



County of Rensselaer

Purchasing Procedures Manual

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RENSSELAER COUNTY BUREAU OF CENTRAL SERVICES

STEVEN F. McLAUGHLIN
COUNTY EXECUTIVE

JAMES R. GORDON
DIRECTOR

To: Department Heads and Elected Officials
From: James R. Gordon, Director, Bureau of Central Services
Date: May 17, 2018
Re: 2018 Purchasing Procedures Revisions

The County Executive and County Legislature have adopted a revised Procurement Procedure for the County. Pursuant to General Municipal Law 104-b, the County is required to establish and maintain a policy for the procurement of all goods and services not covered in the competitive bidding requirements of GML-103. Enclosed in this manual are the adopted procedures, which define the method of procurement for all goods and services that are not publicly bid, as well as, the responsibility for those that are. All County requirements for goods and services may only be obtained through adherence to these policies

The 2018 Procurement Procedures include the addition and the amendment of several sections which includes various revisions to procedural, administrative, and statutory information and guidelines to assist Departments with their daily procurement needs. The following are highlights of the revisions:

- **Section III** - Joint Purchasing Review Committee shall review procedures annually in the first quarter
- **Section 2** - Best Value Purchasing, including use of national cooperative contracts per GML section 103
- **Section 3** - Standardization for RPB, RFP
- **Section 3** - Quote threshold for commodity's adjusted
- **Section 3** - Centralized Purchasing for eligible departments
- **Section 6** - State Contract usage will follow standard purchasing procedure
- **Section 7** - Blanket PO's available on Monthly (non-bid items) and Quarterly (bid items) with a quarterly review process by BOCS and Auditor
- **Section 10** - All RFP's \$35,000 and over conducted by BOCS (similar in function as RFB's). RFP's less than \$35,000 BOCS has to approve prior to Department solicitation to vendors
- **Section 10** - County Executive must receive notification of RFP's (which normally will result with contract negotiation) prior to issuance
- **Section 11** - Local Business Consideration
- **Section 13** - Procurement Card (P-Card) Program
- **Section 15** - BOCS requires that all proposed resolutions containing purchases or contracts be review and approved prior to submittal to Budget and County Attorney

Finally, we provide the following as a glossary of abbreviations utilized within the manual as clarification:

RFB – Request for Bids

RFP – Request for Proposals

RFQ – Request for Quotes

P-Card – Procurement Card

GML – General Municipal Law

BOCS – Bureau of Central Services

NYS OGS – New York State Office of General Services

PO – Purchase Order

MBPO – Monthly Blanket Purchase Order

QBPO – Quarterly Blanket Purchase Order

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Purchasing Procedures Manual**

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**PURCHASING PROCEDURES MANUAL
FOR RENSSELAER COUNTY**

I

INTRODUCTION

This manual of purchasing procedures has been developed in order to facilitate compliance with applicable New York State General Municipal Law Article 5-A pertaining to public contracts.

In compliance with Section 104-b, these procurement policies will insure that "goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding must be procured in a manner so as to insure the prudent and economical use of public monies in the best interest of the taxpayers of the political subdivision or district, 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, fraud and corruption."

To further these objectives the Rensselaer County Legislature has adopted these procedures governing the procurement of goods and services.

Note: Any and all forms, user guides and other related items mentioned or described in this manual can be located on the RenscoForms\$ ([\\cob-file-svr](#)) (W:) Share Drive located on our County's Computer Network. Department Heads should request in writing to the Director of Central Services those users who require access to this share drive.

II

ETHICS IN PURCHASING

Each and every Rensselaer County employee who is directly or indirectly involved with the purchasing process shall observe the highest standards of ethical conduct in the procurement of goods and services for County operations.

It should be understood by every public employee that beyond the legal constraints of State and Local law governing purchasing lies the realm of ethical conduct and equitable treatment of vendors.

Favoritism, bias and preferential treatment of one vendor over another have no place in the Public Purchasing Arena. It is expected that each and every participant in the purchasing process will be given equal treatment by Rensselaer County and its employees thus insuring the most prudent use of taxpayer dollars.

Further, all County employees are urged to familiarize themselves with the Rensselaer County Local Code of Ethics to insure their compliance and retain the public trust and confidence in their local government.

III
COUNTY PURCHASING POLICY

In accordance with Section 6.04 of the Rensselaer County Charter the Director of the Bureau of Central Services shall administer this branch of the Executive Department and make all purchases in accordance with New York State law and requirements established by the County Legislature.

The County Charter states the following:

SECTION 6.04 BUREAU OF CENTRAL SERVICES. The Bureau of Central Services shall be administered by a Director of Services, chosen on the basis of his training and experience in the field of purchasing.

A. Powers and Duties. He shall:

1. Make all purchases of equipment, materials and supplies required for any County purpose and contract for the rental and for the servicing of equipment for all County Departments in accordance with requirements established by law or by the County Legislature.
2. Prepare or approve the preparation of suitable specifications or standards for materials, supplies and equipment to be purchased and inspect or cause to be inspected all deliveries to determine their compliance with such specifications and standards.
3. Upon written request of the governing board thereof make purchases for municipalities or other civil divisions of the County.
4. Be responsible for the proper maintenance of all inventories of equipment, materials and supplies and for such purpose shall supervise the record-keeping and operation of any storing and warehousing facilities of the County.
5. Have authority to transfer or reassign equipment, materials and supplies between offices, Departments and agencies of the County upon approval of the County Executive.
6. Operate and maintain facilities for providing such services as mimeographing, duplicating, printing, mailing or data processing as may be authorized by the County Executive or the County Legislature.

III: COUNTY PURCHASING POLICY (CONT'D)

In compliance with the intent of the County Charter the Director of Central Services or his deputies are designated to administer the purchasing process for Rensselaer County Departments.

The Bureau of Central Services and County Departments must cooperate in the purchasing process. Whenever possible, departmental specifications and suggested vendors should be honored so long as they are of competitive price and quality. If a situation cannot be resolved between Central Services and a department then the matter shall be referred to the County Executive, Chairperson of the Legislature and/or the County Attorney.

Procurement Responsibility:

GML 104-b (2) (f) requires the identification of the individual or individuals responsible for the purchasing and their respective titles. As such, the following identifications are made with the areas of responsibility:

James R. Gordon – Director of the Bureau of Central Services

Procurement of goods and services as detailed in the above identified areas of responsibility as per the Rensselaer County Charter.

These procedures are binding on all County Departments. Any modifications will be considered on a case-by-case basis at the sole discretion of the Director of the Bureau of Central Services, only if circumstances and conditions warrant such modification.

The following policies are adopted as integral components of these Purchasing Procedures and Guidelines:

1. Procedures for Determining if Purchases are Subject to Bid

The procedures for determining whether a procurement is subject to competitive bidding and for documenting the basis for any determination that competitive bidding is not required by law are included herein in the section applicable to that type of purchase.

2. Documentation of Purchases for Non-Bid Procurements

All non-bid purchases should be sufficiently documented as to demonstrate that they have been made in accordance with Section 104-b. The responsibility for this documentation shall be shared by the requisitioning department and the Bureau of Central Services. The goal of this process is to demonstrate that Rensselaer County has indeed procured the good or service in a responsible and legal manner.

Specific information regarding required documentation for various purchase types is included within these guidelines.

III: COUNTY PURCHASING POLICY (CONT'D.)

3. Statutory Exceptions from These Policies and Guidelines

Except for procurements made pursuant to General Municipal Law, Section 103(3) (county contracts) or Section 104 (state contract), State Finance Law 175-b (agencies for the blind or severely handicapped), 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 that furthers the purposes of General Municipal Law Section 104-b.

4. Annual Review

The annual review of our Purchasing Policies and Procedures is conducted in accordance with General Municipal Law - Section 104-b.

During the first quarter of the year, the Joint Purchasing Review Committee shall meet for the purpose of conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy. The committee will make any recommendation to update the county's procurement policy to the governing board prior to the end of the first quarter.

Members of the Joint Purchasing Review Committee may include:

- Director of the Bureau of Central Services
- Director of the Budget
- Chief Financial Officer
- County Auditor
- Representative of the Legislature's Majority Caucus
- Representative of the Legislature's Minority Caucus
- Representative of the Highway Department
- Representative of the Commissioner of Social Services

5. 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 or give rise to a cause of action against the County of Rensselaer of any officer or employee thereof.

"QUICK CHECK" PURCHASING REFERENCE

PURCHASING SITUATION	MINIMUM QUOTE/PROPOSAL REQUIREMENT	LEGISLATIVE RESOLUTION ?	NORMAL PROCEDURE	ADDITIONAL INFORMATION
Office Supplies				
Electronic purchases through approved NYS OGS Contract vendor.	N/A	N/A if order is under the Charter threshold for Leg. approval. otherwise YES	Utilize the approved electronic process to order supplies	Section 1
Commodity Purchase				
\$0.01 to \$1,500.00	1 written quote	Any expenditure which may exceed the Charter threshold for Legislative approval must first be approved by Legislative Resolution	requisition / PO	Section 3
\$1,500.01 to \$20,000.00	3 written quotes		requisition / PO	Section 3
*Over \$20,000.00	Bid Process		requisition / PO	Sections 3, 9 & 12
Public Work Project				
\$0.01 to \$5,000.00	1 written quote	See above	requisition / PO	Section 3
\$5,000.01 to \$15,000.00	2 written quotes		requisition / PO or Const. Agreement	Section 3 & 15
\$15,000.01 to \$35,000.00	3 written quotes		requisition / PO or Const. Agreement	Section 3 & 15
Over \$35,000.00	Bid Process		requisition / PO or Const. Agreement	Section 3, 9 & 15
Equipment Rental/Maint.				
\$0.01 to \$5,000.00	1 written quote	See above	Contract w/original signature	Section 12
\$5,000.01 to \$15,000.00	2 written quotes		Contract w/original signature	Section 12 & 15
\$15,000.01 to \$35,000.00	3 written quotes		Contract w/original signature	Section 12 & 15
Over \$35,000.00	RFQ Process		Contract w/original signature	Section 12 & 15
Professional Services				
\$0.01 to \$5,000.00	1 written proposal	See above	Two contracts w/original signature	Section 10
\$5,000.01 to \$15,000.00	2 written proposals		Two contracts w/original signature	Section 10 & 15
\$15,000.01 to \$35,000.00	3 written proposals		Two contracts w/original signature	Section 10 & 15
Over \$35,000.00	Formal RFP		Two contracts w/original signature	Section 10 & 15

CALL 270-2641 FOR MORE ASSISTANCE

* Countywide within a Fiscal Year per Category of Commodity (i.e.-Cleaning Products, Food, Highway Materials, etc.)

