



PROCUREMENT POLICY FOR TOWN OF CLARENCE

(Amended January 1, 2015)

(Encumbrance Policy Procedure attached)

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 involved with procurement; NOW THEREFORE, be it

RESOLVED; that the Town of Clarence 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 GML, § 103. Every town officer, board, 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.

GUIDELINE 2. All purchases of a) supplies or equipment, where it can reasonable by 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.

GUIDELINE 3. All estimated purchases of:

Less than \$20,000 but greater than \$10,000 require a written request for a proposal and written/fax quotes from 3 vendors.

Less than \$10,000 are left to the discretion of the purchaser.

All estimated public works contracts of:

Less than \$35,000 but greater than \$20,000 require a written Request for Proposal and fax/proposals from 3 contractors.

Less than \$20,000 but greater than \$5,000 require a written Request for Proposal and fax proposals from 2 contractors.

Less than \$5,000 but greater than \$1,000 are left to the discretion of the purchaser.

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 offered.

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.

GUIDELINE 4. 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 5. 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.

GUIDELINE 6. 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 \$500;
- i) Public works contracts from less than \$1,000;
- j) Purchases pursuant to State or County bid.

GUIDELINE 7. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

GUIDELINE 8. Pursuant to the provisions of GML §104-b(f), effective January 1, 2009, those employees authorized for purchases on behalf of the Town and their respective titles shall be listed in Appendix 1 of this policy and said listing shall be updated biennially.

EMPLOYEE

Jonathan Bleuer
James Burkard
James Callahan
Pamela Cuvillo
Christopher Durr
James Dussing
Paul Englert
Christine Fusco
David Hartzell
Karen Jurek
Dawn Kinney
Joseph Lancellotti
Timothy Lavocat
Robert Linde
Charles McNiff
Lawrence Meckler
David Metzger
Nancy Metzger
Jessica Notarius
Michael B. Powers
Cynthia Rosel
Jerome Schuler
Robert Sillars
Darcy Snyder
Marilyn Taton
Clifford Trapper
Albert Weber
Alan Wolbert
Mark Woodard
Mary Zimmerman

TITLE

Junior Planner
Parks Crew Chief
Director of Community Development
Director of Administration & Finance
Deputy Recreation Director
Highway Superintendent
General Crew Chief @ Highway
Town Assessor
Supervisor
Secretary to the Town Supervisor
Director Youth Board
Civil Engineer
Town Engineer
General Crew Chief
Deputy Highway Superintendent
Town Attorney
Senior Code Enforcement Officer
Town Clerk
Program Youth Leader
Judge
Paralegal
Animal Control Officer
Judge
Deputy Town Clerk
Clerk to the Town Justice
Director of Recreation
Real Property Appraiser
Security Officer
Town Historian
Clerk to the Town Justice

Encumbrance Procedure Policy

1. Must have a signed Purchase Order or Proposal dated on or before December 31 of the current year to encumber funds.
2. Purchase Order must be submitted to Accounting Department by the Monday of the last bill pay that is set for the previous year's bills.

(Ex: Thursday January 31, 2013 was the last check date for 2012 bills to be paid, so Monday January 28th would be the last date for a Purchase Order or Proposal to be given to the Accounting office to encumber funds from 2012.)

3. Reasonable expectation that the product/service is to be received/performed or completed within 90 days of year end, i.e. March 31st.
4. Applicable dates for the above will be set by the Accounting Department and emailed to all Department heads by year end.
5. A resolution will be made by the Town Board to approve encumbering funds.