

**PROCUREMENT OF GOODS AND PUBLIC WORK PROJECTS AND
SERVICES
NOT REQUIRING COMPETITIVE BIDDING
PURSUANT TO GENERAL MUNICIPAL LAW SECTION 103**

PREAMBLE

This policy enacted in accordance with the intent and requirements of General Municipal Law Section 104(b) is intended to establish purchasing and procurement criteria in the best interests of the taxpayers of the Jericho Union Free School District, by providing procedures to facilitate acquisition of goods, public works and services of maximum quality consistent with the lowest possible cost to the Jericho Public Library with respect to goods, public works and services that are not subject to public bidding and thereby to assure the prudent and economical use of public monies.

DEFINITIONS

1. “N.B. Purchase(s)” as used herein shall refer to procurement of public work projects and services, or the purchase of Goods, as herein defined for which Section 103 of the General Municipal Law does not require competitive bidding. The said N.B. Purchase items are as follows:

- (a) “Goods” - equipment, material or supplies costing \$20,000 or less.
- (b) “Public works” - refers to items costing \$35,000 or less which comprise work projects including materials or services.

2. “Specialized services” - includes professional or unique services. “Unique” services as used herein refers to services which require particular training and/or experience, consulting services, and such other services as have been previously determined by the Commissioner of Education and/or courts of jurisdiction not to require bidding.

3. “Standardized items” - refers to Goods as to which the Board of Trustees by resolution approved by affirmative vote of three-fifths of its total authorized membership (not reducible by absences, abstentions or vacancies) has stated in such resolution that for reasons of efficiency or economy, there is a need for standardization of identified items. In all other respects and irrespective of cost, purchase orders for N.B. purchases for Goods standardized by such resolution shall be subject to the requirements of this policy.

4. (a) “Sole source Goods” - refers to N.B. Purchases of Goods, the procurement of which is in the best interests of the Library and which can be procured only from a single manufacturer or supplier.

(b) “Sole source public work (projects or services)” - refers to public works projects or services which are of such a nature that special equipment and/or materials and/or special expertise are required for repair of equipment or the construction or repair of structures in order to assure competent result, and such public work projects and services can only be procured from an exclusive vendor.

5. “Emergency procurement” - refers to procurement of Goods, and/or public work projects or services which are urgently required as a result of unanticipated events or circumstances in order to prevent imminent (a) disruption of library operation, (b) hazard to the health and/or safety of patrons or library personnel, or, (c) substantial damage to library equipment or property.

6. “Exempt purchase(s)” - refers to N.B. Purchases from or through contracts made by the following entities which are exempt from public bidding requirement, as follows:

(a) BOCES Vendor Contracts - Goods and public work projects and services available from vendors that, pursuant to public bidding as required by law, have entered into Blanket Purchase Agreements with the Nassau Board of Cooperative Educational Services (BOCES) requiring such vendors, in accordance with provisions in such BOCES/Vendor contracts, to make available, supply and sell Goods and public work projects and services as specified in such contracts to school districts within the geographical boundaries of Nassau County at prices and in amounts provided by such contracts.

(b) State of New York, Bureau of General Services - Purchase Contracts Goods from vendors who have entered contracts with the State of New York to supply and sell to municipalities within the State of New York Goods specified in such contracts at prices and in amounts provided by such contract.

(c) Nassau County Purchase Contracts - Goods from vendors who have entered into blanket purchase agreements with the County of Nassau requiring such vendors to make available, to all municipal agencies within the County of Nassau, Goods at prices and in amounts provided by such contract.

(d) Purchases from the following agencies of the State of New York are exempt from the requirement of this policy:

- (1) New York State Department of Correctional Services
- (2) New York State Institute of the Blind
- (3) New York State Handicapped Services

PROCEDURES

A. The Purchasing Agent for the Jericho Public Library shall comply with the provisions established by amendments to Chapter 413 of the Laws of 1991 of the State of New York, which, in part, amends Subdivision 1 of Section 103, Article 5A, of the General Municipal Law. Effective January 1, 1992, all contracts for public works from any non-exempt entity involving an expenditure of more than \$35,000 and all purchases of Goods from any non-exempt entity involving an expenditure of more than \$20,000 shall be awarded to the lowest responsible bidder in accordance with specifications.

