

COUNTY OF ERIE

LOCAL LAW NO. 6

LOCAL LAW INTRO. No. 18 (Print #2)

1978

A LOCAL LAW amending Local Law No. 1 - 1960, as amended constituting the Erie County Administrative Code, by amending Article 3, Section 3.07 a. thereof.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE, AS FOLLOWS:

Section 1. Section 3.07 a. of Article 3 of Local Law No. 1 - 1960, constituting the Erie County Administrative Code, is hereby amended to read as follows:

Section 3.07 Bureau of purchase; purchasing procedure. a. The bureau of purchase shall make all purchases of and contracts for supplies, materials, equipment, insurance and services for the county, the county legislature or any administrative unit, other than primary or election supplies or services for the board of elections, for the payment of which the county shall be liable. The county legislature shall fix a sum as the limit above which any such purchase or contract cannot be made without publishing an advertisement in a daily newspaper printed in the English language and published in the county of Erie and having a circulation of not less than fifty thousand (50,000) which advertisement shall invite sealed bids for the same, provided, however, that public advertisement shall not be required for purchase of perishable foodstuffs, drugs and medical supplies

or purchases or election supplies or services. By a resolution adopted by a two-thirds (2/3) vote of all its members, the county legislature may exclude the purchase of other materials, supplies, equipment, insurance or services from the requirements of public advertisement. Such advertisement shall contain a statement of the time when and the place where all bids received pursuant to such notice will be publicly opened and read. At least five (5) days shall elapse between the first publication of such advertisement and the date specified therein for the opening and reading of bids. The purchasing director or the person designated by him to open the bids at the time and place specified shall make a record of such bids in such form and detail as the purchasing director shall prescribe. The contract shall be awarded to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided in this section [.] unless the county legislature by a two-thirds vote shall determine that it will best promote the public interest that a bid other than that of the lowest bidder shall be accepted, and shall authorize, as hereinafter provided, the acceptance of such other bid. Where the bid of the lowest responsible bidder is in excess of \$100,000. and the bidder's product is not manufactured within the County, or the bidder's service is not performed by a contractor whose principal place of business is located within the County, and where a difference of five percent (5%)

or less exists between such low bid and the lowest bid submitted
by a bidder residing or having a principal place of business in
the County of Erie, the purchase director shall submit the bids
to the legislature to determine whether or not it will best
promote the public interest to award the bid to the lowest
responsible bidder residing or having a principal place of
business in the County of Erie. In the event the legislature
does not adopt, at it's first or second meeting after submission
of said bids, a resolution determining that it will best promote
the public interest that such a bid be accepted instead of the
lowest responsible bid, the purchase director shall award the
contract to the lowest responsible bidder. In cases where two
or more responsible bidders furnishing the required security
submit identical bids as to price, the purchase director may
award the contract to any of such bidders. The purchase director
may in his discretion, reject all bids and readvertise for new
bids in the manner provided by this section.

Section 2. This local law shall become effective
pursuant to provisions of Municipal Home Rule Law, section 24,
relating to local laws subject to referendum on petition.

WALTER J. FLOSS, Jr.
LEGISLATOR, 16th DISTRICT

Bracketed [] material is deleted.

Underlined material is new.

1/19/78 Adopted by Legislature
2/2/78 Public Hearing and signed by
County Executive Regan

3/20/78 Filed with Secy of State
(45 day waiting period for ref. on
petition expired)

3/24/78 Acknowledgment from Secy of
State

