

## **Town of Canandaigua 2019 Procurement Policy**

The Procurement Policy previously adopted by the Town Board on June 28, 2010 is hereby adopted by the Town Board for the year 2019. This policy must be strictly adhered to by all Department Heads and Town staff empowered with the authority to make purchases on behalf of the Town.

### **Town of Canandaigua Procurement Policy**

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, §103. Supervisor, Town Manager, Highway Superintendent, Town Clerk, Director of Development, Assessor, Director of Parks and Recreation, Town Historian, Town Justices, 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.
2. If the Town is purchasing off a State contract (or purchasing off any properly let municipal contract), the Town is not required to engage in competitive bidding.
3. 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 GML, §103 and shall require approval by resolution of the Town Board prior to committing the Town to purchase such good or service.
4. Unless previously approved by Resolution of the Town Board, all purchases of Goods in excess of \$ 1,000 or Public Works Contracts in excess of \$ 3,000 require a purchase order to be approved by the Town Manager or Clerk (Finance) prior to ordering the Goods or entering into agreement for the Public Works Contract. Purchase orders will not be approved if budgetary lines are not created, or if the balance of the account is not sufficient to pay for the proposed expenditure. Blanket purchase orders of amounts not to exceed may be utilized for purchases that are of a contractual nature or related to ongoing operational expenditures such as vehicle fuel delivery, routine contracts for services provided by other entities such as insurance, and other maintenance service contracts.
5. Department Heads shall have full authority to make departmental purchases of goods or services up to \$20,000 or public works contracts up to \$35,000 which are identified within the department's annual adopted budget as follows:

#### *All estimated purchases of Goods:*

- Less than \$20,000 but greater than \$10,000 require a written request for a quote (RFQ) and written/fax quotes from 3 vendors. Purchaser shall attach quotes, approved purchase order, and RFQ to the voucher, prior to submission to the Town Board for payment.
- Less than \$10,000 but greater than \$1,000 require an oral request for the goods and oral/fax quotes from 2 vendors. Purchaser shall attach quotes to the approved purchase order and voucher, prior to submission to the Town Board for payment.

- Less than \$1,000 are left to discretion of the Purchaser.

All estimated Public Works Contracts:

- Less than \$35,000 but greater than \$10,000 require a written RFQ and fax/proposals from 3 contractors. Purchaser shall attach quotes, approved purchase order, and RFQ to the voucher, prior to submission to the Town Board for payment.
- Less than \$10,000 but greater than \$3,000 require quotes from 2 contractors. Purchaser shall attach quotes to the approved purchase order and voucher, prior to submission to the Town Board for payment.
- Less than \$3,000 are left to the discretion of the Purchaser.

Any written RFQ (Request for Quote) 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. The above procedures are hereby identified as the procedures required (§9-4) as part of Town of Canandaigua Town Code, Chapter 9, Contracts, Article I, Best Value Policy.

Any information gathered in complying with the procedures of this Policy shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract in the office of the Town Clerk. This information shall include the vendors Certificate of Liability Insurance, signed contract, and if required a signed Independent Contractor Supplemental Terms and Conditions.

By Town Board resolution, the lowest responsive/responsible 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.

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 shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quoted be a bar to the procurement.

6. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the Town of Canandaigua require immediate action which cannot await the obtaining of quotes, or in the case when the Town Board determines that an emergency exists relative to an unsafe building in accordance with Chapter 65, Unsafe Buildings, of the Code of the Town of Canandaigua, contracts for public work or the purchase of supplies, material or equipment may be let by either the appropriate officer or by the Town Board of the Town of Canandaigua notwithstanding the purchasing methods set forth above.
7. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:
  1. Acquisition of professional services;
  2. Emergencies;
  3. Sole Source situations;
  4. Goods purchased from agencies for the blind or severely handicapped;

5. Goods purchased from correctional facilities;
  6. Goods purchased from another governmental agency;
  7. Goods purchased at auction;
  8. Goods purchased for less than \$1,000.00;
  9. Public works contracts for less than \$3,000.00
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8. Unless goods or services are being purchased off the State Bid listing or by piggy-backing off another municipality's contract, a department head shall solicit RFQs at a minimum of every four (4) years.
  9. It shall be the responsibility of all officers and employees to adhere to the procurement policy. The Town Manager shall be responsible to enforce the policy, and notify the Town Board of instances where the procurement policy has not been followed.
  10. The Town Board reserves the right to reject any and all bids, re-bid, negotiate any contracts, award the contract to the bid which, in the Town Board's sole discretion, best serves the interests of the Town and waive any formalities in the bid process.
  11. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.