

**Agenda Item Details**

Meeting	Feb 28, 2022 - Regular Meeting
Category	8. Consent Agenda
Subject	8.11 Interlocal Agreement: Region 8 Education Service Center, presented by Vince Windham, Program Director, Purchasing, and recommended by the Superintendent for approval.
Access	Public
Type	Action (Consent)
Fiscal Impact	No
Budgeted	No
Recommended Action	Motion to approve the Interlocal Agreement between Region 8 Education Service Center and The School Board of Okaloosa County School Board, FL for access to The Interlocal Purchasing System (TIPS) Program.

Public Content

Request approval to enter into an agreement with Region 8 Education Service Center for access to The Interlocal Purchasing System (TIPS) Program. There is no cost associated with membership. Access will allow the district to purchase from multiple National contracts that have been competitively bid. Any purchase over \$25,000.00 from any cooperative contract will be presented to the School Board for approval per School Board Policy 2-17 (A)(7)(a).

For additional information, please contact Vince Windham, Program Director, Purchasing, at (850) 833-7668.

[TIPS CONTRACT.pdf \(176 KB\)](#)

Administrative Content

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Documentation concerning these items have been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Motion & Voting

Motion to approve the Consent Agenda as amended and all of the Consent Agenda items as recommended by the Superintendent

Motion by Marti Gardner, second by Diane Kelley.

Final Resolution: Motion Carries

Yes: Tim Bryant, Linda Evanchyk, Marti Gardner, Diane Kelley, Lamar White



**INTERLOCAL AGREEMENT
Region 8 Education Service Center**

The School Board of Okaloosa County, Florida
PUBLIC ENTITY (TIPS MEMBER)

FL993063
Control Number (TIPS will Assign)

and

Region 8 Education Service Center
Pittsburg, Texas

225 - 950
Region 8 Texas County-District Number

The 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, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university financial operations. Region 8 Education Service Center is an Education Service Center which is defined as a "political subdivision" in Texas Education Code 8.009 and falls under the definition of "Unit of State Government" in Chapter 2260 of the Texas Government Code.¹ Pursuant to Section 791 of the Texas Government Code (The Interlocal Cooperation Act) to increase the efficiency and effectiveness of local governments, Region 8 Education Service Center may enter into an interlocal agreement with any political subdivision or local government of this state or any other state to provide purchasing functions and services.²

Vision:

TIPS will continue to become the premier purchasing cooperative in North America through the qualifying and procurement of quality vendors and through serving all public entities and qualifying non-profits.

Purpose:

The purpose of this Agreement shall be to improve procurement process efficiencies and assist in achieving best value for the participating public entities through cooperative purchasing.

Duration:

This Agreement is effective immediately and shall be in effect for one (1) year and automatically renews for an additional year annually. The Agreement may be terminated without cause immediately if the public entity Member provides written notice of termination to Region 8 Education Service Center or if Region 8 Education Service Center provides the public entity Member Sixty (60) days prior written notice of termination.

Statement of Services to be Performed:

Region 8 Education Service Center, by this Agreement, agrees to provide cooperative purchasing services to the above-named public entity through a program known as The Interlocal Purchasing System ("TIPS") Program.

Role of the TIPS Purchasing Cooperative:

- Provide for the organizational structure of the program.
- Provide staff for efficient operation of the program.
- Promote marketing of the TIPS Program.
- Coordinate the Solicitation Process for all Vendor Awarded Contracts.
- Provide members with procedures for placing orders through TIPS PO System.

¹ Tex. Edu. Code Sec. 8.009; Tex. Gov. Code Sec. 2260.001.

² Tex. Gov. Code Chapter 791, The Interlocal Cooperation Act.

- Maintain filing system for Due Diligence Documentation.
- Collect fees from vendors as the method of financing this undertaking and supporting the operational costs of TIPS.

