



Office of the Chicago City
Clerk



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Office of the City Clerk

City Council Document Tracking Sheet

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| Meeting Date: | 9/8/2011 |
| Sponsor(s): | Rahm Emanuel |
| Type: | Ordinance |
| Title: | Title 2-92-605 of Municipal Code regarding joint purchase agreements |
| Committee(s) Assignment: | Committee on Budget and Government Operations |

BUDG.



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

September 8, 2011

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Chief Procurement Officer, I transmit herewith an ordinance amending Section 2-92-605 of the Municipal Code regarding joint purchase agreements.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Mayor

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION I. Chapter 2-92 of the Municipal Code of Chicago is hereby amended by adding a new section 2-92-605, as follows:

2-92-605 Joint purchasing of personal property, supplies and services.

- (a) For purposes of this section,
 - (1) "Joint purchase agreement" means any agreement duly executed between the city and one or more local governmental units in order to jointly obtain personal property, supplies and services, or otherwise undertake other procurement functions, including, but not limited to, issuing requests for proposals and requests for qualifications.
 - (2) "Local governmental unit" means any county, municipality, township, special district, school district, or any unit designated as a unit of local government by law.
 - (3) "Multi-party agreement" means a purchase agreement duly executed among the city, one or more other local governmental units, and a vendor selected pursuant to subsection (b) of this section.

- (b) The chief procurement officer may, when he or she deems it appropriate, obtain personal property, supplies and services, or otherwise undertake other procurement functions, including, but not limited to, issuing requests for proposals and requests for qualifications, jointly with one or more local governmental units pursuant to a competitive procurement process or pursuant to any other applicable procurement procedure conducted by either the city or another local governmental unit consistent with their normal procurement practices, any applicable joint purchase agreement executed pursuant to subsection (c) of this section, and the requirements of the Governmental Joint Purchasing Act, 30 ILCS 525/0.01, et seq., as amended; provided, however, if there is a conflict between the joint purchase agreement and the Act, the former shall prevail.

- (c) The chief procurement officer is authorized to execute joint purchase agreements with one or more local governmental units for the purchase of personal property, supplies and services, or undertake other procurement functions, including, but not limited to, issuing requests for proposals and requests for qualifications. Any such joint purchase agreement shall contain such terms and conditions as the chief procurement officer deems necessary or appropriate.

- (d) The chief procurement officer may execute multi-party agreements with local governmental units and the vendors selected pursuant to subsection (b) of this section subject to the approval of the mayor, the comptroller and the corporation counsel as to form and legality. Any such multi-party agreement must provide that the city will not be responsible for any liabilities incurred by other local governmental units arising therefrom, and shall contain such other terms and conditions as the chief procurement officer deems necessary or appropriate.

(e) The chief procurement officer may allow other local governmental units to become parties to the multi-party agreements described in subsection (d) of this section after such multi-party agreements are executed. The chief procurement officer is authorized to require these local governmental units to execute agreements binding them to the terms and conditions of the multi-party agreements in a form acceptable to the chief procurement officer, or require these local governmental units to satisfy any other condition or term set forth in the multi-party agreements so that these governmental units to become parties to the multi-party agreements.

(f) The chief procurement officer shall have power to adopt rules and regulations for the proper administration and enforcement of the provisions of this section.

(g) Nothing in this section shall be construed to diminish the authority and powers of the chief procurement officer under the Municipal Purchasing Act for Cities of 500,000 or more population, 65 ILCS 5/8-10-1, et seq.

SECTION II. This ordinance shall take effect upon passage and publication.