

AN INTERLOCAL AGREEMENT
Between Region 8 Education Service Center and a
STATE OF WASHINGTON PUBLIC AGENCY
as provided in RCW 39.34.030 et seq

City of Cheney, Washington
WASHINGTON PUBLIC AGENCY NAME

Control Number (TIPS will Assign)

Region 8 Education Service Center
Pittsburg, Texas

225 - 950
County-District Number

This Agreement must be approved by the governing bodies of the participating public agencies.

Texas Education Code §8.002 permits regional education service centers, at the direction of the Commissioner of Education, to provide services to assist school districts, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university operations. Authority for an Interlocal agreement to provide such services is granted under Texas Government Code § 791 *et seq* as amended. Cooperative Purchasing Services under this agreement are extended to all Texas State, City or County Government Agencies, or any other legally eligible Local Government Entity as defined in the Texas Government Code § 791.003.

This Interlocal Agreement (hereinafter the "Agreement") is effective 1-28-2020 and its duration shall be one year and upon the end of the one-year term, shall be automatically renewed annually unless either party gives sixty (60) days prior written notice of non-renewal. This Agreement may be terminated without cause by either party upon (60) days prior written notice, or may also be terminated for cause at any time upon written notice stating the reason for and effective date of such terminations and after giving the affected party a thirty (30) day period to cure any breach.

Statement of Services to be Performed:

Region 8 Education Service Center, by this Agreement, agrees to provide cooperative purchasing services to the above-named public entity through a Program known as the The Interlocal Purchasing System (TIPS) Program.

The purpose of the TIPS Program shall be to improve procurement process efficiencies and assist in achieving best value for participating School District, University, College, Community College, City, County or Other Public Agencies through cooperative purchasing.

Roles of the TIPS Purchasing Cooperative:

- Provide for the organizational structure of the program.
- Provide staff for efficient operation of the program.
- Promote marketing of the TIPS Program.
- Coordinate the Competitively Bid Process for all Vendor Awarded Contracts.
- Provide members with procedures for placing orders through TIPS PO System.
- Maintain filing system for Due Diligence Documentation.
- Collect fees from vendors to support the costs of operations of TIPS.

Role of the Washington State Public Agency

- Commit to participate in the program by an authorized signature on membership forms.
- Designate a Primary Contact and Secondary Contact for entity.
- Commit to purchase products and services from TIPS Vendors when in the best interest of the entity.
- Submit Purchase Orders and/or Vendor Contracts through the TIPS PO System by emailing the pdf document to tipspo@tips-usa.com.
- Accept shipments of products ordered from Awarded Vendors.
- Process Payments to Awarded Vendors in a timely manner.

General Provisions:

No additional or other organization is created or jointly held property is acquired by this Agreement, and thus, no method to finance a created entity and no method of disposition of jointly held property is required.

Financing of this Agreement shall be by Vendor's rendering of fees to TIPS in accordance with the TIPS cooperative Vendor's Agreement for each sale to a TIPS cooperative Member. There is no cost paid by the Washington State Agency to TIPS under this Agreement.

The Parties agree to comply fully with all applicable federal, state, and local statutes, ordinances, rules, and regulations in connection with the programs contemplated under this Agreement. This Agreement is subject to all applicable present and future valid laws governing such programs.

This Agreement shall be governed by the law of the State of Texas and venue shall be in the county in which the administrative offices of RESC 8 are located which is Camp County, Texas.

This Agreement contains the entire agreement of the Parties hereto with respect to the matters covered by its terms, and it may not be modified in any manner without the express written consent of the Parties.

If any term(s) or provision(s) of this Agreement are held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement shall remain in full force and effect.

The Parties to this Agreement expressly acknowledge and agree that all monies paid, if any are paid, pursuant to this Agreement shall be paid from legally appropriated and budgeted available funds for the current fiscal year of each such entity.

Before any party may resort to litigation, any claims, disputes or other matters in question between the Parties to this Agreement shall be submitted to nonbinding mediation. The site of the mediation shall be in Camp County, Texas or a site mutually agreed by the parties. The selection of the mediator shall be mutually agreed. The cost of mediation shall be shared equally. No Party to this Agreement waives or relinquishes any immunity or defense on behalf of themselves, their directors, officers, employees, and agents as a result of its execution of this Agreement and performance of the functions and obligations described herein.

No Party to this Agreement waives or relinquishes any immunity or defense on behalf of themselves, their directors, officers, employees, and agents as a result of its execution of this Agreement and Region 8 ESC TIPS Interlocal Agreement for Washington State Members

Revised 8-12-2019 - RP

performance of the functions and obligations described herein.

This Agreement may be negotiated and transmitted between the Parties by electronic means and the terms and conditions agreed to are binding upon the Parties.

TIPS designates the TIPS Vice President of Operations as the administrator for the Cooperative and the Washington state agency shall designate herein an administrator below to represent its interests in the cooperative undertaking.

Authorization:

Region 8 Education Service Center and The Interlocal Purchasing System (TIPS) Program have entered into an Agreement to provide cooperative purchasing opportunities to public agencies. This Agreement was approved by the governing boards of the respective parties at meetings that were posted and held in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551. (If required by the entity.)

The individuals signing below are authorized to do so by the respective parties to this Agreement.

Member Entity:

Purchasing Cooperative Lead Agency:

City of Cheney, WA
Entity or District Name

Region 8 Education Service Center

By: Teresa Overhauser
Authorized Signature

By: _____
Authorized Signature

Print Name: Teresa Overhauser

Dr. David Fitts
Title: Executive Director Region 8 ESC

Title: Mayor, pro-tem

1-28-2020
Date

Date

Washington Public Entity Designated Administrator Information

Tom Jenkins
Primary Administrator's Name

611 4th St
Street Address

Cheney, WA 99004
City, State Zip

509-498-9291

Telephone Number

~~509-498-9259~~ (12)

Fax Number

tjenkins@cityofcheney.org

Primary Administrator Email Address

Craig Wahl

Secondary Contact Name

cwahl@cityofcheney.org

Secondary Contact Email Address

Email completed Interlocal Agreement to tips@tips-usa.com.