE, ERROR FREE OR FREE FROM VIRUSES OR OTHER HARMFUL COMPONENTS, THAT THE PRODUCTS AND SERVICES WILL BE CONTINUOUSLY AVAILABLE, OR THAT DATA ENTERED ARE SECURE FROM UNAUTHORIZED ACCESS. IN NO EVENT DOES BI ASSUME ANY RESPONSIBILITY FOR ACTS THAT MAY BE COMMITTED BY PERSONS SUBJECT TO OR USING BI EQUIPMENT AND SERVICES. AGENCY ASSUMES FULL RESPONSIBILITY FOR ALL COSTS ASSOCIATED WITH ALL NECESSARY SERVICING OR REPAIRS OF ANY EQUIPMENT AGENCY USES IN CONNECTION WITH ITS USE OF BI EQUIPMENT.

3. The current "Force Majeure" language shall be deleted in its entirety and replaced with the following language:

**FORCE MAJEURE**

BI shall not be liable for any delay in performance or any nonperformance which is due to causes beyond BI's control, including, but not limited to, war, fire, floods, sabotage, civil unrest, strikes, embargoes or delays, acts of God, acts of third parties, acts of governmental authority or any agent or commission thereof, accident, breakdown of equipment, telecommunications services – both wireless and "land-line" systems, differences with employees or similar or dissimilar causes beyond BI's reasonable control.

**4. BI HOMECCELL CHARGES**

For every BI HomeCell Unit provided to Agency by BI, Agency shall pay to BI rent for each day in any given month that a BI HomeCell Unit is in Agency's possession (the "BI HomeCell Unit Rental Charge"). The BI HomeCell Unit Rental Charge will be added to the daily Active HomeGuard Unit rate.

**BI HomeCell Unit Rental Charge:** \$3.50 per day per BI HomeCell Unit provided from BI inventory.

Capitalized terms used herein, and not otherwise defined shall have the meaning as set forth in the Agreement. All other terms and conditions of the Agreement, except as expressly amended herein, shall remain in full force and effect.

IN WITNESS WHEREOF, by signing below the parties have caused this Addendum to be effective as of the latest date set forth below.

**BI INCORPORATED**

**BOONE COUNTY, MISSOURI**

By: *Michael E. Hankerd* Date 2-10-11

By: Boone Count Commission

Printed Name: Michael E. Hankerd  
Corporate Controller

By: *Edward J. Robb* Date 2.24.11

Printed Title: \_\_\_\_\_

Printed Name: Ed Robb

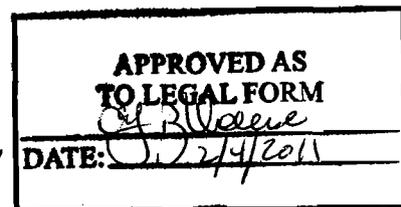
Printed Title: Presiding Commissioner

**CERTIFICATION:**

I certify that this contract is within the purpose of the appropriation to which it will be charged and there is an unencumbered balance of such appropriation sufficient to pay the cost of this contract.

*Jane E. Pitchford 2/24/11 KP 2/24/11*

*no encumbrance required*



# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

February Session of the January Adjourned

Term. 20 11

In the County Commission of said county, on the 24<sup>th</sup> day of February 20 11

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby accept the subgrant award from the Department of Natural Resources for the Hinkson Creek Urban Retrofit project # G11-NPS-12 in the amount of \$713,266.00 starting March 1, 2011 through April 30, 2014. It is further ordered the Presiding Commissioner is hereby authorized to sign said subgrant award.

Done this 24<sup>th</sup> day of February, 2011.

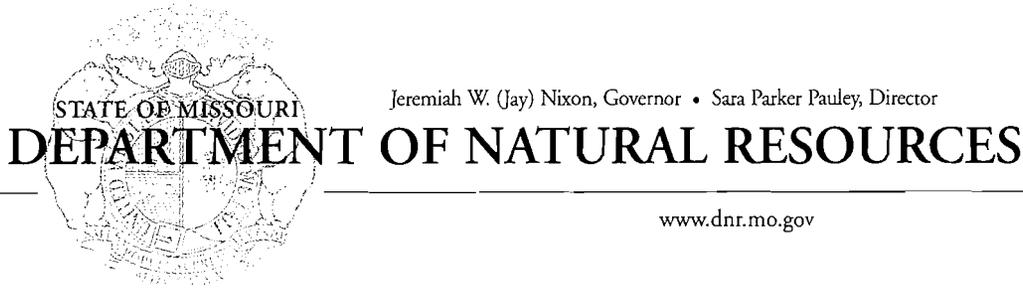
ATTEST:

Wendy S. Noren  
Wendy S. Noren  
Clerk of the County Commission

Edward H. Robb  
Edward H. Robb  
Presiding Commissioner

Karen M. Miller  
Karen M. Miller  
District I Commissioner

Skip Elkin  
Skip Elkin  
District II Commissioner



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

# DEPARTMENT OF NATURAL RESOURCES

[www.dnr.mo.gov](http://www.dnr.mo.gov)

FEB 15 2011

Mr. Ken Pearson, Presiding Commissioner  
Boone County Public Works  
801 E. Walnut, Room 315  
Columbia, MO 65201

Dear Mr. Pearson:

Enclosed for your signature are two copies of a subgrant award from the Department of Natural Resources (the Department) to the Boone County Public Works for the "Hinkson Creek Urban Retrofit" project. Federal funds in the amount of \$713,266 will support the three-year project from March 1, 2011 through April 30, 2014. A required nonfederal match provided by the recipient of \$523,000 brings the total project cost to \$1,236,266. Federal funding for this project is being provided by a Section 319 Nonpoint Source Implementation Grant.

This project will address nonpoint stormwater runoff in the urbanized portion of Hinkson Creek running through Columbia. A need was identified in the Hinkson Creek Watershed Management Plan to retrofit some of the older buildings and subdivisions throughout Columbia. This project will retrofit two areas with stormwater best management practices (BMP) to help reduce nonpoint source pollution and hydrologic load to the receiving streams. Each BMP will be monitored to determine effectiveness of pollutant removal and hydrologic response. BMP performance information will be provided to engineers, developers, city construction and maintenance staff, and local citizens, so they can make informed decisions based on local conditions.

Please review carefully the subgrant, the reporting requirements, the Special Conditions and General Terms and Conditions, paying particular attention to the Minority-Owned Business Enterprise/ Women's Business Enterprise requirements. Sign both copies of the Financial Assistance Agreement and return one copy, along with a signed copy of the Certificate Regarding Debarment and Suspension form and Anti-Lobbying Act form, within three weeks after receipt of this letter, to the following address: Department of Natural Resources, Water Protection Program, Attn: Ms. Darlene Schaben, P.O. Box 176, Jefferson City, MO 65102. Failure to meet requirements agreed to in the subgrant may result in your organization being declared ineligible to participate in subsequent Department grant opportunities.

Mr. Ken Pearson  
Page 2

If you have questions, please do not hesitate to contact the project manager, Amanda Sappington at (573) 751-8728 or by mail at the address above. Thank you.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES



Sara Parker Pauley  
Director

SPP:asd

Enclosures

c: Ms. Georganne Bowman, Project Manager, Boone County Public Works  
Mr. Patrick Lynn, Legislative Liaison, Department of Natural Resources  
Department of Natural Resources, Northeast Regional Office

MISSOURI DEPARTMENT OF NATURAL RESOURCES  
FINANCIAL ASSISTANCE AGREEMENT

Under the authority of \_\_\_\_\_ and subject to pertinent legislation, regulations and policies applicable to \_\_\_\_\_.

<p>1. Recipient (Name, Address) Boone County Public Works 801 E. Walnut, Room 315 Columbia, MO 65201</p>	<p>2. Project Number <u>G11-NPS-12</u> 3. Budget Period <u>March 1, 2011 – April 30, 2014</u> 4. Project Period <u>March 1, 2011 – April 30, 2014</u></p>
<p>5. Recipient Project Manager <u>Georganne Bowman</u>  Telephone No. <u>(573) 886-4330</u></p>	<p>6. Type of Assistance (indicate by X) New Award <u>X</u> Amendment _____</p>
<p>7. State Project Manager <u>Amanda Sappington</u>  Telephone No. <u>(573) 751-8728</u></p>	<p>8. Amendment ID _____</p>

9. Project Title and Description: The **Hinkson Creek Urban Retrofit Project** will reduce flooding, improve water quality and health of the aquatic life of Hinkson Creek by implementing monitoring and retrofit activities identified in the Hinkson Creek Watershed Management Plan.

