

**RESOLUTION NO. 2020-32**

**A RESOLUTION TO AUTHORIZE COOPERATIVE PURCHASING AGREEMENTS  
FOR THE USE AND BENEFIT OF ALL CITY DEPARTMENTS**

**WHEREAS**, T.C.A. § 12-3-1205 allows for master cooperative purchasing agreements upon the approval and consent of the local legislative body; and,

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

**WHEREAS**, these master cooperative agreements reduce time and personnel resources needed to competitively bid goods and services at the local level, but still allow local governments to take advantage of the lowest and best pricing available for the needed goods and services; and,

**WHEREAS**, Tennessee state law was amended in 2016 at the request of the Tennessee Association of Public Purchasing for all Tennessee counties to take advantage of cooperative purchasing agreements in effect throughout our state and nation; and,

**WHEREAS**, T.C.A. § 12-3-1205(b), states as follows:

(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 City of Athens desires to take advantage of this law and reduce the taxpayer burden for duplication of services while still taking advantage of the lowest and best pricing under the master cooperative agreements that have been competitively bid under the same circumstances required by law by the purchasing entity.

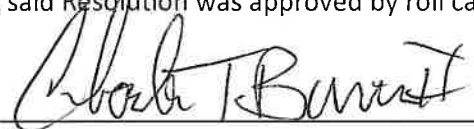
**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Athens, Tennessee, as follows:


That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session this 18th day of August 2020, the City Council agrees with the terms of T.C.A. § 12-3-1205 and authorizes use of master cooperative purchasing agreements.

ON MOTION BY Council Member Pelley, SECONDED BY Council Member Lackmiller, said Resolution was approved by roll call vote.

  
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C. SETH SUMNER, City Manager

  
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CHARLES T. BURRIS, II, Mayor

APPROVED AS TO FORM:  
  
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H. CHRIS TREW, City Attorney