



**CITY OF KIRKLAND**  
**Department of Finance and Administration**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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## MEMORANDUM

**To:** Kurt Triplett, City Manager  
**From:** Barry Scott, Purchasing Agent  
**Date:** May 5, 2016  
**Subject:** INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE UNIVERSITY OF WASHINGTON

### RECOMMENDATION:

It is recommended that the City Manager be authorized to execute an Intergovernmental Cooperative Purchasing Agreement with the University of Washington.

By taking action on this memo during approval of the consent calendar, the City Council is authorizing execution of the Agreement.

### BACKGROUND DISCUSSION:

In 2009, the City executed an Interlocal Purchasing Agreement with the University of Washington (UW) for the specific purpose of purchasing Steelcase Furniture off of the UW's contract with Bank and Office Interiors (now OpenSquare).

The Public Works Department has now expressed an interest in using another UW contract to purchase Audio-Visual Design Services for improvements to the A/V systems at the Municipal Court. Because the 2009 agreement with the UW was for the use of only one UW contract, it is desired that we execute a new agreement with the UW which would give the City access to many other UW contracts.

This interlocal agreement will allow the City to purchase off of competitively bid contracts awarded by the UW, when it has been determined to be in the best interest of the City to do so. It will also allow the UW to purchase off of competitively bid contracts awarded by the City.

The UW has asked that we execute their standard agreement. Staff has determined that this agreement complies with the intergovernmental cooperative purchasing requirements set forth in KMC 3.85.180 and RCW 39.34. By itself, this agreement places no financial obligation on the City of Kirkland.

RESOLUTION R-5196

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

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

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

12           WHEREAS, Chapter 39.34 RCW authorizes the City of Kirkland and the  
13 University of Washington to enter into an interlocal cooperation agreement to  
14 perform any governmental service, activity or undertaking which each  
15 contracting party is authorized by law to perform.  
16

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

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

25           Passed by majority vote of the Kirkland City Council in open meeting  
26 this \_\_\_\_ day of \_\_\_\_\_, 2016.  
27

28           Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

## INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT

Pursuant to Chapter 39.34 of the Revised Code of Washington and to other applicable laws, the City of Kirkland, Washington and the University of Washington, Seattle, 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 by both parties.

(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 Agent for the City of Kirkland and the Purchasing Manager for the University of Washington 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 by:

City of Kirkland

University of Washington

By: \_\_\_\_\_

By: \_\_\_\_\_

Kurt Triplett

Claudia Christensen C.P.M.

Title: City Manager

Title: Procurement Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_