

**RESOLUTION NO. R-2014-068**

**A RESOLUTION** authorizing the City Manager to execute an Intergovernmental Cooperative Purchasing Agreement with Snohomish County Public Transportation Benefit Area Corporation, also referred to herein as Community Transit

**WHEREAS**, the City of Yakima and Community Transit desire to arrange for making cooperative purchases of certain goods and services; and the City Council of the City of Yakima deems it to be in the best interests of the City that such an arrangement be carried out according to the provisions, terms and conditions of the attached agreement document and that it is in the best interests of the City that the attached agreement document be executed, now, therefore,

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

The City Manager and City Clerk of the City of Yakima are hereby authorized and directed to execute an agreement with Community Transit for the purpose mentioned above, a copy of which agreement, entitled "Intergovernmental Cooperative Purchasing Agreement," is attached hereto and by reference made a part hereof.

**ADOPTED BY THE CITY COUNCIL** this 20<sup>th</sup> day of May, 2014.

ATTEST:

/s/ Micah Cawley  
Micah Cawley, 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 Jodi Stephens Deputy

## INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

Pursuant to Chapter 39.34 RCW and to other applicable laws, the CITY OF YAKIMA and, the Snohomish County Public Transportation Benefit Area Corporation, also referred to herein as Community Transit, 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 both the City of Yakima and Community Transit.

(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 Yakima and the Procurement and Contracts Manager or designee of Community Transit 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.

APPROVED this 22<sup>nd</sup> day of May, 2014

APPROVED this 30<sup>th</sup> day of April, 2014

CITY OF YAKIMA

By: [Signature] For  
Tony O'Rourke, City Manager

\_\_\_\_\_(entity)  
By: [Signature]  
Emmett Heath, Director of  
Administration

Subscribed and sworn to me this 22  
day of May, 2014

[Signature]  
Notary Public in and for the State of  
Washington, residing at Yakima  
My commission expires 2/15/17

Subscribed and sworn to me this 30<sup>th</sup>  
day of April, 2014

[Signature]  
Notary Public in and for the State of  
Washington, residing at Manysville  
My commission expires 5-12-18

ATTEST:

[Signature]  
Sonya Claar Tee, City Clerk

ATTEST:

[Signature]  
Virginia Ponce de Leon, Notary Public

CITY CONTRACT NO: 2014-103  
RESOLUTION NO: R2014-068

