



Municipal Technical Advisory Service INSTITUTE FOR PUBLIC SERVICE

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Mike Housewright,

You have asked about purchasing a specialized vehicle, without bidding, from the *National Joint Powers Alliance* (NJPA). I have done a lot of research on this question and offer the following answer.

Yes, you can purchase from the NJPA without bidding. This applies to most, but not all, items. Purchasing from NJPA is relatively new in Tennessee, so not everyone is aware of the details. However, Tennessee cities such as Germantown, Allardt, White House, and Lakewood use NJPA.

TCA 12-9-101 et. seq. gives Tennessee cities the right to purchase from other governmental entities in Tennessee, including "purchasing alliances." TCA 12-3-109 establishes that when another jurisdiction or purchasing alliance issues bids for a certain product, a second jurisdiction's bidding requirements are considered satisfied if they purchase from the original bidding entity. 12-3-109 was also amended to give authorization to cities to enter into purchasing agreements with out of state entities (and NJPA is out of state). The ability to make such purchases from NJPA was specifically authorized in a letter from the State of Tennessee Comptroller of the Treasury dated 11.7.2012, which reads as follows:

The NJPA is a public agency created by Minnesota statute 123A.21 and is recognized as such by our office.

Thus NJPA qualifies for cooperative purchases.

Such purchases can be made for a variety of items, although there are a few exclusions. Such exclusions include:

(C) New or unused motor vehicles, unless the motor vehicles are manufactured for a special purpose.

I hope this information answers your question. If not, or if I can provide any additional research, please let me know.

Sincerely,

Pat Hardy
Municipal Management Consultant