10. Source of Funding/Year: (I) FY08-09 319 Grant Codes: 780-0140-4461-3476-W8AD

11. Project Funding:

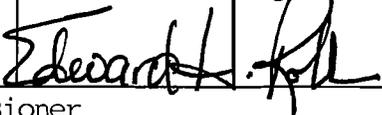
	<u>Amount</u>	<u>Percent</u>
Initial Award	<u>\$ 713,266</u>	<u>58%</u>
Initial Recipient Match	<u>\$ 523,000</u>	<u>42%</u>
Amended Award	<u>\$ _____</u>	<u>_____</u>
Amended Recipient Match	<u>\$ _____</u>	<u>_____</u>
Total Project Cost	<u>\$1,236,266</u>	<u>100%</u>

12. Amendment (describe):

13. The recipient agrees to administer this agreement in accordance with:
- a. All applicable federal and state regulations including but not limited to OMB Circulars: A-102 & A-133, 2 CFR Part 225
  - b. Applicable program guidelines CFDA # 66.460
  - c. Recipient application dated \_\_\_\_\_ as negotiated \_\_\_\_\_
  - d. Detailed Scope of Work (Attachment # A-1 )
  - e. Budget Plan (Attachment # B )
  - f. General Terms and Conditions (Attachment # D )
  - g. Special Conditions (Attachment # C )
  - h. Public Law \_\_\_\_\_ (Attachment # \_\_\_\_\_ )
  - i. Suspension/Debarment (Attachment # E )
  - j. Certificate Regarding Lobbying (Attachment # H )
  - k. Publications (Attachment # \_\_\_\_\_ )
  - l. Invoice (Attachment # A-2 )
  - m. EPA MBE/WBE Utilization (Attachment # G )
  - n. Other Quarterly Report, Attachment A-3; Annual Reporting, Attachment A-4

14. The assistance as described herein is hereby offered and accepted effective upon signature of authorized officials and on the date indicated in Parts 3 and 4 above.

MISSOURI DEPARTMENT OF NATURAL RESOURCES

Department Director or Designee (typed)	Signature	Date
<b>Sara Parker Pauley, Director</b>		2-15-11
RECIPIENT ORGANIZATION: <u>Boone County Public Works</u>		
Name and Title (typed)	Signature	Date
<del>Ken Pearson, Presiding Commissioner</del>		2-24-2011

Edward H. Robb, Presiding Commissioner



EPA Project Control Number

United States Environmental Protection Agency  
Washington, DC 20460

**Certification Regarding  
Debarment, Suspension, and Other Responsibility Matters**

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Edward H Robb Presiding Commissioner of Boone County

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

2-24-2011

Date

I am unable to certify to the above statements. My explanation is attached.

## **Instructions**

Under Executive Order 12549, an individual or organization debarred or excluded from participation in Federal assistance or benefit programs may not receive any assistance award under a Federal program, or a subagreement thereunder for \$25,000 or more.

Accordingly, each prospective recipient of an EPA grant, loan, or cooperative agreement and any contract or subagreement participant thereunder must complete the attached certification or provide an explanation why they cannot. For further details, see 40 CFR 32.510, Participants' responsibilities, in the attached regulation.

### **Where To Submit**

The prospective EPA grant, loan, or cooperative agreement recipient must return the signed certification or explanation with its application to the appropriate EPA Headquarters or Regional office, as required in the application instructions.

A prospective prime contractor must submit a completed certification or explanation to the individual or organization awarding the contract.

Each prospective subcontractor must submit a completed certification or explanation to the prime contractor for the project.

### **How To Obtain Forms:**

EPA includes the certification form, instructions, and a copy of its implementing regulation (40 CFR Part 32) in each application kit. Applicants may reproduce these materials as needed and provide them to their prospective prime contractor, who, in turn, may reproduce and provide them to prospective subcontractors.

Additional copies/assistance may be requested from:

Compliance Branch  
Grants Administration Division (PM-216F)  
U.S. Environmental Protection Agency  
401 M Street, SW  
Washington, DC 20460  
(Telephone: 202/475-8025)

# **federal register**

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**Thursday  
May 26, 1988**

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**Part VII**

## **Environmental Protection Agency**

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**40 CFR Part 32  
Debarment and Suspension Under EPA  
Assistance, Loan and Benefit Programs**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 32**

[FRL-3350-8]

**FOR FURTHER INFORMATION CONTACT:** Robert Meunier or David Sims, at (202) 475-8025.

**ADDITIONAL SUPPLEMENTARY**

**INFORMATION:** On May 28, 1987, the Office of Management and Budget (OMB), issued Governmentwide guidelines governing debarment and suspension by Executive Branch agencies under nonprocurement programs. On October 20, 1987, many agencies joined in proposing a common rule to implement the guidelines. The Environmental Protection Agency (EPA) also published its proposed rule at that time, but not as part of the common rule (52 FR 39150). Since then, OMB has amended the guidelines and determined that all agencies will join the common rule in order to assure greater uniformity. Comments on EPA's proposed rule were considered in preparing a final common rule and are addressed in the common preamble.

EPA is adopting several additions to the common rule. Under the common rule, agencies have the option to insert additional agency-specific examples to the definitions. The definitions of "debaring official" and "suspending official" under the common rule are being amended by adding subparagraphs (g)(3) and (t)(3) to § 32.105 to designate the Director, Grants Administration Division, as the Agency's debaring and suspending official. In addition, EPA is amending the definition of "Principal" at § 32.105(p) by adding bid and proposal estimators and preparers as an agency-specific example.

Sections 32.110(a)(2)(iv) and 32.200(c)(5) of the final common rule exempt transactions pursuant to national or agency-recognized emergencies or disasters from the effect of a suspension or debarment. This exemption does not apply to transactions under any programs carried out by EPA. Accordingly, § 32.110(a)(2)(iv)(A) and § 32.200(c)(5)(i) are added to clarify these exemptions. In special cases, EPA is authorized to permit a debarred, suspended or voluntarily excluded person to participate in a particular covered transaction by granting an exception under § 32.215.

EPA is adding subparagraph (d) to § 32.115 stating that while Part 32 does not apply to direct Federal procurement activities, which are governed by the

Federal Acquisition Regulation (FAR), 48 CFR Subpart 9.4, it is EPA's policy, for purposes of rational and efficient management, to integrate its administration of these two complementary programs.

One commenter sought clarification about whether a person could be debarred or suspended for violating environmental laws. An environmental violation could give rise to a debarment or suspension action under several of the causes at § 32.305, where there is a reasonable connection between the offense committed and future performance under an EPA assistance program. For example, a conviction of civil judgment for falsely certifying hazardous waste disposal manifests could result in debarment under § 32.305(a)(3). The unauthorized disposal of hazardous wastes, such as through "midnight dumping", could result in debarment under § 32.305 (a)(4) or (d). Failure to comply with environmental requirements incorporated into a public contract could result in debarment under § 32.305(b).

The common rule requires a hearing only where there exists a genuine dispute as to facts material to a proposed debarment or suspension. EPA is adding language to §§ 32.313 and 32.412, permitting a respondent to request a hearing regardless of whether there are "material facts" in dispute. This reflects EPA's policy and current practice of affording all respondents the same procedural options for the resolution of pertinent issues. A request for hearing upon suspension, however, is still subject to denial under § 32.412(b)(1)(ii), where pending or contemplated legal proceedings would be prejudiced.

Also, the common rule makes no provision for post-determination review of debarment or suspension decisions. EPA is opting to retain its current post-determination review procedures by adding §§ 32.330 and 32.425, which permit a party to request the debaring/suspending official to reconsider a decision to debar or suspend due to an error of fact or law. EPA is also adding §§ 32.335 and 32.430, which permit discretionary review of debarment and suspension decisions by the Director of EPA's Office of Administration, upon a written appeal filed within 30 calendar days of receipt of the debaring or suspending official's determination. We note that several comments to the proposed common rule recommended that an administrative review process be provided.

The common rule states generally that the "Agency" is authorized to settle debarment and suspension actions. At

EPA this authority is vested in the Director, Grants Administration Division, as the debaring and suspending official. Accordingly, EPA is adding subparagraph (1) to § 32.315(a) to reflect this responsibility.

The proposed common rule contained a certification requirement which encompassed a range of important information from which to determine the current eligibility or potential responsibility of the prospective participant. In the final common rule, there are separate certifications, one for primary covered transactions (e.g., assistance recipients) and one for lower-tier covered transactions (e.g., contractors, subcontractors, suppliers). The lower-tier certification is an abbreviated version of the primary tier certification.

