

**RESOLUTION NO. 918-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBREY, TEXAS APPROVING AN INTERLOCAL COOPERATIVE PURCHASING PROGRAM AGREEMENT WITH THE CITY OF SANGER, TEXAS, IN ACCORDANCE WITH CHAPTER 791 OF THE TEXAS GOVERNMENT CODE AND CHAPTER 271 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND RELATED DOCUMENTS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Aubrey, Texas and the City of Sanger, Texas have each determined a need for a cooperative agreement to purchase like goods and services to avoid duplication procurement efforts and obtain the benefits of volume purchasing, as authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271 of the Texas Local Government Code, as amended; and

**WHEREAS**, a local government that purchases goods and services pursuant to a cooperative purchasing program with another local government satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and materials, pursuant to subsections 271.102(c) of the Texas Local Government Code and 791.025(c) of the Texas Government Code, as amended; and

**WHEREAS**, the City Council of the City of Aubrey, Texas finds it to be in the best interest of the public to enter into this Interlocal Cooperative Purchasing Program Agreement with the City of Sanger, Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBREY, TEXAS, THAT:**

**SECTION 1.** The recitals and findings set forth above are true and correct and are incorporated into the body of this Resolution as if fully set forth herein.


**SECTION 2.** The City Council hereby approves the Interlocal Cooperative Purchasing Program Agreement with the City of Sanger, attached hereto and incorporated as if set forth fully herein as Exhibit "A", and further authorizes the City Manager to execute the Agreement and any other documentation as required by the Agreement.

**SECTION 3.** This Resolution shall be cumulative of all other resolutions and shall not repeal any of the provisions of such resolutions except for those instances where there are direct conflicts with the provisions of this Resolution. Resolutions, or parts thereof, in force at the time this Resolution shall take effect that are inconsistent with this Resolution are hereby repealed to the extent that they are inconsistent with this Resolution.

**SECTION 4.** The provisions of this Resolution are severable. However, in the event this Resolution or any procedure provided in this Resolution becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decision or enactment.

**SECTION 5.** This Resolution shall be in effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AUBREY, TEXAS,** this 23rd day of February, 2023.

  
Chris Rich, Mayor

**ATTEST:**

  
Jenny Huckabee, City Secretary

**APPROVED AS TO FORM:**

  
Patricia Adams, City Attorney

