

PENDING APPROVAL

INDEPENDENT CONTRACTOR AGREEMENT OKLAHOMA COUNTY OFFICE OF EMERGENCY MANAGEMENT

This AGREEMENT, made and entered into this _____ day of

_____, 2011, between Oklahoma County and Mr. Shelby Spivey, Independent Contractor, for a cooperative project to distribute public education materials to multiple sites within and near Oklahoma County, and at the end of said distribution to return all unused materials to a designated storage location within Oklahoma County.

WITNESSETH:

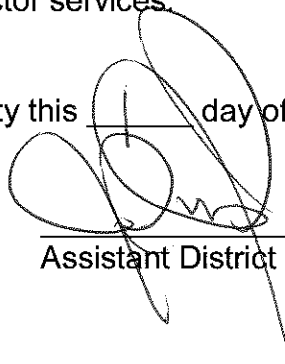
Recognizing the importance and benefits of providing preparedness information to the general public for the purpose of assisting them with developing personal preparedness plans and to advise them of applicable practices and information, the Independent Contractor agrees as follows:

1. Shelby Spivey shall be an Independent Contractor who shall provide dependable personal transportation for the purpose of:
 - Obtaining provided materials and display racks from the designated storage facility
 - Transporting and distributing these materials and racks to thirty-four (34) designated sites within or near Oklahoma County (see attached list)
 - Returning all racks and unused educational materials to the designated storage location upon project completion.
2. Shelby Spivey as an Independent Contractor, shall "service" each designated location at least weekly to insure an adequate supply of educational materials. Should specific sites be identified as needing additional servicing, not to exceed two times per week, this shall be performed. Independent Contractor shall decide when such sites need additional servicing, but shall be responsible to ensure such sites have sufficient materials.
3. Display set-up is to occur between March 27, 2011 and March 31, 2011, with tear-down and the returning of all unused materials and display racks between May 1, 2011 and May 5, 2011.
4. Shelby Spivey, Independent Contractor, shall provide Oklahoma County with Proof of Vehicle Insurance for the vehicle to be utilized, per Oklahoma State Law.

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5. Shelby Spivey, Independent Contractor, shall provide Oklahoma County with proof of a valid Oklahoma Driver's License.
6. Indemnification: Shelby Spivey, Independent Contractor, is not an employee of Oklahoma County and as such, the Independent Contractor assumes all liability for any personal injuries, death claims, property damages or any other damages arising from the performance of duties assigned under this agreement. The Independent Contractor further agrees to indemnify and hold the Oklahoma County Board of County Commissioners, their employees, officers, and agents, harmless from any claims of any kind, including attorney fees and costs of defending same, which arise from the performance of duties assigned under this agreement.
7. This AGREEMENT shall constitute the entire AGREEMENT between the parties. This AGREEMENT shall not be varied in its terms by any oral agreement or representation, or otherwise, other than in writing as provided by either party a minimum of thirty days prior to completion of the terms identified herein.
8. This AGREEMENT shall not be assigned or sublicensed for any purpose.
9. IN WITNESS WHEREOF, the parties have executed this AGREEMENT on the dates set forth beside their signatures, with this AGREEMENT to be effective upon completion of all signatures.
10. Upon completion of the described project and presentation of a written Invoice to the Oklahoma County Emergency Management Director, Shelby Spivey, Independent Contractor shall be compensated a total of \$6,000.00. Shelby Spivey, Independent Contractor, agrees to allow the normal amount of time for processing the Invoice and subsequent payment procedures. The Independent Contractor is responsible to pay any taxes, withholding fees, SSI or any other applicable Federal, State or local taxes or fees, and must sign a 1040/W-2 form acknowledging payment from Oklahoma County for such Independent Contractor services.

Approved as to form and legality this _____ day of April, 2011.

