

RESOLUTION NO. 33-04
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul M. Gesham ON THE
18th DAY OF October, 2004.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF CENTERVILLE AND TRIMBLE, JULIAN & GRUBE, INC. FOR PROFESSIONAL AUDITING SERVICES.

WHEREAS, The City issued a Request for Proposals for independent audit services for the City of Centerville, and


WHEREAS, Trimble, Julian & Grube, Inc., an independent public accountant, responded to the RFP with a formal proposal wherein they indicated their willingness to perform the audit of public office in accordance with the items and conditions set forth in the Request for Proposals, and

WHEREAS, the City of Centerville, with the approval of the State of Ohio, Office of the Auditor, has determined that Trimble, Julian & Grube, Inc. has submitted the proposal most advantageous to the Auditor and to the City of Centerville.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the Council of the City of Centerville hereby authorizes the City Manager, on behalf of the City, to enter into a Memorandum of Agreement between the City of Centerville and Trimble, Julian & Grube, Inc. for professional independent auditing services, a copy of which is attached hereto marked as Exhibit "A" and incorporated herein.

PASSED this 18th day of October, 2004.



Mayor of the City of Centerville, Ohio

ATTEST:

Maureen J. McLaughlin
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 33-04, passed by the Council of the City of Centerville, Ohio, on the 18th day of October, 2004.

Maureen J. McLaughlin
Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman
Municipal Attorney



**Auditor of State
Betty Montgomery**

MEMORANDUM OF AGREEMENT

This agreement is entered into as of the 26th day of September, 2004, by and between **Trimble, Julian & Grube, Inc.**, an independent public accountant (IPA), **BETTY MONTGOMERY, Auditor of State of Ohio (Auditor)** and the **City of Centerville**.
WITNESSETH:

Whereas, the public office on July 6th, 2004 issued a Request for Proposals for the audit of the City of Centerville pursuant to Sections 117.11(B) and 115.56, Revised Code for fiscal periods January 1, 2004 through December 31, 2008; and

Whereas, IPA responded to the Request for Proposals with a formal proposal wherein they indicated their willingness to perform the audit of public office in accordance with the items and conditions set forth in the Request for Proposals; and

Whereas, the public office, with the approval of the Auditor, has determined the IPA has submitted the proposal most advantageous to the Auditor and public office;

NOW, THEREFORE, IPA and public office do mutually agree as follows:

1. This Memorandum of Agreement, the Request for Proposals, the Proposal of the IPA and any written documents supplementing, amending, or incorporating the Request for Proposal, the Proposal of the IPA, and the Memorandum of Agreement constitute the integrated written agreement of the parties, to be known as the "Contract";
2. The IPA shall, in consideration of the payments specified in the Proposal, and subject to the requirements of the Contract, perform the specified audit of public office;
3. Public office will provide the IPA with such payments, services, and support as are specified in the Request for Proposals; and
4. The Auditor will provide the IPA with such services and support as are specified in the Request for Proposals; and
5. Pursuant to the agreement of the parties a subcontractor with respect to the Contract will be as stated below. Further, pursuant to the RFP Terms of Engagement and this Contract, the IPA shall be and remain solely responsible to the public office and Auditor for the acts the IPA performs or faults of any subcontractor and of any subcontractor's officers, agents or employees, who are deemed to be agents or employees of the IPA to the

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extent of the subcontract. Any agreement between the IPA and a subcontractor shall state: "Each subcontractor shall jointly and severally agree that neither the public office nor the Auditor is obligated to pay or to be liable for the payment of any sums due the subcontractor."

Subcontractor Name

Address

City State Zip Code

() Telephone number

Number of Hours Rate Per Hour Total Subcontract

IN WITNESS WHEREOF, Auditor, Public Office and IPA have executed this agreement.

Public Office Representative

Date

Mark A. Shube IPA Representative

10/18/04 Date

APPROVAL:

IPA Contracting Committee Office of BETTY MONTGOMERY, Auditor of State of Ohio In Accordance with Sections 117.11(B) & 115.56, Revised Code (Not valid unless approved by IPACC)

Date