

Tampa Bay Area Purchasing Cooperative By-Laws

Mission

WHEREAS the mission of the Tampa Bay Area Cooperative shall be to combine the purchasing power of participating jurisdictions, promote the development of cost effective co-operative purchasing agreement, promote the open interchange of information and promote the procurement professional growth of its members.

BY-LAWS

Article 1 - Name

The organization shall be known as the Tampa Bay Area Purchasing Cooperative (hereafter referred to as TBAPC).

Article II - Objective

The objective of the TBAPC shall be to combine the purchasing power of participating jurisdictions, and promote the development of cost effective co-operative purchasing agreements to maximize value for participating entities. The TBAPC shall promote the open interchange of information concerning the procurement professional and provide an area for professional growth of members.

Article III - Meetings

Meetings of the TBAPC will be held six (6) times per year or as called for by the Chair, on an as needed basis. Meetings typically occur in the months of January, March, May, July, September and November. Notice of the meetings will be sent to the members seven (7) consecutive calendar days in advance, whenever possible. Meetings are generally held in person. Teleconference and webinar format may be offered if available. The TBAPC may discuss products, schedules, specifications, tabulation, awards and vendor issues.

Article IV - Membership

Membership shall be open to all county, municipalities, townships, public school systems, colleges, universities, authorities, and other political subdivisions of the Tampa Bay Area. The intent is that each agency has representation of its purchasing function(s).

Article V- Voting

Annually, the members shall elect by majority vote of those present, a chairperson and secretary. Officer nominations will be made every year at the September meeting. Elections will be held during the November meeting for the upcoming calendar year.

Article VI - Officers

Section 1 - General

The officers of the TBAPC shall consist of a Chair and Secretary, each representing a member entity. The officers shall perform the duties as prescribed in these By-Laws.

Section 2 - Term of Office

The officers shall normally serve a one (1) year term in a specific office. At the end of each term, a slate of officers will be elected. The term of office shall commence on January 1 and shall terminate December 31. Unless at the time appointed for election of officers there are extenuating circumstances, and by a simple majority vote of the membership present and voting, TBAPC members vote to retain the current officers for a specified period of time.

Section 3 - Election of Officers

Nomination of a new slate of officers shall take place during the fall (September) meeting for the upcoming calendar year. An election of officers shall be held at the November meeting, unless TBAPC members have voted to retain the current officers for a specific period of time, in which an election of officers shall be held at the end of the specified time at a called meeting. Voting members shall elect new officers.

Section 4 - Duties of Officers

A. Chair

The Chair shall preside over all meetings, appoint subcommittee chairpersons, and members to subcommittees as deemed appropriate. The Chair shall be responsible for coordinating and planning the program for each TBAPC meeting (in conjunction with the Secretary). The Chair shall have the deciding vote, in case of a tie, whenever voting will determine the outcome.

B. Secretary

The Secretary shall perform all duties of the Chairperson in his/her absence. The Secretary shall be responsible for coordinating registration of all meetings, and other duties as assigned by the Chair. The Secretary shall give notice to members of future meetings and provide copies of the agenda. The Secretary shall record the minutes of all TBAPC meetings and shall submit the minutes for approval at the next meeting as well as distribute the minutes. The Secretary shall maintain a current roster of TBAPC membership, its committees and chairs and all official TBAPC documentation.

Section 5 - Vacancies

Any vacancies may be appointed by the Chair or Secretary, in the absence or incapacity of the Chair.

Article VII - Cooperative Solicitations

I. The Co-op will coordinate solicitations for the following reasons:

- More favorable prices due to larger volume
- Better quality as a result of improved specifications
- Time savings as a result of only one entity preparing solicitations for each item/service purchased.

A. Consortium Contracts

These are the contracts and or purchasing agreements specifically development for the TBAPC consortium.

The TBAPC membership shall recommend which specific commodities/services to solicit, develop cost effective cooperative contracts, and determine which TBAPC entity will coordinate each specific contract. It shall be the coordinating entity's responsibility to:

1. Solicit input from the coop members to determine which entity will commit to participating in the solicitation and utilize the resulting contract, if awarded.
2. Solicit input from participating entities in development of the solicitation, specifications, and bidder list to assure the resulting contract(s) meets or exceeds each entities' needs.

3. To publicly solicit, advertise as necessary and open TBAPC solicitations, as well as furnish a copy of the advertisement(s) and a copy of the final solicitation to each participating entity.
 4. To distribute to each participating entity a copy of all formal solicitation responses received.
 5. To coordinate participating entity analysis of formal responses and to jointly develop a recommendation of award.
 6. To submit to their Board or ruling body a recommendation of award of said contracts as appropriate.
 7. To distribute to the TBAPC membership copies of said approved Board agenda, as appropriate, as well as bid tabulation and award letters.
- B. Entities participating in a cooperative purchasing agreement shall commit to:
1. Collect prior year purchase history data (if available) and provide to the coordinating entity for inclusion in the formal solicitation, as requested.
 2. Assist the coordinating entity in development of solicitation specifications.
 3. Participate in the TBAPC analysis and recommendation committees as requested.
 4. Utilize resulting TBAPC contracts as fully as possible to assure awarded contractors the TBAPC buying power is available to base their reduced pricing upon.
 5. Provide timely input/responses to TBAPC surveys and questionnaires.

II. Autonomous Contracts

These are contracts and or purchasing agreements developed by a member entity, for utilization by that entity, but where statute or rule allows utilization by other entities. It shall be the responsibility of the entity to:

1. Develop the solicitation, specifications and bidder list to assure the resulting contract(s) meets or exceeds the entity's requirements.

Solicit, advertise, open, evaluate and post notice of award recommendation as per that entity's governing statute and rule.

2. Provide appropriate language within the solicitation document allowing other entities the opportunity to "piggyback" or utilize the contract or purchasing agreements, which results from the award.
3. Provide copies of the solicitation and award recommendation as requested by member TBAPC entities and in compliance with public records requirements.

Article VIII - Contract Administration

Each participating entity shall award and administer the contract in accordance with its own policies and procedures. Each entity shall issue its own purchase order or contract, and be billed directly by the awarded vendor for the contract items or services. Participating entities will receive, inspect and test products on an individual basis. When non-confirming shipment/services occur, the coop members will seek their own remedies and advise the lead agency of any contract problems.

Article IX - Duties of the Membership: Miscellaneous

- A. Members shall strive to attend TBAPC meetings regularly.
- B. Members shall suggest topics for meeting agendas.
- C. Members shall maintain close communication with their entities governing Board or Chief Financial officer to share with them (1) the mission and progress of the TBAPC, (2) how the TBAPC has helped their entity in both professional development and (3) cost reduction.
- D. The rules contained in the current edition of Robert's Rules of Order, newly revised shall govern TBAPC meetings.
- E. The TBAPC shall promote adherence to the National Institute of Governmental Procurement (NIGP) Code of Ethics and enhance the professional level of each member entity's Procurement professional.
- F. The TBAPC may choose to partner with other governmental and educational entities and co-operatives on Invitations to Bid and Requests for Proposals.

Article X - Amendments to These By-Laws

All proposals to amend, alter or repeal any part of the by-laws will be presented to the membership, not less than thirty (30) days prior to the meeting that would consider such change. These By-Laws may be amended at any regular meeting of the TBAPC by a simple majority vote of the voting members present at the meeting.