

**COUNTY COUNCIL**  
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**COUNTY MANAGER**  
C. DAVID PEDRI, ESQUIRE

**CHIEF COUNTY SOLICITOR**  
ROMILDA P. CROCAMO, ESQUIRE

**COUNTY OF LUZERNE**  
P E N N S Y L V A N I A  
ESTABLISHED 1786

January 12, 2017

Carmen Pitarra for 4 the Office  
457 North Main Street  
Pittston, PA 18640  
carmenp@4theoffice.net

RE: RTK Request # 17-1

Dear Carmen:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. Please note that I am now the Opens records Officer for Luzerne County. My email is Jackie.Carroll@luzernecounty.org.

On January 3, 2017, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. Your request is granted.

Attached to this correspondence is the information regarding Managed Print Services Contract you requested.

Had your request been denied, you would have a right to appeal this denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4<sup>th</sup> Floor, Harrisburg, PA 17120.

If you choose to file an appeal for any reason, you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

Very truly yours,



JACQUELINE MUSTO CARROLL, ESQUIRE  
Luzerne County – Open Records Officer

# Outlook

Search Mail and People

New | Delete | Archive | Junk | Sweep

Move to | Categories | ... | Undo

## Folders

- ^ Favorites
  - Clutter 1
- ^ Carroll, Jackie
  - Inbox 167**
  - Clutter 1
  - Drafts 14
  - Sent Items
  - Deleted Items 7
  - Archive
  - Conversation History
  - Junk Email
  - Notes

## Inbox

Filter

Carroll, Jackie; Zulkoski, Mark

▶ **Managed Print RTK** 9:26 AM

Thank you, Mark. Jackie \_\_\_\_\_ Fr...

### Yesterday

Crocamo, Romilda

Emailing: LUZERNE COUNTY SOLICITORS DUTIES IN Wed 2:35 PM

Colleagues: Attached is the 2017 Luzerne County Solicitors'...

Hall, Janet; Carroll, Jackie; Swetz, B..

▶ Information request Right to Know Request # 17-4 Wed 11:29 AM

Jackie, did this go to Bill or should I forward? I was out of th...

Thomas, Jennifer

**Phone Issues** Wed 8:40 AM

Sent on Behalf of the IT Department: Frontier will be workin...

### Tuesday

Petrillo, Matthew

▶ **Info Request** (2) Tue 3:51 PM

Hi Jackie, I've attached a right to know requesting the belo...

Crake, Shannon; Crocamo, Romild...

▶ **RTK Request # 17-5 Received 1-9-17, ATTC** (4) Tue 3:50 PM

Then it's easy, denied at this time because it does not exist. ...

Crake, Shannon

**ACLU-PA request for DA and PD records** Tue 3:39 PM

Jackie: See right to know request attached. I didn't read thr...

Carroll, Jackie

▶ **RTK Request #17-4** Tue 1:47 PM

Bill: Here is the official letter. Jackie

Carroll, Jackie

▶ **RTK Request #17-4** Tue 1:45 PM

Bill: Attached please find the County's response to RTK Req...

### Monday

Carroll, Jackie

▶ **Right-to-know request / RTK Request #17-5** Mon 12:30 PM

Romilda and Shannon: Please note this RTK Request. Plea...

Bill Wellock

Right-to-know request Mon 12:15 PM

Jackie, Please see the attached right-to-know request. Tha...

Carroll, Jackie; Dunn, Robert

▶ **Right to Know Requests** Mon 10:34 AM

Bob: I don't know why I don't have any missed calls from y...

Carroll, Jackie; Zulkoski, Mark; Pars..

▶ **RTK Request 12-28-16 RTK Request # 17-1** Mon 10:29 AM

Mark: Here is a copy of the request. Let me know if you ne...

### Last week

## Managed Print RTK

1

Carroll, Jackie

Today, 9:26 AM

Thank you, Mark.

Jackie

ZM Reply |

Zulkoski, Mark

Yesterday, 10:23 AM

Carroll, Jackie

20170111101112357.pdf

555 KB

Download Save to OneDrive - Luzerne County Courthouse

Jackie,

Attached is a copy of the agreement with Topp Business Solutions for supplies, repairs and accessories. To date, The County has not been invoiced for this portion of the contract. Invoicing will begin when all devices have been deployed. Due to a few change order, I expect completio of the program in the next thirty days.

Thanks Mark

Your message is ready to be sent with the following file o link attachments:

20170111101112357

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



# pennsylvania

OFFICE OF OPEN RECORDS

## STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 12-28-16

REQUEST SUBMITTED BY:  E-MAIL  U.S. MAIL  FAX  IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): County of Luzerne  
200 N River St, Wilkes Barre PA 18711

NAME OF REQUESTER: Carmen Pitarra for 4 The Office

STREET ADDRESS: 457 North Main Street

CITY/STATE/COUNTY/ZIP(Required): Pittston, PA 18640

TELEPHONE (Optional): 570-655-5543 EMAIL (optional): carmenp@4theoffice.net

RECORDS REQUESTED: *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

See attached letter for explanation of documents requested.