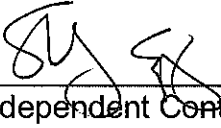


Assistant District Attorney

PENDING APPROVAL

Independent Contractor:

SHELBY SPNEY
Independent Contractor Printed Name


Independent Contractor Signature

04/04/11
Date

Oklahoma County:


Approved and agreed to by the Oklahoma County Board of County Commissioners this

_____ day of _____, 2011.

Willa Johnson, Chairperson

Ray Vaughn, Vice Chairman

Brian Maughan, Member


Emergency Management Director

Attest:

Carolynn Caudill, County Clerk

Date

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2011 McReady Locations Oklahoma County

County	Quad	Street Name	City	ST	Zip
Oklahoma	Central	16410 N. May Ave.	Oklahoma City	OK	73013
Oklahoma	SE	501 East Reno	Oklahoma City	OK	73105
Oklahoma	SE	1004 W. Sheridan	Oklahoma City	OK	73106
Oklahoma	SE	113 N.W. 23rd	Oklahoma City	OK	73107
Oklahoma	SE	2101 N.W. 23rd Street	Oklahoma City	OK	73107
Oklahoma	SE	312 S. Meridian	Oklahoma City	OK	73108
Oklahoma	SE	2901 S. May	Oklahoma City	OK	73108
Oklahoma	SE	9001 N.E. 23rd Street MWC	Oklahoma City	OK	73110
Oklahoma	SE	5815 MLK Blvd.	Oklahoma City	OK	73111
Oklahoma	SE	3722 N.W. 39th Street	Oklahoma City	OK	73112
Oklahoma	SE	130 W. Britton Road	Oklahoma City	OK	73114
Oklahoma	SE	6700 N. May	Oklahoma City	OK	73116
Oklahoma	SE	2700 N.E. 10th Street	Oklahoma City	OK	73117
Oklahoma	SE	1535 N.W. 50th (Classen)	Oklahoma City	OK	73118
Oklahoma	SE	10809 N. May	Oklahoma City	OK	73120
Oklahoma	SE	12116 N. Penn	Oklahoma City	OK	73120
Oklahoma	SE	401 S. MacArthur	Oklahoma City	OK	73128
Oklahoma	SE	201 S. Council	Oklahoma City	OK	73128
Oklahoma	SE	400 S. Morgan Road	Oklahoma City	OK	73128
Oklahoma	SE	1501 S.E. 29th (Prospect)	Oklahoma City	OK	73129
Oklahoma	SE	4418 S. Shields	Oklahoma City	OK	73129
Oklahoma	SE	9000 S.E. 29th	Oklahoma City	OK	73130
Oklahoma	SE	12135 N. I-35	Oklahoma City	OK	73131
Oklahoma	SE	5812 N.W. Hwy.	Oklahoma City	OK	73132
Oklahoma	Central	14001 N. Penn	Oklahoma City	OK	73134
Oklahoma	SE	7800 S. Sooner Road	Oklahoma City	OK	73135
Oklahoma	SE	7525 S. Western	Oklahoma City	OK	73139
Oklahoma	SE	13501 N. MacArthur	Oklahoma City	OK	73142
Oklahoma	Central	6600 S. I-35	Oklahoma City	OK	73149
Oklahoma	SE	9001 S. Penn	Oklahoma City	OK	73159
Oklahoma	SE	6012 S. Penn	Oklahoma City	OK	73159
Oklahoma	SE	11000 N. Rockwell	Oklahoma City	OK	73162
Oklahoma	SE	8001 N.W. Expressway	Oklahoma City	OK	73162
Oklahoma	SE	925 S.W. 134th Street	Oklahoma City	OK	73170

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REQUISITION SHEET MUST BE ATTACHED
(Applies when agenda item requires a specific payment)

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

For the Wednesday, April 13, 2011 Agenda
(Day of Meeting) (Date and Year of Meeting)

DEPT.: Emergency Management BY: David Barnes EXT. 1369
(Department Requesting this item) (Contact person for this Item) (Contact's extension)

NAME OF FUND: _____

AGENDA ITEM DESCRIPTION:

Discussion and possible approval of contract with Shelby Spivey, an Independent Contractor, and the Oklahoma County (Office of Emergency Management) for performance of Public Education activities related to the McReady Project.

