

**INTERLOCAL COOPERATIVE PURCHASING AGREEMENT
BETWEEN CITY OF HALTOM CITY, TEXAS AND CITY OF DENTON,
TEXAS**

STATE OF TEXAS

COUNTY OF DENTON

THIS AGREEMENT is made on the _____ day of _____, 2018, between the City of Denton, and the City of Haltom City; jointly referred to herein as "parties".

WHEREAS, the respective parties are authorized by the Interlocal Cooperation Act, V.T.C.A. Government Code, Chapter 791, to enter into joint contracts and agreements for the performance of governmental functions and services including administrative functions normally associated with the operation of government such as purchasing of necessary materials and supplies;

WHEREAS, it is the desire of the aforesaid parties to comply with and further the policies and purpose of the Interlocal Cooperation Act;

WHEREAS, the parties cannot normally obtain the best possible purchase price for materials and supplies acting individually and without cooperation; and

WHEREAS, it is deemed in the best interest of all parties that said governments do enter into a mutually satisfactory agreement for the purchase of certain materials and supplies;

WHEREAS, the parties, in performing governmental functions or in paying for the performance of governmental functions hereunder shall make that performance or those payments from current revenues legally available to that party;

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants and conditions contained herein and pursuant to the authority permitted under the Interlocal Cooperation Act, promise and agree as follows:

**I.
Purpose**

The purpose of this Agreement is to authorize the parties mutual participation in various contracts for the purchase of various goods and services. Participation in this cooperative program will be highly beneficial to the taxpayers of the participating parties through anticipated savings to be realized.

II. Duration of Agreement

This Agreement shall be in effect from the date of execution until terminated by either party to the agreement.

III. Relationship of Parties

It is agreed that the parties, in receiving products and/or services specified in this agreement, shall act as an independent purchaser and shall have control of its needs and the manner in which they are acquired. Neither party is an agent, employee or joint enterprise of the other, and each party is responsible for its own actions, forbearance, negligence and deeds, and for those of its agents or employees, in conjunction with the utilization and/or cooperative solicitation of any Supplier Agreement obtained in accordance with Texas law.

Parties shall notify all participating entities of available contracts to include terms of contract, commodity cost, contact names and addresses, and shall keep participating parties informed of all changes to the Cooperative Purchasing list of contracts.

Nothing in this agreement shall prevent any participating party from accepting and awarding bids for commodities subject to this agreement individually and in its own behalf.

Purchasing Agent is hereby designated as the official representative to act for the City of Denton in all matters relating to this agreement.

Purchasing Agent is hereby designated as the official representative to act for City of Haltom City in all matters relating to this agreement.

IV. Purchase of Goods and Services

All products and services shall be procured in accordance with procedures governing competitive bids and competitive proposals.

The parties will be able to purchase from those contracts established by the other where notice has been given in the specifications and successful bidder has accepted terms for Cooperative Purchasing Agreements for local governments.

The parties hereto agree that the ordering of products and services through this agreement shall be their individual responsibility and that the successful bidder or bidders shall bill each party directly, or as deemed advantageous to both parties.

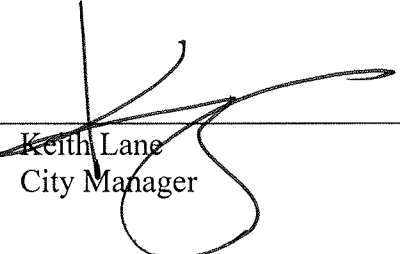
The parties agree to pay successful bidders or anticipating governments directly for all products or services received from current revenues available for such purchase. Each party shall be liable to the successful bidder only for products and services ordered by and received by it, and shall not by the execution of this agreement assume any additional liability.

Parties do not warrant and are not responsible for the quality or delivery of products or services from successful bidder. The participating parties shall receive all warranties provided by successful bidder for the products or services purchased.

In the event that any dispute arises between individual parties and a successful bidder, the same shall be handled by and between the participating party's governmental body and the bidder.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their authorized officers thereon the day and the year first above written.

CITY OF HALTOM CITY

By: 
Keith Lane
City Manager

CITY OF DENTON

By: _____
Todd Hileman
City Manager

ATTEST:

BY: _____
Jennifer Walters
City Secretary

APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY

BY: _____

Agenda No. 7

CITY COUNCIL MEMORANDUM/RESOLUTION

City Council Meeting: January 22, 2018

Department: Finance/Purchasing

Subject: Authorize an Interlocal Agreement for Cooperative Purchasing with the City of Denton, Texas

BACKGROUND

The City of Haltom City has an opportunity to purchase goods and/or services from vendors using an Interlocal Purchasing Agreement with the City of Denton, Texas. By entering into an Interlocal Agreement between the Cities of Denton and Haltom City, the cities will be able to take advantage of deeper discount pricing on products and/or services based on volume. The entity processing the bid process will have final approval of specifications for products and/or services.

The "Texas Interlocal Cooperation Act", Chapter 791, Texas Government Code authorizes municipalities to participate in such purchasing agreements.

FISCAL IMPACT

The Interlocal Agreement will allow the City of Haltom City to take advantage of the deeper cost savings.

RECOMMENDATION

Staff recommends that Council authorize the City Manager to enter into an interlocal agreement with the City of Denton, Texas.

In addition, the staff recommends the City Manager be expressly authorized to execute any and all change orders within the amounts set by state and local law.

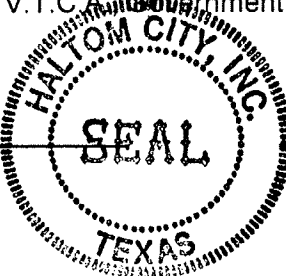
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY:

That the above stated staff recommendations are hereby approved and authorized.

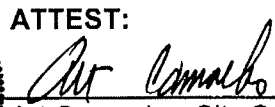
PASSED AND APPROVED at a regular meeting of the City Council of the City of Haltom City, Texas this 22nd day of JANUARY, 2018, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED:


David Averitt, Mayor



ATTEST:


Art Camacho, City Secretary