

RESOLUTION NO. 2017-AA

A RESOLUTION OF THE EATONVILLE TOWN COUNCIL APPROVING A MASTER CONTRACT USAGE AGREEMENT WITH WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES

WHEREAS, Washington State Department of Enterprise Services, Master Contracts Usage Agreement is a one-time agreement necessary to meet statutory requirements allowing qualifying organizations to use Washington State master contracts; and

WHEREAS, Cooperative purchasing through state contracts will provide the Town of Eatonville the opportunity to save money annually by pooling resources to leverage the market through volume discounts with access to over 1,500 vendors at no cost to the Town; and

WHEREAS, the purpose of this Agreement is to establish the terms and conditions for when the Town of Eatonville purchases or acquires goods and services for its direct use under contracts entered into by DES that permit such use; now therefore

THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: The Master Contract Usage Agreement between Washington State Department of Enterprise Services and the Town of Eatonville to establish the terms and conditions allowing the Town of Eatonville to purchase goods and services using the Washington State master contracts.

PASSED by the Town Council of Town of Eatonville and attested by the Town Clerk in authentication of such passage this 25th day of September 2017.

Mike Schaub, Mayor

ATTEST:

Kathy Linnemeyer, Town Clerk

Agreement Number: _____

DES Use Only

MASTER CONTRACT USAGE AGREEMENT

This Master Contract Usage Agreement (the "Agreement") is made pursuant to Chapter 39.34 of the Revised Code of Washington, and other applicable laws, by and between the state of Washington (the "State"), acting by and through the Department of Enterprise Services ("DES"), an agency of the State, and Town of Eatonville,

Entity Name

a state agency, or local or federal agency or entity, or public benefit nonprofit corporation, or any tribe located in the State ("Buyer").

1. Purpose: The purpose of the Agreement is to establish the terms and conditions for when Buyer purchases or acquires goods and services for its direct use under contracts entered into by DES that permit such use ("Master Contracts").
2. Duration: This Agreement will become effective on date of execution, and will continue in full force and effect until thirty (30) days following receipt of written notice from either party cancelling this Agreement.
3. Agreement Contact Information: Contact person to whom contract documents and related communications are to be mailed or faxed.

Organization Name: Town of Eatonville		
Tax Identification Number: 91-6001423		
Unified Business Identifier: <i>Required for Non-Profit:</i>		
Contact Name: Abby Gribi		
Title: Town Administrator		
Address: PO Box 309		
City: Eatonville	State: WA	Zip: 98328
Phone Number: 360-832-3361		
Email Address: townadmin@eatonville-wa.gov		

4. Cancellation of Agreement: This agreement can be terminated by either party upon 30 days written notice provided to DES at:
Email to: mcua@des.wa.gov OR Mail to: WA Dept. of Enterprise Services
Attn: Contracts Resource Center
P.O. Box 41411
Olympia, WA 98504-1411
5. Financial Responsibility: Buyer will deal directly with Master Contract contractor, supplier, or service supplier ("Contractor") for any purchases Buyer makes pursuant to this Agreement and under a Master Contract. DES does not accept any responsibility, financial or otherwise, for any purchase Buyer makes under a Master Contract.

6. Compliance with Other Laws: Each of the parties will comply with all applicable federal, state, and local laws and regulations governing its own purchases.
7. Master Contract Audits: Buyer agrees to cooperate with DES, the Office of the State Auditor, federal officials, or any third party authorized by law, rule, regulation or contract, in any audit conducted by such party related to any Master Contract(s) that Buyer has made purchases from pursuant to this Agreement, including providing records related to any purchase from a Master Contract. In addition, Buyer agrees to provide, upon request from DES, documentation to confirm its eligibility to use Master Contracts.
8. Dispute Resolution: If there are any disputes between Buyer and a Contractor, Buyer agrees to (a) provide DES written notice of the nature of the dispute; and (b) unless otherwise provided in the Master Contract or as set forth below, work in good faith with the Contractor to resolve the dispute without the involvement of DES. DES may, upon request, review and assist in the resolution of a dispute, and if DES chooses to do so, the Buyer will cooperate with DES in that resolution process.

In its sole discretion, DES may, but is not obligated to, upon written notice to Buyer, resolve disputes with a Contractor on behalf of Buyer and all other state, local, and federal agencies, local governments, and public benefit nonprofit corporations with similar or related disputes with such Contractor.

9. No Separate Entity: No separate legal or administrative entity is intended to be created by, or for the administration of, this Agreement.
10. Hold Harmless: Each party agrees to defend, indemnify, and hold the other party harmless from any claim arising from such party's sole negligent, reckless, or willful misconduct.
11. Entire Agreement: This Agreement sets forth the entire agreement between the parties, and supersedes any other prior written agreements between the parties, with respect to the subject matter hereof.

IN WITNESS WHEREOF the parties having read this Agreement, agree to it in each and every particular, and have executed it below.

APPROVED

APPROVED

WASHINGTON STATE
DEPARTMENT OF ENTERPRISE SERVICES

Town of Eatonville

Entity Name

Entity Name

Signature

Signature

Farrell Presnell, Assistant Director

Name/Title

Name/Title

Mike Schaub, Mayor

Date

Date



(1)

Master Contracts Usage Agreement

What is the MCUA?

