



**EDUCATIONAL  
SERVICE  
DISTRICT 112**

**INTERLOCAL PURCHASING AGREEMENT  
FOR COOPERATIVE PURCHASING CONTRACTS**

**EDUCATIONAL SERVICE DISTRICT NO. 112**

**2500 NE 65th Avenue  
Vancouver WA 98661-6812**

**Parties to the Agreement:**

Educational Service District No. 112, hereinafter referred to as “ESD112”, and Northwest Educational Service District 189, located at 1601 R Avenue, Anacortes WA 98221, hereinafter referred to as the “Purchasing Agency”.

**Summary Statement-Agreement Purpose**

**INTERLOCAL PARTICIPATION IN COOPERATIVE PURCHASING CONTRACTS**

For the cooperative purchasing of furniture, supplies, equipment and technology under ESD112 Cooperative Purchasing contracts.

**Agreement Number**

18053-WA

**Agreement Period**

Term Start: September 1, 2017

Term End Date: August 31, 2022

**Attachments:** This Agreement consists of this signature page and the following exhibits, which constitute the entire understanding of the parties

**Exhibit A: Terms & Conditions**

**Exhibit B: Agreement Contact Information**

Signed versions of this Agreement transmitted by facsimile copy or electronic mail shall be the equivalent of original signatures on original versions.

IN WITNESS WHEREOF, the Purchasing Agency and ESD112 have executed this Agreement on the date and year indicated below.

**NORTHWEST EDUCATIONAL SERVICE DISTRICT 189**

AUTHORIZED SIGNATURE: *Larry Francois*



DATE: Wed, Mar 21, 2018, 03:36 PM EDT

**EDUCATIONAL SERVICE DISTRICT NO 112**

AUTHORIZED SIGNATURE: *Tim Merlino*



DATE: Wed, Mar 21, 2018, 04:04 PM EDT

**ESD INFORMATION**

DEPT APPROVAL            TW  
BUS SVC APPROVAL       P Pepin

**EXHIBIT A**  
**GENERAL TERMS & CONDITIONS**

1. **Purpose.**
  - 1.1 Pursuant to RCW 28A.320, RCW 28A.310.010, RCW 28A.320.080(3), RCW 28A.310.180(3) and the Interlocal Cooperation Act RCW 39.34, and other provisions of the law that authorize intergovernmental agreements for cooperative purchasing, ESD112, a political subdivision of the State of Washington, and the Purchasing Agency hereby agree to enter into this agreement for the cooperative purchasing of furniture, supplies, equipment and technology, hereinafter referred to as “Goods”.
  - 1.2 It is not the intent of the parties to this Agreement, nor shall this Agreement be interpreted, to create a new or separate legal entity for the performance of this Agreement. Instead, the boards or other governing bodies of both parties shall jointly administer this Agreement in accordance with the terms contained herein.
  - 1.3 Parties to the Agreement seek to reduce their respective costs in purchasing various Goods for use in agency operations, advancing agency purposes and to make the most efficient use of their powers by enabling cooperation with each other on a basis of mutual advantage.
  
2. **Term.** The Term for the Agreement shall be five (5) school years, beginning September 1, 2017, or the date of last signature, to August 31, 2022.
  
3. **Provisions.**
  - 3.1 ESD112 solicits competitive contracts with various vendors for the purchase of Goods. ESD112 agrees to extend the terms and conditions of said contract(s) to the Purchasing Agency, to the extent permitted by law, and agreed upon by all parties.
  - 3.2 ESD112 represents and warrants it has complied with its statutory requirements under Washington law regarding notice for bids or proposals for goods or services subject to this Agreement. ESD112 further represents and warrants it posted the bids or solicitation on a website established and maintained by ESD112, for the purposes of posting public notice of bids or proposal solicitations for ESD112’s purchasing program.
  - 3.3 The Purchasing Agency agrees to accept responsibility for compliance with any additional or varying laws and regulations governing purchases they make. ESD112 makes no representation or warranty that this Agreement complies with the requirements of the statutes, regulations, policies or rules applicable to each participating Purchasing Agency.

- 3.4** To purchase Goods under vendor contract(s), the Purchasing Agency shall send a purchase order directly to the vendor(s) or vendor's subcontractors that are furnishing specified Goods to the Purchasing Agency using a specified ESD112 vendor contract number.
- 3.5** ESD112 accepts no responsibility for any vendor or vendor's subcontractors' performance of any purchasing contract and accepts no responsibility for the payment of the purchase price by the Purchasing Agency.
- 3.6** The Purchasing Agency shall be solely responsible for acquiring the Goods, and all such Goods shall be held in the Purchasing Agency's name. The Purchasing Agency shall also have primary responsibility for disposing of such property for the duration of the Agreement and upon termination of the Agreement.
- 3.7** The manner of financing the Goods purchased under this Agreement shall be through budgeted funds or other available funds of the Purchasing Agency. Said Purchasing Agency shall be responsible for all budget and accounting procedures related to its purchases.
- 3.8** This Agreement has been approved by the governing bodies of the Purchasing Agency and ESD112 by resolution, motion, or by other means specifically authorized by law.
- 3.9** This Agreement shall supersede all prior agreements and understandings with ESD112 and the Purchasing Agency pertaining to cooperative purchasing. This Agreement may only be amended by a written document duly executed by the parties.
- 3.10** This Agreement shall become effective once it is fully executed and filed as required by law, or listed on ESD112's or on the Purchasing Agency's web site or other electronically retrievable public source. The Purchasing Agency shall file or list the Agreement on their website prior to purchasing items under this Agreement.
- 3.11** This Agreement shall remain in force until the Term End Date. ESD112 or the Purchasing Agency may terminate this Agreement upon sixty (60) days written notice to the other party.
- 3.12** The terms and conditions of this Agreement shall be governed by the laws of the State of Washington.

**EXHIBIT C  
 AGREEMENT CONTACT INFORMATION**

<b>PROGRAM CONTACTS</b>	
<b><u>PURCHASING AGENCY</u></b>	<b><u>ESD112</u></b>
Name: Tammy Lee	Name: Cherie (Bunny) Stevens
Position Title: Administrative Assistant	Position Title: Project Coordinator
Phone: 360.299.4056	Phone: 360.952.3415
Email: tlee@nwesd.org	Email: bunny.stevens@esd112.org

<b>SIGNATURE AUTHORITY / NOTICE CONTACT</b>	
<b><u>PURCHASING AGENCY</u></b>	<b><u>ESD112</u></b>
Name: Larry Francois	Name: Tim Merlino
Position Title: Superintendent	Position Title: Superintendent
Phone: 360.299.4003	Phone: 360.750.7500
Email: lfrancois@nwesd.org	Email: tim.merlino@esd112.org