

## ACTION FORM BRYAN CITY COUNCIL

<b>DATE OF COUNCIL MEETING:</b> July 08, 2014		<b>DATE SUBMITTED:</b> June 18, 2014	
<b>DEPARTMENT OF ORIGIN:</b> Fiscal/Purchasing		<b>SUBMITTED BY:</b> Joe Hegwood	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>	<b>STRATEGIC INITIATIVE:</b>
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input checked="" type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input type="checkbox"/> QUALITY OF LIFE
<b>AGENDA ITEM DESCRIPTION:</b> Consider approval of a Resolution an Interlocal Agreement between the City of Bryan and City of Garland for mutual cooperative purchases of goods and services.			
<p><b>SUMMARY STATEMENT:</b> To benefit from economies of scale, there is a desire by the City of Garland to enter into an Interlocal Agreement with the City of Bryan. The results of this agreement should be similar to the success the City of Bryan has experienced with our Interlocal agreements between other municipalities, counties and cooperatives. Benefits from such Interlocal Agreements include lower prices and improved service due to larger quantities. To further reduce operational expenses through cooperative purchasing, City staff is pursuing similar agreements with other local agencies. As the purchasing pool increases in membership, the City should expect even greater purchasing benefits.</p> <p>This agreement would improve the City of Bryan's purchasing efficiency in the following areas:</p> <ol style="list-style-type: none"> <li>1. Enhance the image of the City in keeping with strategic goals of partnership with other entities.</li> <li>2. Enable the City to take advantage of contracts and RFP's the City of Garland has issued for goods and services that the City of Bryan is considering buying.</li> </ol>			
<b>STAFF ANALYSIS AND RECOMMENDATION:</b> Fiscal/Purchase respectfully request City Council approval of a Resolution for an Interlocal Agreement between the City of Bryan and City of Garland.			
<b>OPTIONS (In Suggested Order of Staff Preference):</b>			
<ol style="list-style-type: none"> <li>1. Approve the Resolution and Interlocal Agreement with the City of Garland</li> <li>2. Deny approval of the Resolution Interlocal Agreement with the City of Garland</li> </ol>			
<b>ATTACHMENTS:</b>			
<ol style="list-style-type: none"> <li>1. Proposed resolution</li> <li>2. Proposed Interlocal Agreement</li> </ol>			
<b>FUNDING SOURCE:</b> N/A			
<b>APPROVALS:</b> Hugh R. Walker, 06/24/2014			
<b>APPROVED FOR SUBMITTAL: CITY MANAGER</b> Kean Register, 06/30/2014			
<b>APPROVED FOR SUBMITTAL: CITY ATTORNEY</b> Janis K. Hampton, 07/01/2014			

Revised 05/2013

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL PURCHASING AGREEMENT WITH THE CITY OF GARLAND, TEXAS, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 271.101, Local Government Code, allows local governments to participate in cooperative purchasing programs that allow local governments to purchase from a contract currently existing between another local government and a vendor; and

**WHEREAS**, City of Garland currently has contracts for products and services that the City of Bryan, Texas may have a need for; and

**WHEREAS**, this agreement will allow the City to participate in future cooperative purchasing with the City of Garland, and satisfy the state law competitive bid requirements.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN THAT:**

The City Manager is hereby authorized to execute an interlocal purchasing agreement with the City of Garland allowing the City to purchase from contracts existing between City of Garland and a vendor.

A copy of the Agreement is attached hereto as Exhibit "A" and is incorporated herein by this reference for all purposes.

This resolution is immediately effective upon passage and adoption.

**PASSED AND APPROVED** this 8<sup>th</sup> day of July, 2014.

ATTEST:

CITY OF BRYAN

\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

\_\_\_\_\_  
Jason P. Bienski, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Janis K Hampton, City Attorney

**EXHIBIT "A"**

**COOPERATIVE PURCHASING INTERLOCAL AGREEMENT**

This agreement made and entered into as of the date written below, by and between City of Garland, Texas (hereinafter called "THIS GOVERNING BODY"), City of Bryan, Texas, Texas another governmental entity as defined under § 791.003. of Texas Governmental Code, Interlocal Cooperation Contracts, (hereinafter called "COOP ENTITY") each acting by and through its duly authorized officials:

WHEREAS, THIS GOVERNING BODY and COOP ENTITY are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function;

WHEREAS, THIS GOVERNING BODY and COOP ENTITY wish to enter into an Interlocal Agreement pursuant to Chapter 791 of the Texas Government Code (hereinafter "Interlocal Cooperation Act") to set forth the terms and conditions upon which THIS GOVERNING BODY and COOP ENTITY may purchase various goods and services commonly utilized by each entity;

WHEREAS, participation in an interlocal agreement will be highly beneficial to the taxpayers of THIS GOVERNING BODY and COOP ENTITY through the anticipated savings to be realized and is of mutual concern to the contracting parties;

WHEREAS, THIS GOVERNING BODY and COOP ENTITY have current funds available to satisfy any fees owed pursuant to this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein; THIS GOVERNING BODY and COOP ENTITY agree as follows:

1. THIS GOVERNING BODY and COOP ENTITY may cooperate in the purchase of various goods and services commonly utilized by the participants, where available and applicable, and may purchase goods and services from vendors under present and future contracts;
2. THIS GOVERNING BODY and COOP ENTITY shall each be individually responsible for payments directly to the vendor and for the vendor's compliance with all conditions of delivery and quality of purchased items under such contracts. THIS GOVERNING BODY and COOP ENTITY shall each make their respective payments from current revenues available to the paying party;
3. THIS GOVERNING BODY and COOP ENTITY shall keep each other informed of any changes to the contracts, rules, regulations or statutes which affect any purchase arrangement planned or in place between the parties.
4. The Agreement shall be in full force and effect until terminated by either party;
5. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by either party upon thirty (30) days written notice to another participating entity;
6. The undersigned officer and/or agents of the party(ies) hereto are duly authorized officials and possess the requisite authority to execute this Agreement on behalf of the parties hereto;
7. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**THE CITY OF BRYAN , TEXAS**

**THE CITY OF GARLAND, TEXAS**

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

Kean Register  
Title: City Manager  
City of Bryan  
P.O. Box 1000  
Bryan, TX 77805  
979-209-5100

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

Gary L. Holcomb, CPPO, C.P.M.  
Title: Director of Materials Management  
City of Garland  
P.O. Box 469002  
Garland, TX 75040  
972-205-2425  
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