

RESOLUTION NO. 4027

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

WHEREAS, the Cities of Kirkland and Everett seek to enter into an intergovernmental agreement enabling the City of Kirkland to purchase goods and services through City of Everett purchase contracts to the extent permitted by law; and

WHEREAS, the City Council has determined it be in the best interest of the City of Kirkland to enter into said intergovernmental cooperative purchasing agreement; and

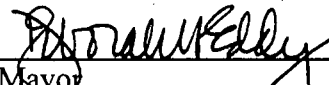
WHEREAS, the City of Kirkland is authorized, pursuant to Chapter 39.34 RCW, to enter into such an agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. Participation by the City of Kirkland in the Intergovernmental Cooperative Purchasing Agreement attached to the original of this resolution as Exhibit A and by this reference incorporated herein is approved. The Kirkland City Manager is hereby authorized to execute said Agreement on behalf of the City of Kirkland.

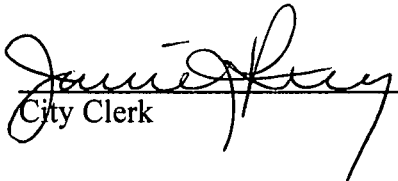
PASSED by majority vote of the Kirkland City Council in regular, open meeting this 1st day of October, 1996.

SIGNED IN AUTHENTICATION THEREOF this 1st day of October, 1996.



Mayor

Attest:



City Clerk

INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

Pursuant to Chapter 39.34 RCW and to other applicable laws,
the City of Kirkland 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 City of Kirkland 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 Purchasing Manager of the City of Kirkland 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 _____ day of _____, 199__.

APPROVED this 29th day of July, 1996.

THE CITY OF KIRKLAND

CITY OF EVERETT

BY: _____
Name: _____
Title: _____

BY: Edward D. Hansen
Edward D. Hansen
Mayor

Subscribed and sworn to me this _____ day of _____, 199__.

Subscribed and sworn to me this 9th day of September, 1996.

Notary Public in and for the State of Washington, residing at _____
My commission expires _____.

Sharon L. Marks
Notary Public in and for the State of Washington, residing at Everett
My commission expires 4/30/98.

APPROVED AS TO FORM:

Gail Bond
Name: Gail Bond
Title: City Attorney

APPROVED AS TO FORM:

Mike Weight
Mike Weight
City Attorney

ATTEST:

L. Wikan
Name: L. WIKAN
Title: PURCHASING MANAGER

ATTEST:

Donna Rider
Donna Rider, EMC
City Clerk