



## PROCUREMENT

This policy sets forth the principles and procedures of the George F. Johnson Memorial Library to meet the requirements of General Municipal Law, Section 104-b.

**1. Purpose** Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the Board of Trustees of the George F. Johnson Memorial Library is adopting internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or of any other general, special or local law.

### **2. Determining Whether Procurements are Subject to Formal Bidding**

- a. All purchase contracts for commodities or services which can reasonably be expected to exceed TWENTY-THOUSAND DOLLARS (\$20,000) during a given fiscal year shall be subject to competitive bidding pursuant to Section 103 of General Municipal Law.
- b. All contracts for public work which can reasonably be expected to exceed THIRTY-FIVE-THOUSAND DOLLARS (\$35,000) shall be subject to competitive bidding pursuant to Section 103 of General Municipal Law.
- c. The following types of procurements are not required to be competitively bid under Section 103 of General Municipal Law:
  - i. Purchases made directly from a qualified contract let by: the New York State Office of General Services; any Broome County agency; any preferred source as defined by the State Finance Law; any other qualified Public Authority or qualified Public Benefit Corporation.
  - ii. Work or services by public utilities regulated by the New York State Public Service Commission, for which the rates charged to customers, have been tarified in accordance with the provisions of Public Service Law.
  - iii. Procurement of professional services. For the purposes of this section, professional services shall mean those services involving a relationship of

trust and confidence that require specialized skills, use of expert judgment, and/or a high degree of creativity.

iv. Operating Leases. Documentation shall include written quotations and a cost-benefit analysis of leasing versus purchasing.

v. Insurance. Documentation shall include specifications, awarding resolution, and documented quotations.

vi. Second-Hand Equipment From Other Governments. Documentation shall include market price comparisons (verbal or written quotations), and name of government.

**3. Statutory Exceptions From These Policies and Procedures** Except for procurements made pursuant to General Municipal Law, Section 103(3) (through county contracts) or Section 104 (through state contract), State Finance Law, Section 175-b (from agencies for the blind or other severely handicapped, special employment programs for the mentally ill or veteran's workshops), Correction Law, Section 186 (articles manufactured in correctional institutions), or the items excepted herein, alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law, Section 104-b.

#### **4. Non-Bid Procurements**

- a. The Library Director, or such designee as may be appointed, is authorized to make purchases on behalf of the Library for commodities and services valued at TWO THOUSAND DOLLARS (\$2,000) or less without prior approval from the Board of Trustees and without the solicitation of alternative proposals or quotations.
- b. The Library Director, or such designee as may be appointed, is authorized to make purchases on behalf of the Library for commodities and services valued between TWO THOUSAND DOLLARS (\$2,000) and FOUR THOUSAND DOLLARS (\$4,000) without prior approval from the Board of Trustees, from the lowest dollar offerer, provided at least one other documented quotation is received.
- c. The Library Director, or such designee as may be appointed, is authorized to make purchases on behalf of the Library for commodities and services valued in excess of FOUR THOUSAND DOLLARS (\$4,000) but less than SIX THOUSAND (\$6,000) with prior approval from the Board of Trustees, from the lowest dollar offerer, provided at least two (2) other documented quotations are received.
- d. The Library Director, or such designee as may be appointed, is authorized to make purchases on behalf of the Library for commodities and services valued in excess of SIX THOUSAND DOLLARS (\$6,000) with the prior approval of the Board of Trustees, from the lowest dollar offerer, provided at least three (3) other written documented quotations are received.

## **5. Awards to Other Than Lowest Dollar Offerer**

- a. Whenever any award is made to other than the lowest dollar offerer, the reasons such an award is to an offerer other than the lowest dollar offerer should be documented as follows:
  - i. A memorandum to the file that details how the award meets the statutory criteria for awards to other than the lowest dollar offerer.
  - ii. Record of vendors contacted and price quotations received.
- b. Any purchase awarded to other than the lowest dollar offerer shall be made only with the prior approval of the Board of Trustees.

## **6. Items Excepted From Policies and Procedures by Board of Trustees** The Board of Trustees sets forth the following circumstances when, or types of procurements for which, in its sole discretion, the solicitation of alternative proposals or quotations will not be in the best interest of the George F. Johnson Memorial Library:

- a. An emergency where time is a crucial factor.
- b. Procurements for which there is no possibility of competition.
- c. Procurements valued at TWO THOUSAND DOLLARS (\$2,000) or less.

## **8. Annual Review** The Board of Trustees shall annually review these policies and procedures.

## **9. Unintentional Failure to Comply** The unintentional failure to comply with the provisions of General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the George F. Johnson Memorial Library or any officer or employee thereof.

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This policy is adopted from those of the Smithtown (N.Y.) Special Library District and the Village of Endicott, N.Y. Adopted by Library Board Jan. 13, 2011.

**Amended:** 7/19/23