

**KING COUNTY WATER DISTRICT NO. 90**

**KING COUNTY, WASHINGTON**

**RESOLUTION NO. 1012**

**A RESOLUTION** of the Board of Commissioners of King County Water District No. 90, King County, Washington, authorizing District staff to acquire a Case 590 Super N 4X4 Backhoe through the National Joint Powers Alliance Cooperative Purchasing Roster.

WHEREAS, King County Water District No. 90 ("District") is a water special purpose district existing pursuant to Title 57 Revised Code of Washington ("RCW") owning and operating water systems within its corporate and service area boundaries in King County, Washington for the benefit of its customers; and

WHEREAS, pursuant to RCW 57.08.050 (3), the District is authorized to purchase equipment, supplies and materials in accordance with the procedures set forth therein; provided, as an alternative to RCW 57.08.050 (3), the District is also authorized by RCW 57.08.050 (4) to purchase equipment, supplies and materials from suppliers designated on current state agency, county, city or town purchasing rosters at the price and terms as described on the applicable roster when the roster has been established in accordance with the competitive bidding law for purchases applicable to the state agency, county, city or town; and

WHEREAS, RCW 39.34.030 (1) authorizes the joint and cooperative exercise of shared powers, privileges and authority between public agencies of the State of Washington and public agencies of any other state; and, pursuant to RCW 39.34.030 (5)(b), with respect to one or more public agencies purchasing or otherwise contracting through a bid, proposal or contract awarded by another public agency or by a group of public agencies, any statutory obligation to provide notice for bids or proposals that applies to the public agencies involved is satisfied if the public agency(s) that awarded the bid, proposal or contract complied with its own statutory requirements by either (i) posting the bid or solicitation notice on a web site established and maintained by a public agency or purchasing cooperative for purposes of posting public notice of bid or proposal solicitations, or (ii) providing an access link on the public agency's web portal to the notice; and

WHEREAS, the District's existing backhoe now needs to be replaced and the District desires to acquire a new Backhoe; and the District desires to obtain the most competitive bid for the Backhoe and has reviewed existing purchasing rosters pursuant to RCW 57.08.050 (4), but such rosters, including the equipment rosters maintained by the State of Washington Department of General Administration, do not currently have the type of backhoe and related equipment the District requires on such rosters; however, District staff has determined that a cooperative purchasing roster maintained by the National Joint Powers Alliance ("NJPA"), a public agency authorized and existing pursuant to M.S. 123A.21 and 471.59 of the laws of Minnesota, presently has available on its purchase rosters the make and model of a backhoe the District presently requires, and NJPA has complied with the requirements of RCW 39.34.030 (5) (b) by posting the bid or solicitation notice for the type of backhoe the District requires on its web site for the purposes of public notice for such bid; and that such backhoes on the NJPA equipment

rosters are available at a competitive price and from vendors located in the State of Washington; and

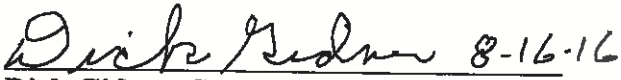
WHEREAS, as authorized by Resolution No. 1011 adopted by the District Board of Commissioners on August 16, 2016, the District previously entered into an interlocal agreement with the NJPA, became a participating member of the NJPA and, as such, it has the legal right and authority to exercise its rights and privileges as a member of NJPA to obtain a bid to purchase the backhoe from the NJPA purchasing roster; now, therefore,


BE IT RESOLVED by the Board of Commissioners of King County Water District No. 90, as follows:

1. District staff are authorized to acquire a new backhoe and related equipment from and through the applicable NJPA vendor roster at a cost not exceeding \$ 136,336.54 including applicable tax.

ADOPTED by the Board of Commissioners of King County Water District No. 90, King County, Washington, at a regular open public meeting thereof on the 16th day of August, 2016

 8/16/16  
Sam Amira, President

 8-16-16  
Dick Gidner, Secretary

 08/16/16  
Byron Murgatroyd, Commissioner