

TOWN OF LANSING PROCUREMENT POLICY

1. Policy Statement. The purpose of the Town of Lansing's Procurement Policy is to ensure the prudent and economical use of public money, to facilitate the acquisition of facilities and commodities of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud, and corruption. This policy is intended to fully comply with all federal and state purchasing requirements and shall be construed in order to effect such compliance.

A. Whenever such procurement triggers public works requirements, mainly Labor Law Articles 8 and 9, compliance with public works and prevailing wage requirements shall be required unless a waiver is obtained, in writing, from the applicable New York State ("NYS") Department of Labor ("DOL") office.

B. Generally, the responsible bidder with the lowest bid, proposal, or quote shall be awarded the purchase works contract unless the request for proposal, request for bid, or similar document is: (I) not a public works contract; and (ii) such bid was properly designated as a "Best Value" procurement. If designated as a best value procurement, the bid and bid procedures for best value procurements shall be followed, including as required by NYS law and Town Code Chapter 46 (some of the requirements therein are summarized below for convenience).

C. If a bidder is not deemed responsible, the bid or quote is not in compliance with the specifications, or the award goes to other than the lowest bidder, facts supporting that judgment or determination shall be documented and filed with the record supporting the procurement award.

D. Whether stated or not in bid documents or any request for bids, quotes, proposals, and like instruments, the Town always reserves the right to reject any and all bids or re-issue and re-advertise the bid with or without changes.

E. All Town employees and officers shall fully document all quotes and bids received in accordance with the requirements of law and the General Municipal Law ("GML"), and in accordance with the minimum documentation and reporting requirements in this policy.

2. Documentation Required for Purchase Orders and Contract Awards:

A. Verbal quotations. A telephone log or other written record of verbal quotes shall be kept and dated to verify the invoice amount submitted upon delivery or by a selected vendor. At a minimum, such notation should provide the date, the item or service desired, the price quoted, and the name of the vendor's representative. For amounts under \$5,000 the following shall constitute adequate documentation and proper procedure:

1. The written log of the call for a quote and the printed or written receipt for the good or service purchased, duly showing that the pricing matches.
2. A URL print-out of an offered price shall suffice as a verbal quote if such provider of the goods or service is a recognized vendor of such goods or services and the provider's invoice or receipt confirms the price listed.
3. All vouchers should provide a description of the date of quote and delivery, the item or service acquired, the price paid, and the name of the vendor.
4. For procurements where more than one verbal quote is required, a telephone log or other contemporaneously kept record of all attempts to obtain quotes shall be kept, and reasonable efforts to obtain the required number of quotes shall be documented.
5. The invoice or receipt and a copy of the log or notes shall accompany all submitted vouchers or requests for payment.

B. Written quotations. Vendors should provide, at a minimum, a written document showing the date, a description of the item or details of the service to be provided, the price quoted, the name of vendor's representative, and a signature or equivalent. Quotes transmitted by fax or email are acceptable. A copy of the written quotes should be submitted with the voucher, with the quote selected for payment being attached to the voucher.

C. Competitive Bidding Required. All purchases of supplies or equipment and all public works that exceed the numerical thresholds for public bidding set forth in "GML" § 103 (and which do not meet any of the listed exceptions for public bidding) shall be competitively bid in accordance with law. As of May 1, 2026, the mandatory public bidding thresholds are \$20,000 for purchase contracts and \$35,000 for public works contracts.

D. "Best Value" Local Law Option. The Town has adopted a best value local law option per the requirements of the NYS State Finance Law § 163, GML § 104, and other requirements of law, and the same is codified in the Town Code as Chapter 46. In accord with law, such best value process and procedures may be utilized in lieu of the procurement policies herein stated or required for mandatory public bidding for purchasing (but not for public works) under GML § 103. Best value procedures and standards shall follow the processes and procedures mandated for best value bidding in the town code and under NYS law. A list of approved sample criteria is summarized below for convenience, and such listing is not exhaustive of best value standards as may be used for any particular bid or procurement. A copy of the best value bid procurement notice and accepted bid, together with the rationale utilized to select the awarded best value bid, shall be submitted with each voucher.

E. State and County Bid Lists; OGS Piggybacking Bids and Lists. When authorized by law or any approval of the town board, a procurement of goods or services for supplies or public works may fulfilled be from county or NYS bid lists as permitted by the SFL and GML. This includes approved piggybacking procurements and bid lists of the NYS Office of General Services ("OGS"). The name of the bid list used, the bid number for the item selected (if available), and a brief description of each item shall be submitted with each voucher. When in doubt, your departmental supervisor, the Town Supervisor, or the town's legal counsel should be consulted because not all state bid lists, OGS piggybacking bids and procurements, and county bid lists allow participation by any or all municipalities. For example, certain county bid lists limit participation and use to only certain municipalities, often those only within the county that undertook such procurement.

