

Thank you for contacting the League with a research question about purchasing a fire truck through the Houston-Galveston Area Council. We are aware of a number of Minnesota cities have used the HGAC to purchase equipment.

Here is an excerpt from a prior email our loss control attorney, Chris Smith, sent after some research into the HGAC:

- After looking at the HGACBuy.com website and [Minn. Stat., Section 471.345](#), it is my opinion a Minnesota city can purchase equipment through HGAC without going through the competitive bidding process.
- [Section 471.345, subd. 15](#) provides that “a municipality may contract for the purchase of supplies, materials, or equipment without regard to the competitive bidding requirements of this section if the purchase is through a...cooperative created by a joint powers agreement that purchases items from more than one source on the basis of competitive bids or competitive quotations.”
- Although the term “cooperative” is not defined, the HGACBuy website does refer to itself as a “cooperative” that is “a unit of local government and a political subdivision of the State of Texas.”
- In 1971, the Texas Legislature passed the Interlocal Cooperation Act to promote activities among local governments across Texas. Any local government or non-profit providing government services may contract or agree with one or more local governments under the terms of this Act to conduct purchasing and other administrative functions. Thus it would appear that HGAC was created by a joint powers agreement. Products offered through HGACBuy have been subjected to the competitive bidding process.
- As such, a Minnesota city may contract (by execution of the Interlocal Contract for Cooperative Purchasing) with HGAC for the purchase of equipment without going through the competitive bidding process.

That said, we consistently recommend that cities check with their city attorney prior to utilizing any cooperative group to ensure the group meets the statutory requirements.

I hope this is helpful, but please feel free to reach out if I can provide additional assistance. Thank you for contacting the League of Minnesota Cities!

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