SECTION 1 – OFFICE SUPPLIES

Electronic Ordering

Office supplies available on NYS OGS Contract may be ordered electronically through the approved New York State Contract vendor. This process is limited to items typically considered “supplies” (i.e. – paper clips, printer/fax toner, steno pads, etc.)

Periodically, the Bureau of Central Services examines the pricing structure of various Office Supplies Vendors, which hold New York State contracts. This process is extensive and includes an in-depth comparison of prices for items frequently ordered by various Departments. The electronic process may only be utilized for items available under the approved NYS OGS Contract and through the vendor selected for this web-based procurement process.

Selection of the vendor to be utilized for electronic ordering by Departments is based on a combination of the company’s ability to offer the most items under the NYS OGS Contract at overall low pricing. Selection is then approved by the Rensselaer County Legislature and County Executive.

The web-based process varies by company and training is conducted whenever there is a transition to a new vendor. All orders require the approval of both the Bureau of Budget and Central Services prior to electronic transmittal to the approved vendor. Contact the Bureau of Central Services to obtain the current approved Office Supplies Company for electronic ordering of NYS OGS Contract items.

Traditional Office Supplies Ordering

Departments are also encouraged to shop other office supplies vendors to select the necessary level of quality at the lowest price for their needs. Orders from other than the company approved for electronic purchases must be processed with a New World Systems Purchase Order described elsewhere in these Purchasing Procedures.

Items, which are not on NYS OGS Contract, but are available from the same company approved for ordering electronically, must be processed with a New World Systems Purchase Order. Office supplies purchases, which are not available on an existing NYS OGS contract, are subject to the same “Commodity Purchase” quotation thresholds listed in Section Three and on “Quick Check” Purchasing Reference.

IMPORTANT !

Please note that any office supplies expenditure, whether through NYS OGS Contract or New World Systems Purchase Order method, which may exceed the County Charter for Legislative approval, must first be approved by Legislative Resolution.

When ordering printer toner departments are **required** to include the specific piece of equipment toner is needed for.

SECTION 2 – BEST VALUE

New York State GML § 103 now provides that “purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to article eight of the labor law) may be awarded on the basis of best value,” defined in State Finance Law § 163, “to a responsive and responsible.... offeror”.

“Best value” means the basis for awarding contracts for services to the offeror who optimizes quality, cost and efficiency, among responsive and responsible offerors. Such basis shall reflect, wherever possible, objective and quantifiable analysis.

Additionally, New York State GML § 103 allows “any officer, board or agency of a political subdivision or of any district therein authorized to make purchases of apparatus, materials, equipment or supplies...through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value..”

The Director of Central Services shall determine when the basis of an award shall be based upon Best Value.

Local Law #1 of 2014 authorized the use of the best value procurement standard within the County of Rensselaer.

The accompanying Best Value Guidelines provides direction for the utilization of Best Value procurement.

BEST VALUE GUIDELINE

“BEST VALUE” definition:

Best Value is defined as a basis for awarding contracts “to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors.” In assessing best value, non-price factors can be considered when awarding the purchase contract. Purchase contracts can include service work but excludes any purchase contract necessary for the completion of a public works contract. Awarding a contract based on best value (“competitive offering”) is an alternate to awarding contracts to the “lowest responsible bidder.” For purposes of best value, a responsive offeror is an offeror meeting the minimum specifications.

Statutory Requirements:

Towns, villages, cities and counties must first authorize the use of best value for awarding contracts by the adoption of a local law. (*Adopted by Rensselaer County Local Law #1 of 2014*)

We are required to comply with public advertising and bid/offer opening requirements as required by General Municipal Law when utilizing best value.

Guidelines:

The Director of Central Services shall determine when the basis of an award shall be based upon Best Value.

A determination in writing by the Director of Central Services detailing the reasons why a Best Value award is appropriate: the reasons it will benefit the County; and specifying the evaluation criteria to be included in the solicitation shall be included in the procurement record prior to the issuance of the RFB, RFP, or RFQ.

Where the basis for award is the best-value offer, Central Services shall document, in the procurement record and in advance of initial receipt of offers, the determination of the evaluation criteria, which, shall be objective and quantifiable, and the process to be used in the determination of best-value and the manner in which the evaluation process and selection shall be conducted.

BEST VALUE GUIDELINE (con't)

Best Value Evaluation Criteria shall be limited to those criteria detailed below:

<u>Evaluation Criteria</u>	<u>Weighting Range</u>
Cost	51%-90% - (provides that cost continues to be the most heavily weighted criteria)
NYS MWBE and Small Business Certification or Participation (Required by many grants)	10% -40%
Veteran Owned Business (Required by many grants)	10% -40%
Non Profit Status of Bidder	10% -40%
Buy America Provision	10% -40%
Product Warranty	10% -40%
Product Energy Usage (includes water if applicable)	10% -40%
Product or Service Satisfaction of performance requirements	10% -40%
Product or Service environmental considerations	10% -40%
Proposed Schedule/Delivery timeframe	10% -40%
Additional Training costs to be incurred by the County	10% -40%
Compatibility of proposed equipment and current equipment operational issues related to necessary retrofitting and costs(if any) of spare parts inventory necessary	10% -40%
Contractor experience with similar projects	10% -40%
Contractor's record of completion on schedule or on-time delivery	10% -40%
Contractor's record of compliance with material and workmanship requirements	10% -40%
Contractor's record of timely and accurate submittals	10% -40%
Contractor's record of safety	10% -40%
Contractor's hours of operation for obtaining technical assistance	10% -40%

BEST VALUE GUIDELINE (con't)

Upon Approval by the Director of Central Services, RFB, RFP, or RFQ offers shall be issued and shall include specifications and all contractual terms and conditions applicable to the procurement. The best value specification shall describe the general manner in which the evaluation and award of offers will be conducted and identify the relative importance or weighting of price and non-price factors.

Offers shall be evaluated based on the requirements set forth in the RFB, RFP, or RFQ, which may include criteria as provided herein. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively and quantifiably measurable. The RFB, RFP, or RFQ shall set forth the evaluation criteria to be used. Only criteria set forth in the RFB, RFP, or RFQ may be used in the evaluation process.

The decision to award a contract on the basis of best value must be based on objective and quantifiable analysis, such as a cost-benefit analysis, whenever possible. In evaluating and determining to accept a higher priced offer, Central Services shall use a cost-benefit analysis to show quantifiable value or savings from non-price factors that offset the price differential of the lower price offers.

Should Central Services elect to award a purchase contract on the basis of best value, the Purchasing Division and County Department must be prepared to show that: (1) the offeror is responsive and responsible; and (2) Central Services applied objective and quantifiable standards to determine that the offer optimizes quality, cost and efficiency.

The Director of Central Services has the sole authority to purchase goods and services through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein that utilized Best Value. A cost benefit analysis may be required to determine if the contract will result in cost savings. Such purchases using established government cooperative purchasing contracts including, but not limited to, the U.S. Communities Cooperative Contracts, the National Joint Powers Alliance (NJPA) contracts, Health Care Consortium contracts, or other similar Government Cooperative Contracts.

SECTION 3 - PURCHASING IN GENERAL

A. Commodity Purchasing

"Commodity" purchases make up the bulk of purchasing activity and depending upon the dollar amount, almost always require use of a purchase order request followed by issuance of a Purchase Order.

Commodity purchases require a purchase order request which initiates the process to produce a "Purchase Order" or in the case of Capital Projects, a "Letter of Intent. On some occasions a Purchase Requisition/Purchase Order may be used in contractual situations, but generally the Purchase Requisition/Purchase Order process is utilized for commodity purchasing.

PLEASE NOTE THAT A PURCHASE ORDER WILL NOT BE ISSUED AFTER AN ORDER HAS ALREADY BEEN PLACED, COMMODITY RECEIVED OR CONTRACT INITIATED. CENTRAL SERVICES RESERVES THE RIGHT TO INVESTIGATE AND QUESTION THE DEPARTMENT AND/OR THE VENDOR/COMPANY WHENEVER IT APPEARS THAT THE ABOVE MAY HAVE OCCURRED. "Confirming Purchase Orders" or "after the fact" purchase orders are subject to serious criticism by the Office of the State Comptroller.

Where written quotes are required the purpose is to verify the department's sincere effort to obtain the best price for the commodity. Occasionally a "Request for Quotation" process is necessary or at least advisable in order to clearly describe the department's needs and to ensure an equitable response by interested vendors. This is discussed more in depth elsewhere in this section, but generally the degree of formality in obtaining equitable price quotations is proportionate to the dollar amount of the purchase.

Additional information is often required to document receipt of written quotes, sole source status, Legislative approval, and State Contract pricing/status to support purchase of a particular commodity. This information should accompany the purchase order request in order to expedite issuance of the Purchase Order.

Note: Before purchase, equipment and/or renovation costs of \$5,000 or more, using any portion of Workforce Innovation Opportunity Act (WIOA) funds must be approved by NYS Department of Labor.

SECTION 3 - PURCHASING IN GENERAL (Cont'd)

B. Standardization

Where the County has determined that it is required for the health, safety or welfare of the people of the County, or for the effectiveness and efficiency of County operations, standardization of supplies or equipment with existing supplies or equipment, or with supplies or equipment needed for regional task forces or partnerships, is permitted and the specifications may limit the purchase to a single brand or trade name. Competitive solicitations are still required even though product pool is limited. The factors that shall be considered in determining to standardize on a single brand or trade name include:

- Repair and maintenance costs would be minimized;
- User personnel training would be facilitated;
- Supplies or spare parts would be significantly reduced;
- Modifications to existing equipment would be minimized or made unnecessary;
- Training requirements for repair and maintenance personnel would be significantly reduced or eliminated;
- Proper operation of a function or program requires single brand or trade name supplies or equipment to be compatible with existing supplies or equipment; and/or
- Overall purchase or operational costs would be minimized.

With respect to the above factors considered for standardization, the resolution shall contain a full explanation of its reason for its adoption. The Director of Central Services shall review and approve any such resolution prior to its submittal to the Legislature.