Because EPA is most vulnerable to waste, fraud or abuse at the lower-tier level, EPA is expanding the certification for lower-tier participants by requiring them to certify to much of the same information provided in the certification submitted by primary participants. Accordingly, paragraph (3) and subparagraphs (a) (b) and (c) are being added to the lower-tier certification form.

**List of Subjects in 40 CFR Part 32**

Administrative practice and procedure, Assistance programs—environmental protection, Technical assistance.

Lee M. Thomas,

Administrator.

Dated: May 11, 1988.

Title 40 of the Code of Federal Regulations is amended as set forth below.

1. Part 32 is revised to read as set forth at the end of this document:

**PART 32—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NON-PROCUREMENT)****Subpart A—General**

Sec.	Purpose.
32.100	Purpose.
32.106	Definitions.
32.110	Coverage.
32.115	Policy.

**Subpart B—Effect of Action**

32.200	Debarment or suspension.
32.205	Ineligible persons.
32.210	Voluntary exclusion.
32.215	Exception provision.
32.220	Confirmation of covered transactions.
32.225	Failure to adhere to restrictions.

**Subpart C—Debarment**

32.300	General.
32.305	Causes for debarment.

- 32.310 Procedures.
- 32.311 Investigation and referral.
- 32.312 Notice of proposed debarment.
- 32.313 Opportunity to contest proposed debarment.
- 32.314 Debarring official's decision.
- 32.315 Settlement and voluntary exclusion.
- 32.320 Period of debarment.
- 32.325 Scope of debarment
- 32.330 Reconsideration.
- 32.335 Appeal.

#### Subpart D—Suspension

- 32.400 General.
- 32.405 Causes for suspension.
- 32.410 Procedures.
- 32.411 Notice of suspension.
- 32.412 Opportunity to contest suspension.
- 32.413 Suspending official's decision.
- 32.415 Period of suspension.
- 32.420 Scope of suspension.
- 32.425 Reconsideration.
- 32.430 Appeal.

#### Subpart E—Responsibilities of GSA, Agency and Participants

- 32.500 GSA responsibilities.
- 32.505 EPA responsibilities.
- 32.510 Participants' responsibilities.

#### Appendix A—Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

#### Appendix B—Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower-Tier Covered Transaction

Authority: Executive Order 12549; 7 U.S.C. 136 et seq.; 15 U.S.C. 2881 et seq.; 20 U.S.C. 4011 et seq.; 33 U.S.C. 1251 et seq.; 42 U.S.C. 300f, 4901, 6901, 7401, 9801 et seq.

#### Subpart A—General

##### § 32.100 Purpose.

(a) Executive Order 12549 provides that, to the extent permitted by law, Executive departments and agencies shall participate in a governmentwide system for nonprocurement debarment and suspension. A person who is debarred or suspended shall be excluded from Federal financial and nonfinancial assistance and benefits under Federal programs and activities. Debarment or suspension of a participant in a program by one agency shall have governmentwide effect.

(b) These regulations implement section 3 of Executive Order 12549 and the guidelines promulgated by the Office of Management and Budget under section 6 of the Executive Order by:

- (1) Prescribing the programs and activities that are covered by the governmentwide system;
- (2) Prescribing the governmentwide criteria and governmentwide minimum due process procedures that each agency shall use;

(3) Providing for the listing of debarred and suspended participants, participants declared ineligible (see definition of "ineligible" in § 32.105(i)), and participants who have voluntarily excluded themselves from participation in covered transactions

(4) Setting forth the consequences of a debarment, suspension, determination of ineligibility, or voluntary exclusion; and

(5) Offering such other guidance as necessary for the effective implementation and administration of the governmentwide system.

(c) Although these regulations cover the listing of ineligible participants and the effect of such listing, they do not prescribe policies and procedures governing declarations of ineligibility.

##### § 32.105 Definitions.

(a) *Adequate evidence.* Information sufficient to support the reasonable belief that a particular act or omission has occurred.

(b) *Affiliate.* Persons are affiliates of each another if, directly or indirectly, either one controls or has the power to control the other, or, a third person controls or has the power to control both. Indicia of control include, but are not limited to: interlocking management or ownership, identity of interests among family members, shared facilities and equipment, common use of employees, or a business entity organized following the suspension or debarment of a person which has the same or similar management, ownership, or principal employees as the suspended, debarred, ineligible, or voluntarily excluded person.

(c) *Agency.* Any executive department, military department or defense agency or other agency of the executive branch, excluding the independent regulatory agencies.

(d) *Civil judgment.* The disposition of a civil action by any court of competent jurisdiction, whether entered by verdict, decision, settlement, stipulation, or otherwise creating a civil liability for the wrongful acts complained of; or a final determination of liability under the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801-12).

(e) *Conviction.* A judgment of conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, including a plea of nolo contendere.

(f) *Debarment.* An action taken by a debarring official in accordance with these regulations to exclude a person from participating in covered transactions. A person so excluded is "debarred."

(g) *Debarring official.* An official authorized to impose debarment. The debarring official is either:

- (1) The agency head, or
- (2) An official designated by the agency head.

(3) The Director, Grants Administration Division, is the authorized debarring official.

(h) *Indictment.* Indictment for a criminal offense. An information or other filing by competent authority charging a criminal offense shall be given the same effect as an indictment.

(i) *Ineligible.* Excluded from participation in Federal nonprocurement

programs pursuant to a determination of ineligibility under statutory, executive order, or regulatory authority, other than Executive Order 12549 and its agency implementing regulations; for example, excluded pursuant to the Davis-Bacon Act and its implementing regulations, the equal employment opportunity acts and executive orders, or the environmental protection acts and executive orders. A person is ineligible where the determination of ineligibility affects such person's eligibility to participate in more than one covered transaction.

(j) *Legal proceedings.* Any criminal proceeding or any civil judicial proceeding to which the Federal Government or a State or local government or quasi-governmental authority is a party. The term includes appeals from such proceedings.

(k) *Nonprocurement List.* The portion of the *List of Parties Excluded from Federal Procurement or Nonprocurement Programs* compiled, maintained and distributed by the General Services Administration (GSA) containing the names and other information about persons who have been debarred, suspended, or voluntarily excluded under Executive Order 12549 and these regulations, and those who have been determined to be ineligible.

(l) *Notice.* A written communication served in person or sent by certified mail, return receipt requested, or its equivalent, to the last known address of a party, its identified counsel, its agent for service of process, or any partner, officer, director, owner, or joint venturer of the party. Notice, if undeliverable, shall be considered to have been received by the addressee five days after being properly sent to the last address known by the agency.

(m) *Participant.* Any person who submits a proposal for, enters into, or reasonably may be expected to enter into a covered transaction. This term also includes any person who acts on

behalf of or is authorized to commit a participant in a covered transaction as an agent or representative of another participant.

(n) *Person*. Any individual, corporation, partnership, association, unit of government or legal entity, however organized, except: foreign governments or foreign governmental entities, public international organizations, foreign government owned (in whole or in part) or controlled entities, and entities consisting wholly or partially of foreign governments or foreign governmental entities.

(o) *Preponderance of the evidence*. Proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.

(p) *Principal*. Officer, director, owner, partner, key employee, or other person within a participant with primary management or supervisory responsibilities; or a person who has a critical influence on or substantive control over a covered transaction, whether or not employed by the participant. Persons who have a critical influence on or substantive control over a covered transaction are:

(1) Principal investigators.

(2) Bid and proposal estimators and preparers.

(q) *Proposal*. A solicited or unsolicited bid, application, request, invitation to consider or similar communication by or on behalf of a person seeking to participate or to receive a benefit, directly or indirectly, in or under a covered transaction.

(r) *Respondent*. A person against whom a debarment or suspension action has been initiated.

(s) *State*. Any of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any agency of a State, exclusive of institutions of higher education, hospitals, and units of local government. A State instrumentality will be considered part of the State government if it has a written determination from a State government that such State considers that instrumentality to be an agency of the State government.

(t) *Suspending official*. An official authorized to impose suspension. The suspending official is either:

(1) The agency head, or

(2) An official designated by the agency head.

(3) The Director, Grants Administration Division, is the authorized suspending official.

(u) *Suspension*. An action taken by a suspending official in accordance with these regulations that immediately excludes a person from participating in covered transactions for a temporary period, pending completion of an investigation and such legal, debarment, or Program Fraud Civil Remedies Act proceedings as may ensue. A person so excluded is "suspended."

(v) *Voluntary exclusion or voluntarily excluded*. A status of nonparticipation or limited participation in covered transactions assumed by a person pursuant to the terms of a settlement.

(w) *EPA*. Environmental Protection Agency.

(x) *Agency Head, Administrator of the Environmental Protection Agency*.

