



## PROCUREMENT POLICY FOR TOWN OF CLARENCE

(Amended January 1, 2017)

(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.

#### APPENDIX 1

<u>EMPLOYEE</u>	<u>TITLE</u>
Jonathan Bleuer	Junior Planner
James Burkard	Parks Crew Chief
James Callahan	Director of Community Development
Christopher Durr	Deputy Recreation Director
James Dussing	Highway Superintendent
Paul Englert	General Crew Chief @ Highway
Albert Weber	Town Assessor
Alan Wolbert	Security Officer
Patrick Casilio	Supervisor
Kimberly Ignatowski	Acting Director of Administration and Finance
Karen Jurek	Assistant to the Town Supervisor
Mary Kelley	Clerk to the Town Justice
Dawn Kinney	Director Youth Board
Joseph Lancellotti	Civil Engineer
Timothy Lavocat	Town Engineer
Robert Linde	General Crew Chief
Charles McNiff	Deputy Highway Superintendent
Lawrence Meckler	Town Attorney
David Metzger	Senior Code Enforcement Officer
Nancy Metzger	Town Clerk
Jessica Notarius	Program Youth Leader
Michael B. Powers	Town Justice
Cynthia Rosel	Paralegal
Jerome Schuler	Animal Control Officer
Robert Sillars	Town Justice
Darcy Snyder	Deputy Town Clerk
Marilyn Taton	Clerk to the Town Justice
Clifford Trapper	Director of Recreation
Mary Morris	Real Property Appraiser
Mark Woodard	Town Historian



## **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 the 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 28<sup>th</sup> 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 31<sup>st</sup>.
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.