

INTERLOCAL AGREEMENT

Region VIII Education Service Center

Hidalgo County

School District or Local Government

Region VIII Education Service Center

____ - _____
County-District Number

225 - 950
County-District Number

Texas Education Code §8.002 permits regional education service centers, at the direction of the Commissioner of Education, to provide services to assist school districts in improving student performance and increasing the efficiency and effectiveness of school operations. Authority for local governments (as defined by TEX. GOV'T CODE §791.003) to contract for such services is granted under sections 791.001 to 791.029 of the Texas Government Code; V.T.C.A. as amended.

This Interlocal Agreement (hereinafter the "Agreement") is effective July 17, 2007 and shall be automatically renewed unless either party gives sixty (60) days prior written notice of non-renewal. This Agreement may be terminated without cause by either party upon (60) days prior written notice, or may also be determined for cause at anytime upon written notice stating the reason for and effective date of such terminations and after giving the affected party a thirty (30) day period to cure any breach.

Statement of Services to be Performed:

Region VIII Education Service Center, by this Agreement, agrees to provide cooperative purchasing services to the above-named public school or local government through a Program known as the Texas Interlocal Purchasing System (TIPS) Program.

The purpose of the TIPS Program shall be to obtain substantial savings for participating public schools and local governments through volume purchasing.

Role of the Purchasing Cooperative:

1. Provide for the organizational and administrative structure of the program.
2. Provide staff time necessary for efficient operation of the program.
3. Receive quantity requests from entities and prepare appropriate tally of quantities.
4. Initiate and implement activities related to the bidding and vendors selection process.
5. Provide members with procedures for ordering, delivery, and billing.

Role of the Public School or Local Government:

1. Commit to participate in the program by an authorized signature in the appropriate space below.
2. Designate a contact person for the cooperative.

INTERLOCAL AGREEMENT, continued

3. Commit to purchase products and services that become part of the official products and services list when it is in the best interest of the member entity.
4. Prepare purchase orders issued to the appropriate vendor from the official award list provided by the Purchasing Cooperative.
5. Accept shipments of products ordered from vendors in accordance with standard purchasing procedures.
6. Pay vendors in a timely manner for all goods and services received.

General Provisions:

The Parties agree to comply fully with all applicable federal, state, and local statutes, ordinances, rules, and regulations in connection with the programs contemplated under this Agreement. This Agreement is subject to all applicable present and future valid laws governing such programs.

This Agreement shall be governed by the law of the State of Texas and venue shall be in the county in which the administrative offices of RESC VIII are located which is Titus County, Texas.

This Agreement contains the entire agreement of the Parties hereto with respect to the matters covered by its terms, and it may not be modified in any manner without the express written consent of the Parties.

If any term(s) or provision(s) of this Agreement are held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions of this Agreement shall remain in full force and effect

The Parties to this Agreement expressly acknowledge and agree that all monies paid pursuant to this Agreement shall be paid from budgeted available funds for the current fiscal year of each such entity.

Before any party may resort to litigation, any claims, disputes or other matters in question between the Parties to this Agreement shall be submitted to nonbinding mediation

No Party to this Agreement waives or relinquishes any immunity or defense on behalf of themselves, their directors, officers, employees, and agents as a result of its execution of this Agreement and performance of the functions and obligations described herein.

This Agreement may be negotiated and transmitted between the Parties by means of a facsimile machine and the terms and conditions agreed to are binding upon the Parties.

Authorization:

Region VIII Education Service Center and Texas Interlocal Purchasing System (TIPS) Program have entered into an Agreement to provide cooperative purchasing opportunities to public schools and governmental entities.

INTERLOCAL AGREEMENT, continued

This Agreement was approved by the governing boards of the respective parties at meetings that were posted and held in accordance with the Texas Open Meetings Act, Texas Government Code ch. 551.

The individuals signing below are authorized to do so by the respective parties to this Agreement.

Public District or Local Government

By: [Signature]
Authorized Signature

Title: COUNTY JUDGE

AUGUST 1, 2007
Date

Region VIII Education Service Center

By: [Signature]
Mr. Harvey B. Hohenberger, Jr.,

Title: Executive Director Region VIII ESC

873-07
Date

Martha L. Salazar
District or Entity Purchasing Contact Person

100 E. Cano St., 4th Floor
Street Address

Edinburg, Texas 78539
City, State Zip

(956) 318-2626-Extension 4862
Purchasing Contact's Telephone Number

(956) 318-2629
Purchasing Contact's Fax Number

martha.salazar@co.hidalgo.tx.us
Purchasing Contact's Email Address

Renan Ramirez-Chief Information Officer
District or Entity Technology Contact Person

100 North Closner
Street Address

Edinburg, Texas 78539
City, State Zip

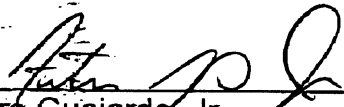
956-292-7010
Technology Contact Telephone No.

956-318-2152
Technology Contact Fax Number

renan@co.hidalgo.tx.us
Technology Contact's Email Address

Please send two signed original Interlocal Agreements to the Region VIII ESC, Attn: Mr. Harvey B. Hohenberger, Jr., Executive Director, Region VIII Education Service Center, PO Box 1894, Mt. Pleasant, Texas 75456-1894. Upon execution, a signed original will be returned to the Purchasing Contact listed above.

