

THE TOWN OF MARBLETOWN
ENTITLED PROCUREMENT POLICY
(Adopted January 03, 2017)

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 *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 Marbletown 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 *103. Every Town office, board, department head or other personnel with the requisite purchasing authority (Purchaser), shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be required. 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 that will exceed \$20,000 in the fiscal year or (b) public works contracts over \$35,000 shall be formally bid pursuant to GML §103.”

Guideline 3.

(1) All estimated purchases of:

- (a) Less than \$20,000, but greater than \$10,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- (b) No more than \$10,000 but greater than \$1,000 requires an oral request for the goods and oral/fax quotes from two vendors.
- (c) \$1,000 or less are left to discretion of the purchaser.

(2) All estimated public works contracts of:

- (a) Less than \$35,000, but greater than \$10,000 requires a written RFP and fax/proposals from three contractors.
- (b) No more than \$20,000, but greater than \$10,000 requires a written RFP and fax/proposals from two contractors
- (c) No more than \$10,000, but greater than \$3,000 requires an oral request for the public works contract and fax/proposals from two contractors.
- (d) Less than \$3,000 is left to the discretion of the purchaser.

(3) Any written RFP shall describe the desired goods or services, 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.

(4) All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase of public works contract. All purchases must receive final authorization from the Town Supervisor as chief fiscal officer and must be in the form of an approved purchase order.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract, provided however, that purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law) may be awarded on the basis of best value, as defined in Section 163 of the State Finance Law to a responsive and responsible bidder or offeror in the manner provided in NYS General Municipal Law §103. If the award is made to other than the lowest responsible bidder, the purchaser must prepare a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make any 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. 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 6. 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 government agency;
- g. Goods purchased for less than \$1,000;
- h. Public works contracts for less than \$1,000

Guideline 7. Purchase orders signed by the Supervisor before purchases are made and vouchers will be utilized for all purchases unless written contract or agreement had been previously approved.

Guideline 8. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon or as soon thereafter as is reasonably practical.