

PROCUREMENT

Pursuant to General Municipal Law, the Library shall observe the following regarding procurement:

- All purchases contracts for commodities (i.e. supplies, materials, equipment) which can reasonably be expected to exceed twenty thousand dollars (\$20,000) during the fiscal year shall be pursuant to the competitive bidding requirements of Section 103 of General Municipal Law (awarded to lowest responsible bidder after advertising for sealed public bids).
- All contracts for public work which can reasonably be expected to exceed thirty five thousand dollars (\$35,000) during the fiscal year shall be pursuant to the competitive bidding requirements of Section 103 of General Municipal Law (awarded to lowest responsible bidder after advertising for sealed public bids).
- When a contract involves the acquisition of both commodities and services, the contract shall be bid based upon which aspect serves as the predominant primary purpose of the contract.
- In accordance with the General Municipal Law, the following types of purchases are not subject to competitive bidding regardless of contract purchase amount:
 - Purchases made directly from a qualified contract such as: the New York State Office of General Services, any Suffolk County Agency, any preferred source as defined by the State Finance Law, and other qualified Public Authority or qualified Public Benefit Corporation.
 - Work or services by public utilities regulated by the New York State Public Service Commission, for which the rates charged to customers have been tariffed in accordance with the provisions of Public Service Law.
 - Procurements from approved state agencies for the blind or severely disabled.
 - Emergency purchases where time is a crucial factor.
 - Purchases from sole source vendors or vendors where there is no possibility of competition.
 - Procurement of professional services whereby these services involve a relationship of trust and confidentiality that requires special skills, use of expert judgment, and/or a high degree of creativity.
 - Operating Leases. Documentation shall include written quotations and cost-benefits analysis of leasing versus purchasing.
 - Insurance. Documentation shall include specifications, awarding resolutions and documented quotations.

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PROCUREMENT (continued)

- Second-hand equipment from other governments. Documentation shall include market price comparisons (verbal or written), and name of the government.
- RESOLVED, that pursuant to NY General Municipal Law Section 103 (16) the Library adopts the subject statutory prerogative to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state, or any other political subdivision or district therein; such procurement to be effected under the terms of the Guidance Memorandum issued in November of 2012 by the Office of the State Comptroller.

Procurement for goods and services which are not required by law to be purchased pursuant to competitive bidding must be procured in a manner which assures the prudent and economical use of public moneys, serves the best interests of the Library's taxpayers and patrons, assures the highest possible quality at the most reasonable price, and guards against favoritism, extravagance, fraud, and corruption.

Further, for procurement of goods and services which are not required by law to be purchased pursuant to competitive bidding and for which purchase from a specific vendor (i.e. qualified state contracts, sole source vendors, professional services, emergencies) is not permissible, the Library shall secure two written quotes for contracts totaling more than two thousand and five hundred dollars (\$2,500) but less than seven thousand and five hundred dollars (\$7,500); and three written quotes for contracts totaling seven thousand and five hundred dollars (\$7,500) or more but less than the required minimum for competitive bidding (i.e. \$20,000 for commodities and \$35,000 for public works). The Board reserves the right to modify the noncompetitive thresholds at its discretion.

The unintentional failure to fully comply with the provisions of General Municipal Law in regard to contract procurement shall not be grounds to void action taken or give rise to a cause of action against the Library or any officer or employee thereof.

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