

# COUNTY OF OSWEGO INDUSTRIAL DEVELOPMENT AGENCY

## PROCUREMENT POLICY

The County of Oswego Industrial Development Agency (the “Agency”) is a New York State public benefit corporation and thus subject to the provisions of Article 5-A of the General Municipal Law, among other provisions, pertaining to the procurement of goods and services. The following guidelines set forth the policy by which the Agency conducts the prospective purchase of goods and services.

**Guideline 1.** Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, Section 103 which said section among other matters, states that all contracts for public work involving an expenditure of more than \$35,000.00 and all purchase contracts involving an expenditure of more than \$20,000.00 shall be awarded through the lowest responsible bidder after advertisement for sealed bids...”. Every Agency officer, board, department head, 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 Agency departments and past history to determine the likely yearly value of the commodity to be required. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

**Guideline 2.** All purchases of a) supplies or equipment which will exceed \$20,000.00 in the fiscal year or b) public works contracts over \$35,000.00 shall be formally bid pursuant to GML, Section 103.

**Guideline 3.** All estimated purchases of:

a. Less than \$20,000.00 but greater than \$9,999.00, may be bid at the option of the County of Oswego Industrial Development Agency Board, or in the alternative, shall require written and/or faxed quotes from at least three or more vendors where available.

b. Less than \$10,000.00 but greater than \$999.00, may be bid at the option of the County of Oswego Industrial Development Agency Board, or the alternative, require an oral request for the goods and written and/or faxed quotes from two vendors where available.

c. Less than \$1,000.00 are left to the discretion of the purchasers, but shall be documented by invoice for future reference.

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All Estimated Public Works Contracts of:

d. Less than \$35,000.00 but greater than \$24,999.00, may be bid at the option of the County of Oswego Industrial Development Agency Board, or in the alternative, shall require written and/or faxed proposals from three contractors where available.

e. Less than \$20,000.00 but greater than \$9,999.00, may be bid at the option of the County of Oswego Industrial Development Agency Board or shall require a written and/or faxed proposal from two contractors where available.

f. Less than \$10,000.00 may be bid at the option of the County of Oswego Industrial Development Agency Board or shall be left to the discretion of the purchaser providing adequate documentation by invoice or otherwise as supplied for future reference.

**Guideline 4.** Any purchase shall compile a list of all vendors from whom written, fax, or oral quotes have been requested and/or offered, and all information gathered and complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

**Guideline 5.** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser whether County of Oswego Industrial Development Agency Board or not, prepares a written justification and providing reasons why it is in the best interest of the County of Oswego Industrial Development Agency and its payers to make an award to other than the lowest bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement, where available.

**Guideline 6.** 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 quotes be a bar to the procurement.

**Guideline 7.** Except when directed by the Agency board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a. Acquisition of professional services;
- b. Emergencies;
- c. Sole source situations;
- d. Goods purchased from agencies for the blind or severely handicapped;
- e. Goods purchased from correction facilities;
- f. Goods purchased another governmental agency;
- g. Goods purchased at auction; and

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- h. Goods purchased under State bid; goods purchased under County bid.

**Guideline 8.** Cumulative purchases of goods or services during a single transaction exceeding the applicable thresholds shall require approval prior to purchasing.

**Guideline 9.** This policy shall be reviewed annually by the County of Oswego Industrial Development Agency at its organizational meeting or as soon thereafter as is reasonably practicable.

Re-Affirmed this 29<sup>th</sup> day of February, 2016, by action of the COIDA Board.

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H. Leonard Schick, Secretary/Treasurer