

Chapter 21

PROCUREMENT POLICY

[HISTORY: Adopted by the Town Board of the Town of Canadice 4-13-1992. Amendments noted where applicable.]

§ 21-1. Evaluation of purchase.

Every prospective purchase of goods or services shall be evaluated to determine the application of General Municipal Law § 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.

§ 21-2. Purchases to be formally bid.

All purchases of supplies or equipment which exceed ten thousand dollars (\$10,000.) in the fiscal year or public works contracts over twenty thousand dollars (\$20,000.) shall be formally bid pursuant to General Municipal Law § 103.

§ 21-3. Estimated purchases requiring quotes or proposals.¹

A. Estimated purchases.

- (1) All estimated purchases of:
 - (a) Less than ten thousand dollars (\$10,000.) but greater than or equal to three thousand dollars (\$3,000.) require a written request for a proposal (RFP) and written quotes from least three (3) vendors.
 - (b) Less than three thousand dollars (\$3,000.) but greater than or equal to one thousand dollars (\$1,000.) require an oral request for the goods and oral quotes from at least two (2) vendors.
 - (c) Less than one thousand dollars (\$1,000.) are left to the discretion of the purchaser.
- (2) At no time shall a purchase exceed the year-to-date amount within the budgeted line item for said purchase without prior approval of the Town Board.

B. Estimated public works contracts.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- (1) All estimated public works contracts of:
 - (a) Less than twenty thousand dollars (\$20,000.) but greater than or equal to ten thousand dollars (\$10,000.) require a written RFP and written proposals from at least three (3) contractors.
 - (b) Less than ten thousand dollars (\$10,000.) but greater than or equal to three thousand dollars (\$3,000.) require a written RFP and written proposals from at least two (2) contractors.
 - (c) Less than three thousand dollars (\$3,000.) are left to the discretion of the purchaser.
 - (2) At no time shall a contract exceed the year-to-date amount within the budgeted line item for said contract without prior approval of the Board.
- C. Any written RFPs shall describe the desired goods, quantity and particulars of delivery. The purchaser shall compile a list of all vendors from whom written/oral quotes have been requested and from whom the written/oral quotes have been requested and from whom the written/oral quotes offered.
- D. All information gathered in complying with the procedures of this chapter shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

§ 21-4. Award of purchase or contract.

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 the bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the records supporting the procurement.

§ 21-5. Inability to obtain proposals.

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.

§ 21-6. Exceptions from solicitation of quotes or proposals.

Except when directed by the Town Board, no solicitation of written proposals or quotation 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 severely handicapped.

- E. Goods purchased from correctional facilities.
- F. Goods purchased from another government agency.
- G. Goods purchased at auction.

§ 21-7. Annual review.

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