

August 11, 1998

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## Interstate Compact Between Washington And Oregon

### Joint Participation In Each State's Cooperative Purchasing Program

The purpose of this compact is to provide each state's cooperative members access to the other state's contracts. By this action we seek to improve service and cost efficiencies to our respective cooperative members.

Pursuant to Chapter 39.34 RCW and other provisions of law, the State of Washington, Department of General Administration, through the Office of State Procurement, hereinafter called "OSP" has established an intergovernmental purchasing cooperative called the Washington State Purchasing Cooperative (WSPC). Cooperative members of WSPC include: political subdivisions (i.e. cities, counties, school districts, port or special purpose districts, etc.) and public benefit nonprofit corporations as defined in RCW 39.34.055.

Pursuant to ORS 190.110, 190.210, 190.240 and other provisions of law, the State of Oregon, Department of Administrative Services, hereinafter called "DAS," through the Transportation, Purchasing and Print Services Division has established intergovernmental purchasing cooperatives, called the Oregon Cooperative Purchasing Program (ORCPP) and the Department of Administrative Services Cooperative Purchasing Program (DASCPP). Cooperative members of ORCPP include, but are not limited to: cities, counties, school districts, special districts, qualified rehabilitation facilities, residential programs in contract with the Oregon Department of Human Services, some Public Benefit Corporations, United States governmental agencies, and American Indian tribes or agencies. Cooperative members of DASCPP include, but are not limited to: state and quasi-state agencies with their own purchasing autonomy; public bodies created as governmental entities but not considered a unit of local or municipal government; and Oregon constitutional offices or agencies.

Pursuant to Washington's RCW 43.19.1905(18) and RCW 39.34.055 and Oregon's ORS 190.410-190.430, contracts awarded by OSP and DAS will be offered for use by cooperative members of WSPC, ORCPP and DASCPP, for contracts in which contractor agrees to such use.

OSP and DAS will each maintain a listing of contracts available for use by cooperative members of the other state's purchasing cooperative and will list them on their respective Internet websites. Updates to the listing will also be made on the Internet and be done on a no-cost basis to the other state. Each state accepts the terms and conditions of any contract under which it purchases, and any contract change, modification or amendment shall be made by the contracting state.

This interstate compact shall become effective immediately after being signed by OSP and DAS and approved by their respective legal counsel, and shall continue in effect until terminated by either OSP or DAS following 45 day written notice of termination to the other state's purchasing office.

In the event of termination of this compact, OSP and DAS will provide written notice to each of their respective contractors. Notice will include: the termination of contractor's authority to extend the contract to the other state's cooperative members and the effective date of termination of this compact.

Each state will be responsible for its costs associated with executing, maintaining and terminating the responsibilities of this compact.

**Responsibilities:**

Cooperative members pay an annual subscription fee to participate in their respective state's purchasing cooperative. A listing of registered cooperative members is maintained by OSP and DAS for reference by the contractors.

OSP and DAS shall use their best efforts to communicate/share their respective bid and/or solicitation calendars to avoid possible problems associated with encumbering existing contracts. Discussions will be held between the purchasing offices of OSP and DAS regarding specific contracts being considered for expansion to the other state's cooperative members. The contact person for OSP and DAS shall be their respective Purchasing Manager or designee.

**OSP and DAS will:**

- Respond to customer questions regarding their respective contracts.
- Provide training and materials regarding their respective contracts to eligible cooperative members.
- Assist in resolving disputes between cooperative members and contractors for their respective contracts.
- Determine appropriate actions and remedies regarding contract administration for their respective contracts.
- Educate their respective contractors regarding how cooperative membership should be confirmed, who the cooperative members are, and the appropriate protocol for approaching potential cooperative members.

**Approvals:**

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