§ 32.110 Coverage.

(a) These regulations apply to all persons who have participated, are currently participating or may reasonably be expected to participate in transactions under Federal nonprocurement programs. For purposes of these regulations such transactions will be referred to as "covered transactions."

(1) *Covered transaction*. For purposes of these regulations, a covered transaction is a primary covered transaction or a lower tier covered transaction. Covered transactions at any tier need not involve the transfer of Federal funds.

(i) *Primary covered transaction*. Except as noted in paragraph (a)(2) of this section, a primary covered transaction is any nonprocurement transaction between an agency and a person, regardless of type, including: grants, cooperative agreements, scholarships, fellowships, contracts of assistance, loans, loan guarantees, subsidies, insurance, payments for specified use, donation agreements and any other nonprocurement transactions between a Federal agency and a person. Primary covered transactions also include those transactions specially designated by the U.S. Department of Housing and Urban Development in such agency's regulations governing debarment and suspension.

(ii) *Lower tier covered transaction*. A lower tier covered transaction is:

(A) Any transaction between a participant and a person other than a procurement contract for goods or services, regardless of type, under a primary covered transaction.

(B) Any procurement contract for goods or services between a participant and a person, regardless of type, expected to equal or exceed the Federal procurement small purchase threshold

fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) under a primary covered transaction.

(C) Any procurement contract for goods or services between a participant and a person under a covered transaction, regardless of amount, under which that person will have a critical influence on or substantive control over that covered transaction. Such persons are:

(1) Principal investigators.

(2) Providers of federal'-required audit services.

(2) *Exceptions*. The following transactions are not covered:

(i) Statutory entitlements or mandatory awards (but not subtier awards thereunder which are not themselves mandatory), including deposited funds insured by the Federal Government;

(ii) Direct awards to foreign governments or public international organizations, or transactions with foreign governments or foreign governmental entities, public international organizations, foreign government owned (in whole or in part) or controlled entities, entities consisting wholly or partially of foreign governments or foreign governmental entities;

(iii) Benefits to an individual as a personal entitlement without regard to the individual's present responsibility (but benefits received in an individual's business capacity are not excepted);

(iv) Federal employment;

(A) For the purpose of this paragraph, no transactions under EPA assistance programs are deemed to be pursuant to agency-recognized emergencies or disasters.

(v) Transactions pursuant to national or agency-recognized emergencies or disasters;

(vi) Incidental benefits derived from ordinary governmental operations; and

(vii) Other transactions where the application of these regulations would be prohibited by law.

(b) *Relationship to other sections*.

This section describes the types of transactions to which a debarment or suspension under the regulations will apply. Subpart B, "Effect of Action," § 32.200, "Debarment or suspension," sets forth the consequences of a debarment or suspension. Those consequences would obtain only with respect to participants and principals in the covered transactions and activities described in § 32.110(a). Sections 32.325, "Scope of debarment," and 32.420, "Scope of suspension," govern the extent to which a specific participant or organizational elements of

a participant would be automatically included within a debarment or suspension action, and the conditions under which affiliates or persons associated with a participant may also be brought within the scope of the action.

(c) *Relationship to Federal procurement activities.* Debarment and suspension of Federal procurement contractors and subcontractors under Federal procurement contracts are covered by the Federal Acquisition Regulation (FAR), 48 CFR Subpart 9.4.

#### § 32.115 Policy.

(a) In order to protect the public interest, it is the policy of the Federal Government to conduct business only with responsible persons. Debarment and suspension are discretionary actions that, taken in accordance with Executive Order 12549 and these regulations, are appropriate means to implement this policy.

(b) Debarment and suspension are serious actions which shall be used only in the public interest and for the Federal Government's protection and not for purposes of punishment. Agencies may impose debarment or suspension for the causes and in accordance with the procedures set forth in these regulations.

(c) When more than one agency has an interest in the proposed debarment or suspension of a person, consideration shall be given to designating one agency as the lead agency for making the decision. Agencies are encouraged to establish methods and procedures for coordinating their debarment or suspension actions.

(d) While Part 32 does not apply to direct Federal procurement activities, which are governed by the Federal Acquisition Regulations (FAR) at 48 CFR Subpart 9.4, it is EPA's policy to integrate its administration of these two complementary debarment and suspension programs.

### Subpart B—Effect of Action

#### § 32.200 Debarment or suspension.

(a) *Primary covered transactions.* Except to the extent prohibited by law, persons who are debarred or suspended shall be excluded from primary covered transactions as either participants or principals throughout the executive branch of the Federal Government for the period of their debarment or suspension. Accordingly, no agency shall enter into primary covered transactions with such debarred or suspended persons during such period, except as permitted pursuant to § 32.215.

(b) *Losier tier covered transactions.* Except to the extent prohibited by law, persons who have been debarred or suspended shall be excluded from participating as either participants or principals in all lower tier covered transactions (see § 32.110(a)(1)(ii)) for the period of their debarment or suspension.

(c) *Exceptions.* Debarment or suspension does not affect a person's eligibility for:

(1) Statutory entitlements or mandatory awards (but not subtier awards thereunder which are not themselves mandatory), including deposited funds insured by the Federal Government;

(2) Direct awards to foreign governments or public international organizations, or transactions with foreign governments or foreign governmental entities, public international organizations, foreign government owned (in whole or in part) or controlled entities, and entities consisting wholly or partially of foreign governments or foreign governmental entities;

(3) Benefits to an individual as a personal entitlement without regard to the individual's present responsibility [but benefits received in an individual's business capacity are not excepted];

(4) Federal employment;

(5) Transactions pursuant to national or agency-recognized emergencies or disasters:

(i) For the purposes of this paragraph, no transactions under EPA assistance programs are deemed agency-recognized emergencies or disasters.

(6) Incidental benefits derived from ordinary governmental operations; and

(7) Other transactions where the application of these regulations would be prohibited by law.

#### § 32.205 Ineligible persons.

Persons who are ineligible, as defined in § 32.105(i), are excluded in accordance with the applicable statutory, executive order, or regulatory authority.

#### § 32.210 Voluntary exclusion.

Persons who accept voluntary exclusions under § 32.315 are excluded in accordance with the terms of their settlements. EPA shall, and participants may, contact the original action agency to ascertain the extent of the exclusion.

#### § 32.215 Exception provision.

EPA may grant an exception permitting a debarred, suspended, or voluntarily excluded person to

participate in a particular covered transaction upon a written determination by the agency head or an authorized designee stating the reason(s) for deviating from the Presidential policy established by Executive Order 12549 and § 32.200 of this rule. However, in accordance with the President's stated intention in the Executive Order, exceptions shall be granted only infrequently. Exceptions shall be reported in accordance with § 32.505(a).

(a) The Director, Grants Administration Division, is the official authorized to grant exceptions.

#### § 32.220 Continuation of covered transactions.

(a) Notwithstanding the debarment, suspension, determination of ineligibility, or voluntary exclusion of any person by an agency, agencies and participants may continue covered transactions in existence at the time the person was debarred, suspended, declared ineligible, or voluntarily excluded. A decision as to the type of termination action, if any, to be taken should be made only after thorough review to ensure the propriety of the proposed action.

(b) Agencies and participants shall not renew or extend covered transactions (other than no-cost time extensions) with any person who is debarred, suspended, ineligible, or voluntarily excluded, except as provided in § 32.215.

#### § 32.225 Failure to adhere to restrictions.

Except as permitted under § 32.215 or § 32.220 of these regulations, a participant shall not knowingly do business under a covered transaction with a person who is debarred or suspended, or with a person who is ineligible for or voluntarily excluded from that covered transaction. Violation of this restriction may result in disallowance of costs, annulment or termination of award, issuance of a stop work order, debarment or suspension, or other remedies, as appropriate. A participant may rely upon the certification of a prospective participant in a lower tier covered transaction that it and its principals are not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction (see Appendix B), unless it knows that the certification is erroneous. An agency has the burden of proof that such participant did knowingly do business with such a person.

**Subpart C—Debarment****§ 32.300 General.**

The debarring official may debar a person for any of the causes in § 32.305, using procedures established in §§ 32.310 through 32.314. The existence of a cause for debarment, however, does not necessarily require that the person be debarred; the seriousness of the person's acts or omissions and any mitigating factors shall be considered in making any debarment decision.

**§ 32.305 Causes for debarment.**

Debarment may be imposed in accordance with the provisions of §§ 32.300 through 32.314 for:

(a) Conviction of or civil judgment for:

(1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction;

(2) Violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging;

(3) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, or obstruction of justice; or

(4) Commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the present responsibility of a person.

