

VILLAGE OF CAMBRIDGE

VILLAGE BOARD MEETING

July 6, 1992

Resolution No. _____

Motion By: Ann McLenithan

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid; and

WHEREAS, comments have been solicited from all officers of the Cambridge Village Government involved in the procurement process, now, therefore, be it

RESOLVED, that the Village of Cambridge does hereby adopt the following procurement policy:

PROCUREMENT POLICY FOR
THE VILLAGE OF CAMBRIDGE

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$10,000 and public works contracts under \$20,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and county contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest

price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$10,000 and public works contracts over \$10,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under County contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.

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

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
Under \$500.00	At discretion of Department Head
\$500.00 - \$2,999.99	Solicit a minimum of 3 verbal quotations
\$3,000.00 - \$9,999.99	Solicit a minimum of 3 written/fax quotations or written requests for proposals
\$10,000.00 and over	State contract or competitively bid pursuant to General Municipal Law

<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
Under \$500.00	At discretion of Department Head
\$500.00 - \$2,999.99	Solicit a minimum of 3 verbal quotations
\$3,000.00 - \$9,999.99	Solicit a minimum of 3 written/fax quotations or written requests for proposals
\$10,000.00 and over	State contract or competitively bid pursuant to General Municipal Law

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement exceeding \$500.00. Verbal quotations must be recorded on the form attached.

5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible, and must be attached to the payment voucher. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Cambridge to solicit quotations, or document the basis for not accepting the lowest bid:

(a) Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price, and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional and technical services shall include, but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing the pre-packaged software.

(b) Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately, and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

(c) Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village of Cambridge is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods, and a lower price may indicate an older product.

(d) Goods or services under \$500. The time and documentation required to purchase through this policy may be more costly than the item itself, and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

7. This policy shall go into effect July 15, 1992 and will be reviewed annually.

Seconded By: Mary Ann Short, Trustee

Roll Call:	Richard Feus, Trustee, voting	<u>No</u>
	Robert Shay, Trustee, voting	<u>Yes</u>
	Mary Ann Short, Trustee, voting	<u>Yes</u>
	Ann McLenithan, Trustee, voting	<u>Yes</u>
	Robert L. Durrin, Mayor, voting	<u>Yes</u>

Carried: 4-1

SECONDER OF THE MOTION MOVED TO TABLE THIS RESOLUTION UNTIL ADVICE MAY BE SOUGHT FROM THE VILLAGE ATTORNEY.

Police Chief George Bell presented the monthly department report and reported that a federal grant in the amount \$40,000 is being submitted for police equipment. The Board requested that the Chief, DPW Supt., Fire Chief work with the Village Attorney on details for an ordinance to address the Gilmore Avenue parking issue.

Village Attorney Catalfimo presented his December 3, 2007 and January 7, 2008 reports.

The Youth Commission monthly written report was reviewed by the Board.

The Clerk/Treasurer presented the December 31, 2007 General Fund Revenue Report.

Budget Officer Spiezio detailed the various steps for developing the 2008-2009 budget by setting parameters with departments heads at the beginning of the process, and using lists from the department heads for long term planning. There was discussion of ideas for developing a better presentation of financial figures to track the status of the budget, etc.

Paul Baker of the Fire Dept. reported on engineering work completed at the new fire house site. The Clerk stated that the Mayor's Request for Proposals for archaeology study services were mailed as of this date. Mr. Baker stated that the fire company will be voting the next evening on whether to have the Village Police Station as part of the new fire house project and whether the fire company should sub-divide their land to the Village for the footprint of the necessary lot size to accommodate the new firehouse site.

Motion by Spiezio, Second by Wyatt, RESOLVED: That the July 6, 1992 Village of Cambridge Procurement Policy be amended as follows:

Section 3

Estimated Amount of Purchase Contract and Estimated Amount of Public Works Contract

Under \$500.00----at discretion of Department Head

\$500.00 to \$4,999.00----solicit a minimum of 3 written quotations

\$5,000.00 to \$9,999.00 obtain a minimum of 3 Request for Proposals, review with Board liaison

\$10,000.00 and over----State Contract or competitively bid pursuant to General Municipal Law

Vote: Nash, aye; Spiezio, aye; Wyatt, aye; Hoffer, aye; Callahan, aye. Carried: 5-0.

The Mayor commented that Trustee Callahan will be attending both Planning and Zoning Board meetings as the Village Board representative. The Clerk reported that five have been registered by the Village to attend the Saratoga Planning Conference in January, and that two others have registered on their own through their employment.

Trustee Spiezio reported he will request that the Village Attorney have his list of concerns with the new zoning draft by the February 4th meeting so all Boards may meet at the February 20th mid-month meeting to discuss. Trustee Spiezio is checking on the progress of the manual of

VILLAGE OF CAMBRIDGE
VERBAL QUOTATION FORM

Department: _____
Completed By: _____
Date: _____

Quotation 1

Vendor Name: _____
Vendor Telephone No.: _____
Vendor Salesperson: _____
Description of goods services (brand name, model no., etc.)

Delivery Schedule: _____ Price Quoted: _____

Quotation 2

Vendor Name: _____
Vendor Telephone No.: _____
Vendor Salesperson: _____
Description of goods services (brand name, model no., etc.)

Delivery Schedule: _____ Price Quoted: _____

Quotation 3

Vendor Name: _____
Vendor Telephone No.: _____
Vendor Salesperson: _____
Description of goods services (brand name, model no., etc.)

Delivery Schedule: _____ Price Quoted: _____

State/County Contract No.: _____ Group No.: _____

Vendor Name: _____
Vendor Telephone No.: _____
Vendor Salesperson: _____
Description of goods services (brand name, model no., etc.)

Delivery Schedule: _____ Price Quoted: _____

Quotation Selected: _____
Reason for Selection: _____

