

**TOWN OF LANCASTER
PROCUREMENT POLICY
ADOPTED BY THE TOWN BOARD
OF THE TOWN OF LANCASTER
ON JANUARY 7, 2019**

- A. Every prospective purchase of goods or services shall be evaluated to determine the applicability of Section 103 of the General Municipal Law. Every town officer, board, department head or other personnel with the requisite purchasing authority (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 departments and past history to determine the likely value of the commodity to be acquired during the applicable fiscal year. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.
- B. All purchases of supplies or equipment which will exceed twenty thousand dollars (\$20,000) in the fiscal year, or public works contracts over thirty-five thousand dollars (\$35,000) in the fiscal year, shall be formally bid pursuant to Section 103 of the General Municipal Law, unless an exception set forth in Section F or G below applies.
- C. Quotes and proposals.
- (1) All estimated purchases of supplies or equipment of:
- (a) Less than or equal to twenty thousand dollars (\$20,000) but greater than ten thousand dollars (\$10,000) require a written Request For Proposals (RFP) and written proposals from at least three (3) vendors.
 - (b) Less than or equal to ten thousand dollars (\$10,000) but greater than five thousand dollars (\$5,000) require an oral or written RFP and written proposals from at least two (2) vendors.
 - (c) Less than or equal to five thousand dollars (\$5,000) are left to the discretion of the purchaser.
- (2) All estimated public works contracts of:
- (a) Less than or equal to thirty-five thousand dollars (\$35,000) but greater than twenty thousand dollars (\$20,000) require a written RFP and written proposals from at least three (3) contractors.
 - (b) Less than or equal to twenty thousand dollars (\$20,000) but greater than ten thousand dollars (\$10,000) require a written RFP and written proposals from at least two (2) contractors.

- (c) Less than or equal to ten thousand dollars (\$10,000) are left to the discretion of the purchaser.
 - (3) Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written proposals have been requested and the written proposals offered.
 - (4) Any information gathered in complying with the procedures of this policy shall be preserved and filed with documentation supporting the subsequent purchase or public works contracts.
- D. The lowest responsible proposal shall be selected for the purchase or public works contract unless the purchaser prepares a written justification providing the reasons why it is in the best interest of the town and its taxpayers to select other than the lowest proposal. If a proposal is deemed not responsive or responsible, the facts supporting that judgment shall also be documented and filed with the records supporting the procurement.
- E. A good faith effort shall be made to obtain the required number of proposals. If the purchaser is unable to obtain the required number of proposals, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals be a bar to the procurement.
- F. Except where directed by the Town Board, no solicitation of written proposals, quotes or bids shall be required under the following circumstances:
- (1) Procurement of professional services, except that any new professional service engagements entered into on or after August 20, 2018 which are reasonably anticipated to cost seventy-five thousand dollars (\$75,000) or more per fiscal year shall require issuance of a written request for proposals.
 - (2) Procurement of goods or services on an emergency basis pursuant to the General Municipal Law.
 - (3) Sole source purchases.
 - (4) Any other instances where procurement without solicitation of proposals, quotes or bids is authorized by law.
- G. Best Value and “Piggybacking” Procurement: The Town Board authorizes the procurement of purchase contracts consistent with the “best value” standard as provided by New York General Municipal Law § 103[1], which is the basis for awarding eligible contracts to the responsive and responsible offeror which optimizes quality, cost and efficiency, as measured to the extent possible by objective and quantifiable analysis. The Town Supervisor shall determine and recommend to the Town Board those purchase

contracts that should be procured on the basis of the best value standard, and shall develop the criterion for award thereunder. In addition, the Town Board authorizes the procurement of apparatus, materials, equipment or supplies, or contracts for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with New York General Municipal Law § 103 and made available for use by other governmental entities. The Town Supervisor shall determine and recommend to the Town Board those contracts that should be procured in this manner.

- H. All public works projects performed by outside contractors on Town property shall further be subject to the terms of the resolution adopted by the Town Board on January 3, 2017 applicable to such work.
- I. All purchasers shall act consistent with the Town's Code of Ethics, and at all times act in the best interests of the Town and its taxpayers.
- J. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonable or practical.
- K. The Town Supervisor shall compile and maintain a list of those individuals authorized as "purchasers" under this Policy, which shall be available for inspection in the Office of the Town Supervisor.