

RESOLUTION R-5508

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE CITY OF VANCOUVER AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND.

1 WHEREAS, the City of Kirkland and the City of Vancouver
2 seek to enter into an intergovernmental agreement enabling the
3 City of Kirkland to purchase goods and services through City of
4 Vancouver purchase contracts and also enabling the City of
5 Vancouver to purchase goods and services through City of
6 Kirkland purchase contracts to the extent permitted by law; and
7

8 WHEREAS, the City Council has determined it to be in the
9 best interest of the City of Kirkland to enter into such an
10 agreement; and
11

12 WHEREAS, chapter 39.34 RCW authorizes the parties to
13 enter into an interlocal cooperation agreement with one another
14 to perform any governmental service, activity, or undertaking
15 which each contracting party is authorized by law to perform.
16

17 NOW, THEREFORE, be it resolved by the City Council of the
18 City of Kirkland as follows:
19

20 Section 1. The City Manager is hereby authorized and
21 directed to execute on behalf of the City an Interlocal Agreement
22 substantially similar to that attached as Exhibit "A", which is
23 entitled "Cooperative Purchasing Agreement."
24

25 Passed by majority vote of the Kirkland City Council in open
26 meeting this 14 day of December, 2021.
27

28 Signed in authentication thereof this 14 day of December,
29 2021.


Penny Sweet, Mayor

Attest:


Kathi Anderson, City Clerk

EXHIBIT A

COOPERATIVE PURCHASING AGREEMENT

THIS AGREEMENT is between the City of Vancouver, Washington, a municipal corporation of the State of Washington, and City of Kirkland, a political subdivision of the State of Washington.

WHEREAS the Interlocal Cooperation Act, as amended and codified in RCW Chapter 39.34, provides for cooperative agreements between governmental agencies; and.

WHEREAS the parties desire to utilize each other's procurement agreements when it is in their mutual interest for purchasing or acquiring various supplies, materials, equipment, public works, maintenance, and routine, expert and/or consultant services, using competitively awarded contracts. Pursuant to the following terms and conditions:

1. **PURPOSE:** Each agency, in contracting for the purchase of supplies, materials, equipment and services, agrees at its discretion, to extend contracts for shared use to the extent permitted by law and agreed upon by those parties and vendors.
2. **ADMINISTRATION:** No new or separate legal administrative entity is created to administer the provisions of this Agreement. Each agency is responsible for compliance with its applicable laws and regulations regarding purchases.
3. **SCOPE:** This Agreement shall allow the purchase or acquisition of supplies, materials, equipment and/or services as agreed to by the parties and the vendors.
4. **MANNER OF ACQUIRING, HOLDING AND DISPOSING:** Any purchases shall be effected by a purchase order from the purchasing agency and directed to the vendor(s). Each agency shall be responsible for the payment of any item(s) they purchased through a contract or purchase order that resulted from this Agreement.. The party purchasing under this agreement shall be solely responsible for acquiring the property it purchases and all such property shall be held in that party's name. That party shall also have the responsibility for disposing of such property for the duration of the Agreement and upon termination of the Agreement.
5. **NO OBLIGATION:** The originating contracting agency does not accept responsibility or liability for the performance of any vendor used by the purchasing agency as a result of this agreement.
6. **AMENDMENTS:** This Agreement may be amended or modified by mutual agreement of the parties. Any amendment or modification shall be in writing and signed by the parties.

7. **GOVERNING LAW:** The terms of this Agreement shall be governed by the laws of the State of Washington.
8. **SIGNATURES:** The parties acknowledge that they have read and understand and accept this Agreement, including any supplements or attachments, and that this Agreement constitutes the entire agreement between them and supersedes all other communications, written or oral, relating to the subject matter of this Agreement.
9. **TERMINATION:** This Agreement shall remain in force until cancelled in writing by either party.

City of Kirkland, State of Washington

City of Vancouver, State of Washington

By: _____

By: Anna L. Vogel

Name: _____

Name: Anna L. Vogel

Title: _____

Title: Procurement Manager

Date: _____

Date: 11/29/2021