(b) Violation of the terms of a public agreement or transaction so serious as to affect the integrity of an agency program, such as:

(1) A willful failure to perform in accordance with the terms of one or more public agreements or transactions;

(2) A history of failure to perform or of unsatisfactory performance of one or more public agreements or transactions; or

(3) A willful violation of a statutory or regulatory provision or requirement applicable to a public agreement or transaction.

(c) Any of the following causes:

(1) A nonprocurement debarment by any Federal agency taken before October 1, 1988, the effective date of these regulations, or a procurement debarment by any Federal agency taken pursuant to 48 CFR Subpart 9.4;

(2) Knowingly doing business with a debarred, suspended, ineligible, or voluntarily excluded person, in connection with a covered transaction, except as permitted in § 32.215 or § 32.220;

(3) Failure to pay a single substantial debt, or a number of outstanding debts (including disallowed costs and overpayments, but not including sums owed the Federal Government under the Internal Revenue Code) owed to any Federal agency or instrumentality, provided the debt is uncontested by the debtor or, if contested, provided that the debtor's legal and administrative remedies have been exhausted; or

(4) Violation of a material provision of a voluntary exclusion agreement entered into under § 32.315 or of any settlement of a debarment or suspension action.

(d) Any other cause of so serious or compelling a nature that it affects the present responsibility of a person.

**§ 32.310 Procedures.**

EPA shall process debarment actions as informally as practicable, consistent with the principles of fundamental fairness, using the procedures in §§ 32.311 through 32.314.

**§ 32.311 Investigation and referral.**

Information concerning the existence of a cause for debarment from any source shall be promptly reported, investigated, and referred, when appropriate, to the debarring official for consideration. After consideration, the debarring official may issue a notice of proposed debarment.

**§ 32.312 Notice of proposed debarment.**

A debarment proceeding shall be initiated by notice to the respondent advising:

(a) That debarment is being considered;

(b) Of the reasons for the proposed debarment in terms sufficient to put the respondent on notice of the conduct or transaction(s) upon which it is based;

(c) Of the cause(s) relied upon under § 32.305 for proposing debarment;

(d) Of the provisions of § 32.311 through § 32.314, and any other EPA procedures, if applicable, governing debarment decisionmaking; and

(e) Of the potential effect of a debarment.

**§ 32.313 Opportunity to contest proposed debarment.**

(a) *Submission in opposition.* Within 30 days after receipt of the notice of proposed debarment, the respondent may submit, in person, in writing, or through a representative, information and argument in opposition to the proposed debarment.

(1) If the respondent desires a hearing, it shall submit a written request to the debarring official within the 30-day period following receipt of the notice of proposed debarment.

(b) *Additional proceedings as to disputed material facts.* (1) In actions not based upon a conviction or civil judgment, if the debarring official finds that the respondent's submission in opposition raises a genuine dispute over facts material to the proposed debarment, respondent(s) shall be afforded an opportunity to appear with a representative, submit documentary evidence, present witnesses, and confront any witness the agency presents.

(2) A transcribed record of any additional proceedings shall be made available at cost to the respondent, upon request, unless the respondent and the agency, by mutual agreement, waive the requirement for a transcript.

**§ 32.314 Debarring official's decision.**

(a) *No additional proceedings necessary.* In actions based upon a conviction or civil judgment, or in which there is no genuine dispute over material facts, the debarring official shall make a decision on the basis of all the information in the administrative record, including any submission made by the respondent. The decision shall be made within 45 days after receipt of any information and argument submitted by the respondent, unless the debarring official extends this period for good cause.

(b) *Additional proceedings necessary.* (1) In actions in which additional proceedings are necessary to determine disputed material facts, written findings of fact shall be prepared. The debarring official shall base the decision on the facts as found, together with any information and argument submitted by the respondent and any other information in the administrative record.

(2) The debarring official may refer disputed material facts to another official for findings of fact. The debarring official may reject any such findings, in whole or in part, only after specifically determining them to be arbitrary and capricious or clearly, erroneously.

(3) The debarring official's decision shall be made after the conclusion of the proceedings with respect to disputed facts.

(c) (1) *Standard of proof.* In any debarment action, the cause for debarment must be established by a preponderance of the evidence. Where the proposed debarment is based upon a conviction or civil judgment, the standard shall be deemed to have been met.

(2) *Burden of proof.* The burden of proof is on the agency proposing debarment.

(d) *Notice of debarring official's decision.* (1) If the debarring official decides to impose debarment, the respondent shall be given prompt notice:

(i) Referring to the notice of proposed debarment;

(ii) Specifying the reasons for debarment;

(iii) Stating the period of debarment, including effective dates; and

(iv) Advising that the debarment is effective for covered transactions throughout the executive branch of the Federal Government unless an agency head or an authorized designee makes the determination referred to in § 32.215.

(2) If the debarring official decides not to impose debarment, the respondent shall be given prompt notice of that decision. A decision not to impose debarment shall be without prejudice to a subsequent imposition of debarment by any other agency.

**§ 32.315 Settlement and voluntary exclusion.**

(a) When in the best interest of the Government, EPA may, at any time, settle a debarment or suspension action.

(b) If a participant and the agency agree to a voluntary exclusion of the participant, such voluntary exclusion shall be entered on the Nonprocurement List (see Subpart E).

(1) The debarring and suspending official is the official authorized to settle debarment or suspension actions.

**§ 32.320 Period of debarment.**

(a) Debarment shall be for a period commensurate with the seriousness of the cause(s). Generally, a debarment should not exceed three years. Where circumstances warrant, a longer period of debarment may be imposed. If a suspension precedes a debarment, the suspension period shall be considered in determining the debarment period.

(b) The debarring official may extend an existing debarment for an additional period, if that official determines that an extension is necessary to protect the public interest. However, a debarment may not be extended solely on the basis of the facts and circumstances upon which the initial debarment action was based. If debarment for an additional period is determined to be necessary, the procedures of §§ 32.311 through 32.314 shall be followed to extend the debarment.

(c) The respondent may request the debarring official to reverse the debarment decision or to reduce the period or scope of debarment. Such a

request shall be in writing and supported by documentation. The debarring official may grant such a request for reasons including, but not limited to:

(1) Newly discovered material evidence;

(2) Reversal of the conviction or civil judgment upon which the debarment was based;

(3) Bona fide change in ownership or management;

(4) Elimination of other causes for which the debarment was imposed; or

(5) Other reasons the debarring official deems appropriate.

**§ 32.325 Scope of debarment.**

(a) *Scope in general.* (1) Debarment of a person under these regulations constitutes debarment of all its divisions and other organizational elements from all covered transactions, unless the debarment decision is limited by its terms to one or more specifically identified individuals, divisions or other organizational elements or to specific types of transactions.

(2) The debarment action may include any affiliate of the participant that is specifically named and given notice of the proposed debarment and an opportunity to respond (see §§ 32.311 through 32.314).

(b) *Imputing conduct.* For purposes of determining the scope of debarment, conduct may be imputed as follows:

(1) *Conduct imputed to participant.*

The fraudulent, criminal or other seriously improper conduct of any officer, director, shareholder, partner, employee, or other individual associated with a participant may be imputed to the participant when the conduct occurred in connection with the individual's performance of duties for or on behalf of the participant, or with the participant's knowledge, approval, or acquiescence. The participant's acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval, or acquiescence.

(2) *Conduct imputed to individuals associated with participant.* The fraudulent, criminal, or other seriously improper conduct of a participant may be imputed to any officer, director, shareholder, partner, employee, or other individual associated with the participant who participated in, knew of, or had reason to know of the participant's conduct.

(3) *Conduct of one participant imputed to other participants in a joint venture.* The fraudulent, criminal, or other seriously improper conduct of one participant in a joint venture, grant pursuant to a joint application, or similar arrangement may be imputed to

other participants if the conduct occurred for or on behalf of the joint venture, grant pursuant to a joint application, or similar arrangement may be imputed to other participants if the conduct occurred for or on behalf of the joint venture, grant pursuant to a joint application, or similar arrangement or with the knowledge, approval, or acquiescence of these participants. Acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval, or acquiescence.

**§ 32.330 Reconsideration.**

Any party to the action may petition the debarring official to reconsider a debarment determination for alleged errors of fact or law. The petition for reconsideration must be in writing and filed within 10 calendar days from the date of the party's receipt of the determination.

**§ 32.335 Appeal.**

(a) The debarment determination under § 32.314 shall be final. However, any party to the action may request the Director, Office of Administration (OA Director), to review the findings of the debarring official by filing a request with the OA Director within 30 calendar days of the party's receipt of the debarment determination, or its reconsideration. The request must be in writing and set forth the specific reasons why relief should be granted.

