

PROCUREMENT POLICY

Guideline 1. Each purchase to be made by the Town of Lysander, or any department thereof, must be initially reviewed to determine whether it is a purchase contract or a public works contract, and a good faith effort made to determine whether the proposed purchase is subject to competitive bidding pursuant to Section 103 of the General Municipal Law. A determination that a purchase is not subject to competitive bidding shall be documented in writing by the individual or board responsible for making the purchase. Such documentation may include written quotes, written notes relating to verbal quotes solicited, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or other appropriate written documentation.

Guideline 2. All goods and services not subject to competitive bidding will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method which assures that quality goods will be purchased at the lowest responsible price and that favoritism will be avoided, except purchases or contracts pursuant to Subdivision 6 of this policy.

Guideline 3. The following methods will be used when required by this policy:

(A) Purchase contracts:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$1,000 - \$ 2,999	Two (2) verbal quotations written or email
\$3,000 – \$19,999	Three (3) written or email or quotations or responses to requests for proposals

Public works contracts:

<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$1,000 - \$ 6,999	Two (2) verbal quotations: Written/email or FAX
\$7,000 - \$34,999	Three (3) written / email or FAX quotations or responses to written requests for proposals

(C) Professional Services:

The Town Board has the discretion to determine if it is economically reasonable to request quotes or bids. The Town Board should approve any written agreements with each professional service provider that clearly stipulates the contract period, the services to be provided, and the basis for compensation.

(D) A good faith effort shall be made to obtain more than one quotation or proposal. If the purchaser is unable to obtain more than one proposal or quotation, the purchaser will document the attempt made at obtaining proposals or quotations. In no event shall the failure to obtain quotations or proposals be a bar to procurement.

Guideline 4. Written documentation is required of each action taken in connection with each procurement.

Guideline 5. Written documentation and a written explanation are required whenever a contract is awarded to someone other than the offeror with the lowest price. This documentation will include an explanation of how the purchase will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

Guideline 6. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- (a) Emergencies.
- (b) Sole Source situations.
- (c) Goods purchased from agencies for the blind or severely handicapped.
- (d) Goods purchased from correctional facilities.
- (e) Goods purchased from another governmental agency.
- (f) Goods purchased at auction.
- (g) Goods purchased for less than \$500.
- (h) Public works contracts for less than \$500.

Guideline 7. This policy shall go into effect immediately and will be reviewed annually.

Guideline 8. This policy is intended to be a guideline for Town of Lysander personnel involved in purchase of goods and services, and no unintentional violations of this policy shall be deemed to create a claim or cause of action or form the basis of any claim or cause of action against the Town of Lysander.

Guideline 9. The persons and titles of Town of Lysander personnel responsible for purchases under this policy are the Highway Superintendent, (for Highway purchases under this policy) and the Town Supervisor (for non-Highway purchases under this policy – purchases may be proposed, proposals made and responses or quotations obtained by or under the supervision of Town Department Heads, but all such purchases shall be approved by the Town Supervisor).