DO YOU WANT COPIES?  YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or  NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or  NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

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### FOR AGENCY USE ONLY

RIGHT TO KNOW OFFICER:

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

Jackie Musto Carroll  
David Pedri  
Luzerne County Office of Law  
200 North River Street  
Wilkes-Barre, PA 18711

December 28, 2016

Ms. Musto Carroll and Mr. Pedri,

In December of 2015, the County Council approved Resolution R-2015-137 which authorized the County Manager to enter a Managed Print Services Contract from January 1, 2016 through December 31, 2019. As defined and as originally approved by County Council, "Managed Print Services" means a contract for equipment, service and supplies in one payment.

In June of 2016 via a RTK request, Luzerne County provided me with only a copy of a "Lease Agreement" for the equipment and no contracts relating to the Service and Supplies. See attached.

This Contract has obviously been separated into two separate Contracts.

1. Leasing the equipment from De Lage Landen
2. Paying Topp Business Solutions separately for the service and supplies portion of the contract.

This RTK Request is seeking:

1. The Contract for the Service and Supplies portion of the Managed Print Services Contract award to Topp Business Solutions.
2. Copies of the Invoices received and paid by Luzerne County from the start of this Topp Business Solutions Contract for the Service and Supplies (approximately April 2016) through December of 2016.

Thanks,

Carmen Pitarra

# Sales Order Agreement



Corporate Headquarters  
1110 Saginaw Street  
Scranton, PA 18505  
Phone (800) 982-4021 / (570) 344-9611

Topp Business Solutions  
Equipping The Office Of Tomorrow.....Today  
Scranton - Wilkes Barre - Stroudsburg - Allentown - Montoursville  
Fax (570) 344-5227

**Bill To:**

**Ship To:**

Leasing Company  <b>Bill To Contact:</b>  Email: Ph:	Luzerne County Penn Place Office Building 20 North Pennsylvania Avenue Wilkes Barre PA 18701  <b>Main Contact:</b> Mark Zulkoski <b>Main Contact Title:</b> Purchasing Director Email: mark.zulkoski@luzernecounty.org Ph: (570) 825-1501      Fax: (570) 826-1851
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**Order Date:** 12/30/15    **Est: Delivery Dt:** 02/01/16    **Order Transaction Type:** Cost-per-Copy

**Pay Terms:** # of Payments & Mo. Amt. (+tax if applicable)    48    \$13,259.94    **PO #:**

<b>Cost-Per-Copy Allowance</b>	<b>Meter Frequency:</b> Quarter	<b>One-Time Filling Fee:</b> \$75.00
B/W: See Page 2    Per Month	<b>Meter Bank B/W:</b> See Page 2	<b>Overage Billed At:</b> See Page 2
F/C: See Page 2    Per Month	<b>Meter Bank F/C:</b> See Page 2	<b>Overage Billed At:</b> See Page 2

Qty	Model	Product #	Description	Total Price
72	MP301SPF	416185	Lanier Copier With Adf/Prt/Scn/Fax	Included
72	St. Kit	TBS Item	Start-up Supplies (Full Set of Toner)	Included
10	FAC57	416441	Cabinet	Included
41	MP2554	417008	Lanier Copier With Adf/Prt/Scn	Included
26	MP4054	417036	Lanier Copier With Adf/Prt/Scn	Included
4	MP6054	417056	Lanier Copier With Adf/Prt/Scn	Included
71	St. Kit	TBS Item	Start-up Supplies (Full Set of Toner)	Included
67	Type F	100478FNG	Cabinet	Included
4	RT3030	416548	LCIT (1,500 Sheet Internal)	Included
28	SR3130	416543	Internal Finisher (500 Sheet)	Included
3	PU3040	416615	Punch Unit for SR3130	Included
4	SR3140	416539	Finisher (1,000 Sheet External)	Included
70	Type M12	417100	Fax Option	Included
1	Pro 8100S	404592	Lanier Production Copier With Adf/Prt/Scn	Included
1	St. Kit	TBS Item	Start-up Supplies (Full Set of Toner)	Included
1	Install	TBS Item	Installation Charge	Included
1	RT5070	404536	LCT 3 Drawer (5,000 Sht 8.5 x 11) Air Assist	Included
1	SR5050	404548	Finisher (3,000 Sht, 100 Pg Staple)	Included
3	MPC305SPF	416011	Lanier Color Copier With Adf/Prt/Scn/Fax	Included

<b>Customer Acceptance</b>		<b>Sub Total</b>	\$ -
The undersigned BUYER has read the attached "Conditions of Sale" hereof and hereby orders from Topp Business Solutions the above and if applicable the attached item(s) shown. This document contains confidential and proprietary information.		0.0%	<b>Sales Tax</b> \$ -
<b>This order has an addendum attached</b>		No	<b>Less Deposit</b> \$ -
			<b>Amount Due</b> \$ -

<i>Authorized Signature</i> 	<i>Print Name/Title</i> Robert C. Lawton, County Manager
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**Sales Rep:** Justin Wruble    **Manager:** Phil McCarthy    **Territory:** Ter #17 Wilkes Barre CF