(b) A review under this section shall be at the discretion of the OA Director. If a review is granted, the debarring official may stay the effective date of a debarment order pending resolution of the appeal. If a debarment is stayed, the stay shall be automatically lifted if the OA Director affirms the debarment.

(c) The review shall be based solely upon the record. The OA Director may set aside a determination only if it is found to be arbitrary, capricious, and abuse of discretion, or based upon a clear error of law.

(d) The OA Director's subsequent determination shall be in writing and mailed to all parties.

(e) A determination under § 32.314 or a review under this section shall not be subject to a dispute or a bid protest under Parts 30, 31 or 33 of this subchapter.

**Subpart D—Suspension****§ 32.400 General.**

(a) The suspending official may suspend a person for any of the causes in § 32.405 using procedures established in §§ 32.410 through 32.413.

(b) Suspension is a serious action to be imposed only when:

(1) There exists adequate evidence of one or more of the causes set out in § 32.405, and

(2) Immediate action is necessary to protect the public interest.

(c) In assessing the adequacy of the evidence, the agency should consider how much information is available, how credible it is given the circumstances, whether or not important allegations are corroborated, and what inferences can reasonably be drawn as a result. This assessment should include an examination of basic documents such as grants, cooperative agreements, loan authorizations, and contracts.

**§ 32.405 Causes for suspension.**

(a) Suspension may be imposed in accordance with the provisions of §§ 32.400 through 32.413 upon adequate evidence:

(1) To suspect the commission of an offense listed in § 32.305(a); or

(2) That a cause for debarment under § 32.305 may exist.

(b) Indictment shall constitute adequate evidence for purposes of suspension actions.

**§ 32.410 Procedures.**

(a) *Investigation and referral.* Information concerning the existence of a cause for suspension from any source shall be promptly reported, investigated, and referred, when appropriate, to the suspending official for consideration. After consideration, the suspending official may issue a notice of suspension.

(b) *Decisionmaking process.* EPA shall process suspension actions as informally as practicable, consistent with principles of fundamental fairness, using the procedures in § 32.411 through § 32.413.

**§ 32.411 Notice of suspension.**

When a respondent is suspended, notice shall immediately be given:

(a) That suspension has been imposed;

(b) That the suspension is based on an indictment, conviction, or other adequate evidence that the respondent has committed irregularities seriously reflecting on the propriety of further Federal Government dealings with the respondent;

(c) Describing any such irregularities in terms sufficient to put the respondent on notice without disclosing the Federal Government's evidence;

(d) Of the cause(s) relied upon under § 32.405 for imposing suspension;

(e) That the suspension is for a temporary period pending the completion of an investigation or ensuing legal, debarment, or Program Fraud Civil Remedies Act proceedings;

(f) Of the provisions of § 32.411 through § 32.413 and any other EPA procedures, if applicable, governing suspension decisionmaking; and

(g) Of the effect of the suspension.

**§ 32.412 Opportunity to contest suspension.**

(a) *Submission in opposition.* Within 30 days after receipt of the notice of suspension, the respondent may submit, in person, in writing, or through a representative, information and argument in opposition to the suspension.

(1) If the respondent desires a hearing, it shall submit a written request to the suspending official within the 30-day period following receipt of the notice of suspension.

(b) *Additional proceedings as to disputed material facts.* (1) If the suspending official finds that the respondent's submission in opposition raises a genuine dispute over facts material to the suspension, respondent(s) shall be afforded an opportunity to appear with a representative, submit documentary evidence, present witnesses, and confront any witness the agency presents, unless:

(i) The action is based on an indictment, conviction or civil judgment, or

(ii) A determination is made, on the basis of Department of Justice advice, that the substantial interests of the Federal Government in pending or contemplated legal proceedings based on the same facts as the suspension would be prejudiced.

(2) A transcribed record of any additional proceedings shall be prepared and made available at cost to the respondent, upon request, unless the respondent and the agency, by mutual agreement, waive the requirement for a transcript.

**§ 32.413 Suspending official's decision.**

The suspending official may modify or terminate the suspension (for example, see § 32.320(c) for reasons for reducing the period or scope of debarment) or may leave it in force.

However, a decision to modify or terminate the suspension shall be without prejudice to the subsequent imposition of suspension by any other agency or debarment by any agency. The decision shall be rendered in accordance with the following provisions:

(a) *No additional proceedings necessary.* In actions: based on an indictment, conviction, or civil judgment; in which there is no genuine dispute over material facts; or in which additional proceedings to determine disputed material facts have been denied on the basis of Department of Justice advice, the suspending official shall make a decision on the basis of all the information in the administrative record, including any submission made by the respondent. The decision shall be made within 45 days after receipt of any information and argument submitted by the respondent, unless the suspending official extends this period for good cause.

(b) *Additional proceedings necessary.* (1) In actions in which additional proceedings are necessary to determine disputed material facts, written findings of fact shall be prepared. The suspending official shall base the decision on the facts as found, together with any information and argument submitted by the respondent and any other information in the administrative record.

(2) The suspending official may refer matters involving disputed material facts to another official for findings of fact. The suspending official may reject any such findings, in whole or in part, only after specifically determining them to be arbitrary or capricious or clearly erroneous.

(c) *Notice of suspending official's decision.* Prompt written notice of the suspending official's decision shall be sent to the respondent.

**§ 32.416 Period of suspension.**

(a) Suspension shall be for a temporary period pending the completion of an investigation or ensuing legal, debarment, or Program Fraud Civil Remedies Act proceedings, unless terminated sooner by the suspending official or as provided in paragraph (b) of this section.

(b) If legal or administrative proceedings are not initiated within 12 months after the date of the suspension notice, the suspension shall be terminated unless an Assistant Attorney General or United States Attorney requests its extension in writing, in which case it may be extended for an additional six months. In no event may a

suspension extend beyond 18 months, unless such proceedings have been initiated within that period.

(c) The suspending official shall notify the Department of Justice of an impending termination of a suspension, at least 30 days before the 12-month period expires, to give that Department an opportunity to request an extension.

#### § 32.420 Scope of suspension.

The scope of a suspension is the same as the scope of a debarment (see § 32.325), except that the procedures of §§ 32.410 through 32.413 shall be used in imposing a suspension.

#### § 32.425 Reconsideration.

Any party to the action may petition the suspending official to reconsider a suspension determination for alleged errors of fact or law. The petition for reconsideration must be in writing and filed within 10 calendar days from the date of the party's receipt of the suspension determination.

#### § 32.430 Appeal.

(a) The suspension determination under § 32.413 shall be final. However, any party to the action may request the Director, Office of Administration (OA Director), to review the findings of the suspending official by filing a request with the OA Director within 30 calendar days of the party's receipt of the suspension determination, or its reconsideration. The request must be in writing and set forth the specific reasons why relief should be granted.

(b) A review under this section shall be at the discretion of the OA Director. If a review is granted, the suspending official may stay the effective date of a suspension order pending resolution of appeal. If a suspension is stayed, the stay shall be automatically lifted if the OA Director affirms the suspension.

(c) The review shall be based solely upon the record. The OA Director may set aside a determination only if it is found to be arbitrary, capricious, an abuse of discretion, or based upon a clear error of law.

(d) The OA Director's subsequent determination shall be in writing and mailed to all parties.

(e) A determination under § 32.413 or a review under this section shall not be subject to a dispute or a bid protest under Parts 30, 31, or 33 of this subchapter.

### Subpart E—Responsibilities of GSA, Agency and Participants

#### § 32.500 GSA responsibilities.

(a) In accordance with the OMB guidelines, GSA shall compile, maintain, and distribute a list of all persons who have been debarred, suspended, or voluntarily excluded by agencies under Executive Order 12549 and these regulations, and those who have been determined to be ineligible.

(b) At a minimum, this list shall indicate:

(1) The names and addresses of all debarred, suspended, ineligible, and voluntarily excluded persons, in alphabetical order, with cross-references when more than one name is involved in a single action;

(2) The type of action;

(3) The cause for the action;

(4) The scope of the action;

(5) Any termination date for each listing; and

(6) The agency and name and telephone number of the agency point of contact for the action.

#### § 32.505 EPA responsibilities.

(a) The agency shall provide GSA with current information concerning debarments, suspension, determinations of ineligibility, and voluntary exclusions it has taken. Until February 18, 1989, the agency shall also provide GSA and OMB with information concerning all transactions in which EPA has granted exceptions under § 32.215 permitting participation by debarred, suspended, or voluntarily excluded persons.

