PROJECT TITLE:
Interlocal Cooperative Purchasing Agreement with The Port of Everett

LOCATION

Preceding Action
None

Attentions
Interlocal Cooperative Purchasing Agreement

Department(s) Approval

<table>
<thead>
<tr>
<th>Location</th>
<th>Preceding Action</th>
<th>Attachments</th>
<th>Department(s) Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>None</td>
<td>Interlocal Cooperative Purchasing Agreement</td>
<td></td>
</tr>
</tbody>
</table>

DETAILED SUMMARY STATEMENT:
The Port of Everett 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, the Port of Everett 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 The Port of Everett.
INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

Pursuant to Chapter 39.34 RCW and to other applicable laws, 
PORT OF EVERETT and, THE CITY OF EVERETT, 
both political subdivisions 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 the Port of Everett 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 & Contracts Administrator of the Port of Everett 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 10th day of July, 2015.

BY: Leo Bradway
Name: Leo Bradway
Title: Chief Executive Officer

CITY OF EVERETT

APPROVED this 11th day of August, 2015.

BY: Ray Stephanson
Mayor

Subscribed and sworn to me this 10th day of July, 2015.


Name: Paul Brachvogel
Title: Chief of Legal Affairs

APPROVED AS TO FORM:

James D. Iles
City Attorney

Date 8/10/15

ATTEST:

Sharon Fuller
City Clerk