

LOCAL LAW # 1 OF THE YEAR 2014 A LOCAL LAW AMENDING  
THE CODE OF THE TOWN OF ROSENDALE  
TO AMEND CHAPTER 17 OF  
THE CODE OF THE TOWN OF ROSENDALE  
ENTITLED PROCUREMENT POLICY

**Section 1. Amendments to Chapter 17**

Chapter 17 of the Code of the Town of Rosendale "Procurement Policy is amended as follows:

§17-1(B) is amended to read:

"Guideline 2. All purchases of (a) supplies or (b) equipment which will exceed \$20,000 in the fiscal year or (b) public works contracts over \$35,000 shall be formally bid pursuant to GML §103."

§17-1(C) shall be amended to read:

"Guideline 3.

(1) All estimated purchases of:

- (a) Less than \$20,000 but greater than \$10,000 require a written request for a proposal (RFP) and written/fax quotes from three vendors.
- (b) No more than \$10,000 but greater than \$1,000 requires an oral request for the goods and oral/fax quotes from two vendors.
- (c) \$1,000 or less are left to discretion of the purchaser.

(2) All estimated public works contracts of:

- (a) Less than \$35,000 but greater than \$20,000 require a written RFP and fax/proposals from three contractors.
- (b) No more than \$20,000 but greater than \$10,000 require a written RFP and fax/proposals from two contractors
- (c) No more than \$10,000, but greater than \$3,000 require an oral request for the public works contract and fax/proposals from two contractors.
- (d) Less than \$3,000 are left to the discretion of the purchaser.

(3) Any written RFP shall describe the desired goods, 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.

- (4) All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase of public works contract. All purchases must receive final authorization from the Town Supervisor as chief fiscal officer and must be in the form of an approved purchase order.

§17-1(D) is amended to read:

“Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract, provided however, that 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 Labor Law) may be awarded on the basis of best value, as defined in Section 163 of the State Finance Law to a responsive and responsible bidder or offeror in the manner provided in NYS General Municipal Law §103. If the award is made to other than the lowest responsible bidder unless the purchaser must prepare a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make any 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.

§17-1(G) (8) is amended to read:

Those Veterans’ groups as set forth in State Finance Law §162(2)(e)

§17-1 (G) (9) is repealed.

## **Section 2. Severability**

If any part or provision of this local law is judged invalid by any court of competent jurisdiction, such judgment shall be confined n application to the part or provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Law or the application thereof to other persons or circumstances. The Town hereby declares that it would have enacted the remainder of this Law even without such part or provision or application.

## **Section 3. Effective Date**

This local law shall become effective immediately upon the filing in the Office of the New York Secretary of State pursuant to section 27 of the Municipal Home Rule Law.