

## INTERLOCAL JOINT PURCHASING AGREEMENT

CAG-06-091

THIS AGREEMENT is between the CITY OF TACOMA, a political subdivision of the State of Washington, and the CITY OF RENTON, a political subdivision under the laws of the State of Washington.

### WITNESSETH:

WHEREAS, the Interlocal Cooperation Act, as amended, and codified in Chapter 39.34 of the Revised Code of Washington provided for interlocal cooperation between government agencies; and

WHEREAS, Chapter 39.33 of the Revised Code of Washington provides for intergovernmental disposition of property;  
and

WHEREAS, the parties desire to utilize each other's procurement agreements when it is in their mutual interest;

NOW THEREFORE, the parties agree as follows:

1. PURPOSE: The purpose of this agreement is to acknowledge the parties' mutual interest to jointly bid the acquisition of goods and services where such mutual effort can be planned in advance and to authorize the acquisition of goods and services and the purchase or acquisition of goods and services under contracts where a price is extended by either party's bidder to other governmental agencies.
2. ADMINISTRATION: No new or separate legal or administrative entity is created to administer the provisions of this agreement.
3. SCOPE: This agreement shall allow the following activities:
  - A. Purchase or acquisition of goods and services by each party acting as agent for either or both parties when agreed to in advance, in writing;
  - B. Purchase or acquisition of goods and services by each party where provision has been provided in contracts for other governmental agencies to avail themselves of goods and services offered under the contract and/or where either party's bidder is willing to extend prices to other government agencies.
4. DURATION AGREEMENT – TERMINATION: This agreement shall remain in force until canceled by either party in writing.
5. RIGHT TO CONTRACT INDEPENDENT ACTION PRESERVED: Each party reserves the right to contract independently for the acquisition of goods and services without notice to the other party and shall not bind or otherwise obligate the other party to participate in the activity.

6. COMPLIANCE WITH LEGAL REQUIREMENT: Each party accepts responsibility for compliance with federal, state or local laws and regulations including, in particular, bidding requirements applicable to its acquisition of goods and services.
7. FINANCING: The method of financing of payment shall be through budgeted funds or other available funds of the party for whose use the property is actually acquired or disposed. Each party accepts no responsibility for the payment of the acquisition price of any goods or services intended for use by the other party.
8. FILING: Executed copies of this agreement shall be filed as required by Section 39.34.040 of the Revised Code of Washington prior to this agreement becoming effective.
9. INTERLOCAL COOPERATION DISCLOSURE: Each party may insert in its solicitations for goods a provision disclosing that other authorized governmental agencies may also wish to procure the goods being offered to the party and allowing the bidder the option of extending its bid to other agencies at the same bid price, terms and conditions.
10. NON-DELEGATION/NON-ASSIGNMENT: Neither party may delegate the performance of any contractual obligation, to a third party, unless mutually agreed in writing. Neither party may assign this agreement without the written consent of the other party.
11. HOLD-HARMLESS: Each party shall be liable and responsible for the consequence of any negligent or wrongful act or failure to act on the part of itself and its employees. Neither party assumes responsibility to the other party for the consequences of any act or omission of any person, firm or corporation not a party to this agreement.
12. SEVERABILITY: Any provision of this agreement, which is prohibited or unenforceable, shall be ineffective to the extent of such prohibition or unenforceability, without invalidating the remaining provisions or affecting the validity or enforcement of such provisions.

APPROVED, CITY OF RENTON:

Kathy Keolker 5/30/06  
Kathy Keolker, Mayor Date

ATTEST:

Bonnie S. Walton 5/30/06  
Bonnie Walton, City Clerk Date

Renton City Council Resolution No. 3808

APPROVED, CITY OF TACOMA:

[Signature] 7/10/06  
City Manager Date

APPROVED AS TO FORM:

[Signature] 7/5/06  
Assistant City Attorney Date

[Signature] 7/7/06  
Director of Finance Date

ATTEST:

Dana Sorenson 7-11-06  
City Clerk Date

Tacoma City Council Resolution No. 36901 #5



200607120961 3 PGS  
 07/12/2006 3:26pm \$0.00  
 PIERCE COUNTY, WASHINGTON

When Recorded, Return To:  
 City of Tacoma  
 City Clerk's Office  
 747 Market Street, Room 220  
 Tacoma WA 98402-3769

**ORIGINAL**

<b>DOCUMENT TITLE</b> Interlocal Agreement
<b>Grantor</b> City of Tacoma
<b>Grantee</b> City of Renton
<b>Description</b> Interlocal agreement to acknowledge the parties' mutual interest to jointly bid the acquisition of goods and services.
<b>Reference Number</b>
<b>Assessor's Parcel Number</b>

