



## **PROCUREMENT & PURCHASING POLICY**

A procurement of goods and services for the Westbury Memorial Public Library is subject to competitive bidding as follows:

- a) The Board is required by law to award all purchase contracts for supplies, materials and equipment involving expenditures in excess of \$20,000 and all contracts for public works in excess of \$35,000 to the lowest responsible bidder meeting specifications after advertising for public sealed bids.
- b) When a contract involves acquisition of both goods and services, a judgment must be made by the Director as to the primary purpose of the contract. If the services are minor, incidental or customarily provided by the vendor in connection with the goods purchased, the contract should be viewed as a purchase contract. If the service component is extensive or predominant or involves special skills, the contract should be treated as one for public works.
- c) In determining the necessity for competitive bidding, the aggregate amount to be expended during the fiscal year on an item or those of a similar nature (a "reasonable commodity grouping") must be considered. For example, office furniture or computers would constitute an appropriate grouping for bidding purposes.

Additionally, in determining whether the dollar requirements have been reached, allowances for any trade-in related to the purchase must be treated as an expenditure; the estimated gross cost of the item is controlled. Net cost is relevant only to the determination of the low bid.

- d) The Board will review and approve any purchase of goods over the amount of \$10,000 prior to being made.

The following procedures shall be used for purchases of goods and services below the bid limits of Section 103 of the General Municipal Law for all non-bid items:

- a. State contracts, County contracts, Municipal Agreements, BOCES Cooperative Purchasing Agreements, Corcraft (New York Prison System), Industries for the Blind, or Industries for the Disabled may be used whenever feasible for purchases below the state bid limits.

For Purchase Order for  
Goods that total:

Procedure/Requirement

Less than \$2,500

No quotation required.

\$2,500- \$5,000

Three documented verbal or written quotations including name, address, and telephone number of vendor, items to be purchased, quantity, brand, model, unit price and total price of order.

\$5,001 - \$19,999

Three documented formal written quotations including name, address, and telephone number of the vendor. Also included in quote are the items to be purchased, quantity, brand, model, unit price and total price of order. The Board of Trustees must review any of these purchases.

In excess of \$20,000

Public advertised bids in accordance with General Municipal Law.

### **Procurement and Purchasing Policy**

For Purchase order for  
the procurement of Services

Procedure/Requirement

Less than \$5,000

No quotation required.

\$5,001 - \$10,000

Three documented verbal or written quotations including name, address, and telephone number of vendor, items to be purchased, quantity, brand, model, unit price and total price of order.

\$10,001 - \$34,999

Three formal written quotations including name, address, and telephone number of the vendor. Also included in the quote are the items to be purchased, quantity, brand, Model unit price and total price of order.

In excess of \$35,000

Public advertised bids in accordance with General Municipal Law.

Whenever other than the lowest quote is awarded, there must be written documentation setting forth the reason for such award.

Competitive bidding is not required by law for the following and the suggested documentation to support this determination is indicated.

1. EMERGENCY PURCHASE is the need for the procurement of goods or services arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property, the life, health, safety or property of the inhabitants of a political subdivision are involved. For such purchases, three verbal or written quotations including name, address, and telephone number of vendor, items to be purchased, quantity, brand, model, price and total price of order is required.
2. PURCHASES FROM GOVERNMENT CONTRACTS
  - a) New York State Contracts
  - b) County Contracts
  - c) BOCES Services
  - d) Municipal Agreements
  - e) Surplus and second-hand supplies, material or equipment purchased from the federal government, the State of New York, or any other political subdivision within the State of New York.
3. PURCHASES FROM PREFERRED SOURCES
  - a) Industries for the Blind of NYS
  - b) New York State Industries for the Disabled
  - c) Corcraft - prison-made goods
4. PURCHASES FROM MONOPOLIES  
Competitive bidding is not required under Section 103 of General Municipal Law where the object of the contract is controlled by a monopoly, such as in the case of natural gas or electric utilities.  
  
Should particular supplies or materials be obtainable only directly from a specific manufacturer (sole source), then a true monopoly would exist and the purchase would not be subject to bidding requirements. However, should there be a possibility of purchasing the item from two or more jobbers, the purchase may fall under the bid requirements.
5. Professional services such as architects, engineers and attorneys may fall under the bid requirements as provided by law.
6. INSURANCE  
There is an obligation to the taxpayer to adopt insurance practices that will obtain the best coverage for the lowest cost. Procedures used to reduce the cost include soliciting competitive quotations or joining insurance cooperative or reciprocals.
7. It shall be the responsibility of the Administrative Office/Purchasing Office to maintain files of all purchases. Such files shall contain a copy of the purchase order, requisition forms, bid or quotation data, invoices, and copies of all payments made on each purchase order.

## **Purchase of Goods and Services**

The function of the Administrative Office / Purchasing Office and the Director shall be to serve the Westbury Memorial Public Library by providing the necessary supplies, equipment, and services.

The Board declares its intention to purchase competitively and to seek maximum value for every dollar expended.