SECTION 3 - PURCHASING IN GENERAL (Cont'd)

C. Exceptions

Exceptions to using a Purchase Requisition/Purchase Order are:

- Contracts (generally)
- Equipment repairs not to exceed \$1,000.00
- Required legal publications with ongoing supplements
- Construction/renovation work which has been bid, followed by a detailed formally executed agreement between the county and the contractor
- Newspapers
- Advertising (including legal notices)
- Membership/association dues
- Employee travel expenses (meals, mileage, tolls)
- Court-ordered services
- Reimbursements of petty cash
- Utility bills
- Postage meter costs
- Inter-departmental charges

Other than newspapers and legal publications, all other purchases of publications and subscriptions must follow the Purchase Order process.

Please refer to the “Purchase Order Creation User Guide” for a detailed procedure on how to create a purchase order request within the New World System.

COMMODITY QUOTATION GUIDELINES:

AMOUNT*	QUOTES& DOCUMENTATION
\$0.01 to \$1,500.00	one written quote
\$1,500.01 to \$19,999.00	three written quotes
\$20,000.00 and over	Bid process

* Any expenditure/purchase, which may exceed the County Charter for Legislative approval must first be approved by Legislative Resolution.

PLEASE NOTE that the above represents an absolute MINIMUM number of quotes. Each purchase order request will be reviewed on an individual basis to verify that the appropriate number of quotes have been obtained and properly documented. BOCS RESERVES THE RIGHT TO REQUIRE ADDITIONAL QUOTES FROM VENDORS WHEREVER PRICING APPEARS INORDINATELY HIGH FOR A PARTICULAR PURCHASE. The only exception to the above will be in instances when, in the judgment of the Director of Central Services, the cost of securing quotes (i.e., major machinery repairs) is prohibitive.

SECTION 3 - PURCHASING IN GENERAL (Cont'd)

D. Microcomputer Related Purchases

If a department is purchasing computer or technology resources, including but not limited to, desktop/laptop computers, monitors, printers and peripherals, blackberries, digital cameras, scanners, projectors, power protection, tablets and all related software/applications a "**Request Form for Microcomputer Resources**" must be completed and submitted with the purchase order request. Copies of current software and hardware available through County Bid contracts are updated periodically and are available from the Bureau of Research and Information Services (BRIS) and the Bureau of Central Services (BOCS).

The request form referenced above is reviewed by BRIS to verify compliance with the County's Microcomputer Acquisition and Use Policy.

Steps to Follow:

1. Contact BRIS to discuss your needs.
2. Identify the computer hardware and/or software.
3. Follow instructions within the Purchase Order Creation User Guide for New World Systems
5. BRIS will examine the department's request for compliance and compatibility with the County's computer policy. If it meets with approval, the request will be forwarded to the Bureau of Budget, then to Central Services for routine processing.

E. Repairs Involving Labor/Materials

An exception to issuance of a Purchase Order is repairs to equipment that are estimated at less than \$1,000.00. In many situations, immediate repair is essential to the uninterrupted delivery of services; where the cost is estimated at less than \$1,000.00, a Purchase Order process is not necessary.

Repairs over \$1,000.00 generally require multiple price quotes (see the "Public Work" Section that follows) and will require issuance of a Purchase Order. If the repair is not to exceed \$1,000.00, the work may be authorized, and payment accomplished later by submission to the Auditor with the vendor invoice.

SECTION 3 - PURCHASING IN GENERAL (Cont'd)

F. Public Work Projects/Prevailing Wages

Generally any department considering an expenditure that falls into the category of a "Public Work" project (*the majority of the total expense is primarily due to labor*) should first contact the Bureau of Central Services to determine the appropriate process. The following are considerations:

- Renovations of any type to a County Facility require notification of the County Engineer.
- "Prevailing Wage" guidelines, established by the New York State Department of Labor may apply to any project involving various types contractors. The department should check first before they obtain quotations.
- A public work project is not necessarily a "construction" project. Depending upon the extent of labor involved, this category may include telecommunications installations, assembly of modular furniture systems, drapery installation and many other projects where a purchase of a commodity and labor are combined.

Whenever a project is contemplated where labor is involved, particularly where the preponderance of expense is due to labor costs, generally at least 60%, the project should be considered a "public work project".

Many factors frequently determine whether a purchase/installation is considered a "public work" project. Consequently, where there is doubt as to the appropriate category for your situation, you are advised to contact the Bureau of Central Services for assistance. Be prepared to provide specific information regarding the total cost and proportion of expense for labor.

The quotation guidelines for public work projects are listed below. Many situations may be addressed by issuance of a purchase order. Others will require a formal agreement, insurance certificates and performance and payment/material bonds, with payment later following submission of original invoice to the Auditor.

PUBLIC WORK QUOTATION GUIDELINES:

*AMOUNT	QUOTES & DOCUMENTATION
\$0.01 to \$5,000.00	one written quote
\$5,000.01 to \$15,000.00	two written quotes
\$15,000.01 to \$35,000.00	three written quotes
Over \$35,000.00	Bid process

* Any expenditure/purchase, which may exceed the County Charter for Legislative approval must first be approved by Legislative Resolution.

PLEASE NOTE that the above represent an absolute MINIMUM number of quotes. Each requisition/situation will be reviewed on an individual basis to verify that the appropriate number of quotes have been obtained and properly documented.

SECTION 3 - PURCHASING IN GENERAL (Cont'd)

BOCS RESERVES THE RIGHT TO REQUIRE ADDITIONAL QUOTES and/or FORMAL (written) QUOTES FROM VENDORS WHEREVER PRICING APPEARS INORDINATELY HIGH FOR A PARTICULAR EXPENDITURE/SITUATION. The only exception to the above will be in instances when, in the judgment of the Director of Central Services, the cost of securing quotes (i.e., major machinery repairs) is prohibitive.

G. Installment Purchases ("Lease/Purchase")

An "Installment Purchase" is simply a purchase of a commodity over a period of time. It is a little different than a private purchase of a car where payments are made over the "term" of the loan agreement with ownership acquired following the final payment. These types of purchases are subject to the same guidelines listed previously for commodity purchases.

So called "lease agreements" that allow "buyout" for a dollar at the end of the lease and/or assign ownership to the County of the commodity at the end of the lease are actually purchases over a period of time. Be wary of agreements where there is any opportunity to acquire ownership, since municipal law is quite strict regarding the handling of these types of situations.

Departments are advised to contact the Bureau of Central Services whenever this type of purchase is being considered. Contact should be made well in advance of any commitment to any vendor.

H. Request For Quotations

Often the key to obtaining equitable price quotations in any purchasing situation is the development and distribution to vendors of accurate specifications and guidelines for the commodity or project/service you are seeking. While not always necessary, it does help to eliminate any confusion by the vendors and clearly describes what you are looking for. It usually simplifies the comparison of quotes and minimizes opportunity for vendors feeling like they were treated unfairly.

A properly prepared "RFQ" may consist of one to many pages that clearly describe your need and allow competing vendors to submit quotes meeting that need on an equitable basis. A properly prepared RFQ will facilitate your evaluation and selection of the lowest responsible quote meeting your need.

Often, simply contacting separate vendors by phone and describing your need verbally leads to miscommunication. Each vendor may not receive the same benefit of a full accurate description of your requirements.

Consequently, where written quotations are required, departments are urged to formalize their needs through distribution of an RFQ to the targeted vendors. When you need to develop an RFQ, contact Central Services for that type of assistance.

SECTION 3 - PURCHASING IN GENERAL (Cont'd)

I. Centralized Purchasing

The Bureau of Central Services shall make purchases on behalf of the departments listed below. Generally, these departments do not have the staffing level or expertise to support procurement functions.

Once a department has identified a need for an item to be purchased they will complete a “**Centralized Purchasing Request Form**” and email it to purchasing@rensko.com.

Once the form is received, the Bureau of Central Services will perform all duties as it relates to the County Purchasing Policy and Procedures.

Note: Prior to Central Services’ creation of a Purchase Order in NWS, the departmental contact listed within the request form is required to review and approve of the item(s) within the order. This approval will be via email with Central Services NOT within the New World System.

Once the department takes delivery of the item(s), it is the department’s responsibility to process the vendors invoice(s) for payment.

Department’s eligible for Centralized Purchasing:

- County Executive
- STOP-DWI
- Tourism
- Budget
- Youth
- Finance
- Tax Services
- Veterans
- Human Resources/Civil Service Commission
- Economic Development and Planning
- Conflict Defender
- Public Defender
- County Attorney

SECTION 4 - EXPEDITED PURCHASE

Purchasing procedures may be expedited by Department Heads or other staff formally designated by the Department Head during normal business hours to resolve unusual and/or unforeseen problems which otherwise may result in a Declaration of Emergency. A "legitimate need" to expedite the process should exist.

Even some situations which may not meet "Emergency" criteria, yet could result in a loss of critical services may be resolved through use of expedited purchasing procedures.

All purchasing requirements must still be met, and monetary guidelines for quotes must still be observed. Providing additional quotes, if necessary, is the requisitioning Department's responsibility.

A REQUEST FOR AN EXPEDITED PURCHASE WILL ONLY BE ACCEPTED FROM THE DEPARTMENT HEAD OR STAFF PERSON FORMALLY DESIGNATED BY THE DEPARTMENT HEAD.

Purchasing situations, which qualify, should still be UNFORESEEN and GENUINELY require an immediate expenditure to correct a situation.

Since time is of the essence in this type of situation, the Department should have all the necessary information and approval by the Bureau of Budget prior to placing the request for use of expedited procedures. Cooperation by all parties is essential whenever a situation must be expedited. In most situations, it is advisable to verbally alert both the Bureaus of Budget and Central Services to the need for speedy assistance.

The Department must realize that the various parties involved in expediting a Purchase Order are literally putting aside other tasks to assist with a swift resolution to a unique purchasing situation. Consequently, Departments must not abuse this service and should limit requests for expedited Purchase Orders to only those genuinely critical situations.

EXAMPLES

The following situations would warrant use of Expedited Purchasing Procedures and are offered as examples:

- Sole refrigerator at a Senior Facility breaks down and requires immediate replacement or meal programs will suffer.
- A Highway Department sand/salt unit breaks down just prior to a forecasted storm and requires an expensive part to be operable.

SECTION 4 - EXPEDITED PURCHASE (Cont'd)

DOES MY SITUATION QUALIFY?

The Department Head must recognize that each purchasing situation is unique and should be evaluated on its own merits. A safe course to follow whenever there is doubt concerning a purchasing procedure is to consult with the Bureau of Central Services.

