

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

RESOLUTION 2013-04

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, “CITY”, APPROVING AND ADOPTING THE “INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING” AGREEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL, “H.G.A.C.Buy”, FOR THE PURPOSE OF UTILIZING THE COOPERATIVE PROCUREMENT UNIT TO MAKE PURCHASES FOR THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the CITY and the HGACBuy have the authority to enter into agreements for cooperative procurement services pursuant to A.R.S. Section 11-952 and Section 41-2632 et. seq., if authorized by their legislative or governing bodies; and,

WHEREAS, A.R.S. Section 41-2631 et seq. defines “cooperative purchasing” as procurement conducted by, or on behalf of, more than one public procurement unit; and,

WHEREAS, A.R.S. Section 41-2632 et. seq., provides that any public procurement unit may either participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any materials, services, or construction with one or more public procurement units in accordance with an agreement pursuant to this section if one or more of the parties involved is a public procurement unit; and,

WHEREAS, A.R.S. Section 41-2632 et seq. provides that this section does not abrogate the responsibility of each public procurement unit to ensure compliance with procurement laws that apply to the particular public procurement, notwithstanding the fact that the cooperative purchase is administered by a non-profit corporation operating under this section; and,

WHEREAS, the Mayor and Council of the City of Willcox desires to enter into the HGACBuy Interlocal Contract for Cooperative Purchasing as presented; and,

WHEREAS, it is the desire of the CITY present the HGACBuy Interlocal Contract for Cooperative Purchasing to the Mayor and City Council for consideration at its Meeting on January 7, 2013; and,

WHEREAS, the HGACBuy Interlocal Contract for Cooperative Purchasing provides for mutual responsibilities in carrying out mutual promises and mutual benefits to result there from; and,

WHEREAS, the IGA may be cancelled as provided by A.R.S. Section 38-511; and,

WHEREAS, the Mayor and Council have determined that formal action on this Resolution is in the best interest of the CITY, its citizens and its affected taxpayers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1: That the CITY formally approves the HGACBuy Interlocal Contract for Cooperative Purchasing as presented; and,

SECTION 2: That the Mayor is authorized and empowered to execute this Resolution and the HGACBuy Interlocal Contract for Cooperative Purchasing as presented; and,

SECTION 3: That CITY Officials and Administrators are authorized and directed to take all action as may be required to complete the HGACBuy Interlocal Contract for Cooperative Purchasing as presented.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, this 7th day of January, 2013.

APPROVED/EXECUTED:

/s/ Robert A. Irvin
ROBERT A. IRVIN, MAYOR

ATTEST:

/s/ Virginia A. Mefford
VIRGINIA A. MEFFORD, City Clerk

APPROVED AS TO FORM:

/s/ Ann P. Roberts
ANN P. ROBERTS, City Attorney

RESOLUTION 2013-04