Town of Brighton
PROCUREMENT POLICY

WHEREAS, Section 104-b of the General Municipal Law, (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML §103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with procurement;

NOW THEREFORE, be it RESOLVED: That the Town of Brighton does hereby adopt the following procurement policies and procedures:

Guideline 1.
Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML §103. Every town 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 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.

Guideline 2.
All purchases of a) supplies or equipment which will exceed $10,000 in the fiscal year or b) public works contracts over $20,000 shall be formally bid pursuant to GML §103.

Guideline 3.
Purchases which require prior town board approval:

All estimated purchases of:

-Less than $10,000 but greater than $5,000 requires a written request for a proposal (RFP) and written/fax quotes from three vendors.

-Less than $5,000 but greater than $1,000 requires an oral request for the goods and oral/fax quotes from two vendors.

-Less than $1,000 but greater than $250 is left to discretion of the Purchaser.

All estimated public works contracts of:

-Less than $20,000 but greater than $10,000 requires a written RFP and fax/proposals from three contractors.

-Less than $10,000 but greater than $3,000 requires a written RFP and fax/proposals from two contractors.

-Less than $3,000 but greater than $500 is left to the discretion of the Purchaser.

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.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4.
The lowest responsible proposal or 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.

Guideline 5.
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 6.
Except when directed by the town 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 correctional facilities;
- f) Goods purchased from another governmental agency;
- g) Goods purchased at auction;
- h) Goods purchased for less than $500;
- i) Public works contracts for less than $500.

Guideline 7.
This policy shall be reviewed periodically as needed by the town board at its organizational meeting or as soon thereafter as is reasonably practicable.