The acquisition of services, equipment, and supplies shall be centralized in the Administrative Office/Purchasing Office, which shall function under the supervision of the Director, and through whose office all purchasing transactions shall be conducted.

### **Quality**

The Board expects the administration to make every effort to receive full value for the dollars spent through sound purchasing procedures. The goal of the purchasing function shall be to buy the product required for the intended purpose which, in course of its use in time, will be the most economical and efficient product.

### **Timing**

Purchases shall be timed to provide the necessary goods and services without undue delay in delivery and with reasonable cost. Purchasing shall be done on a calendar basis, taking into consideration when the product is needed and market conditions. The prime importance is to have the product available when needed.

Except in emergencies or for reasons of economy, the purchase of major pieces of equipment shall be scheduled so that annual budgetary appropriations for capital purposes either will be of similar size or will show a continuous trend without severe fluctuations.

### **Quantity of Purchases**

The quantity of items purchased shall depend upon the need, the storage facilities available, and the effect of unit prices for volume purchases. The quantities of each item purchased shall be determined by the above factors, which will yield the most economical price per item. Whenever possible, standardized lists shall be used, if not a detriment to the educational program, since they usually result in lower prices.

### **State Contract Purchases**

Purchases shall be made through available state contracts, whenever such purchases are in the best interest of the Westbury Memorial Public Library.

### **Vendors and Contractors**

No favoritism shall be extended to any vendor. Each order shall be placed on the basis of quality, price and delivery, ability to start and complete the contract, and fast service shall be a factor if all

other considerations are equal. Other factors may be considered depending upon the type and kind of contact involved.

No person officially connected or employed in the Westbury Memorial Public Library shall be an agent, or in any way beneficially interested in, or receive any compensation or reward of any kind from any vendor for the sale of supplies, materials, equipment, or services to the Library.

### **Ethical Practices**

No Board member, officer or employee of the Westbury Memorial Public Library or their families shall be interested financially in any contract entered into by the Board. This shall also preclude acceptance of any gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the Library. (see also "Conflict of Interest Policy")

### **Requisitions**

Requisitions shall be submitted in accordance with procedures adopted by the Westbury Memorial Public Library.

Requisitions may be initiated by those responsible for an approved segment of the budget. Each requisitioner shall be responsible for limiting his/her requisitions to the amounts appropriated for his/her unit. Each requisition must get approval from the Director and the Junior Accountant before submitting requests to the Purchasing Agent. This is to ensure that sufficient funds are available and that the purchase is within the budgeted plans for the fiscal year. The party making the requisition shall provide adequate information so that specifications may be prepared, as appropriate.

### **Specifications**

Most items shall be purchased in response to specifications. Specifications shall be designed to ensure the quality of the product desired and free competition, so as to permit the lowest possible purchase price.

No bid shall be accepted which does not conform to the specifications furnished. All contracts shall be awarded to the lowest responsible qualified bidder.

A statement of general conditions, as approved by the Board, shall be included with all specifications submitted to suppliers for their bids. These general conditions shall be incorporated in all contracts awarded for the purchase of materials, equipment and supplies.

### **Purchase Orders**

The Senior Account Clerk is appointed by the Board to serve as purchasing agent. The purchasing agent is authorized to issue purchase orders upon receipt of an approved requisition form, without prior approval of the Board where formal bidding procedures are not required by law.

The approved budget authorizes the administrative office staff to order items specified in the budget up to the limit of each category.

The Administrative Office is authorized to issue purchase orders on the basis of quotations.

The purchasing procedures employed shall comply with all applicable laws and regulations.

### **Receiving Goods**

Purchase orders shall indicate the address for delivery. All goods received must be accepted by an employee authorized to certify that the goods were received in good condition, before payment can be approved.

### **Payment**

Approval for payment of invoices shall be made monthly by the Board of Trustees, who are legally responsible for the finances of the Library. The Senior Account Clerk shall have all invoices and supporting documentation available.

An original invoice submitted for payment shall qualify when the following conditions are met:

- a. The invoice is an original document (not a copy or facsimile) that bears the description and price of items specified on the purchase order, less any discounts.
- b. Includes indication of the requisitioner, by signature, that the item has been received in satisfactory condition and in the quantity indicated.
- c. Has the approval of the requisitioner.
- d. All extensions and totals have been checked for accuracy.
- e. Has the approval of the purchasing agent.
- f. Has the approval of the Director.
- g. Payment in advance of receipt of items or services is not generally authorized.

### **Petty Cash**

Petty cash funds shall be established annually for the administrative office. Such funds shall be used for the payment of properly itemized bills of nominal amounts (not exceeding \$35) and under the conditions that call for immediate payment. Allowances, responsibility, security and accounting of petty cash funds shall be in accordance with the regulations of the Director.

In a letter from Jaspan Schlesinger Hoffman LLP letter dated March 2, 2006 and pursuant to our request, reviewed the draft Procurement Policy which we forwarded to their office, offered the following suggestions.