



## **Procurement Policy**

Adopted: 08/11/2016  
Reviewed: 10/4/18  
Revised: 7/3/2019  
Last Reviewed: 10/8/2020

This resolution sets the policy and procedures of the Walworth-Seely Public Library to meet the requirements of New York State General Municipal Law, section 104(b). Furthermore, this policy helps the Walworth-Seely Library Board of Trustees and Director meet their fiduciary obligations, avoids favoritism, and supports the regular review of the library's expenditures by the Board of Trustees. The Board of Trustees adopted this policy to exercise good fiscal stewardship.

Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner as to assure the prudent and economical use of public moneys in the best interest of the taxpayers; to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and to guard against favoritism, improvidence, extravagance, fraud, and corruption.

Pursuant to New York State law, all public work contracts in excess of \$35,000 and all purchase contracts in excess of \$20,000 shall be subject to competitive bidding. The Director is authorized to approve budgeted purchases that do not exceed \$5,000. Under normal circumstances, contracts shall be awarded to the lowest responsible bidder. Circumstances under which the contract may not be awarded to the lowest responsible bidder may include, but are not limited to: (1) vendor cannot guarantee delivery of goods or services within the time frame or under the conditions established by the library; (2) vendor's terms of payment are disadvantageous to the library; (3) vendor cannot comply with the full specifications set forth in the bid; and (4) vendor's after purchase support services are deemed inadequate.

Reasons to dispense with competitive bidding or quotations may include: true leases, professional services, sole source procurements, multiple purchases of items of a consumable nature, and federal, state, county, and town contracts. The process of soliciting competitive quotations, as long as the procurements are below the bid thresholds, is not necessary if the procurement adds to an existing system, and it is in the library's best interest to deal with one vendor for a particular system.

For all materials and services not subject to competitive bidding, the library will abide by the following procedures:



1. Procedures for procurement of purchase contracts not subject to competitive bidding:

<u>Dollar Limit</u>	<u>Procedure</u>
Under \$2,500	Discretion of Director
\$2,501 – \$5,000	Documented verbal from at least three vendors (if available)
\$5,001 – \$20,000	Formal written quotes from at least three vendors (if available)

2. Procedures for procurement of budgeted public works contracts not subject to competitive bidding:

<u>Dollar Limit</u>	<u>Procedure</u>
Under \$2,500	Discretion of Director
\$2,501 – \$10,000	Documented verbal quotes from at least three vendors (if available)
\$10,001 – \$35,000	Formal written quotes from at least three vendors (if available)

3. Procedures for procurement of budgeted professional services contracts:

<u>Dollar Limit</u>	<u>Procedure</u>
Under \$2,500	Discretion of Director
\$2,501 – \$10,000	Documented verbal quotes from at least three vendors (if available)
\$10,001 and higher	Formal written quotes from at least three vendors, (if available) made in response to a Request for Proposals*

\*Requests for Proposals (RFP) including detailed information concerning the type of service to be provided, minimum requirements and, where applicable, the evaluation criteria that will govern the contract award, will be solicited via public advertisement or a list of potential vendors will be compiled and vendors contacted directly with the RFP.

4. Standardization:

The Board, by majority vote, must state the reason or reasons for creating a procurement standardization protocol. The reasons should at a minimum address the efficiencies and/or economies that are envisioned to be gained by adopting such standardization.

5. Sole Sourcing:

If the library requires certain equipment that is only available through a single source, the Board must declare the sole source if the subject purchase is in excess of \$2,500.

6. Adequate Documentation



A good faith effort shall be made to obtain the required number of quotations or proposals. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the quotations or proposals. In no event shall the failure to obtain the proposals be a bar to procurement.

#### 7. Awards to Other than the Lowest Responsible Dollar Bidder

Whenever a contract is awarded to other than the lowest responsible dollar offer, the reasons such an award furthers the purpose of General Municipal Law, section 104 (b), as set forth herein, shall be documented as follows:

Notations and/or copies of all documents and notations for verbal and other data justifying why any purchase is made from other than the lowest responsible vendor or contractor submitting a complying quotation or proposal, as being in the best interest of the Walworth-Seely Public Library, shall be included with the purchase records. If full compliance with this provision is not practical, a written note of explanation shall be made and placed with the purchase records.

#### 8. Additional Considerations:

- In emergency situations, verbal quotes should be obtained in so far as practical under the circumstances.
- Documentation for leases of personal property will include written quotes, cost-benefit analysis of leasing versus purchasing, etc. The Library will note that the contract is a true lease and not an installment purchase contract.
- Documentation for Insurance will include bid advertisements, specifications and the awarding resolution. Alternatively, written or verbal quotation forms will serve as documentation if formal bidding is not required. "Request for Proposals" (RFPs), documented in the same manner may also be used.
- An RFP can provide the mechanism for fostering increased competition for professional services and can ensure that contracts are awarded in the best interests of the taxpayers. When seeking competition, consideration can be given whether energy-efficient equipment will produce savings in energy costs, and if properly justified, may consider energy efficiency or other such factors as part of a "best value" analysis.

9. Unintentional Failure to Comply The unintentional failure to comply fully with the provisions of General Municipal Law, section 104(b) shall not be grounds to void action taken or give rise to a cause of action against the Walworth-Seely Public Library or any officer or employee thereof.



#### 10. Annual Review

The Board of Trustees shall annually review and, when necessary, update this policy and procedures

APPROVED