Steps To Be Followed:

1. Contact the Vendor to obtain the cost of the item required and verify that you will receive it shortly after receipt of the purchase order. If more than one quote is required, obtain additional quotes from other vendors. Start preparing the requisition within New World noting that the PO is to be expedited and forward it to the Bureau of Budget.
2. Determine that sufficient funds are available in the departmental budget and obtain approval for the expenditure from the Bureau of Budget. It is **required** that you notify Budget via telephone of the need to expedite.
3. Contact BOCS with justification for the expedited PO and alert them that you have spoken with Budget and that the PO request will be forward to BOCS ASAP.
4. Upon receipt of the approved Purchase Order, the Department should notify the vendor and promptly proceed with the purchase.
5. Payment to the vendor should be processed in the same manner as payment following issuance of a regular purchase order (See Section 14).

NOTE

The intent of the expedited process is to assist Departments with unique situations. It frequently occurs that the above-described process must vary to suit the situation (i.e. immediately printing the PO for the Department to give to the vendor). Flexibility by all parties is often necessary in order to achieve the appropriate objective and satisfactorily resolve the purchasing situation, however requirements such as Budget approval and proper preparation of the Requisition must still be met.

SECTION 5 - SOLE SOURCE PURCHASES

Occasionally items are only available from one source. This situation may occur when a part is needed for specialized equipment, proprietary software is required or the manufacturer of a particular item limits competition by selling through only one supplier.

It should be emphasized that a Department's claim that there is only one source for a purchase ("Sole Source") may be verified by BOCS. There are situations where, although there may be another source, a need for prompt service or maintenance restricts the purchase to a vendor who can respond quickly to that type of need.

The Department must make every effort to obtain multiple quotes, where required. Where additional sources are located by BOCS, the source vendor for the purchase may be changed following conference with the Department.

Requisitions which list "Sole Source" as justification for only obtaining one quote, when additional quotes or bidding may be required, shall be accompanied by an explanatory memo to the Director of Central Services signed by the Department Head or Deputy and a copy forwarded to the County Auditor with written verification from the vendor, when applicable, to justify the sole source request.

The requisition must also be clearly marked "Sole Source" to assist with documenting an earnest effort by the Department to locate additional sources and/or quotes. It is important to mark the requisition as "Sole Source" to avoid confusion during later audit.

- EXCEPTION -

While the requisition **must still be labeled "Sole Source"** additional documentation such as an explanatory memo may not be required under the following conditions:

- **Sole Source Commodity** - Where a commodity (i.e. bus tokens from a bus company utilizing those same tokens as payment for transportation on their vehicles) is, without question only available from one source, it is not necessary to provide additional documentation or a sole source memo from the Department Head.
- **Sole Source Situation** - Where a situation (i.e., reservations for a specific program/event) is, without question, only available from one source, it is not necessary to provide a sole source memo from the Department Head.

Questions regarding the applicability of the above "exceptions" to any situation/purchase should be referred to Central Services prior to preparation of any requisition.

SECTION 6 - STATE CONTRACT PURCHASING

New York State Office of General Services (OGS) continually solicits bids and awards contracts for a wide range of commodities and services.

As a municipality and subscriber, Rensselaer County is able to utilize these contracts.

County agencies with Internet access may examine NYS-OGS contracts at www.ogs.state.ny.us/purchase/default.asp. Contracts may be viewed and printed directly from this web site.

Departments are **REQUIRED** to obtain written quotes from other sources, primarily because NYS OGS contracts are not "always" the lowest available source.

Generally, the same procedure (Purchase Order) is followed when using State contracts, but it is important to remember that the "Group" number and "Contract" number (usually starts with the letter "P") must be on the purchase order request when it is submitted within the "Notes" section of the PO request to BOCS following approval by the Bureau of Budget. Additionally, departments are required to attach the NYS OGS contract face sheet and contract documentation to the purchase order request.

These identifying numbers and documents are used by BOCS to verify both pricing and expiration date of the contract.

If you do not have Internet access or are unable to find a specific contract, call BOCS for assistance.

IMPORTANT !

A purchase off of a NYS OGS Contract may preclude a statutory public bid process, but it must still be approved in advance by Legislative Resolution if it exceeds the contract threshold stated in the County Charter. Please CHECK contract effective dates, pricing and accuracy before you submit the resolution. A requisition with incorrect contract information or based upon outdated contracts will be rejected, even following Legislative approval. The purchase must be completed before the contract expires.

NOTE: Exception to the policy is when a department is mandated by NYS to purchase certain items via NYS-OGS contract due to state funding. When this is the case, departments are required to provide justification attached to their PO request.

SECTION 7 - BLANKET PURCHASE ORDERS

A. Monthly Blanket Purchase Orders

Monthly Blanket Purchase Orders (MBPO's) are issued to authorize a Department to purchase unspecified items, up to a designated dollar amount, from a specific vendor for a particular category of goods.

MBPO's are requested monthly by requisitioning Departments for **non-bid items** from specific vendors for the following month. The Department still carries the responsibility to obtain the lowest possible or best value pricing for the quality of goods required.

Often the dollar volume and purchasing frequency of particular items or categories of items, i.e. office furniture, is best monitored through the County's Bureau of Central Services. Since Municipal Law evaluates purchases of "similar type" items on a "County Wide" basis rather than an individual Department basis, it is critical to monitor these expenditures through a central agency.

Central Services may be contacted if a Department has any questions regarding MBPO's.

Departments will have the ability to request MBPO's with a maximum dollar amount of \$1,200 per vendor.

B. Quarterly Blanket Purchase Orders

Quarterly Blanket Purchase Orders (QBPO's) are issued to authorize a Department to purchase items **contained within an active RFB** of Rensselaer County (including VRM consortiums). QBPO's will **NOT** be issued for non-bid purchases. The designated dollar amount for a QBPO shall be representative of historical average costs over a quarter. The department is required to submit historical expense backup, when applicable, to justify the requested QBPO. Where no expense backup is available the department is required to submit a detailed justification for the requested QBPO.

A QBPO must not be used to circumvent the usual purchasing procedures. Each QBPO should be periodically reviewed to insure that proper, cost-effective purchases are being made. The amount of the QBPO is to be determined by the requisitioning Department based on historical expenses and predictable need.

QBPO's are requested quarterly by requisitioning Departments for a specific calendar quarter of the year:

Q1 January thru March	Q2 April thru June
Q3 July thru September	Q4 October thru December

Central Services may be contacted if a Department has any questions regarding QBPO's.

SECTION 7 - BLANKET PURCHASE ORDERS (con't)

C. Procedure for Monthly and Quarterly Blanket PO's

1. The Department is required to create and submit BPO purchase requisitions, using proper purchasing procedure, within the New World FMS no later than the **fifteenth of month**. If a Department needs to request a BPO after the fifteenth of the month they need to seek authorization from Central Services prior to submission.
2. It is important to note that when creating BPO's, please ensure the following information is included:
 - a. G/L date is set to be the 1st day of the requisitioning month/quarter;
 - b. The one time message field is to be completed with the proper "Not to Exceed" language specific to requisitioning quarter; and
 - c. Proper purchasing requisition information is included, (i.e. Resolution numbers, Bid numbers and other specific information you believe is needed to explain the BPO necessity, this may include document attachments and notes)
3. Central Services reserves the right to request from the Department a copy of their BPO list at any time to review historical purchasing information and ensure the proper procurement procedures are being followed.
4. Central Services will authorize issuance of the BPO's following the NWS approval process. The objective is to issue BPO's to the vendors prior to the first of the month.
5. The requesting department shall keep a running balance of the QBPO as purchases are made utilizing a "**BPO Addendum Form**".
6. A Department should not exceed the dollar amount of the BPO. If the total purchased against a BPO exceeds the encumbered amount before the end of the designated period, the BPO becomes completed and closed for the remainder of the period. If this occurs, all future purchases **MUST** be made through the routine Purchase Order process. **NO** second BPO or amendments are allowed. Minor overages must be approved by the Bureau of Budget before presentation to the Auditor's office through the change PO process.
7. Departments are required to submit invoices associated with BPO's for payment on a monthly basis along with the vendor's billing statement. Submission for payment shall follow the NWS invoice submission procedure.
8. Upon receipt of the vendor's statement and invoices, the information should be compared to the information on the BPO Addendum to verify accuracy before submission for payment by the Department.

SECTION 7 - BLANKET PURCHASE ORDERS (con't)

9. The **"BPO Addendum Form"** must be attached to the claim, with all invoices and proof of receipt (packing slips), when submitted to the Auditor.
10. It is important to note that when making payments to QBPO do not select the "Complete Item" option in invoice payment section unless you plan to close the QBPO – it should only be selected once the amount of the QBPO has been reached or the quarter has ended. A **"BPO Addendum Form"** must be submitted with the claim and invoice to the Auditor each time a request for payment is made.

Please refer to the **"Purchase Order Creation User Guide"** for a detailed procedure on how to create a purchase order; and refer to the **"Accounts Payable User Guide"** for a detailed procedure on how to pay vendors within the New World System.

D. Blanket Purchase Order Review

On a quarterly basis the Director of the Bureau of Central Services or their designee and the County Auditor shall review purchases made on both the monthly and quarterly blanket purchase orders to ensure the integrity of the County's purchasing procedures. This review is to ensure that proper, cost-effective purchases are being made. The findings of the review will be communicated to the department of record and may include recommended changes to the department's future BPO requests.

SECTION 8 - EMERGENCY PURCHASING PROCEDURES

The term "Emergency Purchase" as defined in Section 103 of the General Municipal Law will serve as the general definition of an "Emergency Purchase". It reads as follows:

"...in the case of a public emergency arising out of an accident or other UNFORESEEN occurrence or condition whereby circumstances affecting public buildings, public property or the LIFE, HEALTH, SAFETY or PROPERTY of the inhabitants of a political sub-division or district therein, require IMMEDIATE action..."

In other words, unless a situation threatens lives, health or public property or safety, could not have been foreseen and requires an immediate expenditure to correct, it should not be declared an "Emergency Purchase". **It is important to note that some situations may actually contain all these key elements, but still be resolved through expedited purchasing procedures.**

A Declaration of Emergency bypasses monitored purchasing procedures and should be considered a last resort by Department Heads and Deputies whenever an expenditure is required to remedy a critical situation.

Each situation must be examined closely to determine whether a "Declaration of Emergency", "Expedited Purchase Order" or normal purchasing procedures will correct the situation most appropriately.

