



CITY OF PORTLAND
OFFICE OF MANAGEMENT AND FINANCE
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Kenneth L. Rust, Chief Administrative Officer

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Wireless Equipment Acceptance Agreement

January 14th, 2010

Pursuant to Portland City Council Resolution No. 36610, wherein Council amended Administrative Rule BTS 1.06 (Disposal of Information Technology Equipment) to prioritize disposing of surplus City IT equipment through local non-profit IT hardware recycling organizations committed to recycling computers and IT equipment to Portland community members and non-profit organizations free of charge and in an environmentally responsible manner through regional recyclers

The City of Portland, through the Bureau of Technology Services, enters into the following agreement with Personal Telco Project:

Personal Telco Project, an IRS 501(c)(3) technology organization dedicated to building and educating others about the benefit of open wireless networks, located in the City of Portland, agrees to accept decommissioned hardware such as previously owned MetroFi wireless access points (hereinafter "donated property") from the City of Portland, with the following stipulations:

- a) All donated property provided to the recipient is "as is" and may not be returned to the City of Portland. Personal Telco Project acknowledges and understands the City makes no warranties concerning the condition or workmanship of the donated property and accepts the property "as is". Personal Telco Project also agrees to hold the City of Portland harmless from any claims, or actions arising from the City's discarding of the donated property to Personal Telco Project, or arising from Personal Telco Project's use, possession or ownership of the donated property.
- b) Donated property will be delivered to one site of Personal Telco Project's choosing. Specific times will be collaboratively determined by Personal Telco Project and City personnel responsible for delivering such equipment. Both parties agree to provide at least 24 hours notice if rescheduling is necessary. Absent other arrangements, two or more failures to pick up, or failures to have hardware ready for pick up at the scheduled time may be grounds for terminating this Agreement.
- c) All donated property received from the City of Portland which cannot be refurbished will be disposed of in an environmentally sound manner with qualified regional recyclers and/or disposal facilities.

An Equal Opportunity Employer

To help ensure equal access to programs, services and activities, the Office of Management & Finance will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities upon request.

With 15 business days notice, the City of Portland and/or Personal Telco Project may update, terminate or replace this Agreement. This Agreement will be reviewed for renewal no later than January 1st, 2011, at which point this Agreement expires.

<hr/> City of Portland/Technology Services Chief Technology Officer	<hr/> Date
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