

**BOARD OF TRUSTEES  
AGENDA**

<input type="checkbox"/> Workshop	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special
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(A)  Report Only  Recognition

**Presenter(s):**

**Briefly describe the subject of the report or recognition presentation.**

(B)  Action Item

**Presenter(s):** ISMAEL MIJARES, ASSISTANT SUPERINTENDENT FOR BUSINESS AND FINANCE  
LUIS VELEZ, PURCHASING DIRECTOR

**Briefly describe the action required.**

CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO APPROVE, IN ACCORDANCE WITH BOARD POLICY CH, THE INTERLOCAL AGREEMENT TO PARTICIPATE IN THE REGION VIII'S THE INTERLOCAL PURCHASING SYSTEM (TIPS) AND THE BOARD DELEGATES THE SUPERINTENDENT OR DESIGNEE THE AUTHORITY TO MAKE RELATED BUDGETED PURCHASES OF GOODS OR SERVICES AS PER BOARD POLICY CH.

(C) **Funding source: Identify the source of funds if any are required.**

BUDGETED FUNDS


(D) **Clarification: Explain any question or issues that might be raised regarding this item.**

SEE ATTACHED MEMORANDUM



## MEMORANDUM

**To:** Ismael Mijares, Assistant Superintendent for Business and Finance

**From:** Luis A. Vélez, Purchasing Director 

**Date:** Tuesday, May 06, 2014

**Subject:** **Region VIII Education Service Center and The Interlocal Purchasing System (TIPS) Program Interlocal agreement**

Digitally signed by  
Luis A. Vélez  
Date: 2014.06.26  
13:28:22 -05'00'

In accordance with Board Policy CH, the Department of Purchasing recommends the school district enter into an interlocal agreement with the Region VIII Education Service Center (ESC).

As per Board Policy CH, an interlocal contract must be authorized by the school board. Entering into such an agreement would allow Region VIII ESC to provide cooperative purchasing services through a program known as The Interlocal Purchasing System (TIPS) at no expense to the district. This cooperative would allow the purchasing department to increase efficiency and effectiveness, centralize purchasing activities, and increase purchasing power. Furthermore, by participating in this program the list of available resources from where to procure from will not only be expanded, but will also ensure compliance with competitive bidding requirements at reduced costs.

Access to this cooperative is being requested to obtain discounted pricing on the following categories: Asphalt, Paving and Other Related Services, Assistive Technology, Athletic Stadiums and Seating, Audio Visual Equipment and Supplies, Automobile & Truck Tires, Tubes, Parts, Automobiles, Cabling Products and Services, Cafeteria Point-of-Sale, Classroom and Teaching Aids, Commercial Cafeteria Equipment and Furniture, Comprehensive HVAC Solutions & Services, Compressed Natural Gas Conversion, Repairs, Filling Stations, Computers, Equipment, Components & Peripherals, Copiers, Fax and Multifunction Machines, Criminal Background Check & Finger Printing Services, Custodial Equipment, Services and Supplies, Data Center Hosting, Sales & Service, Digital Recordings, Disaster Restoration & Emergency Recovery Services, Distance Learning Systems & Equipment, Document Imaging and Duplicating Services, Elevators and Servicing, Email Archive Systems With Backup And Disaster Recovery, Emergency Shelters, Energy Professional Services, E-Rate, Fine Paper, Fire and Emergency Rescue Vehicles, Fleet Leasing and Emergency Services, Floor Covering, Supplies & Services, Food Service Management, Sales, Service & Catering, Food Service: Equipment, Chemicals, Supplies & Service, Food Service: Management Tools (including Software), Furniture (All) and Installation, General Services, Graphing Calculators, Grounds Maintenance, Equipment, Supplies & Services, Gym Floors, Repairs, Replacements & Service, Heavy Duty Equipment, Industrial Equipment and Supplies, Interactive Presentation Systems, Internet and Network Security, Internet Services, IP TV and Video Distribution, Janitorial Services, Job Order Contracting and Related Services, Library Books and Literature, Lighting, Lockers, Management Software and Services, Medical Equipment, Supplies & Related Services, Motorized Emergency Transportation, Motorola Broadband, Multi-tiered Private Collaboration Network, Music Instruments and Sheet Music, Networking Equipment, Software and Services, Notification Systems, Office and School Supplies, Online Auction Systems and/or Auctioneer Services, Online Student Registration and Enrollment, Outdoor Management, Pavement, Parking Lot Installation & Maintenance, Permanent Modular Buildings, Photo ID Systems, Photography, Playground, Athletic, PE, HD Gym, Weight Lifting, & Exercise Equipment, Portable/Modular Buildings, Printing, Sorting & Other Related Services, Professional Services, Promotional and Award Products, Public Finance Services-Lease/Purchase, Qualified Retail Electric Broker Services, Record Asset Management, Refurbished Computers and Other Refurbished Equipment, Renewable Energy Solutions and Services, Roofing, Safety Equipment and Supplies, School Bus Surveillance, School Buses Used Or Refurbished, For Lease Or Purchase, School Buses, Used or Refurbished-Lease Purchase, School Buses: New Sales, Rentals, Service, Parts & Supplies, Science Equipment and Supplies, Scoreboards, Security/Surveillance Systems & Installation, Signage (All Types), Smart Pen With Education Bundle, Supplies and Service, SOFTWARE- Catalog, SOFTWARE-Software Special, SOFTWARE-Volume Licensing, Sporting Goods, Apparel & Equipment, Sports Facility Lighting, Synthetic or Natural Sports Fields, Courts or Tracks, Telephone Systems, Equipment, Repair & Service, Time Clock Systems, Trades, Labor and Materials, Trailers, Two Way Radios, Uniforms: Sales, Rent, Servicing, Video Production, Waste, Management, Recycling, and Sustainability Solutions, Water Meters and/or Water Meter Reading Systems, Web Hosting, Web Services and Content Mgmt, Wind Energy Provider and Wireless Data and Voice among others. There is no fee to participate in this interlocal agreement.