(ALL NECESSARY DOCUMENTATION MUST BE ATTACHED FOR APPROVAL)

APPROVED BY ENGINEER
(If Applicable)

County Engineer

APPROVED BY D.A.
(If Applicable)

4/11/2011

Assistant District Attorney

APPROVED BY PURCHASING
(If Applicable)

Purchasing Agent

NOTE: A COMMISSIONER MUST APPROVE ALL EMERGENCY REQUESTS
FOR ANY ITEM SUBMITTED AFTER THE DEADLINE
(THE DEADLINE IS 9:00AM ONE WEEK PRIOR TO THE DATE THAT THE AGENDA IS TO BE POSTED)

DATE OF REQUEST:

BY: [Signature]
(Person Submitting or Requesting Emergency Request)

DATE OF APPROVAL:

APPROVED BY:

COUNTY COMMISSIONER

2011 APR - 5
APPROVED BY
COUNTY COMMISSIONER

Number of ORIGINAL DOCUMENTS you have attached: 2 NOTE: The County Clerk will keep one original and will return the remaining originals to you. If you provide only one original, the Board Secretaries will return one photocopy to you. However, if you have special circumstances that require the County Clerk to (check one): _____ keep more than one original; or _____ return all originals to you, please describe them for the County Clerk's consideration: _____ Please return one (1) of the two (2) signed originals to Oklahoma County Emergency Management.

Special Instructions: Checked for privacy issues AD

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REQUEST FOR DISTRICT ATTORNEY LEGAL SERVICES

THIS FORM IS TO BE USED TO REQUEST ADVICE AND/OR REPRESENTATION FROM THE DISTRICT ATTORNEY'S OFFICE REGARDING THE COUNTY OF OKLAHOMA, COUNTY OFFICIALS AND EMPLOYEES AS REQUIRED BY SECTIONS 215.4, 215.5, 215.25 AND 215.26 OF TITLE 19 OF THE OKLAHOMA STATUTES.

IF ADVICE IS SOUGHT, THE REQUEST MUST BE SIGNED BY AN ELECTED COUNTY OFFICER. THIS FORM MUST BE FILLED OUT AND SUBMITTED TO THE CIVIL DIVISION OF THE OKLAHOMA COUNTY DISTRICT ATTORNEY'S OFFICE IN A TIMELY MANNER. ALL RESPONSES TO REQUESTS FOR ADVICE WILL BE IN WRITING.

IF THE REQUEST IS FOR LEGAL REPRESENTATION UNDER 19 O. S. SECTION 215.25, THE REQUEST MUST BE SUBMITTED IN WRITING EARLY ENOUGH TO PERMIT THE DISTRICT ATTORNEY'S OFFICE ADEQUATE TIME TO COMPLETE A THOROUGH "GOOD-FAITH-AND-COURSE-OF-EMPLOYMENT" INVESTIGATION AS CONTEMPLATED BY 19 O.S. SECTION 215.26.

DATE OF REQUEST: 4 / 1 / 11.

COUNTY DEPARTMENT MAKING REQUEST: Emergency Management

STATE WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED: Please review as to form and legality the attached agreement to be used for securing an Independent Contractor to provide services for the Oklahoma County Office of Emergency Management, for a one-month special project, funded by the Oklahoma Office of Emergency Management.

ATTACH ADDITIONAL DOCUMENTS AS APPROPRIATE. (NOTE: Advice, reviews and approvals as to "form and legality" are based on the documentation and information provided to the District Attorney's Office. Please provide all relevant information when requesting an opinion or review from the District Attorney's Office).



COUNTY OFFICER

.....
DATE RECEIVED BY DISTRICT ATTORNEY: _____

REPLY BY DISTRICT ATTORNEY: _____


DAVID PRATER
DISTRICT ATTORNEY

By: _____