

RESOLUTION 2021 296

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

IN THE MATTER OF AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA), AND AUTHORIZE THE DIRECTOR OF OPERATIONS AND CAPITAL PROGRAMS TO TAKE SUCH ACTIONS AS ARE NECESSARY TO REGISTER BENTON COUNTY AS A MEMBER WITH NCPA, A COOPERATIVE PURCHASING AGENCY

WHEREAS, Benton County desires to arrange for making cooperative purchases of goods and services with National Cooperative Purchasing Alliance (NCPA) and it is in the best interests of the County that such an arrangement be carried out; and

WHEREAS, pursuant to the provisions of RCW 39.34, Benton County may enter into intergovernmental cooperative purchasing agreements with other public agencies in order to allow the parties of said agreements to cooperatively purchase or acquire supplies, equipment, and materials under contract and to utilize each other's contracts, as needs arise; and

WHEREAS, NCPA is a government agency, created and authorized by Texas law to provide cooperative procurement contracts that assist public agencies in reducing the cost of purchased goods through pooling the purchasing power of public agencies nationwide; and

WHEREAS, the departmental Deputy Prosecuting Attorney has reviewed and approved as to form and it is recommended by the Director of Operations and Capital Programs that Benton County register as a member with NCPA under the terms and conditions set forth in the attached Agreement, **NOW, THEREFORE,**

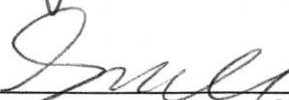
BE IT RESOLVED the Benton County Board of Commissioners hereby approves the attached Agreement between Benton County and National Cooperative Purchasing Alliance and the Chairman of the Board of County Commissioners is hereby authorized and directed to execute said Agreement; and

BE IT FURTHER RESOLVED the Director of Operations and Capital Programs is hereby authorized and directed to take such action as is necessary to register Benton County as a member with NCPA.

Dated this 6th day of April 2021.



Chairman



Chairman Pro-Tem
WILL MCKAY - ABSENT

Member
Constituting the Board of County
Commissioners of Benton County,
Washington

Attest: 
Clerk of the Board

NCPA

National Cooperative Purchasing Alliance

Master Intergovernmental Cooperative Purchasing Agreement

This agreement is made between a government agency that executes a Lead Agency Certificate ("Lead Agency") to be appended and made a part hereof and other public agencies ("Participating Public Agencies") that register electronically with National Cooperative Purchasing Alliance ("NCPA") or otherwise execute a Participating Public Agency Certificate to be appended and made a part hereof.

Recitals

WHEREAS, after a competitive solicitation and selection process by Lead Agency, in compliance with their own policies, procedures, rules and regulations, a number of Vendors have entered into Master Agreements to provide a variety of goods, products and services based on national volumes (herein "Products");

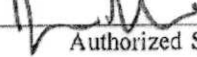
WHEREAS, Master Agreements are made available by Lead Agency through NCPA and provide that Participating Public Agencies may purchase Products on the same terms, conditions and pricing as the Lead Agency, subject to any applicable local purchasing ordinances and the laws of the State of purchase;

NOW, THEREFORE, in consideration of the mutual promises contained in this agreement, and of the mutual benefits to result, the parties agree as follows:

1. That each party will facilitate the cooperative procurement of Products.
2. That the procurement of Products subject to this agreement shall be conducted in accordance with and subject to the relevant statutes, ordinances, rules and regulations that govern each party's procurement practices.
3. That the cooperative use of bids obtained by a party to this agreement shall be in accordance with the terms and conditions of the bid, except as modification of those terms and conditions is otherwise allowed or required by applicable law.
4. That the Lead Agencies will make available, upon reasonable request and subject to convenience, information which may assist in improving the procurement of products by the Participating Public Agencies.
5. That a procuring party will make timely payments to the Vendor for Products received in accordance with the terms and conditions of the procurement. Payment for Products and inspections and acceptance of Products ordered by the procuring party shall be the exclusive obligation of such procuring party. Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.
6. The procuring party shall not use this agreement as a method for obtaining additional concessions or reduced prices for similar products or services.
7. The procuring party shall be responsible for the ordering of Products under this agreement. A non-procuring party shall not be liable in any fashion for any violation by a procuring party, and the procuring party shall hold non-procuring party harmless from any liability that may arise from action or inaction of the procuring party.
8. This agreement shall remain in effect until termination by a party giving 30 days written notice to the other party. The provisions of paragraphs 5, 6 and 7 hereof shall survive any such termination.

This agreement shall take effect after execution of the Lead Agency Certificate or Participating Public Agency Registration, as applicable.

Participating Agency

By 
Authorized Signature

Jerome Delvin, Chairman
Board of Benton County Commissioners
Title

April 6, 2021
Date

Paul Schut
Contact Person

Procurement and Contract Coordinator
Title of Contact

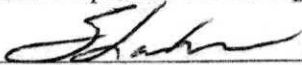
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Street Address

Kennewick, WA 99336
City, State Zip

509-737-3943
Contact's Telephone Number

paul.schut@co.benton.wa.us
Email Address

National Cooperative Purchasing Alliance

By 
Authorized Signature

Executive Director
Title


4-7-2021
Date

Matthew Mackel
Contact Person

832-331-2985
Telephone Number

mmackel@ncpa.us
Email Address

Approved as to form:


Reid Hay,
Benton County Deputy Prosecuting Attorney