F. Other Piggybacking Bid Lists. When authorized by the Town Board, and after verifying that such additional bid list or governmental purchasing alliance, cooperative purchasing organization, or like agency (a "GPA") meets the minimum procurement requirements and policies of NYS, such GPA's procurements and bid lists may be used for piggybacking by the town. When utilized, the name of the bid list, the bid number and vendor for the item selected, and a brief description of each item shall be submitted with each voucher. Again, when in doubt, your departmental supervisor, the Town Supervisor, or the town's legal counsel should be consulted because not all bidding processes, even in approved GPAs, meet minimum NYS requirements (e.g., a best value bid in Minnesota awarded due to one-hour service to Minneapolis would be irrelevant in the town). Generally, each GPA approved under this policy can only be utilized for procurements when the individual bid is properly reviewed and approved, and the current GPAs approved for use by the town include the following:

1. **Sourcewell** (a Minnesota GPA): Sourcewell can generally be used for goods procurements and purchasing. However, best value bids, combined goods and services bids, and public works bids will require additional review to assure that the individual bid terms and awardee qualifications meet minimum NYS procurement and public works requirements.

2. **OMNIA Partners** (a Tennessee GPA: OMNIA Partners can generally be used for goods procurements and purchasing and can often be used for best value bids (depending on the utilized best value criteria and their weighting). Bids that combine goods and services, or those that are for a public works project, will usually require additional review to assure that the individual bid terms and awardee qualifications meet minimum NYS procurement and public works requirements.

G. In all cases a diligent and good-faith effort shall be made to obtain the required number of proposals or quotations, whether oral or written, and if the officer or employee in charge of the act of procurement is unable to obtain the required number of proposals or quotations each effort or attempt to obtain any quote or price shall be documented in writing.

3. **Procurement Tables.** For purchases and procurements below the competitive and public bidding requirements of the GML, the following tables describe the minimum work and documentation necessary for any act of procurement or purchasing. All employees are encouraged to do more than the minimum to meet the spirit of the GML and this policy pertaining to procurement rules.

Table for Purchase Contracts Below GML Limits	One or More Verbal Quotes:	Three or More Verbal Quotes:	Three or More Written Quotes:
Under \$5,000	X		
\$5,000 - \$10,000		X	
\$10,000.01 - \$19,999.99			X
\$20,000 or more	Public bidding or specific exception required		

Table for Public Works Below GML Limit	One or More Verbal Quotes:	Three or More Verbal Quotes:	Three or More Written Quotes:
Under \$5,000	X		
\$5,000 - \$10,000		X	
\$10,000.01 - \$34,999.99			X
\$35,000 or more	Public bidding or specific exception required		

All goods and purchase contract procurements of \$20,000 or more, and all public works projects and contracts of \$35,000 or more shall be publicly and competitively bid unless the same fall within a statutorily recognized exception to public bidding as set forth in NYS law. If in the future the procurement or public works limits set by New York State shall be amended, then this policy shall be deemed automatically and accordingly adjusted to such new requirements or numerical thresholds.

4. **Building Repair and Maintenance.** All public works projects, building and facility repair and maintenance projects, and all facilities maintenance and improvement projects exceeding \$5,000.00 require specific Town Board approval.

5. **Exceptions to Procurement Rules.** Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances, but in each case the approval of the Town Supervisor or Town Attorney should be sought to verify the scope of these or other allowed exceptions under the GML: (i) the acquisition of professional services; (ii) qualifying emergencies; (iii) sole-source suppliers; (iv) computer software and certain technology hard goods; (v) certain goods purchased from agencies for the blind or severely handicapped, from correctional facilities, from other governmental agencies, or from certain

types of auctions; and, per the above, (vi) piggybacking upon OGA bids, county bid lists, and GPAs.

