

## INTERGOVERNMENTAL COOPERATIVE PURCHASING

### AGREEMENT

Pursuant to Chapter 39.34 of the Revised Code of Washington and to other applicable laws, the City of Walla Walla and, the University of Washington hereby agree to cooperative governmental purchasing upon the following terms and conditions.

(1) This Agreement pertains to bids and contracts for supplies, material, equipment or services that may be required from time to time by both City of Walla Walla and the University of Washington.

(2) Each of the parties from time to time goes out to public bid and contracts to purchase supplies, material, equipment, and services. Each of the parties hereby agrees to extend to the other party the right to purchase pursuant to such bids and contracts to the extent permitted by law, and to the extent agreed upon between each party and the bidder, contractor, vendor, supplier, or service provider.

(3) Each of the parties shall comply with all applicable laws and regulations governing its own purchases.

(4) Each of the parties shall contract directly with the bidder, contractor, vendor, supplier, or service provider, and pay directly in accordance with its own payment procedures for its own purchases. Each party will indemnify and hold the other party harmless as to any claim arising out of its participation in this Agreement.

(5) Any purchase made pursuant to this Agreement is not a purchase from either of the parties. This Agreement shall create no obligation to either of the parties to purchase any particular good or service, nor create to either of the parties any assurance, warranty, or other obligation from the other party with respect to purchasing or supplying any good or service.

(6) No separate legal or administrative entity is intended to be created pursuant to this Agreement. No obligation, except as stated herein, shall be created between the parties or between the parties and any applicable bidder or contractor.

(7) The Walla Walla City Manager, or his authorized designee, and Purchasing Director of the University of Washington shall be representatives of the entities for carrying out the terms of this Agreement.

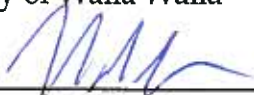
(8) This Agreement shall continue in force until canceled by either party, which cancellation may be effected upon receipt by one of the parties of the written notice of cancellation of the other party.

APPROVED this 5<sup>th</sup> day of November, 2010

APPROVED this 29<sup>th</sup> day of November, 2010

City of Walla Walla

University of Washington

By:   
Nabeel Shawa, City Manager

By:   
\_\_\_\_\_

Attest:

  
Kammy Hill, City Clerk

Approved as to Form:

ASST.

  
City Attorney

COPY

RESOLUTION NO. 98-49

A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF WALLA WALLA TO EXECUTE INTERLOCAL PROCUREMENT AGREEMENTS

WHEREAS, the Washington Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington authorizes public agencies of this state to enter into interlocal cooperation agreements with other localities to facilitate the joint exercise of powers, privileges or authorities 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; and

WHEREAS, the City of Walla Walla has adopted procurement guidelines in the City of Walla Walla Purchasing Manual which protect the interests of the citizens of Walla Walla and establish purchasing authority and limits; and

WHEREAS, the City of Walla Walla is presented from time to time with requests from other public agencies to enter into interlocal procurement arrangements; and

WHEREAS, the Walla Walla City Council has considered this matter during a regularly and duly called public meeting of said Council, has given it careful review and consideration, and finds that it is an appropriate function for the city and that the best interests of the City of Walla Walla will be served by authorizing the Walla Walla City Manager to enter into interlocal procurement agreements subject to the procurement guidelines adopted by the Walla Walla City Council;

**NOW THEREFORE, the City Council of the City of Walla Walla do resolve as follows:**

*Section 1:* The City Manager of the City of Walla Walla is hereby authorized and empowered to execute interlocal procurement agreements with other public agencies on behalf of the City of Walla Walla.

*Section 2:* All interlocal procurement agreements executed by the Walla Walla City Manager shall comply with the Washington Interlocal Cooperation Act, Chapter 39.34 of the Revised Code of Washington.

*Section 3:* No interlocal procurement agreement executed by the Walla Walla City Manager shall relieve the City of Walla Walla from compliance with the City of Walla Walla Purchasing Manual approved by the Walla Walla City Council or any other obligation or responsibility imposed by law except that to the extent of actual and timely performance thereof by a joint board or other legal or administrative entity created by an interlocal procurement agreement, the performance may be offered in satisfaction of the obligation or responsibility.

*Section 4:* All interlocal procurement agreements executed by the Walla Walla City Manager shall provide that they may be terminated at any time by the Walla Walla City Council upon notice to other parties to the agreement.

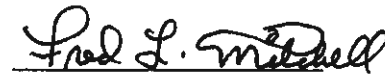
*Section 5:* The Walla Walla City Manager is directed to report to the Walla Walla City Council the execution of any interlocal procurement agreements executed by the Walla Walla City Manager as soon as practicable.

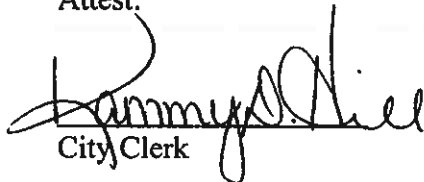
*Section 6:* The City Clerk of the City of Walla Walla is hereby authorized and directed to attest interlocal procurement agreements executed pursuant to this Resolution and to attach to each duplicate thereof a copy of this Resolution.


*Section 7:* The City Clerk of the City of Walla Walla is hereby authorized and directed to file a copy of any fully executed interlocal procurement agreement and this resolution, as may be required, prior to its entry in force.

*Section 8:* The City Clerk of the City of Walla Walla is hereby directed to keep copies of any interlocal procurement agreement executed pursuant to this resolution available for public inspection for as long as it remains in force.

**PASSED** by the City Council of the City of Walla Walla, Washington, this 26th day of August, 1998.

  
Mayor

Attest:  
  
City Clerk

Approved as to form  
  
City Attorney