



Text File

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**Bill No:** 2020-0882, **Version:** 1

**Committee:** Committee on Finance and Law

**Status:** Passed Finally

Resolution authorizing the City of Pittsburgh to participate in applicable cooperative purchasing agreements for goods, materials, equipment, supplies, services, professional services, or construction, as authorized by the Commonwealth Procurement Code and the Pennsylvania Intergovernmental Cooperation Law for the 2021 Fiscal Year.

**WHEREAS**, 62 Pa.C.S.A. § 1902 (the Commonwealth Procurement Code) permits a municipality to “participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any supplies, services, professional services or construction with one of more public procurement units or external procurement activities” as defined therein “in accordance with an agreement entered into between the participants;” and

**WHEREAS**, 53 Pa.C.S.A. § 2309 (the Pennsylvania Intergovernmental Cooperation Act) permits a municipality to make direct purchases from vendors or suppliers of goods, materials or equipment without compliance with existing and otherwise applicable statutory requirements governing competitive bidding and execution of contracts, so long as permitted by the City, and

**WHEREAS**, it is in the interest of intergovernmental cooperation and for the benefit of the residents of the City of Pittsburgh that the City has the opportunity to participate in or purchase off such contracts, and

**WHEREAS**, per Section 161.02(a)(7) of the City Code, contracts are exempt from the requirements of the lowest responsible bidder if purchased through “intergovernmental or cooperative purchasing plans, established pursuant to applicable law,” and

**WHEREAS**, it is the will of the Council of the City of Pittsburgh to review this authorization to participate in applicable cooperative purchasing agreements on an annual basis.

**Be it resolved by the Council of the City of Pittsburgh as follows:**

**Section 1.** This Resolution authorizes the City of Pittsburgh to request of the Commonwealth of Pennsylvania and any Commonwealth of Pennsylvania County, City, Township, Municipality, Borough, Authority, Public Procurement Unit and the Pittsburgh School District that the City be authorized to make purchases from contracts for supplies, services, professional services or construction entered into by the U.S. General Services Administration, the Commonwealth of Pennsylvania and any Commonwealth of Pennsylvania County, City, Township, Municipality, Borough, Authority, Public Procurement Unit, Public Sector Procurement Cooperative, and the Pittsburgh School District pursuant to the Commonwealth Procurement Code, and approved for use by the Office of Management and Budget.

**Section 2.** Insofar as the applicable cooperative purchasing agreements of entities including the U.S. General Services Administration, the Commonwealth of Pennsylvania, and any Commonwealth of Pennsylvania County, City, Township, Municipality, Borough, Authority, Public Procurement Unit, Public Sector, Procurement Cooperative, and the Pittsburgh School District are intended for use by other public procurement units as defined in 62 Pa.C.S.A. § 1901, the City of Pittsburgh agrees to be bound by such terms and conditions of the applicable cooperative purchasing agreement(s) with regard to its purchases thereunder.

**Section 3.** The City of Pittsburgh shall be responsible for direct payment to vendors for its purchases made under applicable cooperative purchasing agreements.

**Section 4.** If a cooperative purchasing agreement is entered into, and the funds have been authorized for appropriation for that purpose, The City Controller is hereby authorized to make payment directly to the vendor under the applicable cooperative purchasing agreement.

**Section 5.** This authorization shall expire on December 31, 2021 at the end of the 2021 fiscal year. Any encumbrances of any above covered contracts made prior to December 31, 2021, shall continue to be honored until those encumbrances are cleared per the City's Encumbrance Policy for Departmental Contracts.