

**TOWN OF BETHEL
PROCUREMENT GUIDELINES**

Pursuant to General Municipal Law #103

WHEREAS, Section 104-b of the General Municipal Law requires every town to adopt internal Policies and procedures governing all procurement of goods and services not subject to the bidding requirements of General Municipal Law #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 Bethel 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 General Municipal Law #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. That estimate shall include the canvass 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 \$20,000 in the fiscal year or (B) public works contracts over \$35,000 shall be formally bid pursuant to General Municipal Law #103.

Guidelines 3. All estimated purchases of:

- A. **Less than \$20,000 but greater than \$7,500.** require a written request for a proposal (REQ) Request for Quotation and written/fax quotes from 3 vendors.

B. **Less than \$7,500 but greater than \$3000** requires an oral request for the goods and oral/fax quotes from 2 vendors.

C. **Less than \$3000** is left to the discretion of the Purchaser.

All estimated public works contracts of:

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

B. **Less than \$20,000 but greater than \$7,500** require a written Request for Proposal and fax/proposals from 2 contractors

C. **Less than \$7,500.** is left to the discretion of the Purchaser.

Any written Request for Proposal shall describe the desired good, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/Fax/oral quotes have been requested and the 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 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. Prices derived from State bid and/or current catalogues may be substituted for solicited quotations when necessary or practical. 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. In no event shall the inability to obtain the proposals or quotes be a bar to the 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 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 \$250.00
- I. Public works contracts for less than \$500.00
- J. State Bids

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. The unintentional failure to fully comply with the provisions of Section 104-b or the policies and procedures contained herein shall not be grounds to void action taken or give rise to a cause of action against the Township or any officer or employee thereof.

Guideline 9. This policy shall be approved annually

Amended and Adopted 1/2022

Reviewed and Approved 1.2023

Reviewed and Approved 12/24