

PROCUREMENT POLICY FOR THE TOWN OF NEW PALTZ

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount will be spent in a year. The following items are not subject to competitive bidding pursuant to §103 of the General Municipal Law: purchase contracts under \$20,000.00 and public works contracts under \$35,000.00; emergency purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second-hand purchases from another governmental entity.
 - a. The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, 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 lead to an emergency purchase, or any other written documentation that is appropriate.
 - b. Attached hereto and made a part hereof and marked "Schedule A" is a list identifying the individual or individuals responsible for purchasing under this Procurement Policy and their respective titles. Such list shall be updated by the Town Board not less frequently than biennially, commencing as of January 1, 2009.
2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000.00 and public works contracts over \$35,000.00; goods purchased from agencies for the blind or severely handicapped pursuant to §175-b of the State Finance Law; goods purchased from correctional institutions pursuant to §186 of the Correction Law; purchases under State contracts pursuant to §104 of the General Municipal Law; purchases under county contracts pursuant to §103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimate Amount of Purchase Contract</u>	<u>Method</u>
\$1,000.00 - \$4,999.00	3 verbal or telephone quotations
\$5,000.00 - \$20,000.00	3 written/fax quotations or written request for proposals
<u>Estimate Amount for Public Works Contract</u>	<u>Method</u>
\$1,000.00 - \$14,999.00	3 verbal or telephone quotations
\$15,000.00 - \$35,000.00	3 written/fax quotations or written request for 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 will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offer or.. This documentation will include an explanation of how the award 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.
6. Pursuant to General Municipal Law §104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposal or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interest of the Town of New Paltz to solicit quotations or document the basis for not accepting the lowest bid:
 - a. Professional services or services requiring special or technical skill, training of expertise. The individual or company must be chosen based on accountability,

reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Town Board shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials.

Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software of programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to §103(4) of the General Municipal Law. Due to nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety and welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Town is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- d. Goods or services under \$1,000.00. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayers. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

7. This policy shall go into effect upon the date of adoption of this resolution and shall remain in effect through December 31, 2011 and shall be reviewed prior to the 31st day of January, 2012 and annually thereafter prior to January 31 of each succeeding year.

SCHEDULE A
LIST OF INDIVIDUALS AND TITLES RESPONSIBLE FOR
PURCHASING UNDER TOWN OF NEW PALTZ PROCUREMENT POLICY

Department	Primary Individual/Title	Secondary Individual/Title
B&G/Water & Sewer	Chris Marx Dept. Supervisor	Barbara Coddington, Deputy Dept. Supervisor
Recreation	Chuck Bordino, Dept. Supervisor	
Highways	Chris Marx Highway Superintendent	Carol West, Secretary
Police Department	Joe Snyder, Chief	Robert Lucchesi Theresa Hart, Dept. Secretary
Youth	Jim Tinger, Dept. Head	
Recycling	Laura Petit, Recycling Supervisor	
Town Clerk	Rosanna Mazzacari Town Clerk	
Planning Board ZBA	Mike Calimano, Chairman Linda Donovan, Chair	Kelly O'Donnell, Secretary
Historic Preservation	John Orfitelli, Chairman	
Community Improvement	Sue Stegen, Chairwoman	
Bookkeeping/Payroll	Arlene Weber, Bookkeeper	Lynn Karge, Payroll Clerk
Central Purchasing (all Depts.)	Carol Connolly, Assistant to Supervisor	

Additionally authorized for each department/committee are:

Susan Zimet, Town Supervisor

Carol Connolly, Assistant to the Supervisor