INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

Pursuant to Chapter 39.34 RCW and to other applicable laws, WHATCOM TRANSPORTATION AUTHORITY (WTA), a municipal Corporation of Whatcom County, Washington and, THE CITY OF EVERETT, a political subdivision of the State 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 both by WTA and the City of Everett.

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 Procurement and Contracts Coordinator of WTA and the Purchasing Manager of the City of Everett 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.
INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT (Cont.)

APPROVED this 21st day of MAY, 2015.

WHATCOM TRANSPORTATION AUTHORITY

BY: Peter L. Stark
Name: Peter L. Stark
Title: General Manager

Subscribed and sworn to me this 21st day of May, 2015.

Lynda L. Colwell
Notary Public in and for the State of Washington, residing at Bellingham.

APPROVED AS TO FORM:

Marc Lee
Name: Marc Lee
Title: General Counsel WTA

ATTEST:

Name: ____________________________
Title: ____________________________

CITY OF EVERETT

BY: Ray Stephanson
May 18, 2015

MARIETTE MAYCHRAK
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
MAY 19, 2018


APPROVED AS TO FORM:

James D. Iles
City Attorney
6/17/15

ATTEST:

Sharon Marks
Fuller
City Clerk
**PROJECT TITLE:**
Interlocal Cooperative Purchasing Agreement with Whatcom Transportation Authority

**COUNCIL BILL #**
Finance/Purchasing

**Originating Department**
Clark Langstraat

**Contact Person**
425-257-8901

**Phone Number**
June 10, 2015

**FOR AGENDA OF**

Initialed by:
Department Head
CAA
Council President

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**DETAILED SUMMARY STATEMENT:**

Whatcom Transportation Authority desires to enter into an Interlocal Cooperative Purchasing Agreement with the City of Everett. This agreement will allow the sharing of competitively bid contracts between the two agencies.

RCW 39.34 allows cooperative purchasing between public agencies (political subdivisions). A public agency which has filed an Interlocal Cooperative Purchasing Agreement with the City of Everett may purchase from City of Everett contracts, provided that the vendor has agreed to such participation. Likewise, Whatcom Transportation Authority extends the use of its competitively awarded bids to the City of Everett.

**RECOMMENDATION (Exact action requested of Council):**
Authorize the Mayor to sign an Interlocal Cooperative Purchasing Agreement with Whatcom Transportation Authority.