(b) Unless an alternative schedule is agreed to by GSA, the agency shall advise GSA of the information set forth in § 32.500(b) and of the exceptions granted under § 32.215 within five working days after taking such actions.

(c) The agency shall direct inquiries concerning listed persons to the agency that took the action.

(d) Agency officials shall check the Nonprocurement List before entering covered transactions to determine whether a participant in a primary transaction is debarred, suspended, ineligible, or voluntarily excluded (Tel. #).

(e) Agency officials shall check the Nonprocurement List before approving principals or lower tier participants where agency approval of the principal

or lower tier participant is required under the terms of the transaction, to determine whether such principals or participants are debarred, suspended, ineligible, or voluntarily excluded.

#### § 32.510 Participants' responsibilities.

(a) *Certification by participants in primary covered transactions.* Each participant shall submit the certification in Appendix A to this Part for it and its principals at the time the participant submits its proposal in connection with a primary covered transaction, except that States need only complete such certification as to their principals. Participants may decide the method and frequency by which they determine the eligibility of their principals. In addition, each participant may, but is not required to, check the Nonprocurement List for its principals (Tel. #). Adverse information on the certification will not necessarily result in denial of participation. However, the certification, and any additional information pertaining to the certification submitted by the participant, shall be considered in the administration of covered transactions.

(b) *Certification by participants in lower tier covered transactions.* (1) Each participant shall require participants in lower tier covered transactions to include the certification in Appendix B to this Part for it and its principals in any proposal submitted in connection with such lower tier covered transactions.

(2) A participant may rely upon the certification of a prospective participant in a lower tier covered transaction that it and its principals are not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction by any Federal agency, unless it knows that the certification is erroneous. Participants may decide the method and frequency by which they determine the eligibility of their principals. In addition, a participant may, but is not required to, check the Nonprocurement List for its principals and for participants (Tel. #).

(c) *Changed circumstances regarding certification.* A participant shall provide immediate written notice to EPA if at any time the participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. Participants in lower tier covered transactions shall provide the same updated notice to the participant to which it submitted its proposals.

### Appendix A—Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

#### Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (Tel. #).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

#### Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

### Appendix B—Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

#### Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (Tel. #).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions*

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

(3) The prospective lower-tier participant also certifies that it and its principals:

(a) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State anti-trust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(b) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (3)(a) of this certification; and

(c) Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default. Where the prospective lower-tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.



Applicant Name: \_\_\_\_\_

Project/Program Title: \_\_\_\_\_

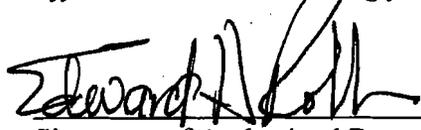
## ANTI-LOBBYING ACT OF 1990 APPLICANT CERTIFICATION

This Certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this Certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required Certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies to the best of his or her knowledge and belief, that:

- (1) *No federal appropriated funds have been or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.*
- (2) *If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.*
- (3) *The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.*

2-24-2011  
Date

  
Signature of Authorized Representative

# ANTI-LOBBYING ACT OF 1990

## IMPORTANT NOTE

***The attached Anti-Lobbying Certification must be completed and returned if you are requesting \$100,000 or more in federal funds.***

***(Please note: This page does not need to be returned if completing the Anti-Lobbying Certification)***

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

February Session of the January Adjourned

Term. 20 11

In the County Commission of said county, on the 24<sup>th</sup> day of February 20 11

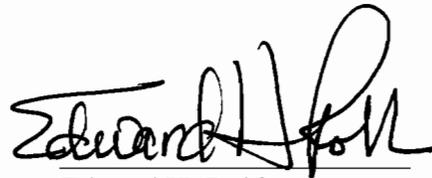
the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby approve the contract between the Curators of the University of Missouri and Boone County, Missouri for Medical Examiner Services and support services for the offices of Medical Examiner. The terms of this agreement are stipulated in the attached contract. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

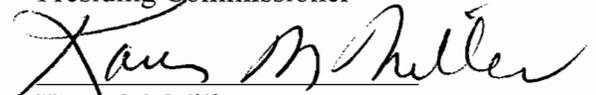
Done this 24<sup>th</sup> day of February, 2011.

ATTEST:

Wendy S. Noren  
Wendy S. Noren  
Clerk of the County Commission



Edward H. Robb  
Presiding Commissioner



Karen M. Miller  
District I Commissioner



Skip Elkin  
District II Commissioner



Department of Pathology  
and Anatomical Sciences

University of Missouri-Columbia

Douglas C. Anthony, M.D., Ph.D.  
Professor and Chair  
Email: anthonydc@missouri.edu

Pathology

M263 Medical Science Building  
Columbia, MO 65212

PHONE 573-882-8915  
FAX 573-884-4612

February 7, 2011  
**RECEIVED**

**FEB 14 2011**

BOONE COUNTY ADDRESS

RE: Boone County ME Contract:

Dear June:

Included are 2 original signed contracts for the period of 1/1/11 – 12/31/11. Please return one signed original in the enclosed envelope. Thanks!

Sincerely,

Danny Fuemmeler  
Business Manager  
Pathology and Anatomical Sciences

AGREEMENT

THIS AGREEMENT, made and entered into this 1<sup>st</sup> day of January 2011, by and between THE CURATORS OF THE UNIVERSITY OF MISSOURI, a public corporation of the State of Missouri, for and on behalf of the University of Missouri Health Sciences Center, Department of Pathology & Anatomical Sciences (hereinafter referred to as the "University") and BOONE COUNTY, MISSOURI, a political subdivision of the State of Missouri (hereinafter referred to as the "County".)

WITNESSETH

WHEREAS the County requires the services of physicians to perform the duties of County Medical Examiner for Boone County, and support services for the office of Medical Examiner; and

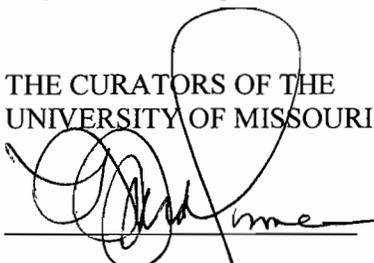
WHEREAS the University has available the services of a physician licensed in the State of Missouri and board certified in forensic pathology, and capability to provide support services:

NOW THEREFORE, it is mutually agreed as follows:

1. The University will make a physician licensed as above available to the County to perform the services of County Medical Examiner. This service shall be provided by Dr. Chris Stacy, M.D.
2. The University shall provide support services per Addendum A attached.
3. The term of this agreement shall be for a period of 12 months commencing on the 1<sup>st</sup> day of January 2011 and ending on the 31<sup>st</sup> day of December, 2011.
4. Either the University or the County may terminate this agreement by giving 30 days prior written notice.
5. The County shall pay the University at the rate detailed in Addendum B for the services provided. The sum shall be paid in equal monthly installments of \$18,683.83.
6. The County shall provide Medical Examiner Coverage under it's Public Official Errors and Omissions insurance policy; however, the County does not warrant that such policy will provide medical malpractice coverage or agree to indemnify for such claims.

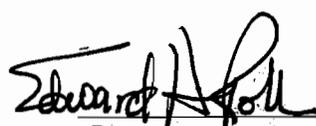
IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly authorized representatives as of the day and year stated above.

THE CURATORS OF THE  
UNIVERSITY OF MISSOURI



Lisa J. Wimmenauer  
Assoc. Director, Business Services

BOONE COUNTY, MISSOURI



By:

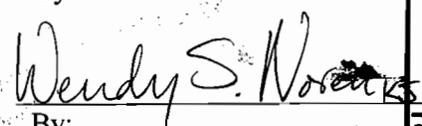
**CERTIFICATION:**  
I certify that this contract is within the purpose of the appropriation to which it is to be charged and there is an unencumbered balance of such appropriation sufficient to pay the costs arising from this contract.

*June Stitchford* 1/19/2011

Account	Date
1280-71101	160859.04
1280-91200	38346.76
1280-82300	24999.96

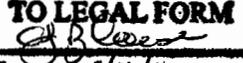
Approved By  
JAN 27 2011

General Counsel via FAX  
BUSINESS SERVICES  
MU *1/25/11*



By:

**APPROVED AS TO LEGAL FORM**



DATE: 2/16/11



9100746A  
BOONE CTY  
MED EXAMINER SVCS

**CERTIFICATION:**  
I certify that this contract is within the purpose of the appropriation to which it is to be charged and there is an unencumbered balance of such appropriation sufficient to pay the costs arising from this contract.

## ADDENDUM A

This addendum defines the Medical Examiner Support Services that provide a Chief Death Investigator to supervise services for Boone County and the duly appointed Boone County Medical Examiner in the performance of duties of such office as prescribed by law.