Role of the Public Entity:

- Commit to participate in the program by an authorized signature on membership forms.
- Designate and keep current a Primary Contact and Secondary Contact for entity.
- Commit to purchase products and services from TIPS Vendors when in the best interest of the entity.
- Submit Purchase Orders and/or Vendor Contracts through the TIPS PO System by emailing the pdf document to tipspo@tips-usa.com.
- Accept shipments of products ordered from Awarded Vendors.
- Process Payments to Awarded Vendors in a timely manner.
- Report all TIPS purchases to TIPS through TIPS authorized methods.
- Determine when a TIPS purchase is legal and appropriate under Federal, State, and Local law and policy before proceeding with a TIPS purchase.

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.

No joint agency or joint real property ownership is created by this Agreement.

This Agreement shall be governed by the law of the State of Florida and venue shall be in the county in which the administrative offices of The School Board of Okaloosa County, Florida are located which is Okaloosa County, Florida.

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 legally appropriated and 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. The site of the mediation shall be in Okaloosa County, Florida or a site mutually agreed by the parties. The selection of the mediator shall be mutually agreed. The cost of mediation shall be shared equally.

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 electronic means and the terms and conditions agreed to are binding upon the Parties.

Authorization:

Region 8 Education Service Center and The Interlocal Purchasing System (TIPS) Program have entered into an Agreement to provide cooperative purchasing opportunities to entities as outlined above through awarded vendor agreements procured by public solicitation in accordance with applicable Texas statutes.

This Interlocal Agreement process was approved by the governing boards of the respective parties at meetings that were posted and held in accordance with the respective state.

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

Membership Entity-**Region 8 Education Service Center**

The School Board of Okaloosa County, FL

By: 
Authorized Signature

By: 
Authorized Signature

Title: Board Chairman

Title: Executive Director, Texas Region 8 ESC

Date 02/28/2022

Date 2/28/2022

Public Entity Contact Information

<u>Vince Windham</u>	<u>Windhamv@OkaloosaSchools.com</u>		
Primary Purchasing Person's Name	Primary Person's Email Address		
<u>120 Lowery Place SE</u>	<u>Fort Walton Beach</u>	<u>Florida</u>	<u>32548</u>
Entity Address	City	State	Zip
<u>Shanna Duncan</u>	<u>Shanna.Duncan@OkaloosaSchools.com</u>		
Secondary Person's Name	Secondary Person's Email Address		
<u>(850) 833-7668</u>	<u>(850) 833-6327</u>		
Entity Phone Number	Entity Fax Number		

Florida Authority

Interlocal contracts in Florida are authorized by the Florida Interlocal Cooperation Act of 1969 (FICA). FLA. STAT. ANN. § 163.01, *et al.* Specifically, FICA provides that a public agency of Florida may exercise jointly with any other public agency of the state or of any other state, any power, privilege, or authority which such agencies share in common. *Id* at § 163.01 (4). Such powers shall be exercised by contract in the form of an interlocal agreement. *Id* at § 163.01 (5).



MEMBERSHIP
B E N E F I T S

ABOUT TIPS

Purchasing Cooperative

TIPS is a national purchasing cooperative offering competitively solicited contracts to education government and nonprofit agencies, saving them both time and money. TIPS provides a proven, streamlined process that eliminates the purchasing stress for Members.



www.tips-usa.com

866-839-8477



PURCHASING COOPERATIVE

"Purchasing Made Personal"

TIPS MEMBERS

are able to save time and money without the delay and expense because TIPS completes the competitive bid process for you

BENEFITS

Full-Line Contract Solutions

- Choose the products & services desired

Leveraging Relationships

- Select the Vendor desired to purchase from & work with
- TIPS is always available to assist in the process & confirm pricing

Quality Pricing

- Avoid low-bids and low-quality awards.
- Receive national volume, ceiling-based, discounted pricing
- Submit your own RFQ and specs through our Member Portal in one easy step

WHO CAN JOIN

The benefits of using TIPS are available to Education, Government and Non-Profit Agencies



TIPS is the purchasing cooperative of Region 8 Education Service Center, the **Lead Public Agency**.



TIPS has the **legislative authority** to establish contracts for government and education agencies **nationwide**.



Membership is **FREE** with no purchasing obligation or liability. Members gain immediate access to our competitively procured contracts with **quality vendors**.



www.tips-usa.com