



PROCUREMENT POLICY FOR TOWN OF TUSTEN

RESOLUTION: ANNUAL ACKNOWLEDGEMENT & ADOPTION OF THE TOWN OF TUSTEN 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 requirements of GML '103 or any other law; and

WHEREAS, comments have been solicited from those officers of the Town of Tusten and the Narrowsburg Water and Sewer Districts involved with procurement, specifically, department heads and Town Board members; and

WHEREAS, it is the objective of the Town of Tusten to assist department heads and board members as they make necessary purchases and enter into public works contracts, using the best methods and procedures while adhering to high standards of professional integrity and transparency in the procurement process;

NOW THEREFORE, be it

RESOLVED; that the Town of Tusten does hereby acknowledge & adopt the following procurement policies and procedures relative to prospective procurement of goods and services by the Town of Tusten and the Narrowsburg Water and Sewer Districts last revised and amended March 10, 2020 by resolution # 45 of 2020, for 2022 fiscal year:

GUIDELINE 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML '103. Every town officer, board member, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. The information gathered and conclusions reached shall be documented and kept with the voucher or other documentation supporting the purchase activity for a period of six years after final payment.

GUIDELINE 2. All purchases of a) supplies or equipment, where it can reasonably be determined based on the facts and circumstances, will exceed \$20,000 in the fiscal year or, b) public works contracts over \$35,000 shall be formally bid pursuant to GML '103. A public works contract shall be defined as one where labor is a substantial component, 50% or more, of the cost. This type of acquisition generally requires a formal contract and a prevailing wage declaration. In all instances where the component breakdown is uncertain, the most restrictive procedure shall prevail.

GUIDELINE 3. In the event a request is for the purchase of equipment, the department head or board member shall verify that the prospective purchase has been included in the adopted budget. If the request to purchase equipment has not been included in the adopted budget, prior approval and permission of the Town Board shall be required

GUIDELINE 4.

(A) All estimated Town purchases of:

\$750.00 or less are left to the discretion of the Board and/or department head.

\$1,500.00 or less but greater than \$750.00 require a minimum of two (2) verbal quotes from two (2) vendors.

\$5,000.00 or less but greater than \$1,500.00 require a minimum of two (2) written quotes from two (2) vendors.

\$20,000.00 or less but greater than \$5,000.00 require a minimum of three (3) written/fax/email quotes from three (3) vendors.

(B) All estimated public works contracts of:

\$750.00 or less are left to the discretion of the Board and/or department head.

\$1,500.00 or less but greater than \$750.00 require a minimum of two (2) verbal quotes from two (2) vendors.

\$5,000.00 or less but greater than \$1,500.00 require a minimum of two (2) written quotes from two (2) vendors.

\$20,000.00 or less but greater than \$5,000.00 require a minimum of three (3) written/fax/email quotes from three (3) vendors.

Less than \$35,000 but greater than \$20,000.00 requires a written Request for Proposal and written/fax/email proposals from three (3) contractors.

(C) Any written Request for Proposal shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes were requested.

(D) All 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. All written/fax/email quotes/proposals shall be attached to the voucher that is submitted for payment.

(E) All items received by any department head or person in charge must be signed for, and all items Accounted for, to check on the accuracy of the delivery.



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- 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 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 6. A good faith effort shall be made to obtain the required number of proposal or quotations. If the Purchaser is unable to obtain the required number of proposal or quotations, the Purchaser shall document the attempt made at obtaining the proposal which shall be retained for a period of 6 years after the final payment.
- GUIDELINE 7. 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 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 \$750;
 - i) Public works contracts for less than \$750;
 - j) Purchases pursuant to Federal, State or County bid as allowed under GML '103(16).
- GUIDELINE 8. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.
- GUIDELINE 9. Pursuant to the provisions of GML '104-b(2)(f), effective immediately, those employees authorized for purchases on behalf of the Town of Tusten and the Narrowsburg Water and Sewer Districts and their respective titles shall be listed in Appendix 1 of this policy and said listing shall be updated biennially.



PROCUREMENT POLICY FOR TOWN OF TUSTEN

Appendix 1

PROCUREMENT POLICY FOR TOWN OF TUSTEN

List of Town Employees Authorized to Purchase

Town Supervisor - Bernard Johnson
Deputy Supervisor - Jane Luchsinger
Town Clerk - Crystal Weston
Highway Superintendent - Donald Neiger
Town Justices - Hon. David Casey & Hon. Klu Padu
Water & Sewer Superintendent - David Bunce
Building Department – James Crowley
Sole Assessor - Ken Baim