

Council Letter No. 0338

Meeting Date: February 7, 2022

Mayor and City Commission  
City of Ardmore, Oklahoma

RE: Memorandum of Understanding (MOU) with Southern Tech – IES MILO Firearms Simulator

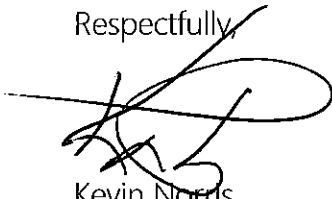
Dear Commission Members:

The Ardmore Police Department is requesting permission to enter into the following Memorandum of Understanding (MOU) with Southern Tech with regard to the shared use of the City-owned IES MILO Firearms Simulator utilized by the Police Department.

The MOU details the shared use, responsibility for upgrades and repairs and liability claims with regard to the firearms simulator.

Staff respectfully recommends the acceptance of the MOU between the City of Ardmore and the Southern Tech as it best serves the interests of both parties.

Respectfully,



Kevin Norris  
Chief of Police

Reviewed by: \_\_\_\_\_

  
City Manager



THE CITY OF  
ARDMORE, OKLAHOMA



MEMORANDUM OF UNDERSTANDING  
CITY OF ARDMORE, OKLAHOMA & SOUTHERN TECH  
FIREARMS SIMULATOR

This Agreement is made and entered into this 20 day of January, 2022, by and between Southern Oklahoma Technology Center, hereinafter SOUTHERN TECH, and the City of Ardmore acting by and through its governing body, hereinafter referred to as (CITY), both of Carter County, State of Oklahoma,

WITNESSETH:

WHEREAS, this Agreement is made under the authority of applicable State Statutes, City of Ardmore Charter and local ordinances; and,

WHEREAS, both parties in the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and,

WHEREAS, each party finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and,

NOW THEREFORE, the CITY and SOUTHERN TECH agree as follows:

Section 1. The IES MILO Range Advanced Firearms Simulator (Serial Number GM2WXW1) owned by the City is to be located at the facilities of SOUTHERN TECH for the sole purpose of firearm training for the police academy and the City. Ownership of the firearms simulator shall remain with the City. The City shall have the right to use the simulator at the facility of SOUTHERN TECH at any time it is not in use by SOUTHERN TECH.

Section 2. During any term of this agreement SOUTHERN TECH agrees to be responsible for any costs of upgrades or repairs to the firearms simulator in an amount not to exceed the sum of \$10,000.

Section 3. Nothing in the performance of this Agreement shall impose any liability for claims against City or SOUTHERN TECH other than claims for which liability may be imposed by the Oklahoma Tort Claims Act.

Section 4. Each party to this agreement will be responsible for its own actions under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 5. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 6. By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein.

Section 7. This agreement shall be effective for 24 months from the date of approval of both parties.

Section 8. This agreement may be cancelled by either party by providing 30 days written notice to the other party.

CITY OF ARDMORE, OK

SOUTHERN TECH

\_\_\_\_\_  
Mayor

BY: Therese Wessford  
Authorized Signatory

ATTEST:

ATTEST:

\_\_\_\_\_  
City Clerk

Karen Nail  
Secretary/Clerk