



City of Grand Island

Tuesday, March 18, 2003

Council Session

Item G19

#2003-78 - Approving Contract for Electric Safety Program - Culver Company

Background:

The Electric Department offers a number of electric safety information products including brochures, posters at schools and an electric safety demonstration presented at schools by Department staff. A copy of the promotional letter for the school program is attached. In 2002, 20 presentations were made to over 600 students ranging in age from kindergarten to eighth grade. The Department continues to look for additional ways to reach our customers on the importance of electrical safety.

Discussion:

The Department has reviewed a number of interactive safety computer programs for school aged children that can be accessed through the City of Grand Island web site. An electrical safety icon is displayed on the home page which provides access to an interactive safety program. The cost of a two-year lease of the programming is \$5,500. A copy of the proposed agreement is attached.

Recommendation:

It is the recommendation of the Utilities Department that the contract for the electrical safety program with the Culver Company be accepted.

Fiscal Effects:

Expenditure of \$5,500 from Electric Fund 520. There are sufficient funds available.

Alternatives:

Do not accept the contract.

Staff Contact: Gary R. Mader



February 2003

«Title» «FirstName» «LastName»

«JobTitle»

«Company»

«Address1»

«City», «State» «PostalCode»

Dear «Title» «LastName»:

The City of Grand Island is pleased to offer the availability of an Electrical Safety Program. City staff will come to the school and present the Program to the students.

The Electrical Safety Program is developed for all ages. The Kindergarten through Second Grade presentation consists of reading a story about electrical safety with activity pages and age appropriate discussion. The Third Grade through Fifth Grade utilize the attached outline, consisting of a hands on demonstration of electrical safety gear, a human contact simulation explaining the makeup of the human body as it relates to electrical contact, and the use of an electrical safety display model. Handouts are provided to all participants.

The electrical safety display is a life-like model that graphically demonstrates the do's and don'ts of practicing electrical safety. The display features miniature power poles with lines that carry electricity under the supervision of certified staff. Figurines, cars, construction equipment, and a home, along with the use of kites, trees and ladders, are used within a residential setting to show what could happen when a person or vehicle comes in contact with a high voltage power line; and more importantly how to handle the situation and in many cases, how to avoid such situation.

The presentation is an effective tool in educating the students on the importance of practicing electrical safety. A certified line worker will present the information to fit the individual needs of the teacher.

The City looks forward to hearing from you or a designated official for any questions you may have or to set up an appointment for the presentation. The following contact names are provided for your convenience: Bryan Fiala, Electrical Distribution Crew Chief, bfiala@grand-island.com, 385-5472; or Emily Herman, Utility Secretary, eherman@grand-island.com, 385-5444, Ext. 281.

Sincerely,

Robert H. Smith
Assistant Utility Director



Electrical Safety World Contract for City of Grand Island

This contract serves as a limited license for the use of the Electrical Safety World (ESW) website for children. In exchange for payment by City of Grand Island (Licensee) to Culverco, LLC of \$5,500.00 (the "license fee"), Culverco, LLC (Licensor) grants City of Grand Island, without representations or warranties of any kind, a non-exclusive and non-transferable license to use ESW for a period of two years. License shall commence upon delivery of ESW to Licensee.

The payment schedule is as follows:

At signing of this agreement: (includes logo placement, Preparation and Delivery)	\$5,500.00
--	------------

Licensee acknowledges that Licensor is the owner and copyright holder of Electrical Safety World (ESW) and agrees to use it only for the purposes and in the manner specified herein. Licensee agrees to use ESW only to promote electrical safety within its service area. Licensee agrees to use only versions of ESW branded with Licensee's identity and to make ESW available only on Licensee's web site. Reselling, re-licensing, or allowing any other entity to use ESW is specifically prohibited. Licensee agrees that all payments required under this agreement are due and payable as scheduled, regardless of how or whether Licensee chooses to use ESW.

Licensee agrees to make no changes to ESW other than those consistent with the agreed upon use and agrees to make no changes to it without the prior written approval of Licensor. Licensor agrees that such approval shall not be unreasonably withheld or delayed.

Licensee shall indemnify Licensor, and its parent and affiliated entities, and all officers, directors, shareholders, agents, employees, representatives and associates thereof, and defend, save and hold each and all of them harmless of and from any and all loss, cost, damage, liability and expense, including attorney's fees, with respect to any claim whatsoever arising from Licensee's use of the ESW site.

Licensee agrees that the breach by Licensee of any of its representations, warranties, agreements or undertakings hereunder is cause for immediate termination of any and all rights granted under this agreement.

Near the end of the license period, Licenser will send a renewal notice which Licensee may sign and return to extend the license period or decline and return with the CD. Licensee agrees that Licensee's failure to return the CD within 60 days of the expiration of the license period constitutes a renewal of the license for a period equal to the original license period and agrees to pay the license fee when billed.

If the foregoing terms are acceptable, please date and sign this letter in duplicate in the space provided below and return both copies to us with the License Fee. We will then sign the acknowledgement of receipt of the License Fee below and return an original counterpart of this letter to you.

Culverco, LLC (Licenser):

By: _____

Its: _____

City of Grand Island (Licensee):

By: _____

Its: _____

Date: _____

Acknowledgement of receipt of license fee:

Culverco, LLC hereby acknowledges receipt of the Payment of the license fee in the amount of \$5,500.00.

Culverco, LLC

By : _____

Date: _____

RESOLUTION 2003-78

WHEREAS, the electric department offers a number of electric safety information products for educational purposes for children from kindergarten to eighth grade; and

WHEREAS, the Culver Company has agreed to lease an interactive electrical safety computer program for use on the City's website; and

WHEREAS, such program can be leased to the City for a 2-year period at a cost of \$5,500; and

WHEREAS, a proposed contract for such service has been reviewed and approved by the City Attorney's office.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the two-year lease agreement with the Culver Company is hereby approved in the amount of \$5,500 to provide an interactive electrical safety computer program on the City's website; and the Mayor is hereby authorized and directed to execute such agreement on behalf of the City of Grand Island.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, March 18, 2003.

RaNae Edwards, City Clerk