

GREENWOOD LAKE COMMISSION
ADMINISTRATIVE POLICIES AND PROCEDURES

PROCUREMENT POLICIES AND PROCEDURES

This resolution sets forth the policies and procedures of the Greenwood Lake Commission to meet the requirements of General Municipal Law, Section 104-b

Purpose

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies, in the best interests of taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud, and corruption. To further these objectives, the governing board is adopting internal policies and procedures governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or of any other general, special, or local law

Procedures for Determining Whether Procurements are Subject to Bidding

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

Procurement: The party requesting the purchase must determine into which of the following categories the procurement fits and the resulting action to be taken:

1. Purchase Contract – above \$5,000
 - a. Competitive bidding required
2. Purchase Contract – below \$2,500 – two written or verbal quotes required
3. Less than \$1,000 – no special action required

Documentation:

1. Competitive bidding
 - a. As indicated in GML, Section 104-b
2. Noncompetitive bidding
 - a. Documentation

- i. Written price quotations shall consist of direct written price quotations, copies of catalogs, advertising circulars, etc.
- ii. Verbal shall consist of verbal price quotations which are documented on a proforma schedule issued by the Commission Secretary/Treasurer

Statutory Exceptions from these policies and procedures

Except for procurements made pursuant to GML, Section 103(3) (through county contracts) or Section 104 (through state contracts), State Finance Law, Section 175-b (from agencies for the blind or severely handicapped), Correction Law, Section 186 (articles manufactured in correctional institutions), or the items exempted herein (see below), alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method of procurement which furthers the purposes of GML, Section 104-b

Methods of Competition to be used for non-bid procurements

The methods of procurement are as follows:

Responsible party shall make use of written advertising, catalogs, telephone solicitations, state/county bids, etc. A minimum of two verbal and/or written price quotations are required in the event a state/county bid is used, either a copy of the bid, itself, or identification of the bid such as number, description, etc. must be attached to the voucher for payment

Adequate documentation

Documentation of actions taken in connection with such method of procurement is required as follows:

1. Items requiring price quotation: Completion of a Schedule of Price Quotations including copies of written price quotations must be completed and attached to the back of the successful bidder's Abstract of Claims by the responsible party for items requiring price quotations
2. Items requiring public bid: Requirements as set forth by General Municipal Law and/or Public Finance Law

Awards to other than the lowest responsible dollar offerer

Whenever any contract is awarded to other than the lowest reasonable dollar offerer, the reasons such an award furthers the purpose of GML, Section 104(b) as set forth herein above shall be documented as follows:

The Commissioners of the Greenwood Lake Commission shall have sole authority to authorize an award to other than the lowest reasonable dollar offerer. The responsible party must obtain

the authorization of the Commission prior to making the award to other than the lowest dollar offerer

Items excepted from policies and procedures by the Commission

The Commission sets forth the following circumstances when, or types of Procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the Greenwood Lake Commission

The following circumstances when it will not be in the best public interest to solicit bids and price quotes include:

1. Emergencies where time is a crucial factor
2. Procurements for which there is no possibility of competition (sole source items)
3. Procurements of professional services which because of the confidential nature of the services, do not lend themselves to procurement through solicitation the services, do not lend themselves to procurements through solicitation
4. Very small procurements for which solicitations of competition would not be cost effective

Input from Commissioners

Comments concerning the policies and procedures shall be solicited from the commissioners of the political subdivision or district therein involved in the procurement process prior to the enactment of the policies and procedures, and will be solicited from time to time hereafter

Annual Review

The governing body shall annually review these policies and procedures. The Commission shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy

Unintentional failure to comply

The unintentional failure to fully comply with the provisions of the GML, Section 104(b) shall not be grounds to void action taken or give rise to a cause of action against the Greenwood Lake Commission or a Commissioner or employee thereof.