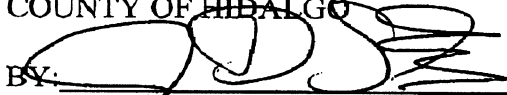
I certify that the foregoing is true and correct copy of the Order duly adopted by the Commissioners Court of Hidalgo County, Texas and that the same now appears of record in my office.



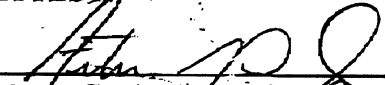
Arturo Guajardo, Jr.,
Hidalgo County Clerk
Hidalgo County, Texas

WITNESS, our hands in duplicate originals this _____ day of _____, 2007.

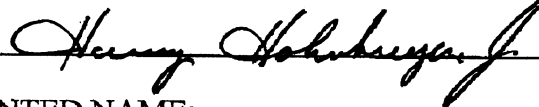
COUNTY OF HIDALGO

BY: 
Juan D. Salinas, III County Judge

ATTEST:


Arturo Guajardo, Jr. County Clerk

COMPANY: Texas Interlocal Purchasing System (TIPS Program)

BY: 


PRINTED NAME: _____

TITLE: _____

Approved on Commissioners' Court on July 17, 2007

APPROVED AS TO FORM:

Atlas & Hall ^{LLP}

By: 

AI-4632

16.A.10.

**Membership with The Interlocal Purchasing System through Region VIII
ESC**

CC REGULAR

Date: 07/17/2007

Submitted By: Marty Salazar, PURCHASING DEPT.

Submitted For: Vangie Garcia

Department: PURCHASING DEPT.

Agenda Area: Purchasing Department

Purchasing only: Hidalgo County

Information

CAPTION

Requesting approval for Interlocal Agreement with Region VII Education Service Center's cooperative purchasing program "The Interlocal Purchasing System" (TIP) as an additional resource for the procurement of goods and/or services through the cooperative's awarded vendors

BACKGROUND

Fiscal Impact

FISCAL YEAR:

ACCT. #:

FUNDS AVAILABLE Y/N?:

MATCHING FUNDS Y/N?:

BUDGETARY IMPACT:

No membership fee for T.I.P. membership.

Attachments

Link: [The Interlocal Purchasing System Information](#)

Form Routing/Status

Route Seq	Inbox	Approved By	Date	Status
1	Purchasing Department (Originator)	Marty Salazar	07/12/2007 03:50 PM	APRV
2	Budget & Management	Dina Trevino	07/13/2007 08:36 AM	APRV
3	Dale Kennan	Dale Kennan	07/13/2007 11:31 AM	APRV
4	Auditor's Office		07/13/2007 04:59 PM	NEW
Form Started By: Marty Salazar			Started On: 07/11/2007 05:26 PM	
Final Approval Date: 07/13/2007				

7. **A. Requesting ratification of Addendum No 1 (as drafted and approved for distribution on 05/12/06 by project architect, Alcocer, Garcia Associates Design Consulting) to amend original plans and/or specifications for the following items: Item 1) Include Contingency Allowance of \$8,000.00 in bid; Item 2) Security Vehicle Gate and Pedestrian Gate (refer to revised drawings); Item 3) CR and "j" box to be located in first masonry column.**
B. Requesting approval of Change Directive No 1 (1) (decrease) in the amount of \$ to reduce construction contract amount, from Spacemaker Construction in connection with "Sallyport and Backup Power", with authority for County Judge to execute document.
C. Requesting approval of Change Order No 1 (decrease) in the amount of \$ to reduce construction contract amount, from Spacemaker Construction in connection with "Sallyport and Backup Power", with authority for County Judge to execute document.

NO ACTION taken on items A thru C.

8. **Presentation for discussion, consideration and acceptance of sole bid received for RFB-Lease of Office Space in the City of Edinburg (bid #07-249 for 430th District Court) with approval of contract/lease agreement (subject to legal review).**

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval.

9. **A. Requesting authority to purchase equipment (as detailed in grid attached hereto) as a result of the torrential rains in Precinct #1 on July 3-5, 2007 and as declared as an "Emergency" by CC on 07/06/07, through Hidalgo County's participation with various cooperative programs (i.e. Houston-Galveston Area Council HGAC, TBPC-TxMas, TGPN and TASB's Buyboard) in an amount not to exceed \$100,000.00.**

B. Requesting ratification of emergency purchases for the following equipment:

***4 ea 2" gas pumps with accessories from Burton Auto for the total amount of \$ 2,734.43**

***4 ea 4" gas pumps with accessories from Godwin (through Buyboard) for the total amount of \$10,996.48**

for emergency use as a result of the torrential rains in Precinct #1 on July 3-5, 2007 and as declared by CC on 07/06/07.

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval on items A & B.

10. **Requesting approval for Interlocal Agreement with Region VII Education Service Center's cooperative purchasing program "The Interlocal Purchasing System" (TIP) as an additional resource for the procurement of goods and/or services through the cooperative's awarded vendors**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.