

RESOLUTION NO. 2018-07-029R

A RESOLUTION AUTHORIZING ENTRY INTO INTERLOCAL AGREEMENT

(Cooperative Purchasing Program with Region VIII Education Service Center, Pittsburg, Texas)

WHEREAS, the City of Urbana (the “City”) is an Illinois home rule unit of local government pursuant to Section 6 of Article VII of the Illinois Constitution of 1970 and the statutes of the State of Illinois; and

WHEREAS, Section 10 of Article VII of the Constitution of the State of Illinois, 1970, and the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.-220/9) provide authority for local governments to contract or otherwise associate with other states and their units of local government to obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or by ordinance; and

WHEREAS, the City recognizes that it is appropriate and beneficial for the City and its departments to enter into purchasing cooperatives in an effort to save money on the City’s purchase of goods and/or services; and

WHEREAS, Region VIII Education Service Center, Pittsburg, Texas has formed and operates a purchasing cooperative in which other units of local government have joined in order to save money on their purchase of goods and/or services; and

WHEREAS, the City Council recognizes that when units of local government join together in purchasing cooperatives, they have stronger negotiating power when negotiating with vendors and service providers in connection with such local governments’ purchases of goods and/or services; and

WHEREAS, the City Council deems it appropriate to into the Interlocal Agreement – Region VIII Education Service Center appended hereto and made a part hereof as an exhibit since entering into such purchasing cooperative does not obligate the City to undertake any particular purchases through the aforesaid buying cooperative since purchasing decisions are to be made “in the best interest of the City as provided in Role No. 3 for governmental entities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

The Mayor of the City of Urbana, Illinois, shall be and hereby is authorized to enter into, on behalf of the City, the Interlocal Agreement – Region VIII Education Service Center, Pittsburg, Texas in substantially the form appended hereto as an exhibit.

Section 2.

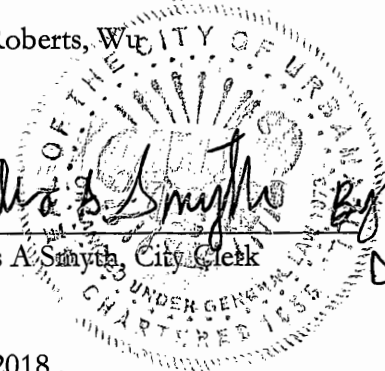
The Mayor of the City of Urbana, Illinois, shall be and hereby is authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, and the City Clerk shall be and hereby is authorized to attest to said execution of the Interlocal Agreement – Region VIII Education Service Center, Pittsburg, Texas in substantially the form appended hereto as an exhibit.

PASSED BY THE CITY COUNCIL this 16th day of July, 2018.

AYES: Ammons, Brown, Hazen, Jakobsson, Miller, Roberts, Wu

NAYS:

ABSENTIONS:



Charles A. Smyth
 Charles A. Smyth, City Clerk
By Jennifer R. Best
 Deputy Clerk

APPROVED BY THE MAYOR this 18th day of July, 2018.

Diane Wolfe Marlin
 Diane Wolfe Marlin, Mayor

INTERLOCAL AGREEMENT
Region VIII Education Service Center
ILLINOIS PUBLIC AGENCY
(School, College, University, State, City or County Office)

City of Urbana

ILLINOIS
 EDUCATIONAL OR GOVERNMENT ENTITY

IL991913

Control Number (TIPS will Assign)
 Schools enter County-District Number

and

Region VIII Education Service Center
 Pittsburg, Texas

225 - 950
 Region 8 County-District Number

The Texas Education Code §8.002 permits Regional Education Service Centers, at the direction of the Commissioner of Education, to provide services to assist school districts, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university financial operations.

Government Authority:

The Illinois Intergovernmental Cooperation Act grants authority for public agencies, such as school districts, to exercise any powers, privileges, or authority jointly with any other public agency of Illinois, or any other state, which has the same powers, privileges or authority. 5 Ill. COMP STAT. 220/2-(1). The definition of "public agency" includes any political subdivision of any other state 5 ILL. COMP. STAT. 220/2-(1). A Texas regional service center is a political subdivision of Texas. Tex. Educ. Code §8.001, et seq. Therefore, Illinois public school districts, or other local governments, have statutory authority to contract or agree with a Texas regional education service center for the joint exercise of the same powers, privileges and authority that each entity may exercise independently.

Vision:

TIPS will become the premier purchasing cooperative in North America through developing partnerships with quality vendors, school districts, universities, colleges, all governmental entities, and public and private industry.

Mission:

Our mission is to provide a proven purchasing process through quality customer service including timely response, legal support and effective recruitment by providing sufficient resources to include personnel.

