



Effective Date: February 2015

Procurement/Purchasing Policy

General Municipal Law

Section 104-b of the General Municipal Law (GML) requires every “political subdivision and any district therein” to adopt internal policies governing all procurement of goods and services not subject to the bidding requirements of GML Section 103 or any other law. In accordance with that requirement, the following guidelines are established for use by the Seymour Library.

Applicability of General Municipal Law

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML Section 103. Every Library officer, board member, department head or other personnel with the purchasing authority (the Purchaser) shall adhere to this policy. An employee wishing to make a purchase on behalf of the Library must have the purchase authorized by the appropriate department head.

Purchasing Responsibility

- I. All expenditures of Library funds must be approved by the Board or Director; for such items as petty cash, recruiting, utilities, or subscriptions, soon thereafter.
- II. The Director is authorized by the Board to perform procurement functions of the Library as per the guidelines described in this Manual.
- III. The Director may delegate to appropriate staff members such authority as may be necessary to perform purchasing functions.
- IV. For expenses from Trusts, Endowments, agency accounts, and capital budget, the Board’s approval is needed.

Contracts which Need Bids/Quotes

- I. Purchases which will exceed the threshold amount set forth in GML Section 103:
 - a. \$20,000 for purchases of equipment and services
 - b. \$35,000 for public works contractsshall be formally bid pursuant to this law and shall be executed only after appropriate Library Board approval has been obtained.

Contracts below the Competitive Bidding Threshold

- II. All estimated purchases of:
 - Any purchase above \$1000 must be approved by the Director

- \$1001 – \$7,999: the Director is authorized to negotiate contracts and obtain Board's approval. Two price quotes for goods and services either written or oral may be obtained.
- \$8,000 – \$20,000: a written request for a proposal (RFP) and written quotes from at least two (2) vendors are required. Purchases to be approved by the Library Board except where purchases have been previously approved as part of the budget.

Bids/Quotes Approval

- I. The best value proposal or quote shall be awarded the purchase or public works contract
- II. If a vendor is selected, facts supporting that judgment shall be documented and filed with the record supporting the procurement.
- III. Circumstances under which the contract may not be awarded to the lowest bidder may include, but are not limited to:
 - a. Vendor is not deemed responsible
 - b. Vendor's terms of payment are disadvantageous to the Library, e.g. full payment before commencement of work or delivery of goods;
 - c. Vendor cannot comply with the full specifications of goods or services as set forth by the Library;
 - d. Vendor's warranty for goods or services is deemed inadequate by the Library;
 - e. Vendor's after purchase support services are deemed inadequate by the Library.

Lack of Bids/Quotes

- I. A good faith effort shall be made to obtain the required number of proposals. However, if the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made. In no event shall the inability to obtain the required proposals or quotations be a bar to the procurement.
- II. In the event that there is only one supplier for a particular good or service, care must be taken to document that the item or service is unique in its benefits as compared to other items or services available in the marketplace. The Purchaser must be sure that no other item or service provides a substantially equivalent or similar benefit. These facts must be documented on the Quotation Log and filed with the purchase request.

State Bid Contracts

New York State Office of General Services (OGS) group contract authorized by §104 of the General Municipal Law. These are commonly called "State Bid Contracts;" In the event a good or service can be obtained under a city, county or state contract bid, the Purchaser must document the current year contract number, whether it is a city, county, or state bid, the price per unit and the total cost of the purchase.

Quotations Not Needed

- I. Except when directed by the Board, no solicitations of written proposals or quotations shall be required under the following circumstances:
 - Emergencies;
 - Sole source situations;
 - Goods purchased under "State Bid Contracts;"
 - Goods purchased from agencies for the blind or severely handicapped;

- Goods purchased from correctional facilities;
- Goods purchased from another governmental agency;
- Goods purchased at auction - shall be done at or below any established limit agreed upon by the Library Board
- Goods purchased for less than \$1000.00.

Conflict of Interest

Goods or services shall not be purchased from any vendor in which Trustees or the Director hold a full or partial interest.

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