Attached is a copy of the interlocal agreement. Please contact me should you have any questions.

**INTERLOCAL AGREEMENT**  
**Region VIII Education Service Center**  
**TEXAS PUBLIC ENTITY OR LOCAL GOVERNMENT**  
**(School, College, University, State, City, County, or Other Political Subdivision)**

EAGLE PASS INDEPENDENT SCHOOL DISTRICT  
TEXAS PUBLIC ENTITY

\_\_\_\_\_ - \_\_\_\_\_  
Control Number (TIPS will Assign)  
Schools enter County-District Number

Region VIII Education Service Center  
Pittsburg, Texas

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, colleges and universities in improving student performance and increasing the efficiency and effectiveness of school, college and university operations. Authority for such services is granted under Texas Government Code §§ 791.001 *et seq* as amended. Cooperative Purchasing Services under this agreement are extended to all Texas State, City or County Government Agencies, or any other Local Government Entity as defined in the Texas Government Code § 791.003.

This Interlocal Agreement (hereinafter the "Agreement") is effective SEPTEMBER 1, 2014 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 entity through a Program known as the The Interlocal Purchasing System (TIPS) Program.

The purpose of the TIPS Program shall be to obtain substantial savings for participating school entities or public agencies through cooperative purchasing.

**Role of the TIPS Purchasing Cooperative:**

1. Provide for the organizational and administrative structure of the program.
2. Provide staff necessary for efficient operation of the program.
3. Provide marketing of the program to expand membership, number of vendor awarded contracts and commodity categories.
4. Initiate and implement activities required for competitive bidding and vendor award process including posting, advertising, collecting proposals, scoring proposals, and award of contracts.
5. Provide members with procedures for ordering, delivery, and billing.
6. Maintain filing system for all bidding procedure requirements.

## **INTERLOCAL AGREEMENT, continued**

### **Role of the Public Entity:**

1. Commitment to participate in the program by an authorized signature on membership forms.
2. Designation of Primary Contact and Technology Contact for entity.
3. Commitment to purchase products and services from TIPS Vendors when in the best interest of the entity.
4. Prepare purchase orders issued to TIPS Awarded Vendor and FAX to TIPS.
5. Accept shipments of products ordered from Awarded Vendors in accordance with standard purchasing procedures.
6. Pay Awarded 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 Camp 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 The Interlocal Purchasing System (TIPS) Program have entered into an Agreement to provide cooperative purchasing opportunities to public agencies.

**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 Entity**

**Region VIII Education Service Center**

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Authorized Signature

Title: E.P.I.S.D. SCHOOL BOARD PRESIDENT

Title: Executive Director Region VIII ESC

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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Public Entity Contact Information

LUIS VELEZ  
Primary Purchasing Person Name

1420 EIDSON ROAD  
Street Address

EAGLE PASS, TX 78852  
City, State Zip

830-773-5181  
Telephone Number

830-773-8845  
Fax Number

LVELEZ@EAGLEPASSISD.NET  
Primary Person Email Address

ISMAEL MIJARES  
Secondary Person Name

IMIJARES@EAGLEPASSISD.NET  
Secondary Person Email Address

Please send two signed original Interlocal Agreements and one copy of Board Resolution (if required) to TIPS, Attn: Kim Thompson, C/O Region VIII Education Service Center, 4845 US Highway 271 North, Pittsburg, Texas 75686. Upon execution, a signed original will be returned to the Purchasing Contact listed above.