

## **AGREEMENT FOR COOPERATIVE PURCHASING**

This Agreement is made by the Kentucky Municipal Energy Agency, a Kentucky Interlocal Agency (“KyMEA”), and the undersigned participating KyMEA Members, each of whom is a public body politic and corporate (the “Participating Members”) (each a “Party” and collectively, the “Parties”).

Whereas, KRS 45A.420 permits any local public agency to enter into an agreement for cooperative purchasing with any other local public agency in contracting for supplies, services or construction pursuant to KRS 45A.365, KRS 45A.370, KRS 45A.375 or KRS 45A.380; and

Whereas, KyMEA and the Participating Members are local public agencies and wish to enter into an agreement for cooperative purchasing;

KyMEA and the Participating Members agree, pursuant to KRS 45A.420(1), to utilize cooperative purchasing and that in issuing any Request for Proposals (“RFP”), KyMEA may include such terms and conditions as will permit any other Party to procure the supplies, services or construction sought by the RFP through the same procurement process.

When and if KyMEA is planning to issue a proposed solicitation for procurement, it will use its best efforts to notify the other Parties of the proposed solicitation for procurement it intends to issue in order to allow the other Parties to request their cooperative participation in the RFP and to apprise KyMEA of their anticipated needs regarding the supplies, services or construction to be sought. Upon such request, KyMEA will advise the other Parties if it is willing to include the needs of the other Parties in the RFP and, if so, the Parties will negotiate in good faith regarding the terms and conditions necessary to include in the RFP to reflect the needs of the requesting Parties.

While this Agreement will authorize and facilitate cooperative purchasing by the Parties, it does not obligate any Party to utilize cooperative purchasing if it determines, in its sole discretion, that it should not use cooperative purchasing for any particular procurement.

Any Party may terminate this Agreement for any reason upon reasonable written notice to the other Parties. Any termination shall not affect the right of any Party to procure any supplies, services or construction under an RFP that was issued cooperatively pursuant to this Agreement prior to the effective date of any notice of termination.

In Witness Whereof, each Party has caused this Agreement to be executed by its duly authorized representative on its behalf, effective as of the date for that particular Party set forth adjacent to the Party's respective signature below. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

KENTUCKY MUNICIPAL ENERGY AGENCY

By: \_\_\_\_\_  
Chairman

Attested:

By: \_\_\_\_\_  
Secretary

Dated as of \_\_\_\_\_

This Agreement for Cooperative Purchasing has been approved by the \_\_\_\_\_ and is effective as to the \_\_\_\_\_ as of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_