Resolution #___________  
Cooperative Purchasing Agreement

This AGREEMENT made this ____ day of _____________. _____, by and between the ____________
of _______________ and the Berks County Cooperative Purchasing Council, an unincorporated
association of public entities organized and existing under the applicable provisions of P.L. 526 of April
29, 1937 (53 P.S. section 5431 et seq.), as amended, and Act 57 of May 15, 1998, as amended, (Title 62
Pa C.S. 1902) known as the Commonwealth Procurement Code for the purpose of joint purchases of
materials, equipment, supplies, services, and/or construction.

WHEREAS, the Berks County Cooperative Purchasing Council was created by agreement dated
February 1, 1999; and

WHEREAS, the _______________ of _______________ and the Berks County Cooperative Purchasing
Council have now agreed that the ________________ of _________________ shall join the Berks
County Cooperative Purchasing Council;

NOW, THEREFORE, pursuant to the authority granted by the Assembly of the Commonwealth of
Pennsylvania providing for cooperative purchasing in accordance with the applicable provisions of P.L.
526 of April 29, 1937 (53 P.S. section 5431 et seq.), as amended, and Act 57 of May 15, 1998, as
amended, (Title 62 Pa C.S. 1902) known as the Commonwealth Procurement Code, the parties hereto, in
consideration of the premises and the mutual promises contained herein, agrees as follows:

1. It is hereby understood that in order to carry out this joint purchasing plan a Joint Purchasing Council
will be established, to be known as the BERKS COUNTY COOPERATIVE PURCHASING
COUNCIL, hereafter called the “Council”. The membership of the Council will consist of one (1)
voting representative from each member entity participating in the plan. Such representative shall be
designated, in writing, by the governing body of each respective entity.

2. Said Council shall formulate and adopt such rules and regulations for said organization and
procedures as it may deem suitable for the conduct of its business.

3. The duties of the Council shall be to meet periodically as shall be agreed upon for the purpose of
preparing specifications for the various types of materials, equipment, supplies, services, and/or
construction which may be jointly purchased, and to discuss other problems and exchange ideas
pertinent to the area of public procurement.

4. It is understood that each of the participating entities shall have the privilege of either joining or not
joining in the purchase of any items upon which joint purchasing bids are to be secured and no entity
shall be required to pay or contribute for items not purchased by said entity. Each representative shall
designate, in writing, prior to advertising, the items to be purchased, the quantities and terms of
shipment for their respective entity.

5. A designated lead agency shall assume the responsibility for preparing the Invitation to Bid and
advertising for bids in accordance with the By-Laws of the Council. The lead agency shall also be
designated to assume the following responsibilities:

a. receive and open all bids at the time and in a manner acceptable to the participants;

b. submit a complete tabulation of all bids to the appropriate authority of each participating agency;

and
c. reject any and all bids, or parts thereof, where deemed appropriate, and shall furnish participating agencies with an explanation and a report on its actions along with tabulations of all bids received.

6. Joint purchasing shall be carried out by complying with the applicable provisions of State Law pertaining thereto; if required, competitive bidding shall be undertaken in writing, advertisement of which shall be inserted in newspapers in accordance with the law.

7. Each participant shall be responsible for issuing its own purchase orders, receiving shipments, inspecting goods, verifying and paying invoices.

8. Payment on all purchases will be made by each individual participating entity and under no circumstances shall any entity be responsible for payment on account of another entity’s purchase hereunder.

9. It is agreed that any expenses directly arising for the operation of the Council shall be shared by the various entities in proportion to their participation in each bidding procedure.

10. This AGREEMENT shall take effect upon execution by each of the parties noted above. Thereafter, additional entities may, from time to time, become parties to this AGREEMENT upon approval by a two-thirds vote of the Council and the execution of the AGREEMENT as prescribed by the Council.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by the authorized officers the day and year written above.

ATTEST: (seal)

___________________   BY:_________________________________

ATTEST: BERKS COUNTY COOPERATIVE PURCHASING COUNCIL

___________________   BY: _________________________________
   Secretary                      President

BCCPC, January 10, 2012