

**SECTION 7: ACQUISITION PROCEDURES**

**SUBJECT: COOPERATIVE PURCHASING (WIPHE, E&I) PROCEDURE #7.3.13**

**POLICY:** As permitted under [RCW 39.34](#), the “Interlocal Cooperative Act,” the University of Washington seeks to utilize cooperative purchasing methods and agreements to satisfy University needs, maximize operational efficiencies and improve outcomes for UW, the public and suppliers.

**PROCEDURE**

RCW 39.34 provides the authority for entering into interlocal purchasing agreements with other local agencies and public entities to meet procurement needs. RCW 39.34 is summarized below:

**RCW 39.34 INTERLOCAL COOPERATIVE ACT**

Permits local governmental units “public agencies” to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities.

"Public agency" means any agency, political subdivision, or unit of local government of this state including, but not limited to, municipal corporations, quasi municipal corporations, special purpose districts, and local service districts; any agency of the state government; any agency of the United States; any Indian tribe recognized as such by the federal government; and any political subdivision of another state.

Effective June 7, 2006, RCW 39.34.040 was amended to permit a public agency to list interlocal agreements on its website in lieu of having the agreement filed with the county auditor’s office. The University of Washington’s agency listing of Interlocal Purchasing Agreements is available at: <http://f2.washington.edu/fm/ps/how-to-buy/other-references/interlocal-purchasing-agreements>

**Utilization of WASHINGTON INSTITUTIONS OF PUBLIC HIGHER EDUCATION (WIPHE)**

Washington Institutions of Public Higher Education (WIPHE) Contract Clearinghouse is one major way in which this authority to enter into interlocal agreements is leveraged by the UW to satisfy the University’s procurement needs. WIPHE is summarized below:

- Cooperative Agreement signed in 1996 by the Presidents from all Public Higher Educational Institutions in Washington (Both 4 and 2 year schools)
  - Defines intent and purpose of the Agreement
  - Higher Ed exempt from mandatory use of state contracts RCW 28B.10

- Establishes standard processes and procedures
  - Language to include in solicitation
  - Advertising requirements
  - Buyer of record will receive an email notification when the contract is due to be extended based on the information entered on the site
  - Requirements for posting and updating contracts on the WIPHE site
  - Certification Form added in 2009 –contract manager must attest/certify that all relevant state statutes and bid requirements were followed in the awarding of each contract for which we are the lead agency
    - To complete this process, the contract manager (where UW is the lead agency) needs to go into the password-protected area of the WIPHE site (<http://apps.sbctc.edu/WIPHE/>), then to the specific contract, and then to the "contract certification" link and "attest"
  
- Define the level of participation from other schools and incorporate in the solicitation
  - Committed – provided usage and commitment to use resulting contract
  - Participant – no commitment to use
  
- WIPHE website <http://apps.sbctc.edu/wiphe/>
  - User manual available at: <http://apps.sbctc.edu/WIPHE/resource.aspx>
  - Contact Greg Gamble ([ggamble@sbctc.edu](mailto:ggamble@sbctc.edu)) to obtain an access code to the site

If you have other contracts where the vendor indicated they “would” sell to WIPHE then you’ll want to post the contact on the WIPHE site and let the vendor know it’s been posted. Upload the contract documents, where possible.

## **LANGUAGE TO INCLUDE IN SOLICITATIONS**

### **INTERLOCAL CONTRACTING**

The University of Washington is a member of the Washington State Institutions of Public Higher Education (WIPHE) and is aware that other WIPHE members may be interested in purchasing the product(s) included in this solicitation. Therefore, pursuant to the Interlocal Cooperative Act, RCW 39.34 and other provisions of the law, all WIPHE members and any public agency will be eligible to utilize the contract(s) awarded as a result of this solicitation, if all parties are willing.

**Attachment A** provides a listing of WIPHE member institutions who may desire to utilize the contract(s) resulting from this solicitation.

