

Effective Date: February 2015

## Procurement/Purchasing Policy

### General Municipal Law

Section 104-b of the General Municipal Law (GML) requires every very “political subdivision and any district therein” to adopt internal policies governing all procurement of goods and services not subject to the bidding requirements of GML Section 103 or any other law. In accordance with that requirement, the following guidelines are established for use by the Seymour Library.

### Applicability of General Municipal Law

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML Section 103. Every Library officer, board member, department head or other personnel with the requisite purchasing authority (the Purchaser) shall adhere to this policy. An employee wishing to make a purchase on behalf of the Library must have the purchase authorized by the appropriate department head.

### Purchasing Responsibility

- I. All expenditures of Library funds must be approved by the Board or Director as needed; for such items as petty cash, recruiting, utilities, or subscriptions, soon thereafter.
- II. The Director is authorized by the Board to perform procurement functions of the Library as per the guidelines described in this Manual.
- III. The Director may delegate to appropriate staff members such authority as may be necessary to perform purchasing functions.
- IV. For expenses from Trusts, Endowments, agency accounts, and capital budget, the Board’s approval is needed.

### Contracts which Need Bids/Quotes

- I. Purchases which will exceed the threshold amount set forth in GML Section 103:
  - a. \$20,000 for purchases of equipment and services
  - b. \$35,000 for public works contractsshall be formally bid pursuant to this law and shall be executed only after appropriate Library Board approval has been obtained.

### Contracts below the Competitive Bidding Threshold

- II. All estimated purchases of:
  - \$2,500 or less: are at the discretion of the Purchaser.
  - \$2,501 – \$7,999: the Director is authorized to negotiate contracts and obtain Board’s approval. Two price quotes for goods and services either written or oral shall be obtained.
  - \$8,000 – \$20,000: a written request for a proposal (RFP) and written quotes from at least two (2) vendors. In addition to written documents, faxes and electronic transmissions are acceptable means of providing written quotes. Purchase to be approved by the Town Board except where purchases have been previously approved as part of the budget.

**Bids/Quotes Approval**

- I. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification as to why it is in the best interest of the Library to make an award to other than the low bidder.
- II. If a vendor is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.
- III. Circumstances under which the contract may not be awarded to the lowest bidder may include, but are not limited to:
  - a. Vendor is not deemed responsible; facts supporting that judgment shall also be documented and filed with the record supporting the procurement.
  - b. Vendor's terms of payment are disadvantageous to the Library, e.g. full payment before commencement of work or delivery of goods;
  - c. Vendor cannot comply with the full specifications of goods or services as set forth by the Library;
  - d. Vendor's warranty for goods or services is deemed inadequate by the Library;
  - e. Vendor's after purchase support services are deemed inadequate by the Library.

**Lack of Bids/Quotes**

- I. A good faith effort shall be made to obtain the required number of proposals or quotations. However, if the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made. In no event shall the inability to obtain the required proposals or quotations be a bar to the procurement.
- II. In the event that there is only one supplier for a particular good or service, care must be taken to document that the item or service is unique in its benefits as compared to other items or service available in the market place. The Purchaser must be sure that no other item or service provides a substantially equivalent or similar benefit. These facts must be documented on the Quotation Log and filed with the purchase request.

**State Bid Contracts**

New York State Office of General Services (OGS) group contract authorized by §104 of the General Municipal Law. These are commonly called "State Bid Contracts;" In the event a good or service can be obtained under a city, county or state contract bid, the Purchaser must document the current year contract number, whether it is a city, county, or state bid, the price per unit and the total cost of the purchase.

**Quotations Not Needed**

- I. Except when directed by the Board, no solicitations of written proposals or quotations shall be required under the following circumstances:
  - Emergencies;
  - Sole source situations;
  - Goods purchased under "State Bid Contracts;"
  - 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 - shall be done at or below any established limit agreed upon by the Village Board

- Goods purchased for less than \$2,500.00.

**Conflict of Interest**

Goods or services shall not be purchased from any vendor in which Trustees or Director hold a full or partial interest.

**Annual Review**

This policy shall be reviewed annually by the Board of Trustees or as deemed necessary shall annually review or update Procurement/Purchasing Policy.

**Adopted:** February 2015

**Revised:** January 2019

**Reviewed:**