

## ***PROCUREMENT POLICY - 1993, (rev. 2009 & 2013)***

WHEREAS, SECTION 104-b of the General Municipal Law requires every Town to adopt Internal Policies and Procedures governing all procurement of goods and services not subject to the bidding requirements of GML, Section 103 or any other law; AND

WHEREAS, comments have been solicited from those officers of the Town of Canton involved with procurement; NOW THEREFORE, BE IT RESOLVED:

That the Town of Canton does hereby adopt the following Procurement and Procedures:

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, section 103. Every Municipal 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 municipal 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.

Municipal officers, board, department heads and other personnel authorized to make procurements in accordance with this policy are:

- Supervisor (on behalf of the entire Town);
- Deputy Supervisor (on behalf of the entire Town);
- Assistant to the Supervisor (on behalf of the entire Town);
- Town Clerk (on behalf of the Clerk's Office, Records Management and Tax Collection only);
- Tax Collector & Historian (on behalf of Tax Collection and the Historian's Office only);
- Assessor (on behalf of the Assessor's Office only);
- Highway Superintendent (on behalf of the Highway Department only);
- Judges & Senior Court Clerk (on behalf of the Justice Court Office only);
- Economic Developer (on behalf of the Developer's Office only), and
- Code Enforcement Officer (on behalf of Safety, Planning & Zoning only).

All purchases in excess of \$1,000 by any authorized person other than the Highway Superintendent shall be approved by the Supervisor (or, in his absence, the Deputy Supervisor). Purchases are NOT to exceed the budgeted amounts for the year.

2. All purchases of (a) supplies or equipment which will exceed \$20,000 in the fiscal year or (b) public works contracts over \$35,000 shall be formally bid pursuant to GML, Section 103.

3. All estimated purchases of: (a) less than \$10,000 but greater than \$3,000 require a written request for a proposal and written/fax quotes from three vendors. (b) Less than \$3,000 but greater than \$1,000 require an oral request for the goods and oral/fax quotes from 2 vendors.

Less than \$1,000 but greater than \$250 are left to the discretion of the purchaser.

All estimated public works contracts of: (a) Less than \$20,000 but greater than \$10,000 require written RFP and written/fax proposals from 3 contractors. (b) Less than \$10,000 but greater than \$3,000 require a written RFP and written fax/proposals from 2 contractors. (c) Less than \$3,000 but greater than \$500 are left to the discretion of the purchaser.

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/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this item 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 written justification providing reasons why it is in the best interest of the municipality and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement. The Town of Canton can accept bids from bidders who have a business located in the Town of Canton for up to 5% above the lowest responsible bid.

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.

Except when directed by the appropriate municipal board, no solicitation of written proposals or quotations shall be required under the following

circumstances:

1. Acquisition of professional services
2. Emergencies
3. Sole source situations
4. Goods purchased from agencies for the blind or severely handicapped
5. Goods purchased from correctional facilities
6. Goods purchased from another governmental agency
7. Goods purchased at auction
8. Goods purchased for less than \$250
9. Public works contracts for less than \$500

Except when directed by the Town Board, no solicitation of alternative proposals or quotations is required under the following circumstances:

1. Emergencies
2. Goods purchased from agencies for the blind or severely handicapped
3. Goods purchased from correctional facilities
4. Goods purchased from another governmental agency
5. Goods purchased at auction
6. Goods purchased for less than \$250
7. Public works contracts for less than \$500

This policy shall be reviewed annually by the municipal board at its organizational meeting or as soon thereafter as is reasonably practicable. This policy may be amended by the appropriate municipal board from time to time by simple resolution.