

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 55/2015

RE: AUTHORIZING THE PROCUREMENT POLICY FOR THE TOWN OF PLEASANT VALLEY

WHEREAS, the Town of Pleasant Valley has an approved Procurement Policy as contemplated by the General Municipal Law of the State of New York; and

WHEREAS, the Town Board annually reviews said policy; now, therefore, be it

RESOLVED, that the Policy annexed hereto is hereby declared to be the Procurement Policy for 2015.

MOTIONED BY: _____

SECONDED BY: _____

DATED: February 11, 2015

ROLL CALL:

	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	_____	_____
Councilman Figliozzi	_____	_____
Councilman Latino	_____	_____
Councilwoman Milicaj	_____	_____
Supervisor Campbell	_____	_____

PROCUREMENT POLICY
For
2015
Town of Pleasant Valley, NY

WHEREAS, Section 104-b of the General Municipal Law (GML) 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

WHEREAS, comments have been solicited from those officers of the town involved with procurement; NOW, THEREFORE, be it

RESOLVED: That the Town of Pleasant Valley does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, Section 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 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 GML, Section 103.

Guideline 3. All estimated purchases of:

- Less than \$20,000 but greater than \$5,000 require a written request for a proposal (RFP) and written/fax quotes from 3 vendors.
- Less than \$5,000 but greater than \$3,000 require a written or oral request for the goods and written/faxed quotes from 3 vendors.
- Less than \$3,000 but greater than \$1,000 require an oral request for the goods and oral/fax quotes from 2 vendors.
- Less than \$1,000 but greater than \$250 are left to the discretion of the Purchaser.

All estimated public works contracts of:

- Less than \$35,000 but greater than \$10,000 require a written RFP and fax/proposals from 3 contractors.
- Less than \$10,000 but greater than \$3,000 require a written RFP and Fax/proposals from 2 contractors.
- Less than \$3,000 but greater than \$500 are left to the discretion of the Purchaser.

Any written RFP shall describe the desired good, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/Oral quotes offered.

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

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town 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.

Guideline 5. Pursuant to Resolution No. ___/2015 the Town Board adopted a Local Law authorizing the "best value" procurement standard which shall also be applied to this procurement policy for purchase or public works contracts.

Guideline 6. 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.

Guideline 7. Except when directed by the town 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 \$250.00;
- i) Public works contracts for less than \$500.00.

Guideline 8. If the procurement is not a professional service, an emergency or if the items cannot be purchased through a preferred source, the Town is authorized to consider other expedient procurement methods including purchasing or procurement of the following entities:

- a) New York State contracts per General Municipal Law § 104;
- b) Other Counties contracts, except those involving services subject to Article 9 of the New York State Labor Law, per General Municipal Law § 103 (3);
- c) "Piggybacking" - on other federal, state or local government contracts for purchase of "apparatus, materials, equipment or supplies, or services related to the installation, maintenance or repair of apparatus, materials, equipment and supplies" per General Municipal Law § 103 (16);
- d) Other applicable entities pursuant to any New York State Law enacted as an exemption to the requirement of General Municipal Law § 103.

Guideline 9. This policy shall be reviewed annually by the town board at its organizational meeting or as soon thereafter as is reasonably practicable.

RESOLVED: that the unintentional failure to comply fully with the provisions of General Municipal Law § 104-b should not be grounds to void action taken or give rise to a cause of action against the Town of Pleasant Valley or any officer or employee thereof.

Adopted: January 7, 2010
Amended: March 4, 2010
Adopted: January 5, 2011
Adopted: March 4, 2012
Adopted: January 2, 2013
Adopted: January 8, 2014
Adopted: February 11, 2015