Purpose:

The purpose of the TIPS program shall be to continue providing substantial savings and best value for participating educational entities or public agencies through cooperative purchasing.

Effective:

This Interlocal Agreement (hereinafter referred to as the "Agreement") is effective 7/19/2018 and shall be automatically renewed annually unless either party gives sixty (60) days prior written notice of non-renewal. This Agreement may be terminated without cause by either party upon (60) days prior written notice, or may also be determined for cause at

anytime upon written notice stating the reason for and effective date of such terminations and after giving the affected party a thirty (30) day period to cure any breach.

Statement of Services to be Performed:

Region VIII Education Service Center, by this *Agreement*, agrees to provide competitively bid cooperative purchasing services to the above-named public entity through a Program known as The Interlocal Purchasing System (TIPS) Program.

Role of the TIPS Purchasing Cooperative:

1. Provide organizational and administrative structure of the TIPS Program.
2. Provide Administrative and Support Staff necessary for efficient operation of the TIPS Program.
3. Provide marketing of the TIPS program to expand membership, awarded contracts and commodity categories.
4. Initiate and implement activities required for competitive bidding and vendor award process including posting, advertising, collecting proposals, scoring proposals, and awarding of vendor contracts.
5. Provide members with current awarded vendor contracts, instructions for obtaining quotes and ordering procedures.
6. Maintain filing system for all competitive bidding procedure requirements.
7. Provide Reports as requested.
8. Maintain active membership database for awarded vendors.
9. Provide TIPS training to members and vendors upon request.

Role of the Education or Government Entity:

1. Commit to participate in the TIPS Program.
2. Designate a Primary and Technology Contact for the entity to be responsible for promoting TIPS within the organization.
3. Commit to purchase products and services from TIPS Vendor Awarded Contracts when in the best interest of the entity. **PURCHASE ORDER MUST ALWAYS BE MARKED TIPS and EMAILED to TIPSP0@TIPS-USA.COM for processing.**
4. Accept shipments of products ordered from Awarded Vendors in accordance with standard purchasing procedures.
6. Pay Awarded Vendors in a timely manner for all goods and services received.
7. Report any vendor issues that may arise to the TIPS Cooperative Coordinator.

General Provisions:

Both Parties agree to comply fully with all applicable federal, state, and local statutes, ordinances, rules, and regulations in connection with the programs contemplated under this Agreement. This Agreement is subject to all applicable present and future valid laws governing such programs.

This Agreement shall be governed by the laws of the State of Texas and venue shall be in the county in which the administrative offices of RESC VIII are located which is Camp County, Texas.

It is the responsibility of the Entity purchasing from TIPS to insure that the respective State purchasing laws are being followed.

This Agreement contains the entire agreement of the Parties hereto with respect to the matters covered by its terms, and it may not be modified in any manner without the express written consent of the Parties.

If any term(s) or provision(s) of this Agreement are held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement shall remain in full force and effect.

Before any party may resort to litigation, any claims, disputes or other matters in question between the Parties to this Agreement shall be submitted to nonbinding mediation

No Party to this Agreement waives or relinquishes any immunity or defense on behalf of themselves, their directors, officers, employees, and agents as a result of its execution of this Agreement and performance of the functions and obligations described herein.

This Agreement may be negotiated and transmitted between the Parties by means of a facsimile machine and the terms and conditions agreed to are binding upon the Parties.

Authorization:

Region VIII Education Service Center and The Interlocal Purchasing System (TIPS) Program have entered into an Agreement to provide competitively bid cooperative purchasing opportunities to entities as outlined above.

This Interlocal Agreement process was approved by the governing boards of the respective parties at meetings that were posted and held in accordance with the respective STATE Open Meetings Act, for Texas it was Government Code Ch. 551.

The individuals signing below are authorized to do so by the respective parties to this Agreement.

Membership Entity

City of Urbana

Region 8 Education Service Center

By: *Sione Wolfe Markin*
Authorized Signature

By: *David Wayne Fitts*
Authorized Signature

Title: Mayor

Title: Executive Director Region VIII ESC

7/19/18
Date

7/19/2018
Date

Public Entity Contact Information

Elizabeth Hannan

Primary Purchasing Person's Name

eahannan@urbanailinois.us

Primary Person's Email Address

400 S. Vine St.

Street Address

Urbana IL 61801

City, State

Zip

Don Ho

Secondary Coordinator's Name

217-384-2368

Telephone Number

dgho@urbanailinois.us

Secondary Coordinator's Email Address

217-384-2370

Fax Number

Instructions:

If your entity does not require you to have an Interlocal Agreement, please go to the TIPS website under Membership and take advantage of online registration. The states of Texas and Arizona **do** require all entities to have an Interlocal Agreement. Email completed Interlocal Agreement to tips@tips-usa.com.