

TIPS MEMBER CUSTOMER - ASSIGNMENT OF CONTRACT ACKNOWLEDGMENT FORM

The Interlocal Purchasing System (“TIPS”), a department of Texas Region 8 Education Service Center, is a governmental entity and a national purchasing cooperative which seeks to provide a valuable solution to public entities by performing the public procurement solicitation processes and awarding contracts to qualified vendors (“Awarded TIPS Vendors”). Then, public entities and qualifying non-profits that properly join or utilize TIPS (“TIPS Members”) may elect to “piggyback” off TIPS’ procurements and agreements where the laws and policies of their jurisdiction allow.

TIPS laws and policies permit the assignment and delegation of some or all a party’s contractual rights or contractual performance to a third-party. For this reason, when a TIPS Member seeks to use a third-party contractor who is not an Awarded TIPS Vendor, TIPS permits Awarded TIPS Vendors (“Assignors”) to assign rights and obligations under their awarded TIPS Contract to a non-Awarded TIPS Vendor (“Assignees”) in specific, Member-driven circumstances. The Assignment is a tri-party agreement between TIPS, Assignor, and Assignee. The purpose of this process is to assist TIPS Member Customers when they need to utilize a non-TIPS contractor who has not yet had an opportunity to propose and become an Awarded TIPS Vendor. In this assignment process the publicly procured terms, conditions, and pricing of Assignor’s TIPS Contract shall apply to the Assignee just as they would the Awarded TIPS Vendor.

To ensure that the TIPS Member seeks this specific purchase method intentionally and knowingly, **TIPS requires TIPS Members to acknowledge and certify the following. TIPS Member hereby knowingly acknowledges:**

1. I understand Assignee, identified below, is *not* an Awarded TIPS Vendor. Assignee did not submit a proposal for TIPS evaluation and did not receive TIPS award.
2. I understand Assignee does not have a public TIPS Awarded Vendor profile on TIPS website (www.tips-usa.com).
3. Assignor *is* a TIPS Awarded Vendor and is considering permitting Assignee to make a TIPS Sale under the terms of their solicited, evaluated, and awarded TIPS Contract(s).
4. The TIPS Member shall have no contractual/purchasing relationship with Assignor. The TIPS Member shall have a contractual/purchasing relationship with Assignee only via PO, contract, or similar direct purchase document (Supplemental Agreement). Any specific purchase terms, documents, contracts, and liability shall be controlled by the Supplemental Agreement between TIPS Member and Assignee.
5. I understand that because the laws and policies applicable to my purchases vary by public entity type, purchase type, spend amount, fund type, jurisdiction, local policy, and local ordinance, TIPS cannot advise whether any cooperative or assignment purchase is viable. Whether to proceed with a TIPS Sale, via assignee, or otherwise, is always the exclusive determination of the TIPS Member, with the Assistance of counsel, if necessary.
6. I understand that by signing this document, I am not required to proceed with a TIPS purchase from Assignee but it allows TIPS to begin facilitating a potential TIPS purchase from Assignee.

This form is required for each separate TIPS purchase from an Assignee, even if you have previously purchased from the same Assignee. **This form is NOT the Assignment of Contract, and you may not proceed with an Assignee purchase until you receive confirmation from TIPS that the TIPS Assignment of Contract is finalized.**

Potential Assignee Entity to be Considered: Lonestar Electric Supply

Potential Assignee Project Description: Replacement of burnt out lights at the Bentsen Palm Community Park

Estimated Potential Assignee Project Value: 20,500

TIPS Member Entity: _____

TIPS Member Printed Name and Title of Authorized Signatory: _____

TIPS Member Signature: _____ Date: _____