1. Provision and supervision of adequate qualified personnel to provide death investigation services in Boone County under the direction of the Medical Examiner 365 days per year, 24 hours per day.
2. Death investigation services including, but not limited to, taking telephone reports of deaths, scene investigations and arrangement for body transport conducted under policies and procedures established by the Medical Examiner; handling and maintaining bodies and personal effects before and after external examination or autopsy under policies and procedures established by the Medical Examiner; assisting the Medical Examiner in the conduct of autopsies as directed by the Medical Examiner, preparation of required regulatory reports in connection with deaths as required by the Medical Examiner, and performing such other duties as the Death Investigator shall be authorized, or required to perform by the Medical Examiner in the performance of his/her duties in office.
3. Supply office materials and supplies, utilities, training, telephones, cell phones, pagers, and answering service.
4. Calls/pages for body removal shall be answered within fifteen (15) minutes, at which time arrangements will be made regarding location and removal of the body.
5. Provide direction and arrangements for the proper transportation.
6. Ensure that all bodies transported pursuant to this agreement shall be properly identified with the deceased person's name, if known.
7. Comply with all applicable standards and requirements adopted by the Board of Health.
8. Dispose of all disposable supplies and bio-hazardous materials used in, or remaining from, transporting deceased individuals in a manner consistent with OSHA guidelines and all other applicable environmental codes, statutes, resolutions and ordinances of the United States, The State of Missouri, Boone County, Missouri, and the City of Columbia, Missouri.
9. Provide morgue facilities and equipment suitable for the performance and conduct of autopsies and for the refrigerated storage of bodies necessary for the satisfactory performance of the duties of the office of Medical Examiner.
10. Provide administrative and office support for the office of the Medical Examiner, including maintenance and administration of the Medical Examiner's annual budget, maintenance and preparation of statistics, reports and such other secretarial and clerical services, as are required by and budgeted for the Medical Examiner.

11. The University shall be responsible for all expenses and overhead necessary in performing the obligations of Medical Examiner Support Services, including all office and administrative expenses, payroll, employee benefits, and employer required taxes and contributions for employees hired by the Contractor
12. The University, under the direction of the Medical Examiner, shall keep all official records as required by law and subject to any lawful privilege of confidentiality or other lawful privilege, make such records available to the Boone County Commission, Boone County Auditor, any independent outside auditor appointed by the County for internal audit purposes and to the general public under applicable open meetings and records law.
13. The University shall provide quarterly reports to the county in order to track services provided.

## **Addendum B**

14. The University will bill Boone County, the annual sum of \$224,206 for all services performed by the Medical Examiner's office.
- i. This shall include services of licensed physician described in section one to serve as Medical Examiner; Medical Examiner Office Support services ( Death Investigator, Forensic technician, clerical staff, etc..) \$160,860
  - ii. All related testing & services, i.e. x-rays, toxicology, etc. \$25,000.00
  - iii. Facility Charge as agreed upon capital charge applicable in years 2007-2011. \$38,347
- b. Monthly billing will be \$18,683.83

To: County Clerk's Office  
Comm Order # 78-204

# PURCHASE REQUISITION

## BOONE COUNTY, MISSOURI

Return to Auditor's Office  
Please do not remove staple.

2/23/2011

REQUEST DATE

1006

VENDOR NO.

University of Missouri - Medical Examiner

VENDOR NAME

P.O. Box 807012  
ADDRESS

Kansas City  
CITY

573-474-6600

PHONE #

MO 64180-7012  
STATE ZIP

RECEIVED

FEB 23 2011

**BID DOCUMENTATION**

This field **MUST** be completed to demonstrate compliance with statutory bidding requirements.  
Refer to RSMo 50.660, 50.753-50.790, and the Purchasing Manual—Section 3

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Bid /RFP (enter # below)<br><input type="checkbox"/> Sole Source (enter # below)<br><input type="checkbox"/> Emergency Procurement (enter # below)<br><input type="checkbox"/> Written Quotes (3) Attached (>\$2500 to \$4,499)<br><input type="checkbox"/> Purchase is <u>\$2500</u> and is <b>NOT</b> covered by an existing bid or sole source | <p style="text-align: center;"><b>Not Subject To Bidding (select appropriate response below):</b></p> <input type="checkbox"/> Utility<br><input type="checkbox"/> Employee Travel/Meal Reimb<br><input type="checkbox"/> Training (registration/conf fees)<br><input type="checkbox"/> Dues<br><input type="checkbox"/> Pub/Subscription/Transcript Copies<br><input type="checkbox"/> Refund of Fees Previously Paid to County<br><input checked="" type="checkbox"/> Professional Services (see Purchasing Policy Section 3-103); enter RFP if applicable<br><input type="checkbox"/> Intergovernmental Agreement<br><input type="checkbox"/> Not Susceptible to Bidding for Other Reasons (Explain): | <input type="checkbox"/> Mandatory Payment to Other Govt<br><input type="checkbox"/> Court Case Travel/Meal Reimb<br><input type="checkbox"/> Tool and Uniform Reimb<br><input type="checkbox"/> Inmate Housing<br><input type="checkbox"/> Remit Payroll Withheld<br><input checked="" type="checkbox"/> Agency Fund Dist (dept #s 7XXX) |
|--|--|---|

**#**  
(Enter Applicable Bid / Sole Source / Emergency Number)

Ship to Department #

Bill to Department # 1280

Department				Account				Item Description	Qty	Unit Price	Amount	
1	2	8	0	7	1	1	0	1	Bo Co Med Exam Professional Serv Jan 11	1		13404.92
				9	1	2	0	0	Building Improvements Jan 11	1		3,195.58
				8	6	3	0	0	Bo Co Medical Examiner Testing Jan 11	1		2,083.33
				7	1	1	0	1	Bo Co Med Exam Professional Serv Feb 11	1		13404.92
				9	1	2	0	0	Building Improvements Feb 11	1		3,195.58
				8	6	3	0	0	Bo Co Medical Examiner Testing Feb 11	1		2,083.33
				7	1	1	0	1	Bo Co Med Exam Prof Serv March 11	1		13404.92
				9	1	2	0	0	Building Improvements March 11	1		3,195.58
				8	6	3	0	0	Bo Co Medical Examiner Testing March 11	1		2,083.33
				7	1	1	0	1	Bo Co Med Exam Professional Serv April 11	1		13404.92
				9	1	2	0	0	Building Improvements April 11	1		3,195.58
				8	6	3	0	0	Bo Co Medical Examiner Testing April 11	1		2,083.33
				7	1	1	0	1	Bo Co Med Exam Professional Serv May 11	1		13404.92
				9	1	2	0	0	Building Improvements May 11	1		3,195.58
				8	6	3	0	0	Bo Co Medical Examiner Testing May 11	1		2,083.33
								<b>TOTAL:</b>				

I certify that the goods, services or charges specified above are necessary for the use of this department, are solely for the benefit of the county, and have been procured in accordance with statutory bidding requirements.

*Monica E. Kuster*

Prepared By

*Monica E. Kuster*

Requesting Official

*KP*

Auditor Approval

**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI

} ea.

February Session of the January Adjourned

Term. 20 11

County of Boone

In the County Commission of said county, on the

24<sup>th</sup>

day of February

20 11

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby rescind Commission Order #73-2011 approving the contract with CGI Communications, Inc. for the County Movie Showcase program and instead authorize the newly elected Presiding Commissioner Edward H. Robb to replace the previous Presiding Commissioner Ken Pearson as the signing official for all County Movie Showcase documents.

Done this 24<sup>th</sup> day of February, 2011.

ATTEST:

Wendy S. Noren  
Wendy S. Noren  
Clerk of the County Commission

Edward H. Robb  
Edward H. Robb

Presiding Commissioner

Karen M. Miller  
Karen M. Miller

District I Commissioner

Skip Elkin  
Skip Elkin

District II Commissioner

**CERTIFIED COPY OF ORDER**

STATE OF MISSOURI }  
 County of Boone } ea.

February Session of the January Adjourned

Term. 20 11

In the County Commission of said county, on the 24<sup>th</sup> day of February 20 11

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does hereby honor George Harris as an outstanding citizen in Boone County and designate, February 24<sup>th</sup> as George Harris day in Boone County.

Done this 24<sup>th</sup> day of February, 2011.

ATTEST:

Wendy S. Noren KS  
 Wendy S. Noren  
 Clerk of the County Commission

Edward H. Robb  
 Edward H. Robb

Presiding Commissioner

Karen M. Miller  
 Karen M. Miller  
 District I Commissioner

Skip Elkin  
 Skip Elkin  
 District II Commissioner