The ability of purchasing to react quickly and provide a Purchase Order to remedy a critical situation has increased sharply in recent years. Providing budgetary and applicable quotation requirements have been met, production time is often measured in hours, rather than days.

Nonetheless, on rare occasions a true emergency situation may occur. . .

"EMERGENCY" SITUATION CHECKLIST

- Is the situation truly "Unforeseen" and "Unexpected"?
- Does it jeopardize "Life", "Health", "Safety" or "Property"?
- Should it be and/or will it be corrected immediately or could normal or "Expedited" purchasing procedures remedy the situation in a timely manner and avoid a Declaration of Emergency?
- During business hours have alternate courses of action been discussed with the Bureau of Central Services?

SECTION 8 - EMERGENCY PURCHASING PROCEDURES (Cont'd)

Steps To Be Followed:

A. During regular working hours....

1. Contact vendor(s) and obtain estimates of cost for goods or services necessary to correct the problem. Where possible, obtain more than one quote to assure fair pricing by vendors.
2. Verify availability of funding in the Departmental budget. It is a **requirement** to call Budget to alert them of the situation.
3. Confirm the vendor's ability to correct the situation immediately. If the vendor can provide the goods or perform the services immediately, then request that this be done.
4. It is a **requirement** prior to submitting the emergency letter to call BOCS immediately to report the nature of the Emergency, cost if known, vendor if known and when the situation will be resolved.
5. Follow up the telephone call with an Emergency Letter, to the Director of Central Services describing the situation, Department, time, date, dollar amount, vendor and reason regular or expedited purchasing procedures could not be used.

Emergency letters should be sent to BOCS within 24 hours of the emergency situation or the close of business on the next available business day. Copies must be forwarded to the Auditor's Office and Bureau of Budget.

Emergency notification letters must be signed by the Department Head or a formally designated staff person(s). Typed names, initials, signature stamps or signatures from other than the Department Head or the designated staff person(s) are not acceptable.

The letter must clearly state "EMERGENCY" across the top of it.

6. Upon receipt of goods or completion of services, the Department shall submit a claim for payment clearly marked as an "Emergency". The claim, accompanied by the vendor's original invoice and any related packing slips or proof of receipt, shall be submitted to the County Auditor for payment within the New World System.

SECTION 8 - EMERGENCY PURCHASING PROCEDURES (Cont'd)

- B. Other than regular working hours....
1. Contact vendor and obtain estimate of cost for goods or services necessary to correct the problem.
 2. Verify funding in the Departmental budget.
 3. Confirm the vendor's ability to correct the situation immediately. If the vendor can provide the goods or perform the services immediately, then request that this be done.
 4. Forward an Emergency Letter to BOCS, prepared as described in Step #A5.
 5. Payment should be processed as described in Step #A6.

NOTE

When a Department Head declares an "Emergency Purchasing" situation, no Purchase Order will be issued.

Emergency letters are reviewed by both the Director of Central Services and the County Auditor. Department Heads should be prepared to substantiate all information concerning a Declaration of Emergency.

SECTION 9 - BIDDING PROCEDURES

In determining the need for competitive bidding, the County must consider the aggregate cost of an item or category of items (i.e., computers, furniture, food items, highway materials, etc.) to be purchased within a given fiscal year. If the net total of a commodity purchase is more than \$20,000.00 or a public work project is more than \$35,000.00, then the statutory bidding requirements and guidelines under GML Section 103 apply. Departments should also research the various contracts available through NYS Office of General Services, national cooperative contracts, and consortiums since a wide variety of commodities and services are available and “piggybacking” of another contract precludes the need for a costly bid process.

The responsibility for insuring that aggregate purchases of like items are put out to bid shall rest with the Department(s) purchasing the goods, as well as, Central Services. Centralized purchasing allows monitoring of purchases from multiple Departments annually to determine whether a bid may be required for a commodity category.

Section 103 of New York State General Municipal Law describes procedures for bids and contracts. Bidding for all purchases or projects paid for with County appropriations must be conducted through the Bureau of Central Services.

Unlike New York State's Office of General Services, the Bureau of Central Services does not have extensive staff resources with technical expertise in all areas that may require bidding. The Bureau of Central Services' expertise focuses on monitoring and regulating the legal requirements of bidding, addition of standard County specifications, actual production, advertising and distribution of bid documents and award of contract.

Usually staff within the Department requesting a bid are knowledgeable about the technical requirements of the commodity or service that is requested and due to the dollar amount, must be bid. When the Department does not possess the necessary expertise and is unable to provide accurate and detailed technical bidding specifications, they must first obtain outside technical expertise for that purpose.

Depending upon the cost of those services, a Request For Proposal (RFP - SECTION 10) may be necessary in order to select the appropriate technical expertise from an outside source. This, obviously, increases the time necessary to conduct the entire bid process and requires significant long-range planning by the Department.

It is the Department's responsibility to provide accurate, detailed technical specifications for any bid process.

SECTION 9 - BIDDING PROCEDURES (con't)

Steps to Follow:

PLAN AHEAD!!!!

A normal bid process can take from 8 to 12 weeks from date of approved specifications through Legislative approval and award. Incomplete or inaccurate specifications will adversely affect the processing time. Bureau of Budget, County Attorney and Legislative filing time-tables must also be included in the Department's projection of the time required to process a bid from delivery of bid-ready specifications to Central Services through to award.....**PLAN AHEAD!**

An opportunity shall be afforded to all responsible suppliers to do business with the County. To this end Central Services shall provide instructions for all potential suppliers regarding access to the web-based bid notification system. The Bureau of Central Services utilizes the web-based Empire State Municipal Purchasing Group and its members to allow for a wider distribution and greater opportunity for County vendors. Additionally, any supplier, so requesting, shall be included on the distribution list for each commodity they select for automatic notification of solicitation. All requests for RFQ's, RFB's and RFP's shall be transmitted through the web-based bid notification process in addition to public notice with in local newspapers. The Director of Central Services must authorize any deviation to this process.

1. The Department requiring a purchase or project that will have to be competitively bid must develop concise, detailed and accurate specifications with support of BOCS. Where technical or professional expertise is required to develop accurate specifications, it may be necessary to retain outside professional services through a Request for Proposal (RFP) process or multiple quotes. All specifications must be on an "or equal" basis to allow for competitive bidding. The wording of specifications should not be phrased in any way to exclude equivalent items.
2. When contracts for bids are nearing expiration, Central Services will forward a Bid Memorandum accompanied by information on the current bid or by email, reminding the Department that we must prepare for a bid extension or for a new bid process, depending upon the situation. For a new bid situation, after review and consultation with the Department and approval of the specifications, Central Services shall prepare the bid document and bid notice.
3. As per Section 103(2) of the General Municipal Law, the bid advertisement giving details of the bid and date of the bid opening shall be published in the County's official newspapers. All bids will be opened at the prescribed time and place by Central Services. A representative of the Department(s) is encouraged to attend. Additionally, BOCS will advertise bid information via the web-based Empire State Municipal Purchasing Group.

SECTION 9 - BIDDING PROCEDURES (con't)

4. After the bid opening, Central Services will verify the items bid, math, etc., and forward a "Bid Acknowledgment", with a copy of the lowest compliant bid attached, to the appropriate Department(s).

The Department must review the bid carefully to ensure compliance with specifications and return the Bid Acknowledgment form to Central Services with their response. Reasons for acceptance or rejection of the bid by the Department must be clear and specific.

5. Generally, following selection of the lowest bid meeting specifications, a resolution approving the award must be processed through the Legislature. Where multiple Departments have requirements in a bid, Central Services will handle the Legislative/Resolution process.

Where the bid process has been conducted for a single Department, that Department is responsible for handling the Legislative/Resolution process. Usually the Department Head must be prepared to attend Legislative committee meetings and respond to questions from Legislators regarding their bid and proposed award.

Following approval of the award by the Legislature, where necessary, Central Services will forward an award letter to the appropriate vendor and also notify other vendors of the results. The Department and the Auditor will also receive a copy of the award letter.

6. Upon receipt of the award letter, the Department shall prepare a purchase requisition. In instances of a single purchase, the requisition shall be completed as per Section 3 of these procedures. When the bid is intended for an ongoing purchase of items (Blanket Purchase Order) during the contract period, procedures in Section 7 may be followed.

Exceptions to issuance of a purchase order following bidding include equipment rental, service and maintenance agreements and construction contracts where a detailed form of agreement binds the County and the successful contractor.

6. Central Services shall return bid sureties upon completion of the bid contract and/or receipt of goods or completion of services, depending upon the contract.

Awarded Bid Documentation

The Bureau of Central Services now maintains a current record of active, awarded bids on the county's computer network, Bid\$ ([\\cob-file-svr](#)) (K:), making this information readily available to specified departmental users.

This shared bid drive is made available to assist and ensure staff have the most current and correct information for county bids to ensure accuracy in our purchasing and contracting.

Department heads should request that necessary departmental staff have access to this drive in writing to the Director of Central Services.

**SECTION 10 - PROFESSIONAL SERVICE CONTRACTS
(Request for Proposals)**

General Municipal Law Section 103 does not require bidding and consequent award to the lowest bidder for professional services. However, General Municipal Law Section 104-b does require that the municipality establish formal policies and procedures for procuring equitable competition in all areas of expenditure not subject to competitive bidding.

Rensselaer County has determined that professional services expenditures in excess of \$35,000.00 annually shall be subject to a formal RFP process.

Professional services requiring annual expenditures between \$0.01 and \$35,000.00 shall be regulated as described elsewhere in these procedures.

An effective and equitable method for awarding contracts for professional services in excess of \$35,000.00 annually is to award the contract only after a minimum number of professionals (usually three) are contacted and asked to submit formal proposals. Professional services would include, but may not be limited to, those offered by:

- | | |
|--|-------------------------------|
| Architects | Management firms |
| Engineers | Accountants |
| Insurance Professionals | Telecommunication Consultants |
| Laboratory testing & analysis | Pest Control Services |
| Computer Consultants | Marketing firms |
| Other professions acceptable under NYS General Municipal Law | |

EXCEPTIONS

Due to specialized areas of practice and limited availability on short notice selection of the following professions have been excepted from a competitive process:

- | | |
|-------------------|--------------------------|
| - Attorneys | - Physicians |
| - Pathologists | - Medical Examiners |
| - Process Servers | - Trial Related Services |

SECTION 10 - PROFESSIONAL SERVICE CONTRACTS (Cont'd)
(Request for Proposals)

In accordance with NYS General Municipal law, and due to the many variables considered in the procurement of professional services, it is possible that a firm awarded a contract may not be the firm, which submitted the lowest dollar amount proposal. Many factors are to be considered in the award of professional service contracts including, but not limited to:

- Experience
- References
- Preparation of Proposal
- Ability to meet project schedule
- Fee schedule

Within reason and operating within the intent of General Municipal Law, it is not necessary to repeatedly request proposals for same type or similar professional services, providing previous service from a firm has been satisfactory and cost not unreasonable.