34-

CITY OF RENTON, WASHINGTON

RESOLUTION NO. 3808

**A RESOLUTION OF THE CITY OF RENTON, WASHINGTON, AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN INTERLOCAL JOINT PURCHASING AGREEMENT WITH THE CITY OF TACOMA IN ORDER TO JOINTLY BID THE ACQUISITION OF GOODS AND SERVICES.**

**WHEREAS**, the Interlocal Cooperation Act, as amended, and codified in Chapter 39.34 of the Revised Code of Washington, provided for interlocal cooperation between government agencies; and

**WHEREAS**, the parties desire to utilize each other's procurement agreements when it is in their mutual interest; and

**WHEREAS**, it is in the parties' mutual interest to jointly bid the acquisition of goods and services where such mutual effort can be planned in advance, and to authorize the acquisition of goods and services, and the purchase or acquisition of goods and services under contracts where a price is extended by either party's bidder to other governmental agencies; and

**WHEREAS**, this Agreement shall allow the following activities:

A. Purchase or acquisition of goods and services by each party acting as agent for either or both parties when agreed to in advance, in writing;

B. Purchase or acquisition of goods and services by each party where provision has been provided in contracts for other governmental agencies to avail themselves of goods and services offered under the contract and/or where either party's bidder is willing to extend prices to other government agencies; and

WHEREAS, each party reserves the right to contract independently for the acquisition of goods and services without notice to the other party and shall not bind or otherwise obligate the other party to participate in the activity; and

WHEREAS, under the Agreement, Renton and Tacoma may purchase from either of each others' contracts that were awarded based on a bid; and

WHEREAS, it is necessary to document the terms and conditions of the Interlocal Joint Purchasing Agreement between the cities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENTON, WASHINGTON, DOES RESOLVE AS FOLLOWS:

SECTION I. The above findings are true and correct in all respects.

SECTION II. The Mayor and City Clerk are authorized to enter into an Interlocal Joint Purchasing Agreement with the City of Tacoma.

PASSED BY THE CITY COUNCIL this 15th day of May, 2006.

Bonnie I. Walton  
Bonnie I. Walton, City Clerk

APPROVED BY THE MAYOR this 15th day of May, 2006.

Kathy Keelker  
Kathy Keelker, Mayor

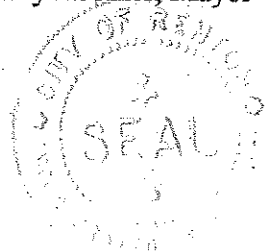
Approved as to form:

Lawrence J. Warren  
Lawrence J. Warren, City Attorney

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6/28/06 AM 9:57:05

FINANCE PURCHASING





**Tacoma**

City of Tacoma  
Finance Department

August 8, 2006

City of Renton  
Attn: DeAnna Fricke  
1055 South Grady Way  
Renton, WA 98055

RE: INTERLOCAL JOINT PURCHASING AGREEMENT

Enclosed, for your records, is a finalized original copy of the Intergovernmental Joint Purchasing Agreement between the City of Tacoma and the City of Renton. We have filed the contract with the Pierce County Auditor. If you have any questions, please contact me at (253) 502-8248.

Sincerely,

Aulani Crawford  
Purchasing Division

Attachment



City of Tacoma  
Finance Department

EXHIBIT "A"

RESOLUTION NO.: 36901

ITEM NO.: 5

MEETING DATE: JUNE 27, 2006

**DATE:** June 13, 2006  
**TO:** Board of Contracts and Awards  
**SUBJECT:** Approval to Enter into an Interlocal Agreement

**RECOMMENDATION:** The Finance Department/Purchasing Division requests approval to enter into an interlocal cooperative purchasing agreement with the City of Renton.

**EXPLANATION:** The City of Renton has requested cooperative use of City of Tacoma contracts in accordance with Chapter 39.34 RCW and Tacoma Municipal Code Section 1.06.246. Interlocal cooperative purchasing agreements enable one public agency to purchase materials and equipment based on another agency's competitive bids/contracts. The agreement is reciprocal, allowing the City of Tacoma to access the City of Renton's contracts. The City of Renton has already executed the agreement.

**COMPETITIVE BIDDING:** Competitive bidding is not applicable to entering into the proposed Interlocal agreement. Subsequent purchases by the City of Tacoma departments will be from competitively bid contracts only.

**CONTRACT HISTORY:** Not applicable.

**FUNDING:** Not applicable

**HUB/LEAP COMPLIANCE:** Not applicable

Sincerely,

Helen Small  
Purchasing Manager

HS:ac

Cc: Steve Marcotte  
Joseph Delaney