

**INTERLOCAL AGREEMENT**  
**Region VIII Education Service Center**  
**NEBRASKA PUBLIC AGENCY**  
**(School, College, University, State, City or County Office)**

\_\_\_\_\_  
NEBRASKA EDUCATIONAL OR GOVERNMENT ENTITY

\_\_\_\_\_  
Control Number (TIPS will Assign)

and

Region VIII Education Service Center  
Pittsburg, Texas

225 - 950  
Region 8 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.

**Government Authority:**

Authority for such services in Nebraska is granted under Nebraska Government law. NEB. REV. STAT §13-2501, *et seq.*. These competitively bid cooperative purchasing services are extended to all Nebraska State, City and County Government Agencies.

TICA also expressly states that a party to an interlocal contract may contract with a similar agency of another state. TEX. GOV'T CODE §791.011 (b) (2). A school district is a local government in Nebraska. A Regional Education Service Center is a political subdivision of the State of Texas. See TEX. EDUC. CODE § 8.001, *et seq.* Therefore, an interlocal purchasing cooperative administered by a Regional Service Center in Texas has statutory authority to contract or agree with a Nebraska public school district or other local government of Nebraska.

The Nebraska Joint Public Agency act generally permits interlocal cooperation as well. See NEB. REV. STAT. § 13-2501, *et seq.* Specifically, the Act permits a public agency of the State of Nebraska to exercise any power, privilege or authority jointly with any other public agency of Nebraska or any public agency of another state. See *Id* at § 13.2505. Under the Act a "public agency" is defined as any county, city village, school district of agency of Nebraska state government, and any political subdivision of another state. *Id* at § 13.2503 (5). Finally under the Act, two or more public agencies may contract for the joint cooperation permitted under the Act. *Id* at § 13-2504. As previously noted, the Region VIII Service Center is considered a political subdivision of the State of Texas for the purposes of the Nebraska Joint Public Agency Act.

**Vision:**

TIPS will become the premier purchasing cooperative in North America through developing partnerships with quality vendors, school districts, universities, colleges, all governmental entities, and public and private industry.

**Mission:**

Our mission is to provide a proven purchasing process through quality customer service including timely response, legal support and effective recruitment by providing sufficient resources to include personnel.

**Purpose:**

The purpose of the TIPS program shall be to continue providing substantial savings and best value for participating educational entities or public agencies through cooperative purchasing.

**Effective:**

This Interlocal Agreement (hereinafter referred to as the "Agreement") is effective \_\_\_\_\_ and shall be automatically renewed annually 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 competitively bid 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:**

1. Provide organizational and administrative structure of the TIPS Program.
2. Provide Administrative and Support Staff necessary for efficient operation of the TIPS Program.
3. Provide marketing of the TIPS program to expand membership, 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 awarding of vendor contracts.
5. Provide members with current awarded vendor contracts, instructions for obtaining quotes and ordering procedures.
6. Maintain filing system for all competitive bidding procedure requirements.
7. Provide Reports as requested.
8. Maintain active membership database for awarded vendors.
9. Provide TIPS training to members and vendors upon request.

**Role of the Education or Government Entity:**

1. Commit to participate in the TIPS Program.
2. Designate a Primary and Technology Contact for the entity to be responsible for promoting TIPS within the organization.
3. Commit to purchase products and services from TIPS Vendor Awarded Contracts when in the best interest of the entity. **PURCHASE ORDER MUST ALWAYS BE MARKED TIPS and EMAILED to [TIPSPO@TIPS-USA.COM](mailto:TIPSPO@TIPS-USA.COM) for processing.**
4. 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.
7. Report any vendor issues that may arise to the TIPS Cooperative Coordinator.

**General Provisions:**

Both 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 laws 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.

It is the responsibility of the Entity purchasing from TIPS to insure that the respective State purchasing laws are being followed.

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

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 competitively bid cooperative purchasing opportunities to entities as outlined above.

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 Open Meetings Act, for Texas it was Government Code Ch. 551.

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

**Membership Entity-**

**Region 8 Education Service Center**

\_\_\_\_\_

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

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

Title: \_\_\_\_\_

Title: Executive Director Region VIII ESC

\_\_\_\_\_ Date

\_\_\_\_\_ Date

**Public Entity Contact Information**

\_\_\_\_\_ Primary Purchasing Person's Name

\_\_\_\_\_ Primary Person's Email Address

\_\_\_\_\_ Mailing Address

\_\_\_\_\_ Telephone Number

\_\_\_\_\_ City, State Zip

\_\_\_\_\_ Fax Number

\_\_\_\_\_ Secondary Contact Name

\_\_\_\_\_ Secondary Contact's Email Address

**Instructions:**

If your entity does not require you to have an Interlocal Agreement, please go to the TIPS website under Membership and take advantage of online registration. The states of Texas and Arizona **do** require all entities to have an Interlocal Agreement. Email completed Interlocal Agreement to tips@tips-usa.com.