It is advisable to request new proposals whenever warranted, but responses for one situation may be used to judge, and possibly retain, the services of a vendor for similar type situations over a reasonable period of time. The results of one Department's RFP process may be used by another Department within a reasonable period of time (usually about five years) to select similar type services.

Rather than repeatedly issue RFP's for similar services, Rensselaer County has adopted the policy to select professionals based upon responses to RFP's received over the most recent five-year period.

Should professional services be required and no RFP issued or proposals received within the most recent five-year period, then new proposals should be solicited in accordance with guidelines established herein.

It is a requirement of the County Executive that the Director, Commissioner, or Department Head communicate their intent in soliciting services to be contracted prior to initiating any RFP.

REQUEST FOR PROPOSAL (RFP) PROCESS

SERVICES OVER \$35,000.00:

For professional services, which may cost more than \$35,000.00 in a Fiscal Year, the Bureau of Central Services will conduct a formal RFP process in accordance with the guidelines described herein. When asking the Bureau of Central Services to obtain proposals, the following steps shall be observed:

SECTION 10 - PROFESSIONAL SERVICE CONTRACTS (Cont'd)
(Request for Proposals)

<u>Step</u>	<u>Description</u>
1	Development of clear requirements and technical specifications that outline the needs of the issuing Department.
2	Central Services will establish minimum requirements for a response from the professional agency and set the criteria by which the response will be rated. Include our County's Insurance requirements (available from the County Attorney), as well as, the form verifying compliance with Local Law #2 -1992 (available from Central Services).
3	Departments will work to identify a minimum number of qualified professionals interested in responding to a Request for Proposal. It is frequently necessary to solicit as many qualified firms as possible to obtain at least three responses for equitable comparison and award to the most qualified company. Where less than three proposals are received, the Department should be prepared to provide documentation verifying their effort to try and obtain at least three responses.
4	Central Services will distribution to those qualified firms, which appear interested in responding, as well as, post the RFP for review on the web-based Empire State Municipal Purchasing Group.
5	Central Services take receipt of responses and forward to the Department for their review and rating of responses. Rating shall be in accordance with the criteria established by the RFP specifications.
6	The Department will work with Central Services in the award of the contract to the most qualified firm following Legislative approval. Formal notification of results issued to the remaining firms.

SECTION 10 - PROFESSIONAL SERVICE CONTRACTS (Cont'd)
(Request for Proposals)

PROFESSIONAL SERVICES UNDER \$35,000.00:

The procurement of professional services, which annually may fall below the \$35,000.00 threshold for a formal RFP should be in accordance with the following procedures and limitations:

PROFESSIONAL SERVICES GUIDELINES:

(*Per contract within a Fiscal Year)

* <u>AMOUNT</u>	<u>MINIMUM NUMBER OF PROPOSALS</u>
\$0.01 to \$5,000.00	one written proposal
\$5,000.01 to \$15,000.00	two written proposals
\$15,000.01 to \$35,000.00	three written proposals
Over \$35,000.00	Formal RFP Process

Any expenditure/purchase, which may exceed the County Charter for Legislative approval must first be approved by Legislative Resolution.

Mindful that the degree of formality in the solicitation of professional services is often in direct proportion to the amount expended within a Fiscal Year, Departments should at a minimum observe the following guidelines when soliciting proposals from professional firms:

- Provide a detailed written description of the services you require, anticipated length of the contract and any other pertinent details to each firm contacted. Be sure to stipulate a time/date for submission of their written response. Include our County's Insurance requirements (available from the County Attorney), as well as, the form verifying compliance with Local Law #2 -1992 (available from Central Services).
- Departments are required to have all documentation for RFP's valued less than \$35,000.00 reviewed by the Bureau of Central Services prior to solicitation of proposals.
- Be sure to describe your evaluation/selection methodology and request references.
- Retain all documentation of your process for submission with any request for Legislative approval. Be sure to keep a record of those firms contacted, as well as, those, which, responded.

SECTION 10 - PROFESSIONAL SERVICE CONTRACTS (Cont'd)
(Request for Proposals)

PROFESSIONAL SERVICES UNDER \$35,000.00 (Cont'd):

Proposals should always be rated upon identical criteria and whether one, two, three, or more proposals are obtained for services to Rensselaer County, the Department requesting these services shall recognize its obligation to obtain the most favorable combination of services and fee scheduling.

PROFESSIONAL SERVICE AGREEMENTS / CONTRACTS: Authorized Signator

Contracts or agreements for professional services such as consultants, Architects/Engineers, medical and/or laboratory services must be approved by the County Executive. Where these contracts may exceed the threshold for Legislative approval as stated in the County Charter over the life of the contract, they must be formally approved by the County Legislature (Section 12) prior to approval by the County Executive.

It is also important to remember that any contract is subject to approval by the County Attorney prior to execution by the County Executive. The County Attorney has established specific criteria for contracts and, to minimize delay, Departments should contact that office to insure compliance prior to submission for approval.

Following approval by the County Executive, copies of these agreements shall be forwarded to the County Auditor (original form of agreement required) for verification of contract amounts during the payment process.

In the unforeseen occurrence where a change order is necessary to complete the service, ONLY the Director, Commissioner, or Department Head Designee assigned to the project are the ONLY individual(s) authorized to complete such change order(s). NO work is to be complete outside the scope of the original specifications without the written consent of the aforementioned individual(s).

SECTION 11 – LOCAL BUSINESS CONSIDERATION

This consideration applies to formal written quotations, where the annual acquisition costs are estimated between \$5,000.00 and \$19,999.99. Formal written quotations are used pursuant to the Rensselaer County Procurement Policies and Procedures; whereas, GML Section 103 requires a formal bid for all purchases in excess of \$20,000.00 and Public Works contracts in excess of \$35,000.00.

When a formal written quotation is used and the lowest responsible and responsive bidder is not a local business, the lowest responsible and responsive local business bidder (if applicable or available), who is within 10% of the lowest responsible and responsive bidder, shall be provided with notice and an opportunity to reduce its bid to match that of the lowest responsible and responsive bidder. Notice shall be by telephone and either facsimile or electronic mail. The local business shall have three business days after the date of such notice to match the lowest bid in writing. Should the local business so match, it will be deemed the lowest responsible and responsive bidder and receive the award. Should the lowest responsible and responsive local business bidder decline to match, the next lowest responsible and responsive local bidder who is within 10% of the lowest responsible and responsive bidder will be given the same notice and opportunity to match the bid of the lowest responsible and responsive bidder as outlined above. This process shall continue as necessary until an award is made either to a responsible and responsive local business bidder who is within 10% of the lowest responsible and responsive bidder, or the lowest responsible and responsive bidder itself.

In instances where a local business and a non-local business submit equivalent lowest responsible and responsive bids, the Director of Central Services shall give preference to the local business.

In the event the only bidders are local, the bid will be awarded to the lowest responsible and responsive bidder.

In the event there are two or more local businesses within 10% of the lowest bid and whose bid is tied, the award shall be determined by a lottery.

The lowest responsible and responsive bidder shall meet the requirements as set forth in the formal quotation and as determined by the Director of Central Services.

For this purpose, a "local business" shall refer to: Any operating, commercial entity located physically within the geographic borders of the County of Rensselaer that employs at least one full-time employee.

SECTION 12 - EQUIPMENT RENTAL & MAINTENANCE CONTRACTS

1. General Information

In accordance with the Rensselaer County Charter contracts for rental, service and maintenance of equipment may be approved by the Director of the Bureau of Central Services (Deputy Director in the absence of the Director) following approval by the County Attorney, Bureau of Budget and the Legislature, where necessary. Contracts that may exceed the current threshold for Legislative approval in the County Charter over the life of the contract, must also be approved by the Legislature (**see Legislative Approval: Section 15**) before they are forwarded to BOCS for approval. Where a Legislative resolution is required, it must accompany the request for approval of the contract by the Director of Central Services.

Whether prior Legislative approval is required or not, the contract must be first signed by the vendor (**original signature - NOT copy, scan, or FAX**), initialed by the requesting Department head and forwarded with a copy of the executed Legislative Resolution (if necessary) to the County Attorney & Bureau of Budget for review/approval and forwarding to Central Services for signature about a week prior to the effective date of the contract. Where multiple quotes are required, copies of these quotes should also be forwarded with the contract to verify compliance with purchasing procedures.

Departments must plan ahead when initiating or renewing contracts to allow sufficient time for all approval processes. Even those contracts that do not require Legislative approval are still subject to scrutiny and approval by the County Attorney, Bureaus of Budget and Central Services.

2. Post Approval of Contracts

When contracts are submitted for approval after the effective date and after the Department has already initiated the contract and/or utilized contractual services, the contract will be rejected. (Exception: Legislative approval of a retroactive contract effective date).

THE BUREAU OF CENTRAL SERVICES WILL NOT SIGN OR APPROVE CONTRACTS ALREADY INITIATED/UTILIZED BY THE REQUESTING DEPARTMENT. THE APPROVAL PROCESS FOR CONTRACTS IS INTENDED TO ALLOW PRE-CONTRACT SCRUTINY BY BOTH CENTRAL SERVICES AND THE BUREAU OF BUDGET.

Rejection of a contract will usually require the Department to inform the vendor that the contract has not been approved and then request formal approval from the Bureau of Budget for payment of any services incurred without benefit of an executed agreement. A new contract with a revised effective period (term) must be resubmitted in advance of the effective date with sufficient time for study/approval by the County Attorney, Bureaus of Budget and Central Services.

Following approval and signature by BOCS, copies of the contract will be sent to the requesting Department and the County Auditor. The requesting Department must forward any copies to the vendor. A copy of the contract remains on file at BOCS.

