



CITY OF KIRKLAND
Department of Finance and Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Barry Scott, Purchasing Agent
Date: May 16, 2013
Subject: REQUEST TO ENTER INTO INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH THE NATIONAL JOINT POWERS ALLIANCE

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to execute an Intergovernmental Cooperative Purchasing Agreement with the National Joint Powers Alliance (NJPA) in order to purchase off of their competitively bid contracts when it is determined to be in the best interest of the City to do so.

BACKGROUND:

The NJPA is a Minnesota based public agency that offers its services as a purchasing cooperative to over 50,000 member entities. NJPA offers a variety of products, equipment and services to the members of the cooperative from competitively bid contracts. More than seven hundred (700) government entities in Washington State are registered as participating members of NJPA.

Fleet Management is currently considering the replacement of a Case Backhoe/Loader estimated to cost from \$90,000 to \$105,000, depending on the model and selected options. The local Case dealer has recommended that our purchase be made using the NJPA contract. Staff has reviewed the bid documents issued by NJPA, the bids that were received and the evaluation of those bids and have found the competitive process and resulting prices to be favorable. For the low end configuration, the potential price with tax would be \$87,840. With the more expensive control configuration, the potential cost would be a total of \$91,989.34. (As a price comparison, last September the City of Seattle negotiated a "Sole Source" contract for Case backhoe/loaders with a total purchase price of \$100,890.83 per unit.) Final pricing depends on the number and types of options selected. The agreement does not require us to use the NJPA. If the final NJPA bid is not a lower cost, Kirkland would use some other methodology to procure the equipment.

The NJPA program is very similar to other cooperative purchasing programs that the City participates in (e.g. King County Directors' Association, US Communities, National Purchasing Partners). Membership in the NJPA program will simply provide the City with another tool in its purchasing toolbox.

There are no fees charged to the government entities participating as members of NJPA.

RESOLUTION R-4984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN A MEMBERSHIP AGREEMENT WITH THE NATIONAL JOINT POWERS ALLIANCE FOR THE PURPOSE OF ENGAGING IN COOPERATIVE PURCHASING AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND.

WHEREAS, the City of Kirkland and the National Joint Powers Alliance seek to enter into a membership agreement enabling the City of Kirkland to purchase goods and services through the National Joint Purchasing Alliance's contracts; and

WHEREAS, the City Council has determined it to be in the best interest of the City of Kirkland to enter into such a membership agreement; and

WHEREAS, Chapter 39.34 RCW authorizes the parties to enter into an interlocal cooperation agreement to perform any governmental service, activity or undertaking which each contracting party is authorized by law to perform;

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

Section 1. The City Manager is hereby authorized and directed to execute on behalf of the City of Kirkland an agreement substantially similar to that attached as Exhibit "A", which is entitled "National Joint Powers Alliance Membership Agreement."

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of ____, 2013.

Signed in authentication thereof this ____ day of ____, 2013.

MAYOR

ATTEST:

City Clerk



**MEMBERSHIP AGREEMENT
PARTICIPATING MEMBER**

This Agreement, made and entered into this _____ day of _____, 20____, by and between National Joint Powers Alliance®, hereinafter referred to as "NJPA" and City of Kirkland hereinafter referred to as the "Applicant".

Witnesseth:

That for a good and valuable consideration of the premises, mutual terms, covenants, provisions, and conditions hereafter set forth, it is agreed by and between the parties as follows:

Whereas, the NJPA is created by Minnesota Statute §123A.21 as a service cooperative (with membership further defined in M.S. §471.59) to serve cities, counties, towns, public or private schools, political subdivisions of Minnesota or another state, another state, any agency of the State of Minnesota or the United States including instrumentalities of a governmental unit and all non-profits; and

Whereas, NJPA's purpose as defined in M.S. §123A.21 is to assist in meeting specific needs of clients which could be better provided by NJPA than by the members themselves; and

Whereas, the NJPA Board of Directors has established the ability for an "Applicant" desiring to participate in NJPA contracts and procurement programs to become a Participating Member; and

Whereas, the NJPA Board of Directors has determined that Participating Members will have no financial or organizational liability to NJPA or to its organizational activities;

Now Therefore, it is hereby stipulated and agreed that the "Applicant" Agency desires to be a Participating Member of NJPA with contract purchasing benefits, in accordance with terms and conditions of the applicable contract(s), and that NJPA hereby grants said Membership to said "Applicant."

Term:

This continuing agreement shall remain in force or until either party elects to dissolve the Agreement by written notice.

THEREFORE, IN WITNESS THEREOF,

the parties hereto have executed this Agreement the day and year written above.

**National Joint Powers Alliance®
202 12th Street NE
Staples, MN 56479**

Member Name:

By _____
AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

Its Kurt Triplett, City Manager
TITLE

TITLE

DATE

DATE



**MEMBERSHIP AGREEMENT
PARTICIPATING MEMBER**

ORGANIZATION INFORMATION (Required Information)**

Applicant Name: ** City of Kirkland
Address: ** 123 5th Avenue
City, State, Zip ** Kirkland, WA 98033
Federal ID Number: 91-6001255
Contact Person: ** Barry Scott
Title: ** Purchasing Agent
E-mail: ** bscott@kirklandwa.gov
Phone: _____
Website: _____

Please indicate an address to which your Membership materials may be delivered.

Thank you.

APPLICANT ORGANIZATION TYPE:

- K-12
- Government or Municipality (please specify: City)
- Higher Education
- Other (please specify: _____)

I WAS REFERRED BY: (please specify)

- Advertisement _____
- Current NJPA Member _____
- Vendor Representative Sonsray Machinery
- Trade Show _____
- NJPA Website _____
- Other _____

Completed applications may be returned to:

National Joint Powers Alliance ®
202 12TH Street NE
Staples, MN 56479

Duff Erholtz

Phone 218-894-5490
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E-mail duff.erholtz@njpacoop.org