

**MIDVALE CITY CORPORATION
RESOLUTION 2014-R-50**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT
BETWEEN MIDVALE CITY AND MINNESOTA'S COOPERATIVE PURCHASING
VENTURE (CPV) FOR COOPERATIVE PURCHASING PURPOSES**

Whereas, pursuant to Utah Code §11-13-102, Midvale City is permitted to make the most efficient use of its powers, and to benefit from available economies of scale, by cooperating with other localities on a basis of mutual advantage; and

Whereas, pursuant to Utah Code §11-13-201, any Utah public agency may act jointly with any out-of-state public agency; and

Whereas, Utah Code §11-13-103 defines "public agency" to include any interlocal cooperation or joint powers agency formed under the authority of the law of another state, subject to formal approval by the legislative body of the public agency; and

Whereas, Midvale Municipal Code §2.28.260(D)(5) allows for purchases without bidding procedures for expenditures made in conjunction with an agreement approved by resolution of the City Council between the City and a governmental entity; and

Whereas, the Midvale City Council desires to enter into an agreement with Minnesota's Cooperative Purchasing Venture (CPV) for the purpose of accessing available purchasing contracts for goods and services from each other which can be most advantageously done on a cooperative basis;


Now Therefore be it resolved, by the Midvale City Council, that

1. The Mayor is authorized to execute an agreement with CPV, allowing the CPV to provide procurement contracts on behalf of Midvale City.
2. This resolution shall become effective immediately upon passage thereof.

Passed and adopted by the City Council of Midvale City, state of Utah, this 7th day of October, 2014.


JoAnn B. Seghini, Mayor

ATTEST:


Rori L. Andreason, MMC
City Recorder



Voting by the City Council

	Aye	Nay
Steve Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Paul Glover	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Hale	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Paul Hunt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wayne Sharp	<input checked="" type="checkbox"/>	<input type="checkbox"/>



COOPERATIVE PURCHASING AGREEMENT

Under the Authority of Minnesota Statutes § 16C.03, Subdivision 10
and

Minnesota Statutes § 471.59, Subdivision 1

This Joint Powers Agreement is between the State of Minnesota, through its commissioner of Administration, Materials Management Division ("Division") and

MIDVALE CITY CORP ("Authorized Entity").

Pursuant to Minn. Stat. § 16C.03, subd. 10, the Division acquires various supplies, commodities, equipment, and services for state agencies and governmental units (as defined in Minn. Stat. § 471.59, subd. 1) through competitive bidding or requests for proposals. The Division, through Minn. Stat. § 16C.11, and the Authorized Entity wish to combine their purchasing functions, as specifically provided below, so that the Authorized Entity may avail itself of the prices which have been agreed upon by the Division and its vendors.

The parties agree as follows:

1. Term. This joint powers agreement will be effective on the date State obtains all required signatures under Minn. Stat. § 16C.05, subd. 2, and remains in effect until canceled by either party upon 30 days' written notice to the other party.

2. Services. The Division will make its contracts for commodities and services, as listed on the State of Minnesota's Contract Index, available to the Authorized Entity.

3. Use of Division Contracts. To purchase commodities or services from the Division's contracts, the Authorized Entity must issue a purchase order in accordance with the terms and conditions of the Division's contracts and any requirements applicable to the Authorized Entity's governing body. The Authorized Entity must send purchase orders directly to the applicable vendor and will make payments directly to the vendor in accordance with its established procedures and terms of the Division's contract. The Authorized Entity will not use the goods available under the Division's contracts for the purposes of resale. The Authorized Entity must be the end user of the goods purchased.

4. Liability. The Authorized Entity agrees that neither the Division nor its employees personally assume responsibility or liability for any amounts due or claimed to be due pursuant to any purchase order entered issued by the Authorized Entity. The Authorized Entity will indemnify, save and hold harmless the Division and its employees from any loss, damage or



COOPERATIVE PURCHASING AGREEMENT

Under the Authority of Minnesota Statutes § 16C.03, Subdivision 10
and

Minnesota Statutes § 471.59, Subdivision 1

expense, including payment of attorney fees allowable by law, which arise or may arise from the Authorized Entity's use of this joint powers agreement and from any dispute or claim arising from any transaction between the Authorized Entity and the Division's vendors, whether or not the loss, damage, dispute or claim arises during or after the period of this cooperative agreement. The Division's liability will be governed by the provisions of Minn. Stat. § 3.736.

MIDVALE CITY CORP

"Authorized Entity certifies that the appropriate person(s) have executed this cooperative agreement on behalf of the Authorized Entity as required by applicable articles, bylaws, resolutions or ordinances."

By:

John B. Seghini
(Authorized Signature)

MAYOR

(Title)

7505 S. HOLDEN ST. MIDVALE, UT
(Address) 84047

12-11-14

(Date)

STATE OF MINNESOTA

"By Delegation"

By:

[Signature]
Materials Management Division

1-12-15

(Date)

Permit Number/Access Code:

527021

2015 JAN 12 A 11:14
MATERIALS MGMT
DEPT OF ADMINISTRATION
STATE OF MINNESOTA

Membership Application

Please provide the information requested below and mail, email or fax it to:

Materials Management Division

Attention: Sherry Brown

112 Administration Building

50 Sherburne Avenue

St. Paul MN 55155

Email: sherry.brown@state.mn.us

Fax: 651.297.3996

A membership permit number and security access code will be sent to you following receipt and processing of your application.

ORGANIZATION NAME MIDVALE CITY CORP.

ADDRESS 1055 W. CENTER ST.

CITY

MIDVALE STATE VT ZIP 05497

CITY

STATE

ZIP

CONTACT NAME MATT MCCUNE

CONTACT NAME

TELEPHONE 801.567.1258 FAX 801.567.0518

TELEPHONE

FAX

CONTACT EMAIL MMCCUNE@MIDVALE.COM

CONTACT EMAIL

AUTHORIZED NAME (PLEASE PRINT) JOAN B. SETHINI

AUTHORIZED NAME (PLEASE PRINT)

AUTHORIZED SIGNATURE *Sherry Brown*

AUTHORIZED SIGNATURE

Eligibility based on (please circle):

471.55 16C.23 43A.50

309.50 145.9268 16C.03

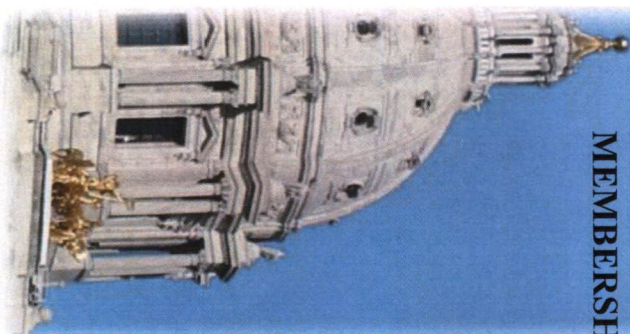
Cooperative Purchasing Venture
Materials Management Division
112 Administration Building
50 Sherburne Avenue
St. Paul MN 55155

MEMBERSHIP IS FREE

**Cooperative
Purchasing
Venture
(CPV)**

**Membership
Application**

MEMBERSHIP IS FREE



June 2014