B. The Purchasing Agent, in making N.B. Purchases involving Public Work projects or services, or of goods, as herein defined, shall give due prior consideration to the procurement and/or purchase of such items which may be available as “Exempt Purchase(s)” from or through entities recited in paragraph 6 (Definitions) of this policy provided that nothing herein shall be deemed to require that any procurement or purchase shall be made from any Exempt Purchase source if it appears, based on the Library’s specifications, that a lower price is available from a responsible ‘non-exempt’ purchase source.

C. (1) Expenditures for purchases of Goods under \$10,000 but more than \$4,001 shall be made, 1 written or printed quote and expenditures for public work projects and services under \$25,000 but more than \$6,001 shall be made, based on 1 written quote.

(2) Expenditures for Goods under C (1) may be made upon receipt of 1 written quote if under \$4,000.

(3) Expenditures for public work projects under \$6,000 may be made upon receipt of 1 written quote.

D. Expenditures for Goods

(1) Except as may be otherwise provided herein, purchases of Goods at a cost of not more than \$10,000 but more than \$4,001 shall be made upon receipt of at least two (2) written or printed quotes.

(2) Except as may be otherwise provided herein, purchases of Goods at a cost of not more than \$20,000 but more than \$10,001 shall be made upon receipt of at least three (3) written quotes.

E. Expenditures for Public Works

(1) Except as may be otherwise provided herein, public work projects and services at a cost of \$6,001 or more but not exceeding \$25,000 shall be made upon receipt of at least two (2) written quotes.

(2) Except as may be otherwise provided herein, public work projects and services at a cost of more than \$25,001 but not more than \$35,000 shall be made upon receipt of at least three (3) written quotes.

F. (1) Solicitations for vendor quotes and/or receipt of vendor quotes under this policy shall not apply to any of the following:

(i) Specialized Services

(ii) Sole Source Goods

(iii) Sole Source Public Works (projects and services)

(iv) Emergency Procurement

(v) Purchase of Goods or procurement of public work projects and services for which the Board of Trustees has, by resolution established a need and authorization for standardization as provided by law, provided that this paragraph F(1) (v) shall not eliminate compliance with this policy requiring solicitation and receipt of quotes unless such standardized items, to the purchasing agents best information, are sole source items as per F(i) (ii) (iii).

G. If the circumstances and urgency are such that Emergency procurement of N.B. Purchases cannot be delayed for purposes of obtaining approval of the Board of Trustees, such procurements and/or purchases may be authorized by the Library Director, or in her/his absence, the Senior Account Clerk.

H. Purchasing Agent as used herein shall include the Library Director, or in her/his absence, the Senior Account Clerk.

I. (1) Written solicitation and written quotes required by this policy shall be retained in the Library's purchase records.

(2) A written memorandum shall be made of oral solicitations and/or oral quotes required by this policy and such memorandum shall be signed and dated by the person(s) making such solicitation or receiving such quotes.

J. In accordance with the intent and purpose of this policy as expressed by the foregoing Preamble, subject to exceptions that may on occasion result by reason of the provisions of paragraph "F" (Procedures), N.B. Purchase(s) shall be made from responsible vendors who offer the lowest prices, consistent with the highest quality of goods and public works items in accordance with specifications. The Purchasing Agent, may with respect to any particular N.B. Purchase, require appropriate security from vendors.

K. This policy shall be reviewed annually by the Board of Trustees of the Jericho Public Library as required by General Municipal Law Section 104-b(4).

SCHEDULE FOR PURCHASE OF GOODS

No competitive bidding is required for amounts below \$20,000.

The following procedures are endorsed by the Library Board of Trustees:

<u>AMOUNTS</u>	<u>BID SOLICITATION</u>	<u>QUOTES</u>
Under \$4,000	Written	1 written quote
\$4,001 - \$10,000	Written	2 written quotes
\$10,001 - \$20,000	Written	3 written quotes

SCHEDULE FOR EXPENDITURES FOR PUBLIC WORK PROJECTS AND SERVICES

No competitive bidding is required for amounts below \$35,000.

The following procedures are endorsed by the Library Board of Trustees:

<u>AMOUNTS</u>	<u>BID SOLICITATION</u>	<u>QUOTES</u>
Under \$6,000	Written	1 written quote
\$6,001 - \$25,000	Written	2 written quotes
\$25,001 - \$35,000	Written	3 written quotes

Adopted by the Board of Trustees of the
Jericho Public Library February 10, 1992
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