6. Best Value Bidding Rules. The following summary of considerations and procedures shall apply to best value procurements and bids:

A. The following (non-exclusive) best value factors may be selected in relation to any qualified procurement or bid process (again, public works projects under Article 8 and 9 of the NYS Labor Law may almost never use best value bidding rules):

1. The bidders expressed understanding of critical milestones, project sequencing, and the completeness of a critical path method schedule, if such schedule is required.
2. The bidder's ability to complete project phases and close-out in a time of the essence manner.
3. The reputation of the bidder and its sub-contractors in Tompkins County, including the bidder's commitment to quality of services, quality of workmanship, and reputation for responsiveness, including based upon the Town's inspections of and interviews with key personnel in prior disclosed or non-disclosed representative projects.
4. Any history of being listed upon a debarment list or a prohibited persons list.
5. The length and depth of experience a bidder has with the specific type and complexity of the project undertaken or good or service to be procured.
6. Whether a bidder provides discounts, incentive-based cost reductions, and other recommendations relating to reducing project costs or improving project quality, including those pertaining to product selection or installation methodologies, the quality or durability of machinery or systems, and other factors that expand project and equipment lifespans.
7. The bidder's geographic location and proximity to the project, overall transportation and mobilization costs, and the speed at which bidder can mobilize forces and address emergencies, warranty repairs, and supplemental requests for services.
8. The bidder's flexibility to accommodate changes in project start dates, project phasing changes, strict completion timelines, and overall response times from request to mobilization and the delivery or completion of requested goods or services.
9. The length of any workmanship, guarantees, and warranties, including from manufacturers of materials and equipment sourced and chosen by bidder and direct-to-Town warranties provided by bidder.
10. Shipping costs and delivery charges.
11. A bidder's ability to be its own construction manager.
12. The overall post-construction cost of maintenance, project life-cycle costs, and the availability of replacement parts or maintenance contractors for such project or goods.
13. The degree and extent to which the bidder and its subcontractors and suppliers qualify as MWBE providers.
14. The degree and the extent to which any residents of Tompkins County will be employed in the project.

B. The Town shall assign reasonable weight to selected best value criteria so as to inform potential bidders and the public of the general manner in which price and best value criteria will be considered, and the Town reserves its right to make an award based upon "best value" criteria. It shall be sufficient to meet this requirement by listing the criteria in order of importance. All best value bidding is subject to the approved budget for the acquisition or project, and all bids shall be evaluated for each individual combination of base bid items plus selective alternate bid items to determine the best value bidder. All best value determinations and awards shall be made based upon what is the overall best value for the town, taking into consideration the weighted criteria, cost, and any other added value, savings, and other best value factors as determined by the Town.

C. The bidders and participating parties to the process have a duty to fully reply and provide complete and accurate information in relation to the best value criteria and should make every effort to provide detailed and sufficient information on all of the evaluation criteria so as to allow the Town to measure the strengths, costs, and overall value of the proposal. As it deems necessary, the Town may conduct discussions with qualified bidders it deems likely for selection for an award for the purpose of verifying or obtaining clarifications and responsiveness to bid procedures and criteria, so long as no other potential bidder is unduly prejudiced thereby. Any information gathered by the Town from the bid process or discussions, or from any interviews, may be duly considered by the Town in relation to the issuance of any award or the rejection of any or all bids.

D. In all cases the Town reserves the right to eliminate any best value requirements or criteria deemed unnecessary or unmet by all bidders, but only if doing so does not either advantage or disadvantage any other bidder or actual potential bidder.

7. **Ethical Prohibitions.** No officer or employee of the Town (including members of their household, family members, and certain relatives, with the limited exception of certain contracts of employment) shall have any prohibited interest in any town bidder or contract whenever such officer or employee has the power or duty to: (I) negotiate, prepare, authorize, select, or approve the bid or contract, make any award thereunder, or authorize or approve payment thereunder; (ii) audit bills or claims under the contract; or (iii) appoint any officer or employee who has any of the above-noted powers. All procurement processes and purchases, and all contracts relating to the same, shall at all times comply with GML Article 18 and Town Code Chapter 18.

8. **Operational Prohibitions.** Among other rules, NYS law does not permit segmentation of bidding, projects, or purchasing to avoid or fall below public and competitive bidding thresholds. Similarly, the estimated gross cost of a purchase or procurement must usually be considered without deducting for a trade-in allowances, and items of a similar nature which are or can be handled by one manufacturer or vendor should be grouped together for purposes of the bidding monetary thresholds. Examples might be office equipment or supplies, different sizes of hoses or piping, etc. Again, if there is doubt as to these rules, the town officer or employee should consult with the Town Supervisor or the Town Attorney.

9. **Periodic Review.** This procurement policy, and its procedures, shall be periodically reviewed by the Town Board to assure compliance with law, and help assure that the purposes of this policy are duly advanced.