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**Purchasing Contract
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 34
AGENDA DATE: Thu 05/12/2005
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These items will inform each potential claimant of their potential status as a claimant, the procedure to file a claim, the procedure to file for exclusion from the class action settlement and the procedure to file an objection to the settlement agreement. The mail-out will also include information about how to access the City web page and phone number that will be set up to assist with questions.

To meet the time requirements for the mail out, mailing must begin by May 15th. A minimum of ten days was needed to print and pre-sort the document to prepare it for mailing.

Ginny's Printing is one of the vendors used by the City under a previous contract for flat sheet printing. They perform quality work and were available to meet the timeline for completion of this legal settlement requirement as approved by the Court in a preliminary hearing.



TO: Mayor and Council

FROM: Vickie Schubert, Deputy Chief Financial Officer

DATE: May 6, 2005

SUBJECT: Ratification of Contract with Ginny's Printing

On the May 12th Council Agenda, staff is requesting Council approval of a contract ratification with Ginny's Printing not to exceed \$115,675, to provide printing and mailing services needed to comply with the settlement agreement in the Class Action Lawsuit; F. L. Vivion, N.K. Ballard, L.I. Ballard and all other Parties similarly situated v. the City of Austin. This settlement was approved by Council on March 10, 2005 and involves Transportation User Fees and Drainage Utility Fees alleged to have been incorrectly calculated or improperly collected. Ginny's is one of the vendors used by the City under a previous contract for flat sheet printing. Ginny's performs quality work and was available to meet the City's timing requirements for completion of this legal settlement requirement as approved by the Court in a preliminary hearing.

One of the steps in a class action suit, and a task required by the settlement agreement, is notification of the potential claimants. To fulfill this requirement the City must prepare and send notice of the settlement and related forms to all City of Austin utility customers via U.S. mail by the end of May 2005. This deadline is necessary to provide affected parties sufficient time to respond to the notice prior to the final settlement hearing, which is scheduled for July 7, 2005.

This contract includes printing, stapling, folding, addressing, pre-sorting and mailing of approximately 325,000 booklets with tab closures. The booklets will include the following items:

- Notice of Class Action, Proposed Settlement and Hearing
- Exclusion Form
- Objection/Appearence Form
- Residential Proof of Claim Form
- Commercial Proof of Claim Form

These items will inform each potential claimant of their potential status as a claimant, the procedure to file a claim, the procedure to file for exclusion from the class action settlement and the procedure to file an objection to the settlement agreement. The mail-out will also include information about how to access the City web page and phone number that will be set up to assist with questions.

To meet the time requirements for the mail out, mailing must begin by May 15th. A minimum of ten days was needed to print and pre-sort the document to prepare it for mailing. The City's usual solicitation process was not utilized to contract with Ginny's because the services were required to comply with the Court entered agreement.