The Master Contracts Usage Agreement (MCUA) is a one-time agreement (/sites/default/files/public/documents/ContractingPurchasing/MasterContractUsage/MCUA.pdf?1) necessary to meet statutory requirements allowing qualifying organizations to use Washington State master contracts. Cooperative purchasing through state contracts provides organizations that have agreed to terms and conditions (<https://fortress.wa.gov/es/apps/ContractSearch/MCUAListing.aspx>) the opportunity to save millions of dollars annually by pooling resources to leverage the market through volume discounts. Authorized organizations are provided access to over 1,500 vendors (/services/contracting-purchasing/current-contracts) supplying goods and services through master contracts to meet all the business needs of their organization at no cost.

Legislation

WAC 236-49-060 (<http://apps.leg.wa.gov/WAC/default.aspx?dispo=true&cite=236>)

WAC 200-310-010 (<http://apps.leg.wa.gov/WAC/default.aspx?cite=20310-010>)

RCW 39.26.050 (<http://apps.leg.wa.gov/RCW/default.aspx?cite=39.26.050>)

RCW 43.19 (<http://apps.leg.wa.gov/RCW/default.aspx?cite=43.19>)

How much does it cost?

There is no cost for the Master Contracts Usage Agreement.

Who can sign a MCUA?

State Agencies

State Boards

State Commissions

Higher Education Institutions

Offices of Separate Elected Officials

Local Government Agencies

Federal Agencies

Washington State Tribal Entities

Public Benefit Non-profit (PBNP)

Organization with 501(C)3 tax status that have filed PBNP status with

Contact Information

MCUA

PO Box 41409

Olympia, WA 98504-1409

(360) 407-2210

MCUA@des.wa.gov

<mailto:MCUA@des.wa.gov>

Q&A

Secretary of State. For filing information, go to

<http://www.sos.wa.gov/corps/> (<http://www.sos.wa.gov/corps/>) .

More information about purchasing agreements with Public Benefit profit: RCW 39.34.055 (<http://apps.leg.wa.gov/RCW/default.aspx?cite=39.34.055>) .

More information about Public Benefit Non-profit designation: RCW 24.03.490 (<http://apps.leg.wa.gov/RCW/default.aspx?cite=24.03.490>) .

How do I join?

1. Check the signed agreement list

(<https://fortress.wa.gov/es/apps/ContractSearch/MCUAListing.aspx>) .

1. If you are not on this list:

Download and print the Master Contracts Usage Agreement (MCUA) (</sites/default/files/public/documents/ContractingPurchasing/MasterContractUsage/MCUA.pdf?1>)

Fill out and sign MCUA (including any supporting documentation)

1. Non-profit organizations must include:

IRS Confirmation of 501(c) 3 status.

Washington Secretary of State Public Benefit Non-Profit (<https://corps2.sos.wa.gov/NonProfitCorporation/Pages/StartPage.aspx>) (PBNP) filing print out

Statement of funding source(s) (e.g., local, state or federal funds)

Scan and email signed copy of MCUA (and any supporting documentation) to: MCUA@des.wa.gov (<mailto:MCUA@des.wa.gov>) or

Mail signed copy (and supporting documentation) to:

DES

MCUA, attn: Contracts Resource Center

Box 41409

Olympia, WA 98504-1409

A fully executed copy will be scanned and returned to you via email.

If you have questions, please call the Master Agreement Service Desk (360) 407-2210 or email MCUA@des.wa.gov (<mailto:mcua@des.wa.gov>) .

What can I buy?

You can purchase a wide variety of goods and services. Contracts are searchable (</services/contracting-purchasing/current-contracts>) . The following are a few examples of the most-used contracts:

Vehicles (heavy duty and passenger)

Copiers

Office equipment and supplies

Purchasing card

Infant formula

Radio equipment

Fuel

Pharmaceuticals

Furniture

Food

Emission inspection service

Industrial supplies

Travel services

Landscaping equipment

Paint (various kinds)

Electronic monitoring services

Electrical supplies

Janitorial services

How do I make a purchase with a state contract?

First, check the signed agreement list

(<https://fortress.wa.gov/es/apps/ContractSearch/MCUAListing.aspx>).

Once you have a current signed MCUA:

Use our contract search (/services/contracting-purchasing/current-contracts) to find a contract or learn about special purchasing progra

Identify a vendor on the contract you wish to use

Contact the vendor citing the contract number you wish to use, contra name and provide your customer number.

What if I have additional questions?

Call (360) 407-2210 or email MCUA@des.wa.gov

(<mailto:MCUA@des.wa.gov>)

Please reference the Master Contracts Usage Agreement when asking your question.

NEW! Comprehensive contract and procurement training available to MUCA members

The Department of Enterprise Services makes its comprehensive state contract and procurement training (/about/projects-initiatives/procurement-reform/non-state-employee-contract-and-procurement-training) available to non-state employees, including those with master contracts usage agreements. Anyone in your organization who makes purchases or manages contracts can benefit from this training. Through this training, we can improve relationships within the business community by learning about best practices, ethics, laws, and resources so that we can all work towards reducing risk and being good stewards of public dollars.

Learn more ([/about/projects-initiatives/procurement-reform/non-state-employee-contract-and-procurement-training](#)) about non-state employee contract and procurement training.

Services available as a MCUA member

The following services are available as part of the MCUA:

Training and events

WEBS

Access to Master contracts*

Access to the Western States Contracting Alliance (WSCA)

Join Purchasing mailing list to receive email broadcast bulletins

IT Brokering and Procurement Consultation

IT Master Contracts

Tier II Contract for Janitorial Services

Single Purchase Requests

Contracting and Purchasing Consulting

*Some contracts may not be available for use by all MCUA. See the individual contract summary for who is eligible to use the contract.