

TOWN OF POUGHKEEPSIE

PROCUREMENT POLICY

November 7, 2018

I. STATEMENT OF POLICY AND PURPOSE

In New York, certain goods, services and public works must be procured by competitive bidding. In addition, goods and services that are not required by law to be procured pursuant to the competitive bidding requirements of General Municipal Law § 103 must be procured in a manner that assures the use of public moneys in a prudent and economical manner and in the best interest of the taxpayers, facilitates the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and guards against favoritism, improvidence, extravagance, fraud, and corruption.

To further these objectives, the Town of Poughkeepsie Town Board has adopted these policies and procedures.

II. APPLICATION OF THIS POLICY

A. Procurements Subject to State Competitive Bidding. The following items are subject to competitive bidding pursuant to General Municipal Law § 103 and must be procured through the procedure outlined therein:

- purchase contracts over \$20,000; and
- public works contracts over \$35,000.

B. Purchase or Public Works Contract Determination. Every proposed purchase and contract must initially be reviewed to determine whether it constitutes a purchase contract or a public works contract subject to General Municipal Law §103 Public Bidding.

C. Aggregate Amount Determination. If a determination is made that a procurement constitutes a purchase contract or a public works contract, a good-faith effort will be made to determine whether the aggregate amount to be spent falls below the monetary thresholds for state competitive bidding. This determination must take into account past purchases and the aggregate amount to be spent in a year.

Department heads shall include in their annual budget submissions to the Comptroller the amount to be spent annually on each type of service, supply and equipment.

D. (i) Procurements Not Subject to State Competitive Bidding Requirements. The following items are either not subject to or are exceptions to the General Municipal Law § 103 competitive bidding requirements:

- purchase contracts under \$20,000 and public works contracts under \$35,000;
- emergency purchases;
- certain municipal hospital purchases;

- goods purchased from agencies for the blind or severely handicapped pursuant to State Finance Law § 175-b;
- goods purchased from correctional institutions pursuant to Correction Law § 186;
- purchases under state contracts pursuant to General Municipal Law § 104;
- purchases under county contracts pursuant to General Municipal Law § 103(3);
- purchases let by other governmental entities pursuant to General Municipal Law § 103(16);
- other procurements excepted from this policy (See, Items Excepted, Art. V below) or other exceptions provided by law; or
- surplus and secondhand purchases from another governmental entity.

E. Documentation Required. The determination that a purchase is or is not subject to the competitive bidding requirements of General Municipal Law § 103 must be documented in writing by the Department Head and forwarded to the Comptroller.

III. ADOPTION OF PROCEDURES

The following procedures identify the methods of competition and the means of adequate documentation to be used for the procurement of goods and services by the Town of Poughkeepsie.

A. Methods of Procurement

The methods of procurement to be used are as follows:

1. Discretion of Department Head or Supervisor
2. Verbal estimates
3. Written quotations
4. Requests for proposals
5. Competitive Bid

B. Adequate Documentation and Authorization to Procure

The documentation and authorization of procurements not subject to bidding shall be as follows:

Estimated Amount of Purchase or Service Contract	Method/Authorization to Procure
Less than \$1000	Discretion of Department Head or Supervisor
\$1,001 - \$4,999	3 verbal quotes (memorialized) or written proposals, Department Head or Supervisor authorization
\$5,000 - \$19,999	3 written proposals, Department Head or Supervisor authorization
Professional and Technical service contracts above \$40,000	Solicitation and review of formal RFP required
Estimated Amount of Public Work Contract	Method/Authorization to Procure
Less than \$5,000	Discretion of Department Head or Supervisor
\$5,001 - \$9,999	3 verbal proposals (memorialized) or written proposals, Department Head or Supervisor authorization
\$10,000 - \$34,999	3 written proposals, Department Head or Supervisor authorization

All requests for quotations and proposals (oral and written) shall be documented by the Department Head and forwarded to the Comptroller.

A good-faith effort shall be made to obtain the required number of proposals or quotations. If the Department Head or Supervisor is unable to obtain the required number of proposals or quotations, they will document the attempts made. In no event shall a good faith failure to obtain the required number of proposals or quotations be a bar to the procurement.

C. Town Board Authorization. All procurements for purchase or service contracts of \$20,000 or more, for professional and technical service contracts of any amount, for all non-Emergency Excepted procurements under Art.V below, and all public works contracts for \$35,000 or more shall require Town Board authorization.

D. Statement of Non-Collusion. Every written bid and proposal submitted to the Town must contain a statement of non-collusion pursuant to General Municipal Law §103-d; however, the failure to include one shall not result in the automatic rejection of a proposal