

RESOLUTION ADOPTED BY THE TOWN BOARD
OF THE TOWN OF LEWISBORO
AT A MEETING HELD ON OCTOBER 24, 2016

RESOLUTION

RESOLVED, that the Town Board authorizes the revision to the procurement policy with the addition of Guideline 7.

PROCUREMENT POLICY

Whereas, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirement of GML, Section 103 or any other law; and

Whereas, comments have been solicited from those officers of the Town involved with procurement; Now therefore, be it

Resolved: That the Town of Lewisboro does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, Section 103. Every Town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the item of supply or equipment needed in a given fiscal year. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of (a) supplies or equipment which will exceed \$20,000.00 in the fiscal year or (b) public works contracts over \$35,000.00 shall be formally bid pursuant to GML Section 103.

Guideline 3. All estimated purchases of supplies or equipment:

*Of \$20,000.00 or less but greater than or equal to \$2,500 require a written request for price (RFP) and written/fax quotes from at least three vendors.

*Less than \$2,500 but greater than or equal to \$1,000 require an oral request for the goods and documented oral/fax quotes from at least two vendors.

*Less than \$1,000 is left to discretion of the Purchaser

All estimated public works contracts of:

*\$35,000 or less but greater than or equal to \$10,000 require a written RFP and written/fax quotes from at least three contractors.

*Less than \$10,000 but greater than or equal to \$5,000 require written/fax quotes from at least three contractors

*Less than \$5,000 but greater than or equal to \$1,500 require written quotes from at least two contractors.

*Less than \$1,500 is left to the discretion of the Purchaser.

Any written RFP shall describe the desired good, 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 policy shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible bid or quote shall be awarded the purchase of public works contract unless the Purchaser prepares a written justification providing reason 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 supporting that judgment shall be documented and filed with the record supporting the procurement.

Guideline 5. A good-faith effort shall be made to obtain the required number of bids or quotations. If the Purchaser is unable to obtain the required number of bids or quotations, the Purchaser shall document the attempt made at obtaining the bids. In no event shall the inability to obtain the bids or quotes be a bar to the procurement.

Guideline 6. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services;
- b) Emergencies;
- c) Sole source situations;
- d) Goods purchased from agencies for the blind or severely disabled;
- e) Goods purchased from correctional facilities;
- f) Goods purchased from another governmental agency;

Guideline 7. All contracts with a successful bidder shall contain a provision and condition that the subject of the contract shall be warranted and guaranteed by the bidder for a specific period of time acceptable to the Town Board, and shall contain a provision requiring a surety, performance bond, or other insurance of

completion of the work that is the subject of the contract. Any such surety or bond must be provided by a New York State licensed insurer of AAA rating, and any such insurance or bond certificates shall name the Town of Lewisboro, and all applicable Town of Lewisboro Departments, as an additional insured.

Guideline 8. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

I, JANET L. DONOHUE, Town Clerk of the Town of Lewisboro, County of Westchester, State of New York, do hereby certify that I have compared the preceding copy of a Resolution adopted by the Town Board of the Town of Lewisboro at a meeting held on the 24th day of October, 2016, to the original thereof, and that the same is a true and exact copy of said original and of the whole thereof.

Town Clerk

Dated at South Salem, New York
this 25th day of October, 2016