

PROCUREMENT POLICY AND PROCEDURE

Procurement Policy and Procedure

In compliance with General Municipal Law S. 104-b, Yorktown Heights Fire District established its Procurement Policy and Procedure for the purchase of all goods, services or public works not otherwise required to be subject of public bidding, as hereinafter set forth:

I. Purpose.

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies in the best interest of the tax payers; to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and to guard against favoritism, improvidence, extravagance, fraud, corruption or the appearance of the same. To further these objectives, the Board of Fire Commissioners adopts this Procurement Policy and Procedure to govern procurement of all goods and services not otherwise required to be made pursuant to competitive bidding under GML S.103 or any other general or specific law.

II. Procedures for determining whether a procurement is subject to bidding.

The procedure for determining whether a procurement of goods or services is subject to competitive bidding (GML S.103) and documenting the basis for any determination that competitive bidding is not required by law, is as follows;

Procedure: The Chairperson of the Board of Fire Commissioners, at the annual organizational meeting, shall appoint a *Procurement Committee* consisting of a representative of the Board of Fire Commissioners, the Treasurer of the Fire District and, in an advisory capacity, a member of the Yorktown Heights Engine Co. No. 1 nominated by the Fire Chief approved by the Chairperson of the Board. The *Procurement Committee* shall initially review every purchase to determine whether it is a Purchase Contract or Public Works Contract; whether it is subject of mandatory public bidding; and whether it is expected that over the course of the fiscal year, the District will spend in excess of the competitive bidding thresholds for the same or similar goods, services or works. Upon a determination that public bidding is not required, than determine if comparative quotes are required by the terms of this Procurement Policy. *The Procurement Committee* shall report to the Board of Fire Commissioners at its regular monthly meeting.

Documentation: The *Procurement Committee* shall document its determination as to whether a procurement of goods, services or public works is subject to competitive bidding and the basis for any determination that competitive bidding is not required by law. Documentation shall include Board Resolutions, minutes, written quotes, telephone logs or other memoranda for verbal quotes, requests for proposals, contracts and other appropriate forms of documentation.

Documentation of actions taken in connection with each of the monetary levels, as set forth below, of Purchase Contracts or Public Works Contracts are as follows:

- (a) For verbal quotes, the documentation by *the Procurement Committee* must record the date, item or service desired, price quoted, name of vendor's representative.
- (b) For written quotations, the documentation from the prospective vendor shall be in the form of written proposals, written quotes or such other documentation which furthers the purpose of the law and must contain at least the name and address of the vendor, the date, description of the item or details of the service to be provided, price quoted and other essential terms.

III. Methods of Computation to be used for Non-bid Procurement.

For *Purchase Contracts* below \$20,000.00:

- (a) Under \$1,000.00: no specific procedure
- (b) \$1,000.00 to \$1,999.00: three verbal quotes.
- (c) \$2,000.00 to \$19,999.00: three written quotes.

In all instances, references to catalogues and price lists may be substituted for obtaining verbal or written quotes.

For Public Works Contracts below \$35,000.00:

- (a) Under \$3,000.00: three verbal quotes.
- (b) \$3,000.00 to \$34,999.00: three written quotes.

IV. Requests for Proposals for Professional Services.

Unless otherwise accepted, all contracts for Professional Services will be awarded only after at least two professionals are contracted and requested to submit written proposals. Requests for Proposals will be used as a means of obtaining the services of architects, engineers, accountants, lawyers and other professionals. The written proposal from the professional shall include a detailed description of the services to be rendered, the price or fee schedule, curriculum vitae, staffing and overall suitability for performing the services required.

V. Awards to other than the lowest responsible dollar offer.

Whenever it is recommended to the Board of Fire Commissioners that the contract be given to other than the lowest responsible dollar offer, the *Procurement Committee* shall document why that is in the best interest of the Yorktown Heights Fire District.

VI. Items exempt from Procurement Policies and Procedures.

The Board of Fire Commissioners sets forth the following circumstances when, or types of procurement for which, in the sole discretion of the Board the solicitation of comparative proposals or quotations will not be in the best interest of the Yorktown Heights Fire District:

- (a) Emergencies where time is a crucial factor; and
- (b) Procurement for which there is no possibility of competition, primarily sole source items; and
- (c) Procurement of professional services which, because of the confidential nature of the services, do not lend themselves to procurement through solicitation for quotes; and
- (d) Procurement for which solicitations of competition would not be cost effective such as Purchase Contracts below \$1,000.00.

VII. Input from Officers.

Comments concerning the Procurement Policy and Procedure will be solicited from the Treasurer of the Fire District, the Board, the Fire Chief of Engine Co. No. 1, and any other Officer of the Fire District involved in the procurement process prior to the enactment of this Procurement Policy and Procedure and comment shall be solicited from time to time thereafter.

VIII. Annual Review

The Board of Fire Commissioners of the Yorktown Heights Fire District shall annually review these Procurement Policy and Procedure. The Chairperson of the Board shall be responsible for conducting an annual review of the Procurement Policy and for an evaluation of the internal control structures established to ensure compliance with the Procurement Policy. The Procurement Policy and Procedure shall appear on the agenda of the District's annual organizational meeting.

IX. Unintentional Failure to Comply.

The unintentional failure to comply with the provisions of General Municipal Law, S. 104-b shall not be grounds to void action taken or give rise to a cause of action against the Yorktown Heights Fire District or any Commissioner, Officer of employee thereof.

X. Effective date.

This Procurement Policy and Procedure shall effective as of the date of adoption as set forth below:

XI. Adoption of Resolution.

Adopted on this 13 day of January, 1998 by unanimous vote of the Board of Fire Commissioners of the Yorktown Heights Fire District, Town of Yorktown, County of Westchester, State of New York.

PROCUREMENT SHEET
YORKTOWN HEIGHTS FIRE DISTRICT

Description of Item: _____

Check if a PURCHASE CONTRACT _____ or a PUBLIC WORK CONTRACT _____

Public Bidding required? Yes _____ No _____

Reason: Above _____ Below _____ \$10,000 (Purchase) _____ \$20,000 (Public Work) _____

Comparative Quotes Required? Yes _____ No _____

If No, check reason: Purchase Contract under \$1,000 _____ Emergency need _____

Single source item _____ Confidential professional service _____

COMPARATIVE QUOTES SUMMARY

Purchase Contracts:

Under \$1,000 no specific procedure - \$1,000 to \$1,999 three verbal - \$2,000 to \$19,999 three written.

Public Work Contracts:

Under \$3,000 three verbal. \$3,000 up to \$34,999 three written.

	COMPANY #1	COMPANY #2	COMPANY #3
Company			
Address			
Phone & Fax			
Contact Person/ Source			
Price Quote & Date			
Other Terms			
Additional Comments			
<p>Contract given to the lowest responsible dollar offer? No _____ Yes _____ If No, state reason: _____</p>			
<p>Procurement Committee: by _____ Date: _____</p>			