

# PROCUREMENT POLICY FOR TOWN OF CLARENCE

*(Amended January 1, 2020)*

*(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 supplies and equipment:

- a. Less than twenty thousand dollars (\$20,000) but greater than ten thousand dollars (\$10,000) require a written request for a proposal and written/fax quotes from three (3) vendors.
- b. Less than ten thousand dollars (\$10,000) but greater than four thousand dollar (\$4,000) require a written/fax quote from two (2) vendors.
- c. Less than four thousand dollars (\$4,000) but greater than five hundred dollars (\$500) are left to the discretion of the purchaser

All estimated public works contracts of:

Less than thirty-five thousand dollars (\$35,000) but greater than fifteen thousand dollars (\$15,000) require a written Request for Proposal and fax/proposals from three (3) contractors.

Less than fifteen thousand dollars (\$15,000) but greater than five thousand dollars (\$5,000) require a written Request for Proposal and fax proposals from two (2) contractors.

Less than five thousand dollars (\$5,000) but greater than one thousand dollars (\$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	Director of Community Development
Gayle Brace	Deputy Town Clerk
James Burkard	Parks Crew Chief
Patrick Casilio	Supervisor
Clarence Daigler	Highway General Crew Chief
Carolyn Delgato	Secretary to the Town Supervisor
Christopher Durr	Deputy Recreation Director
James Dussing	Highway Superintendent
Paul Englert	Deputy Highway Superintendent
Janel Farolino	Senior Clerk Typist
Amy Gregor	Senior Clerk
Karen Hawes	Town Clerk
Jonathan Hickey	Town Justice
Kimberly Ignatowski	Director of Administration and Finance
Karen Jurek	Assistant to the Town Supervisor PT
Mary Kelley	Clerk to the Town Justice
Dawn Kinney	Director Youth Board
Joseph Lancellotti	Civil Engineer
Jeffrey Loudenslager	Highway General Crew Chief
Timothy Lavocat	Town Engineer
Robert Linde	General Crew Chief
Lawrence Meckler	Town Attorney
Nancy Metzger	Town Clerk
Mary Morris	Real Property Appraiser
Michael B. Powers	Town Justice
Jean Ranney	Confidential Secretary to Supt. Of Highway
Cynthia Rosel	Paralegal
Andrew Schaefer	Junior Planner
Jerome Schuler	Animal Control Officer
Sally Moore	Clerk to the Town Justice
Clifford Trapper	Director of Recreation
Albert Weber	Town Assessor
Alan Wolbert	Security Officer
Jessica Viola	Senior Clerk
Mark Woodard	Town Historian