SECTION 12 - EQUIPMENT RENTAL & MAINTENANCE CONTRACTS (con't)

Types of Equipment Contracts

The majority of contracts covered in this section fall into one of the following categories:

EQUIPMENT RENTAL: " GOVERNMENT TRUE LEASE "

A "Government True Lease" is essentially an equipment rental contract. At no time during the term of the contract does ownership transfer to the County nor does the County acquire any equity in the equipment being rented. At the end of the term, the equipment is not acquired by the County and is returned to the vendor. There is no opportunity to purchase the equipment, even for a nominal sum (i.e. \$1.00), at the end of the contract term.

"True Lease" vs. "Lease/Purchase"

Vendors have a variety of presentations - and even terminology - for equipment rental (lease) contracts and, too often, even the vendor does not understand governmental requirements for equipment rental agreements. Consequently, it is extremely important that the Department not confuse an equipment rental (true lease) agreement with an "installment purchase" or "lease/purchase" agreement where "ownership" or "equity" is acquired over a period of time and full ownership is transferred at the end of the lease term (often for \$1.00). **Remember: At the end of the True Lease, the equipment is returned to the vendor and there is no opportunity to acquire ownership or actually purchase the equipment at the end of the lease or rental period.**

Often companies unintentionally create the impression you are simply leasing the equipment, but in fact it is an installment purchase. Simply put: You are purchasing the equipment, but paying for it over a period of time. Essentially, it is similar to an individual purchasing a car with a loan from a bank. The car is acquired, payments continue over time and ownership is transferred upon completion of the final payment. It is in every sense of the word a "Purchase" agreement, not a "Rental" agreement.

A good example of an equipment rental contract (True Lease) is the rental of a copier over a 48-month period. Monthly payments are made and at the end of the 48-month term, the equipment is returned to the vendor. At no point is there an opportunity to purchase the copier.

Often equipment rentals also incorporate service or supply provisions in the contract. A good example of that situation is the rental of water coolers, whereby the vendor also supplies bottled water at a set rate and for a specific term.

SECTION 12 - EQUIPMENT RENTAL & MAINTENANCE CONTRACTS (con't)

EQUIPMENT SERVICE/MAINTENANCE CONTRACTS

Contracts for service and maintenance of equipment are regularly submitted by Departments to Central Services for approval. Submission of these contracts for approval must follow the same process described previously for equipment rental contracts. Where required, multiple quotes must be obtained and verifications of that effort provided to Central Services. Planning ahead will allow time for scrutiny of the contract by the County Attorney, Bureau of Budget, Central Services and - where necessary - Legislative approval, all prior to the contract effective date.

When contracts are submitted for approval after the stated effective date and after the Department has already initiated the contract and/or utilized contractual services, the contract will be rejected and returned to the Department. THE BUREAU OF CENTRAL SERVICES WILL NOT SIGN OR APPROVE CONTRACTS ALREADY INITIATED/UTILIZED BY THE REQUESTING DEPARTMENT. THE APPROVAL PROCESS FOR CONTRACTS IS INTENDED TO ALLOW PRE-CONTRACT SCRUTINY BY BOTH THE BUREAUS OF BUDGET AND CENTRAL SERVICES.

Contracts for maintenance and service of equipment vary according to company, type of equipment and terms of the contract. Generally, however, maintenance and service rates do not include additional work that is not described in the contract. When a need for additional work arises, the Department will usually be required to process a separate purchase order in accordance with purchasing guidelines to cover that expense.

A good example of covered maintenance services vs. additional work is as follows:

A maintenance contract for an elevator or HVAC system in a County facility generally covers routine preventative or specified maintenance/repair work. Any expense to repair an elevator malfunction should be covered under the maintenance contract. However, a decision by the Department to upgrade lighting in the elevator is not a cost covered by the maintenance contract. A Purchase Order must be processed to cover that expense.

SECTION 12 - EQUIPMENT RENTAL & MAINTENANCE CONTRACTS (con't)

SOLICITATION OF QUOTES

Although the variety of equipment and service/maintenance contracts required by Departments is considerable, the pattern for contracting for rental or service of equipment should always include the following basic action by the requesting Department:

- Well in advance of the desired contract effective date: Solicit and document the receipt of written or verbal quotes from qualified vendors to insure equitable pricing for the service required. Allow sufficient time for any necessary Legislative approval and study by the Bureau of Budget and Central Services.
- Verify contract rates/terms to insure they are affordable and favorable to Rensselaer County.
- Select the lowest quotation meeting Departmental requirements.
- Request Legislative approval, if necessary, of the selected contract and, upon approval, forward the contract with the vendor's original signature to the County Attorney then Bureau of Budget well in advance of the effective date to allow time for study/approval and subsequent forwarding to Central Services for approval by the Director.

QUOTATION REQUIREMENTS

Any expenditure/purchase, which may exceed the County Charter for Legislative approval must first be approved by Legislative Resolution.

The minimum number of quotations required for EQUIPMENT RENTAL & MAINTENANCE CONTRACTS are as follows:

<u>*AMOUNT</u>	<u>MINIMUM NUMBER OF QUOTATIONS</u>
\$.01 to \$5,000.00	one written quotation
\$5,000.01 to \$15,000.00	two written quotations
\$15,000.01 to \$35,000.00	three written quotations
Over \$35,000.00	Formal Request for Quotation Process by BOCS

*Per contract within a Fiscal Year

SECTION 12 - EQUIPMENT RENTAL & MAINTENANCE CONTRACTS (con't)

Exception to the Policy

At the discretion of the Director of the Bureau of Central Services, in the event a Department needs to expedite an equipment rental contract due to an unforeseen issue resulting in an immediate need for the equipment, it is the departments responsibility to physically "walk" the rental agreement through the approval process on the same day the agreement is to take effect. The head of the requisitioning department is to contact the Director of Central Services immediately to seek the approval to expedite the rental agreement. Lack of planning on a departments behalf does not constitute the necessity of an expedited rental agreement. Exception DOES NOT override any necessary required legislative approval.

SECTION 13 – PROCUREMENT CARD PROGRAM

The Director of Central Services shall be responsible for maintaining a procurement card (p-card) program for the purpose of streamlining the purchasing process for selected goods and services used by selected County staff and departments. Procurements made through this program may not exceed the requirements or thresholds detailed in this policy.

These guidelines are minimum standards to help departments administer the County's Procurement Card Program. Participating departments should develop their own internal procedures to assure appropriate control and accountability over P-Card transactions.

Cardholders who use the P-Card to perform official County business will use the Card as outlined in this policy.

The Bureau of Central Services and the Van Rensselaer Manor are the sole procurers as it relates to authorizing and making purchases with a P-Card.

Departments are to follow the steps included within the **“New World System Purchase Order Creation User Guide”** for P-Card purchases as special instructions and procedures apply.

P-Card purchases require the approval of the Bureau of Budget, County Auditor, and Bureau of Central Services, prior to an order being placed with the vendor by BOCS. Any expenditure/purchase, which may exceed the County Charter for Legislative approval must first be approved by Legislative Resolution.

It is the department's responsibility to receive the product/service. Once the product or service has been received the department shall forward documentation to the Bureau of Finance as proof of delivery (2. Documentation Requirements below).

The Bureau of Finance will reconcile the P-Card monthly statement with the department's purchase order and receipts/packing slips, to process payment to the bank.

1. Prohibited Purchases (Include but are not limited to the following)

- Alcohol
- Personal use
- Entertainment
- Cash Advances/Gift Cards
- Cash Refunds
- Rent
- Gasoline, fuel or oil
- Sales tax, except in cases where State law does not exempt local government
- Consulting Services
- Any product or service considered an inappropriate use of funds
- A contracted item from a non-contracted vendor*
- Services with contracts executed through the Rensselaer County Attorney*
- Any single piece of equipment costing \$500.00 or more*
- All Furniture*
- Capital purchases*

SECTION 13 – PROCUREMENT CARD PROGRAM (con't)

*NOTE: Exceptions may be granted if it is in the best interest of the county. Pre-approvals or pre-authorizations are required for these exceptions. Contact Central Services for assistance **prior** to making any purchase with regard to the notated (*) items in the list above.

2. Documentation Requirements

All audit requirements pertaining to documentation and itemization must be complied for **each** transaction.

- a. Receipts are required to support all transactions, and should include:
 - i. merchant name and address;
 - ii. transaction total and date; and
 - iii. transaction detail including item description, quantities and unit prices

- b. Documentation for Internet orders should be printed when placing the order.

Note – it is necessary to have documentation for every transaction during the month that is being processed for payment. **Do not place an order if documentation will not be available to meet submission requirements.**

If the necessary documentation is misplaced, try to get a duplicate from the supplier. A pattern of missing receipts/documentation may result in a department's forfeiture of ability to purchase via P-Card.

3. Authorization

The following individuals are authorized to make P-Card purchases and have a signed user agreement on file:

- James R. Gordon, Director, Bureau of Central Services
- Christine Mariano, Deputy Director, Bureau of Central Services
- Michael Slawson, Chief Fiscal Officer
- Doug Cosey, Executive Director, Van Rensselaer Manor
- Stacey Farrar, Director, Bureau of Budget
- Theresa Commerford, Account Clerk, Bureau of Central Services

4. Security

The Cardholder is responsible for the security of the card. This card should be treated with the same level of care as the Cardholder would use with his/her own personal credit card.

5. Lost or Stolen Procurement Card

It is the Cardholder's responsibility to immediately contact the Chief Fiscal Officer if the P-Card is lost or stolen.

SECTION 13 – PROCUREMENT CARD PROGRAM (con't)

6. Contacts

For questions related to use of the P-Card or the program please contact:

James R. Gordon, Director, Bureau of Central Services

Phone: 518-270-2641

SECTION 14 - VENDOR NUMBERS

The Bureau of Finance maintains a continually changing database of County vendors. The database contains vendor addresses, vendor numbers, and 1099 miscellaneous information, if applicable. A correct vendor number/address is required to properly ensure delivery of purchase orders to the vendor's place of business and to properly pay each vendor.

All information used by a Department in the preparation of a purchase order or payment should agree with the information on file in Finance. If a Department learns of a change in a vendor's name or address, it is their responsibility to transmit this information to Finance so that the vendor payment may be updated. In order to assign a new vendor number, the following steps should be taken:

1. Obtain the vendor's address and/or the check remittance address.
2. Using the Federal W-9 form, obtain the firm's Federal Tax ID Number or, if an individual, their social security number, indicating if they are exempt from withholding. If they are a "dba" (doing business as), the owner's name must be known, as well as the social security number or Federal ID number.
3. With few exceptions, vendor numbers will not be assigned without the completed W-9 Form.
4. Input the vendor's information within New World, attaching the W-9 and any other related documentation and forward to Finance for approval.

