

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Mar 10, 2016

Action Requested By: Finance

Agenda Type: Resolution

Subject Matter:

Procurement Agreement

Exact Wording for the Agenda:

Resolution authorizing the Mayor to execute a membership agreement with the The Cooperative Purchasing Network (TCPN)

Note: If amendment, Please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what council action will provide, allow and accomplish and; any other information that might be helpful.

The (TCPN) awards competitively bid contracts on behalf of member public entities. Membership will allow the City to access contracts for the purchase of goods, possibly at lower cost than may be available to the City otherwise.

Associated Cost: _____

Budgeted Item: Not Applicable

MAYOR RECOMMENDS OR CONCURS: _____

Department Head: 

Date: 2-23-16

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: Finance Council Meeting Date: 3/10/2016

Department Contact: Cecilia Summers Phone # 256-427-5060

Contract or Agreement: The Cooperative Purchasing Network (TCPN) membership contract

Document Name: 20160310-(TCPN)Res.doc

City Obligation Amount:

Total Project Budget:

Uncommitted Account Balance:

Account Number:

Procurement Agreements

| | |
|-----------------|--------------------|
| <u>Title 41</u> | <u>Competitive</u> |
|-----------------|--------------------|

Grant-Funded Agreements

| | |
|------------------|--|
| <u>Select...</u> | Grant Name: <input style="width: 90%;" type="text"/> |
|------------------|--|

| Department | Signature | Date |
|---|-------------------|----------------|
| 1) Originating | <i>M. Sarge</i> | <i>2-23-16</i> |
| 2) Legal | <i>Mary Cates</i> | <i>2-2-16</i> |
| 3) Finance | | |
| 4) Originating | <i>M. Sarge</i> | <i>2-23-16</i> |
| 5) Copy Distribution | | |
| a. Mayor's office (1 copies) | | |
| b. Clerk-Treasurer (Original & 2 copies) | | |
| | | |

RESOLUTION NO. 16-

WHEREAS participation in The Cooperative Purchasing Network (TCPN) program will allow the City of Huntsville non-binding and non-exclusive access to national contracts for the purchase of various goods at no cost to the City of Huntsville; and

WHEREAS §41-16-51(a)(16) of the Code of Alabama 1975, as amended, provides authority and procedures for participation in an approved purchasing cooperative; and

WHEREAS the competitive bidding process used by TCPN has been reviewed and approved by the State of Alabama Department of Examiners of Public Accounts;

NOW THEREFORE LET IT BE RESOLVED that the City Council of the City of Huntsville the Mayor be and is authorized to execute a membership agreement between the City of Huntsville and The Cooperative Purchasing Network.

ADOPTED this the 10th day of March, 2016

President of the City Council of
The City of Huntsville, Alabama

APPROVED this the 10th day of March, 2016

Mayor of the City of
Huntsville, Alabama



State of Alabama
Department of
Examiners of Public Accounts

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October 19, 2015

Alabama Municipalities
Alabama County Commissions
Alabama City and County Boards of Education
Alabama Community College System
Other Entities subject to the *Code of Alabama 1975*, Section 41-16-50

To whom it may concern,

In accordance with the *Code of Alabama 1975*, Section 41-16-51 and the *Code of Alabama 1975*, Section 16-13B-2, we have reviewed the competitive bidding process used by TCPN, a national governmental purchasing cooperative, and their participating awarding authorities for the contracts awarded as of the date of this letter. We noted no matters we felt were contrary to proper purchasing procedures or routine governmental procurement practices. These contracts were awarded by various governmental entities, based on competitive bid requirements of their respective local governments.

Based on our review, we approve the competitive bidding process used by TCPN through November 30, 2017, for the purchase of goods.

The *Code of Alabama 1975*, Sections 41-16-51 and 16-13B-2 only authorizes the purchases of goods utilizing purchasing cooperatives when certain conditions are met. However, it does not authorize purchases of services. Therefore, you are not authorized to use this purchasing cooperative for the purchase of services.

Prior to utilizing this purchasing cooperative, you must ensure your entity's compliance with the Alabama Competitive Bid Law. The *Code of Alabama 1975*, Sections 41-16-51 and 16-13B-2, requires that you verify that the goods are not at the time available on the state purchasing program, or that they are available at a price equal to or less than that on the state purchasing program. Additionally, you must verify that the purchase is made through a participating Alabama vendor holding an Alabama business license if such a vendor exists.

Note – This approval does not apply to State Public Four-Year Universities within the State of Alabama.

Sincerely,

RONALD L. JONES
Chief Examiner

RLJ/jh