Attachment B

PROCUREMENT POLICY
TOWN OF OSWEGO

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.

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, Section 103 which said section among other matters, states that all contracts for **public work** involving an expenditure of more than **$35,000.00** and all purchase contracts involving an expenditure of more than **$20,000.00** shall be awarded through the lowest responsible bidder…after advertisement for sealed bids. 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 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 which will exceed $10,000.00 in the fiscal year or b) public works contracts over $35,000.00 shall be formally bid pursuant to GML, Section 103.

Guideline 3. <u>All Estimated Purchases of</u>:

a. Less than $10,000.00 but greater than $4,999.00 may be bid at the option of the town board, or in the alternative, shall require written and/or faxed quotes from at least three or more vendors where available.

b. Less than $5,000.00 but greater than $249.00, may be bid at the option of the town board, or the alternative, require an oral request for the goods and written and/or faxed quotes from two vendors where available.

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All Estimated Public Works Contracts of:

c. Less than $35,000.00 but greater than $20,000.00, may be bid at the option of the town board, or in the alternative, shall require written and/or faxed proposals from three contractors where available.

d. Less than $20,000.00 but greater than $10,000.00, may be bid at the option of the town board, or in the alternative, shall require written and/or faxed proposals from three contractors where available.

e. Less than $10,000.00, may be bid or may require a written and/or faxed proposal from two contractors at the option of the town board.

Guideline 4. Any purchaser shall compile a list of all vendors from whom written, fax, or oral quotes have been requested and/or offered, and all information gathered and complying with the procedures of the Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 5. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser whether town board or not, prepares a written justification and providing reasons why it is in the best interest of the town and its payers to make an award to other than the lowest bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement, where available.

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 correction facilities;
f. Goods purchased from another governmental agency;
g. Goods purchased at auction; and
h. Goods purchased under state bid; goods purchased under County bid.

Guideline 8. Cumulative purchases of goods or services during a single transaction exceeding the applicable thresholds shall require approval prior to purchasing.

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

Reviewed 03/10/2014