SECTION 15 - LEGISLATIVE APPROVAL (Resolution Process)

1. General Information

Whether a purchase or a contract, any expenditure that may exceed the threshold stated in the Rensselaer County Charter* requires Legislative approval. With the exception granted for legitimate Declarations of Emergency (see Section 8), almost every other purchase or contractual expense over the threshold stated in the Charter, which is contemplated must be submitted for approval via the Legislative Resolution process. State contract purchases and bid contracts, which exceed the Charter threshold, are also subject to Legislative approval.

Contracts, which span multiple years and can conceivably exceed the Charter threshold over the multi-year life of the contract are subject to Legislative approval. In other words a three-year (36-month) refuse removal contract for a facility that annually may be less than the Charter threshold, but will exceed that threshold over the three-year life of the contract, must be approved before the contract is executed via the Legislative process.

Advance planning and preparation by the Department are critical components of a successful Legislative process. The Legislature meets monthly on the second Tuesday of the month. A Department, which requires prior Legislative approval for a purchase or contract, must forward their proposed resolution with relevant support documentation to the Bureau of Budget and County Attorney (**contact the Bureau of Budget and County Attorney's Office for procedural information and filing deadlines**).

Please note that any resolution that contains a purchase or a contract is to be reviewed by the Bureau of Central Services prior to submittal to the Bureau of Budget and County Attorney. This is to review the purchase/contract to ensure it meets all requirements pertaining to Rensselaer County, state and Federal procurement policy and law.

About one week before the meeting, a knowledgeable Department representative should be prepared to appear before one or more Legislative Committees to respond to questions regarding their request for approval. Successful passage of a resolution through the various committees is directly dependent upon the Department's ability to provide satisfactory justification for the contract/purchase. This will usually require submission of documentation of any processes required to select a particular vendor or agency.

Following approval of the various committees, the Department's resolution is placed on the meeting agenda and voted upon by the various Legislators as a whole. Where a committee does not find the request justified or requires additional information, the resolution may be postponed (tabled) until the next meeting. This will generally add an additional four to six weeks to the approval process.

SECTION 15 - LEGISLATIVE APPROVAL (Cont'd)
Resolution Process (cont'd)

Providing the resolution is placed on the meeting agenda and the vote on its passage is favorable, it must finally be approved by the County Executive. At that point, the Department has full Legislative and Executive approval of the resolution. Following this, a certified copy of the approved resolution should accompany the requisition or contract to the Bureau of Central Services or County Attorney's Office, as appropriate, to complete the process.

Professional service contracts and all contracts, other than equipment rental and service/maintenance contracts, must be directed through the County Attorney's Office following approval by the Bureau of Budget and/or Legislative Resolution if necessary. Following approval of the contract language/terms, the Department must obtain two "original" signature contracts, as well as, verification of insurance coverage as required by statute and the County Attorney and prior to signature by the County Executive.

Equipment rental and service/maintenance contracts are usually approved by the Director of Central Services. Following approval of the contract language/ terms, the Department must forward two "original" signature contracts, as well as, verification of insurance coverage as required by statute and the County Attorney and prior to signature by the Director of Central Services.

- STEPS TO TAKE -

1. PREPARATION & PLANNING

- Filing Deadlines -

Once the Department realizes Legislative approval of a purchase or any contract is necessary, it should immediately check filing deadlines established by the Bureau of Budget and County Attorney for the various Legislative Meetings. A Department, which requires prior Legislative approval for a purchase or contract, must forward their proposed resolution with relevant support documentation to the Bureau of Budget and County Attorney (**contact the Bureau of Budget and County Attorney's Office for procedural information and filing deadlines**).

Please note that any resolution that contains a purchase or a contract is to be reviewed by the Bureau of Central Services prior to submittal to the Bureau of Budget and County Attorney. This is to review the purchase/contract to ensure it meets all requirements pertaining to Rensselaer County, state and Federal procurement policy and law.

SECTION 15 - LEGISLATIVE APPROVAL (Cont'd)
Resolution Process (cont'd)

- Support Documentation -

It is the requesting Department's responsibility to provide detailed information to the Bureau of Budget and County Attorney's Office, which clearly states the Department's objective. Support documentation must include the following:

- Verification that applicable purchasing procedures were met (i.e., copies of the Bid/Quotes or RFP, companies solicited, responses, etc.)
- Budget information indicating the source of funding for any expense (i.e., fund, org, account, then project if necessary.)
- A suggested outline for the Department's resolution
- Names/addresses of companies/vendors contacted for quotes or bids
- A copy of any RFP/RFQ or bid used to solicit proposals, quotes or bids and the successful vendor/company response.
- A sample form of contract from the vendor/company, if applicable
- Any additional support documentation pertinent to the request for approval

2. ATTEND COMMITTEE MEETINGS

Committee meetings are usually held about one week in advance of the actual monthly Legislative meeting. A resolution must be successfully discharged by each assigned committee in order to be included on the monthly meeting agenda.

A knowledgeable representative from the Department must be prepared to attend various Legislative Committee meetings. The Department will be notified of the times and dates attendance is required. The representative should be prepared to satisfactorily respond to questions regarding the Department's resolution.

Often, when there is inadequate support information/documentation or a knowledgeable Departmental representative is not available to answer questions, the resolution does not pass out of committee. This could adversely affect the timing of purchases and execution of contracts.

SECTION 15 - LEGISLATIVE APPROVAL (Cont'd)
Resolution Process (con'td)

3. ATTEND MONTHLY MEETING OF THE LEGISLATURE

If the resolution is included on the monthly meeting agenda, the Department Head or knowledgeable designee must, in accordance with Rule No. 20 A of the Rules of the Legislature, attend the monthly meeting in the event there may be additional questions regarding the Department's resolution. Monthly meetings are held in Legislative Chambers, third floor, main office building at the Ned Pattison Rensselaer County Government Center on the second Tuesday of each month at 6 P.M.

Attendance by the Department Head or representative at the meeting offers an additional opportunity for both Legislators and the Department to exchange information regarding the Department's request for approval.

- After the Monthly Meeting -

If the Legislature approves the Department's resolution, it then passes to the County Executive for approval. Following approval by the County Executive, the resolution is certified by the Clerk of the Legislature and a copy forwarded to the requesting Department.

4. COMPLETE PROCESSING

It is then up to the Department to continue with the processing of the purchase or the contract. A certified copy of the fully executed resolution must accompany the purchase requisition or contract. Requisitions or equipment rental and service/maintenance contracts are forwarded to the Bureau of Central Services for final verification that purchasing requirements were met. Professional Service contracts, and contracts other than equipment contracts, must be forwarded to the County Attorney's Office for final processing.

*** The current Charter threshold for contracts requiring Legislative approval may be found in the current version of the Rensselaer County Charter (Article 3, Section 3.03-C) or by contacting the County Attorney.**

SECTION 16 – COUNTY VEHICLE PURCHASE & MAINTENANCE

Prior to the purchase of any vehicle, Department Heads are required to receive written authorization from the County Fleet Manager.

Departments, which require repair or maintenance to County vehicles, must consult Automotive Maintenance at 518-266-2942.

In the event Automotive Maintenance cannot repair a vehicle or arrange to have it repaired, the responsible Department may then follow regular purchasing procedures as outlined herein.

Specific procedures and guidance regarding towing are available from Automotive Maintenance.

When new vehicles are purchased by a Department upon delivery, Automotive Maintenance must be notified and the vehicle must be inspected prior to being put into service.

The Highway Department is the exception to this rule, as the department has its own automotive maintenance staff.

REPORTING ACCIDENTS

In the event of a vehicle accident or damage to a County-owned vehicle or heavy equipment, please contact:

- the County Fleet Manager the contact number is 518-270-2900, and
- the Clerk of the Legislature for instructions and to provide information for insurance purposes. The contact number is 518-270-2880.

SECTION 17 - PAYMENT PROCESSING / AUDITOR
(Preparation & Submission of Claims for Payment)

A properly regulated payment process for purchases or contractual services is an essential component of a sound municipal financial management system. The various claim types provide verification that the payment is based upon actual expenses for materials or services. Any invoice or request for payment must be processed through the Auditor's Office.

For detail on the payment request and submittal process please refer to the **New World System Accounts Payable Entry User Guide**.

SECTION 18 - USED & SURPLUS EQUIPMENT

Purchasing Used or Surplus Equipment

The purchase of surplus or second-hand equipment from Federal or State Government or New York State municipalities or Public Benefit Corporations is not subject to competitive bidding regulations.

However, purchases of used items from any other source (i.e., private auction, going-out-of-business sale, etc.) are subject to the same competitive bidding requirements governing the purchase of new equipment.

Generally the opportunity for purchasing used equipment is known in advance and should allow the Department time to consult with Central Services to make sure the proper procedures are followed.

Disposing of County Used or Surplus Property

Regarding surplus property, it is the duty of the Director of Central Services to sell, trade, or otherwise dispose of surplus supplies and equipment belonging to the County of Rensselaer. The method of disposition of surplus supplies and equipment is within the sound discretion of the Director of Central Services.

SECTION 19 - LARGE VOLUME COPYING & MAIL SERVICES (Central Printing & Mailing)

The Bureau of Central Services operates a Central Printing/Copying Center and provides inter-office and US Postal services for use by all Departments. Hours of operation are from 8:30 A.M. to 4:15 P.M., Monday through Friday, excepting holidays observed by the County.

PRODUCTION COPYING SERVICES

Many printing needs such as stationary, brochures, folding, etc., can be completed in-house. Also, copying and collating can be done by Central Printing. All Departments must determine if a print job may be completed in-house, by first checking with Central Printing, before requesting outside printing services. Each Department shall be responsible for soliciting their own quotes and recommending a vendor in the event that Central Printing is unable to complete the job.

Steps to Follow:

1. The requesting Department must complete a Printing Requisition. This form must include all required information and be signed by an authorized individual. The requisition should be delivered to the Printing Center, where it will be logged-in.
2. Upon completion of the job, Central Printing will notify the requesting Department and return a copy of print requisition.

INTER-OFFICE MAIL AND US POSTAL SERVICES

Within staffing limitations, Inter-Office mail is picked up and distributed within various facilities on a regular schedule. Outgoing mail is distributed via the US Postal system once daily.