

Chapter A206

PROCUREMENT POLICY

§ A206-1. Adoption and intent.

The Village of Palmyra does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

§ A206-2. Procurement procedure.

A. Price quotation and proposal requirements.

(1) Purchases.

Estimated Amount of Purchase	Method
\$250 to \$999	2 verbal quotes
\$1,000 to \$9,999	3 written/fax quotations or written request for proposals

(2) Public works contracts.

Estimated Amount of Public Works Contract	Method
\$250 to \$999	2 verbal quotes
\$1,000 to \$4,999	2 written/fax quotes
\$5,000 to \$19,999	3 written/fax quotes or written request for proposals

B. 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 will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

C. Documentation is required of each action taken in connection with each procurement.

D. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

§ A206-3. Procedures waived under certain circumstances.

Pursuant to General Municipal Law § 104-b, Subdivision 2f, the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations

will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Palmyra to solicit quotations or document the basis for not accepting the lowest bid:

- A. Professional services or service requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgement, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines: whether the services are subject to state licensing or testing requirements; whether substantial formal education or training is a necessary prerequisite to the performance of the services; and whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney, services of a physician, technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant, investment management services; printing services involving extensive writing, editing or art work, management of municipality owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of prepackaged software.
- B. Emergency purchases pursuant to § 103, Subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This does not preclude alternate proposals if time permits.
- C. Purchases of surplus and secondhand goods. If alternate proposals are required, the Village is precluded from purchasing surplus and secondhand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- D. Goods and services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
- E. Purchase orders. Goods and services valued at \$250 or above will be contracted for through the use of a purchase order. A blanket purchase order will be issued for no more than \$500.

§ A206-4. When effective.

The policy shall go in effect immediately.