

TOWN OF HARPERSFIELD  
RESOLUTION NO. 003 OF THE YEAR 2022.

Councilmember Patrick F. Funk offered the following resolution and moved its adoption:

**TITLE: RESOLUTION ADOPTING A PROCUREMENT POLICY.**

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt internal policies and procedures governing all procurement of goods and which are not required by law to be publicly bid.

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law #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. That estimate shall include the canvas of other Town Departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of (a) supplies or equipment which will exceed \$10,000.00 in the fiscal year or (b) public works contracts over \$20,000.00 shall be formally bid pursuant to General Municipal Law #103.

Guideline 3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

ESTIMATED AMOUNT OF PURCHASE CONTRACT:	METHOD:
0 TO \$5,000.00	Discretion of purchaser.
\$5,000.00 to \$7,000.00	Oral request for the goods and Oral/fax/email/quotes from two vendors.
\$7,000.00 to \$20,000.00	A written request (RFP – Request For Proposal) and written/fax/email/ Quotes from three vendors.
ESTIMATED AMOUNT OF PUBLIC WORKS CONTRACTS:	METHOD:

\$500.00 TO \$3,000.00	Discretion of purchaser.
\$3,000.00 to \$10,000.00	Written Request For Proposal
	Proposal (RFP) and written/fax/ email/proposals from two contractors.
\$10,000.00 to \$20,000.00	Written Request for Proposals (RGP) and written/fax/ email/proposals from three contractors.

Any written Request For Proposal (RFP) shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of vendors from whom written/fax/email/oral quotes have been requested and the written/fax/email/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 lowest bidder. For example, the second lowest bidder is a business in the Town, paying Town property taxes and their quote was within 5% of the low bidder which is an out-of-state business or supplier. If a bidder is not deemed responsible, facts supporting that judgement shall also 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, the Purchaser shall document the attempt made obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to procurement.

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 situation.
- (d) Goods purchased from agencies for the blind or severely handicapped.
- (e) Goods purchased from another government agency.
- (f) Goods purchased from correctional facilities.
- (g) Goods purchased at auction.

- (h) Goods purchased for less than \$250.00.
- (i) Public Works Contract for less than \$500.00.
- (j) Insurance purchase.
- (k) Leases.

Guidelines 7. This policy shall be reviewed annually by the Town Board at its organization meeting or as soon after as is reasonably practicable.

Seconded by Councilmember Lisa M. Driscoll with the vote as follows:

Adopted:	James Eisel Sr.	Supervisor	Aye.
	Matthew J. Taylor	Councilmember	Aye.
	Patrick F. Funk	Councilmember	Aye.
	Lisa M. Driscoll	Councilmember	Aye.
	Erik R. Reeve	Councilmember	Absent.



Linda E. Goss, Town Clerk

January 14, 2022