**Order Type:** New Sales Order

David Pedri, City Solicitor

Approved by Luzerne County Council  
at a public meeting on 12/29/15

# Sales Order Addendum



Corporate Headquarters  
 1110 Saginaw Street  
 Scranton, PA 18505  
 Phone (800) 982-4021 / (570) 344-9611

Topp Business Solutions  
 Equipping The Office Of Tomorrow.....Today  
 Scranton - Wilkes Barre - Stroudsburg - Allentown - Montoursville  
 Fax (570) 344-5227

**Company Name:** Luzerne County

**Date:** 12/30/15

Authorized Initials  
*Robert C. [Signature]*

Qty	Model	Product #	Description	Total Price
3	St. Kit	TBS Item	Start-up Supplies (Full Set of Toner)	Included
5	MPC3003	416502	Lanier Color Copier With Adf/Prt/Scn	Included
6	MPC3503	416509	Lanier Color Copier With Adf/Prt/Scn	Included
6	MPC4503	416518	Lanier Color Copier With Adf/Prt/Scn	Included
1	MPC5503	416525	Lanier Color Copier With Adf/Prt/Scn	Included
18	St. Kit	TBS Item	Start-up Supplies (Full Set of Toner)	Included
17	Type F	100478FNG	Cabinet	Included
1	RT3030	416548	Large Capacity Tray (1,500 Sheets)	Included
11	SR3130	416543	Finisher Internal (500 Sheet)	Included
5	PU3040	416615	Punch Unit	Included
1	SR3140	416539	Finisher (1,000 Sheet)	Included
18	Type M12	417100	Fax Option	Included
5	BU3070	416551	Bridge	Included

**Special Instructions included with this order**

The program includes all equipment, service and supplies based as follows:

Excludes paper and staples.

**Group #1**

MP301SPF, MPC305SPF units to include 91,500 B/W copies/month.

B/W Overage billed @ .0090, Includes 0 F/C copies/month. F/C Overage billed @ .0800

**Group #2**

MP2554, MP4054, MP6054, MPC3003, MPC3503, MPC4503, MPC5503

Units to include 424,500 B/W copies/month. B/W Overage billed @ .0070, Includes 0 F/C copies/month. F/C Overage billed @ .0500

**Group #3**

Pro 8100S unit to include 80,000 B/W copies/month.

B/W Overage billed @ .0040

**If required Topp will provide a loaner unit(s) or replacement unit(s) with the same accessories and/or copy/print/scan/fax functionality.**

Sub Total This Page	\$	-
Sub Total Page One	\$	-
Sales Tax	\$	-
Less Deposit	\$	-
<b>Amount Due</b>	<b>\$</b>	<b>-</b>

The BUYER agrees to pay directly to TOPP BUSINESS SOLUTIONS, the total amount shown and payable as above. This order is given subject to all the terms and conditions as herein provided below, which are expressly incorporated herein, and acceptance by TOPP BUSINESS SOLUTIONS.

## CONDITIONS OF SALE

**TITLE:** Title to each of the machines is to remain vested in Topp Business Solutions or Lessor until the full purchase price thereof shall have been paid. Failure to pay the purchase price of a machine when due shall give Topp Business Solutions or Lessor the right without liability to repossess that machine with or without notice and to avail itself of any legal remedy.

**TRADE-IN:** A trade-in machine must be received in substantially the same condition as when inspected and within 30 days from date of installation of the ordered machine; otherwise, the trade-in may be reappraised or credit disallowed.

**GUARANTEE:** The Seller will promptly repair or replace without charge, any part which is found, within 90 days or unless otherwise specified from date of installation of the machine or within 3 months date of delivery, whichever is earlier, to have a defect in material or workmanship. Any repair or adjustment by other than the Seller's authorized representative shall relieve the Seller from this guarantee.

**TAXES:** The Buyer agrees to pay any tax, however designated, levied or based on the sales price of payable to the Seller in respect thereto.

**PATENTS:** If notified promptly in writing of any action brought against the Buyer based on a claim that the equipment delivered hereunder infringes any patent rights, the Seller will defend such action at its expense, provided such claim is not based on the use of such equipment in combination with equipment not furnished under this order or in a manner for which it was not designated.

**METER READ:** The Buyer acknowledges that Topp Business Solutions reserves the right to estimate meter reads based on actual service reads in the event the buyer does not provide an actual meter read on a timely basis.

**SERVICE AGREEMENTS:** There will be no service rate increases for the duration of the agreement. Credit will be given should the 7,152,000 million impressions number not be hit annually.

**DELIVERY:** Shipping dates are approximate and deliveries are subject to unavoidable delays.

**ACCEPTANCE:** A FINAL CONTRACT BEING DRAWN BY LUZERNE COUNTY CONTAINING THE TERMS AGREED TO WILL BE THE FINAL BINDING CONTRACT ENTERED INTO BY EACH PARTY (TOPP BUSINESS SOLUTIONS AND LUZERNE COUNTY)