

**VILLAGE OF MIDDLEPORT
PROCUREMENT POLICY**

WHEREAS, Section 104-b of the General Municipal Law requires every village to adopt internal policies and procedures governing all procurement of goods and services not required to be procured by competitive bidding, and

WHEREAS, comments have been solicited from those officers of the village involved with procurement; NOW, THEREFORE, BE IT

RESOLVED that the Village of Middleport 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 General Municipal Law Section 103. The Purchaser shall estimate the cumulative amount of the items of supply of equipment needed in a given fiscal year. That estimate shall take into consideration requirements of other village departments and past history to determine the likely yearly value of the commodity to be acquired.

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 General Municipal Law Section 103.

Guideline 3. All estimated purchases of:

1. Less than \$20,000.00 but greater than \$5,000.00 require a verbal or written request for a proposal and written or fax quotes from three vendors.

2. Less than \$5,000.00 but greater than \$2,500.00 require a verbal request for the goods and verbal or fax quotes from two vendors.

3. Less than \$2,500.00 are left to the discretion of the Purchaser.

All estimated public works contracts of:

1. Less than \$35,000.00 but greater than \$5,000.00 require a verbal or written request for proposal and written or fax proposals from three contractors.

2. Less than \$5,000.00 but greater than \$2,500.00 require a verbal or written request for proposal and verbal or fax proposals from two contractors.

3. Less than \$2,500.00 are left to the discretion of the Purchasers

Guideline 4. Purchase or public works contracts in excess of \$2,500.00 shall be approved by the Village Board of Trustees. The Purchaser to accept a proposal in accordance with these guidelines prior to receipt of approval, but subject to approvals. If no separate action by the Village Board of Trustees has been taken, the approval of vouchered billings by the Village Board of Trustees shall constitute approval.

Guideline 5. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the village and its taxpayers to make an award to other than the low proposal.

Guideline 6. 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.

Guideline 7. Except when directed by the Village Board of Trustees and subject to competitive bidding requirements, 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 handicapped;
- e. Goods purchased from correctional facilities;
- f. Goods purchased from another governmental agency;
- g. Goods purchased at auction;
- h. Goods purchased for less than \$2,500.00
- i. Public works contracts for less than \$2,500.00

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

Guideline 9. Except where exempted by Guideline 6, a Procurement Policy Form shall be completed by the Purchaser and placed in the file relating to the purchase. All additional information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 10. It is the determination of this board that for purchases less than \$2,500.00, the requirement of solicitation of alternative proposals and the paperwork necessary to document them are time consuming and counterproductive to the best interest of the village. The small number of individuals with purchasing authority and their overall knowledge of available products and services in their respective areas are given weight by this board in arriving at this finding. Purchasers shall, nevertheless, utilize good business judgment in obtaining products and services at the best overall value to the Village of

Middleport.