

## INTERGOVERNMENTAL COOPERATIVE PURCHASING

### A G R E E M E N T

Pursuant to Chapter 39.34 RCW and to other applicable laws, the CITY OF YAKIMA and, BENTON COUNTY, 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 the City of Yakima and Benton County.

(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 that it may, at its sole discretion, 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 shall 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 for 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) Nondiscrimination. Both parties agree that they shall not discriminate against any person on the grounds of race, creed, color, religion, national origin, sex, age, marital status, sexual orientation, pregnancy, veteran status, political affiliation or belief, or the presence of any sensory, mental or physical handicap in violation of the Washington State Law Against Discrimination (RCW chapter 49.60) or the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) or any other applicable state, federal or local law, rule or regulation.

(7) 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.

(8) The Purchasing Manager of the City of Yakima and the County Engineer of Benton County, shall be representatives of the entities for carrying out the terms of this Agreement.

(9) 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.

(10) Pursuant to RCW 39.34.040 regarding methods of filing agreements pursuant to the Interlocal Cooperation Act, a copy of this Agreement shall be filed with the Yakima City

Clerk, or, alternatively, listed by subject on the public agency's website or other electronically retrievable public source.

APPROVED this 16<sup>th</sup> day of November, 2016

APPROVED this 18 day of October, 2016

CITY OF YAKIMA

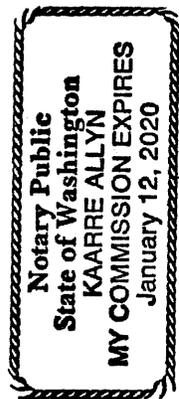
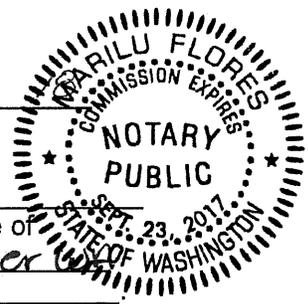
BENTON COUNTY

By: Cliff Moore  
Cliff Moore, City Manager

By: Shon Small  
Shon Small, Chairman, Board of County Commissioners

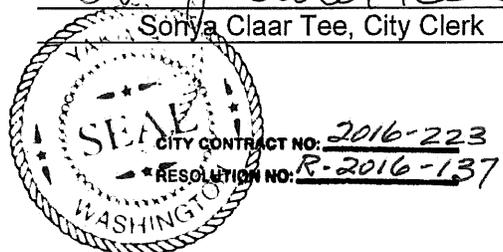
Subscribed and sworn to me this 16 day of November, 2016  
Kaare Allyn  
Notary Public in and for the State of Washington, residing at Yakima, WA.  
My commission expires 1-12-2020.

Subscribed and sworn to me this Oct. day of 2016  
Marilyn Flores  
Notary Public in and for the State of Washington, residing at Prosser WA.  
My commission expires \_\_\_\_\_.



ATTEST:  
Sonya Claar Tee  
Sonya Claar Tee, City Clerk

ATTEST:  
Cami McKenzie  
Cami McKenzie, Clerk of the Board



Approved as to form:  
Reid Hay  
Reid Hay  
Deputy Prosecuting Attorney  
Oct. 6, 2016  
Date

**RESOLUTION NO. R-2016-137**

**A RESOLUTION** authorizing and directing the City Manager of the City of Yakima to enter into an Intergovernmental Cooperative Purchasing Agreement with Benton County.

**WHEREAS**, the City of Yakima (City), desires to arrange for making cooperative purchases of certain goods and services with Benton County; and the City Council of the City of Yakima deems it to be in the best interests of the City that such arrangement be carried out; and;

**WHEREAS**, pursuant to the provisions of RCW 39.34, the City of Yakima may enter into intergovernmental cooperative purchasing agreements with other public agencies in order to allow the parties of said agreements to cooperatively purchase or acquire supplies, equipment, and materials under contract and to utilize each other's contracts, as needs arise; and,

**WHEREAS**, it is recommended to City Council that the City of Yakima enter into an Intergovernmental Cooperative Purchasing Agreement with Benton County; now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:**

The City Manager is hereby authorized and directed to enter into an Intergovernmental Purchasing Agreement with Benton County for the purpose mentioned above.

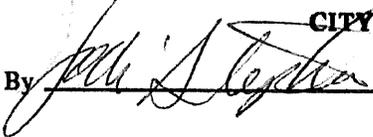
**ADOPTED BY THE CITY COUNCIL** this 15<sup>th</sup> day of November, 2016.

ATTEST:

/s/ Kathy Coffey  
Kathy Coffey, Mayor

/s/ Sonya Claar Tee  
Sonya Claar Tee, City Clerk

**Certified to be a true and correct copy of the original filed in my office.**

**CITY CLERK**  
By  Deputy