

TOWN OF PIERCEFIELD

PROCUREMENT POLICY

Whereas, Section 104-b of the General Municipal Law requires every Town to adopt Internal Policies and Procedures governing all procurement of goods and services not subject to the bidding requirements of GML, Section 103 or any other law; AND

Resolved: That the Town of Piercefield does hereby adopt the following Procurement Policy and Procedures:

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GLM, section 103. Only municipal officers, board members, (e.g....NOT committee members!), department heads or specified employees of the Town may be given purchasing authority. The department head may at his/her discretion perform all procurement of goods and services required for Town functions or establish procedures (with Board approval) to insure that governmental efficiency as well as the public's best interests is served. Such procedures should be presented &/or reviewed annually with written copies being delivered to each department within the town. All vouchers presented to the Town Board for audit must be signed by the department head to verify that the procurement policy has been followed.
2. All purchases of :
 - (A) supplies or equipment which will exceed \$20,000 in the fiscal year or
 - (B) public works contracts over \$35,000 shall be formally bid pursuant to GLM, sec. 103
3. All estimated purchases of:
 - (A) Less than \$20,000 but greater than \$3,000 require a written request for a proposal (RFP) written/or fax quotes from at least 3 vendors.
 - (B) Less than \$3,000 but greater than \$1,000 require a written request for a proposal (RFP) written/or fax quotes from at least 3 vendors.

Any written RFP for goods shall describe the desired goods, quantities involved, and particulars of delivery. The purchases shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the offered quotes.

4. All estimated public works contracts of:
 - (A) Less than \$35,000 but greater than \$10,000 require a written RFP and written/fax proposals from 3 contractors.
 - (B) Less than \$10,000 but greater than \$3,000 require a written RFP and written/fax proposals from 3 contractors.
5. Any procurement of goods or services meeting the criteria of 2), 3), or 4) above will be authorized by majority vote of the Board.

6. The only exception will be if an emergency exists. Such an instance will require an approval by the Supervisor and a report by the purchasers to the Board no later than the next regularly scheduled meeting.

All information gathered in complying with the procedures of this item shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares written justification providing reasons why it is in the best interest of the municipality and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

A bid submitted by a town resident or taxpayer may be accepted when it exceeds the low bid by no more than 5%.

7. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

8. Except when directed by the appropriate municipal board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- A. Acquisition of professional services
- B. Emergencies
- C. Sole source situations
- D. Goods purchased from agencies for the blind or severely handicapped
- E. Goods purchased from correctional facilities
- F. Goods purchased from another governmental agency
- G. Goods purchased at auction
- H. Goods purchased for less than \$250
- I. Public works contracts for less than \$500

9. The failure to follow the previous stated procedures will be subject to non-payment of submitted vouchers.

10. This policy shall be reviewed annually by the municipal board at its organizational meeting or as soon thereafter as in reasonably practicable. This policy may be amended by the appropriate municipal board from time to time by simple resolution.