

LOCAL LAW #6 – Town of Thurston, County of Steuben
Filed with the State of New York this _____ of _____, 2025

TOWN OF THURSTON

COUNTY OF STEUBEN

LOCAL LAW #6 OF THE YEAR 2025

A local law – AUTHORIZING THE AWARD OF CONTRACTS ON THE BASIS OF BEST VALUE

Be it enacted by the TOWN BOARD of the TOWN OF THURSTON as follows:

Section 1. Legislative Intent

Section 103 of the New York General Municipal Law (GML 103) requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project. GML 103 has been amended to provide that the Town may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of "best value", as defined in Section 163 of the New York State Finance Law, to a responsive and responsible bidder or offeror, if authorized by Local Law. The Town Board hereby determines that it is in the best interests of the Town and its inhabitants for the Town Board to have the authority to award purchase contracts on the basis of best value.

Section 2. Authorization of Best Value on Basis for Award

A. The Town may award purchase contracts, including contracts for service work but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the New York Labor Law, on the basis of best value, as defined in Section 163 of the New York State Finance Law, to a responsive and responsible bidder or offeror.

B. The determination to award a contract on the basis of best value shall be made by the Town Board. Such determination shall include the specific criteria to be applied in determining best value which shall reflect, wherever possible, objective and quantifiable analysis. The Board should use a cost-benefit analysis or other similar process to demonstrate quantifiable value or savings from non-price factors that offset the price differential of lower price offers.

C. The procedure for awarding a contract on the basis of best value shall include public solicitation of offers. The specifications of the nature of the goods or services shall include a description of the way the evaluation of the offers and award of the contract will be conducted

and, if appropriate, identification of the relative importance or weight of price and non-price factors. Nonprice factors include, but are not limited to, such considerations as the reliability of a product, efficiency of operation, difficulty or ease of maintenance, useful lifespan, ability to meet needs regarding timeliness of performance and experience of a service provider with similar contracts.

D. If the Town Board does not decide to award a contract on the basis of best value, contracts shall continue to be awarded to the lowest responsible bidder furnishing the required security as required by GML 103.

Section 3. Severability

The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State as provided in New York Municipal Home Rule Law §27.