

RESOLUTION No. 22-05-016

Sponsored by: Commissioners Tom Stinnett and Ron French

A RESOLUTION AUTHORIZING THE USE OF COOPERATIVE PURCHASING AGREEMENTS FOR THE BENEFIT OF ALL COUNTY DEPARTMENTS.

WHEREAS, Tennessee Code Annotated §12-3-4205 allows for use of master cooperative purchasing agreements upon the approval and consent of the local legislative body; and

WHEREAS, Tennessee Code Annotated §5-14-108(m)(1) states that the county purchasing agent is authorized to purchase and contract to purchase materials, supplies, equipment and contractual services on a fiscal year basis, but no commitment shall be made which extends beyond the end of the current fiscal year for which appropriations have been made by the county legislative body, except such commitments as are authorized by resolution of the county legislative body; and

WHEREAS, cooperative purchasing agreements allow governments to purchase goods and services from other local, state, and national cooperative purchasing alliances that have been competitively bid under the same circumstances required by law by the purchasing entity; and

WHEREAS, these cooperative purchasing agreements allow local governments to obtain the best pricing available for competitively bid goods and services applicable under this law while also reducing time and personnel resources: and

WHEREAS, Tennessee Code Annotated § 12-3-1205 states as follows;

(a) Any municipality, county, utility district, or other local government of the state may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any supplies, services or construction with one (1) or more other local governments in accordance with an agreement entered into between the participants. Such cooperative purchasing may include, but is not limited to, joint or multi-party contracts between local governments. Where the participants in a joint or multi-party contract are required to advertise and receive bids, it shall be sufficient for those purposes that the purchasing entity comply only with its own purchasing requirements.

(b)

(1) Notwithstanding any other law to the contrary, any municipality, county, utility district, or other local government of the state may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any goods,

supplies, services, or equipment with one (1) or more other governmental entities outside this state, to the extent the laws of the other state permit the joint exercise of purchasing authority, or with an agency of the United States, to the extent federal law permits the joint exercise of purchasing authority, in accordance with an agreement entered into between or among the participants; provided, such goods, supplies, services, or equipment were procured in a manner that constitutes competitive bidding and were advertised, evaluated, and awarded by a governmental entity and made available for use by other governmental entities.

- (2) A municipality, county, utility district, or other local government of the state may participate in a master agreement by adopting a resolution accepting the terms of the master agreement. If a participant in a joint or multi-party agreement is required to advertise and receive bids, then it will be deemed sufficient for those purposes that the purchasing entity or the entity that procured the bid complied with its own purchasing requirements. The participant shall acquire and maintain documentation that the purchasing entity or entities that procured the bid complied with its own purchasing requirements.

WHEREAS, the cooperative purchasing agreements currently available for Blount County use include:

- AEPA - Association of Educational Purchasing Agencies
- AESA - Association of Educational Service Agencies
- AESC19 - Allied States Purchasing Cooperative
- BuyBoard Purchasing Cooperative
- City of Kansas City, MO
- Choice Partners Purchasing Cooperative
- Cobb Co GA Procurement
- E & I Cooperative Services - Purchasing Cooperative for Education.
- GoodBuy - Purchasing Program of the Education Service Center, Region 2
- GSA- General Services Administration
- HPS - Buying Group - Schools Food Service
- MALiA - Mid Atlantic Library Alliance
- Minnesota State Office of State Procurement- Cooperative Purchasing Venture
- NASPO- National Association of State Procurement Officials
- NASPO ValuePoint Cooperative Contracts
- National IPA- National Intergovernmental Purchasing Alliance
- NCPA- National Cooperative Purchasing Alliance
- NPPGov- National Purchasing Partners Government
- OMNIA Partners
- "OMNIA Partners (active contract formerly under National IPA and US Communities)"
- PACE- Purchasing Association of Cooperative Entities
- PCA - Purchasing Cooperative of America
- PEPPM Purchasing Cooperative- Pennsylvania Education Purchasing Program for Microcomputers

- Sourcewell
- TCPN- The Cooperative Purchasing Network
- Texas Dept. of Information Resources (TX DIR Coop)
- TIPS-USA- The Interlocal Purchasing System
- UNA - Group Purchasing Organization
- USETPA - US Educational Technology Purchasing Alliance

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Blount County, Tennessee, meeting in regular session assembled this 19th day of May, 2021, that the use of master cooperative purchasing agreements be approved for Blount County, Tennessee.

BE IT FURTHER RESOLVED that this resolution take effect from and after its passage, and that any part of any prior resolution to the contrary is hereby declared null and void, the public welfare requiring it.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date