

MPPL Procurement Policy and Procedures for Goods and Services where Competitive Bidding is not Required

Section 104-b of the New York State General Municipal Law (GML) requires every town to adopt 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 GML, Section 103 or of any other general, special or local law.

Procurement policies and procedures

Every prospective purchase of goods or services by the Library Director or Department Head shall be evaluated to determine the applicability of GML, Section 103. In each instance the Purchaser shall make a good faith effort to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year.

All purchases of supplies or equipment which will exceed \$20,000 in the fiscal year or public works contracts over \$35,000 shall be formally bid, if required by GML, Section 103.

Except for procurements made pursuant to Sections 103 and 104 of the general Municipal Law, Section 175-b of the State Finance Law or Section 186 of the Correction Law, all estimated purchases of goods or services of:

- Not over \$10,000, discretion of purchaser, Library Director's approval
- Between \$10,000 and \$20,000, written Request for Proposal (RFP) sent to at least three vendors, unless Director is explicitly authorized by the Board to award the contract
- \$20,000 and greater, written Request For Proposal (RFP) sent to at least three vendors

Reference to catalog or price lists are not an acceptable substitute for receiving written or oral quotes.

Any written RFP shall describe the desired goods, quantity and particulars of delivery. The Purchaser shall compile a list of all vendors from whom written or oral quotes have been requested and the written or oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works 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 a bidder is not deemed responsible, facts surrounding that judgment shall also be documented and filed with the record supporting the procurement.

Except when directed by the Library Board, no solicitation of proposals or quotations shall be required under the following circumstances:

- Acquisition of professional services
- Emergencies
- Sole source situations
- Goods purchased from agencies for the blind or severely handicapped
- Goods purchased from correctional facilities
- Goods purchased from another governmental agency
- Goods purchased at auction
- Goods purchased under state or county contracts

**Approved by the Library Board of Trustees May 19, 1994
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