### **POLITICAL SUB-DIVISIONS AND NON-PROFITS**

In addition to the University and WIPHE members, in accordance with RCW 39.34 and other applicable laws, any public agency, political subdivisions and non-profit organizations and institutions may utilize the resulting contract, if all parties are willing.

## **ATTACHMENT A - WIPHE PARTICIPATION - COMPLETE AND RETURN WITH PROPOSAL**

**SPECIAL INSTRUCTIONS FOR THIS SOLICITATION** *The University is aware that other Washington State Institutions of Public Higher Education or public agencies may be interested in purchasing the product(s) included in this solicitation. Therefore, pursuant to the Interlocal Cooperative Act, RCW 39.34, which*

*provides that all members of the Interlocal Agreement for Cooperative Purchasing by Washington Institutions of Public Higher Education (WIPHE) will be eligible to purchase from the award of this solicitation, if all parties are willing, below is a listing of member institutions who may desire to utilize the contract resulting from this solicitation.*

*Respondents should be aware that if other institutions of Higher Education elect to utilize the contract(s) awarded as a result of this solicitation they may have different administrative or delivery requirements. It will be the responsibility of the participating institutions to negotiate specific clauses with the Respondent. The modifications should not impair or substantially change the original contract.*

*Members of WIPHE will issue separate purchase orders if they acquire items pursuant to contract awarded as a result of this solicitation. A WIPHE Contract number will be assigned to resulting contract(s) which must be referenced on all order documents.*

**Members of the Washington Institutions of Public Higher Education (WIPHE)**

**FOUR YEAR UNIVERSITIES:**

CENTRAL WASHINGTON UNIVERSITY  
EASTERN WASHINGTON UNIVERSITY  
EVERGREEN STATE COLLEGE

UNIVERSITY OF WASHINGTON  
WASHINGTON STATE UNIVERSITY  
WESTERN WASHINGTON UNIVERSITY

**COMMUNITY AND TECHNICAL COLLEGES:**

BATES Technical College  
BELLEVUE College  
BELLINGHAM Technical College  
BIG BEND Community College  
CASCADE Community College  
CENTRALIA College  
CLARK College  
CLOVER PARK Technical College  
COLUMBIA BASIN College  
EDMONDS Community College  
EVERETT Community College  
GRAYS HARBOR College  
GREEN RIVER Community College  
HIGHLINE Community College  
LAKE WASHINGTON Technical College  
LOWER COLUMBIA College  
NORTH SEATTLE Community College

OLYMPIC College  
PENINSULA College  
PIERCE College  
RENTON Technical College  
SEATTLE CENTRAL Community College  
SHORELINE Community College  
SKAGIT College  
SOUTH PUGET SOUND Community College  
SOUTH SEATTLE Community College  
COMMUNITY COLLEGES OF SPOKANE  
STATE BOARD for Technical & Community Colleges  
TACOMA Community College  
WALLA WALLA Community College  
WENATCHEE VALLEY Community College  
YAKIMA VALLEY Community College  
WHATCOM Community College

**ATTACHMENT A - WIPHE PARTICIPATION RESPONSE FORM**

Respondent AGREES to sell items included in this solicitation to other WIPHE institutions, the University of Washington's health system (including Harborview Medical Center, Northwest Hospital & Medical Center, Valley Medical Center, and the University of Washington Medical Center, as well as other affiliated entities), or other public agencies, at prices/discounts offered for this solicitation.

Respondent must state geographic areas or specific agencies and/institution(s) listed on previous page within the State of Washington that are EXCLUDED from the following purchase options:

\_\_\_\_\_ AGREES to sell to WIPHE Institutions, Harborview and UW Medical Centers and other public agencies, at same prices & discounts, with the following exceptions, if any (attach additional pages as necessary)

\_\_\_\_\_ DOES NOT agree to sell to other WIPHE Institutions, Harborview, UW Medical Centers and other public agencies

Company Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Title \_\_\_\_\_