

**PROCUREMENT POLICY FOR THE TOWN OF AUGUSTA  
FOR PURCHASES AND CONTRACTS FOR SERVICES  
NOT SUBJECT TO COMPETITIVE BIDDING**

1. Whereas, Section 104-b of the General Municipal Law (GML) requires every government to adopt internal policies and procedures governing all procurement of goods and services Not subject to the bidding requirements of GML Section 103 or any other law; and

Whereas, comments have been solicited from those offices of the TOWN OF AUGUSTA involved with procurement; now, therefore, be it

Resolved, that the TOWN OF AUGUSTA does hereby adopt the following procurement policies and procedures:

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103. Every municipal officer, board, department head, or other personnel with the requisite purchasing authority (purchaser) shall estimate the cumulative amount of the items of supply and equipment needed in a given fiscal year. That estimate shall include the canvass of other Town of Augusta departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

All purchases of (a) supplies or equipment which will exceed \$10,000 in the fiscal year or (b) public works contracts more than \$20,000 shall be formally bid pursuant to GML 102.

2. All goods and services will be secured by use of written requests for proposals (RFP), written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts more than \$10,000 and public works contracts more than \$20,000; goods purchased from agencies for the blind or severely disabled pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State Contracts pursuant to Section 104 of the General Municipal Law, purchases under county contracts pursuant to Section 103(3) of the General Municipal law, or purchases pursuant to subdivision 6 of this policy.

The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Procurements	Verbal Quotes			Written Quotes		RFP
	0	2	3	2	3	
<b>Purchase Contracts Below \$10,000</b>						
<b>Under \$100</b>	x					
<b>\$100-\$499</b>		x				
<b>\$500-\$999</b>			x			
<b>\$1,000-\$4,999</b>				x		
<b>\$5,000-\$9,999</b>					x	
<b>Contracts for Public Work Below \$20,000:</b>						
<b>Under \$1,000</b>	x					
<b>\$1,000 - \$4,999</b>		x				
<b>\$5,000 - \$9,999</b>				x		
<b>\$10,000 - \$19,999</b>					x	
<b>Emergencies</b>						
<b>Insurance</b>						x
<b>Professional Services</b>						x

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

3. Documentation is required for each action taken in connection with each procurement.
4. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser.
5. Pursuant to GML 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interest of the municipality to solicit quotations or document the basis for not accepting the lowest bid:

- A. **Professional services or services requiring special or technical skill, training, or expertise.** The individual or company must be chosen based on the accountability, reliability, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price, and the nature of those services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category, the governing board shall take into consideration the following guidelines: (1) whether the services are subject to State licensing or testing requirements; (2) whether substantial formal education or training is a necessary prerequisite to the performance of services; and (3) whether the services require a personal relationship between the individual and the municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney, services of a physician; technical services of an engineer engaged to prepare plans, maps, and estimates; securing insurance coverage and/pr services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing, or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.
- B. **Emergency purchases pursuant to Section 104(4) of the General Municipal Law.** Due to the nature of this exception, these goods or services must be purchased immediately, and delay in order to seek alternate proposals may threaten the life, health, safety, or welfare of the residents. This section does not preclude alternate proposals if time permits.
- C. **Purchases of surplus and secondhand goods from any source.** If alternate proposals are required, the municipality is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods, and a lower price may indicate an older product.
- D. **Goods or services less than \$250.** The time and documentation required to purchase through this policy may be more costly than the item itself and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
- E. **Purchases which are only available for a single service;** or where standardization is desired; or where the only local service provider services only one brand.

6. **All quotes verbal and written should accompany the voucher when submitted.**

7. This policy shall go into effect on January 7, 2007, and will be reviewed annually. Acceptable forms for quotes will be provided to each Department for use, on a yearly basis, as well as a copy of said policy.

Board reviewed 12/19/2018

Changes Made 8/2019

Board Approved 9/2019

Board Approved 11/18/2020 W/1 change item 6

## **Sample Quotation Forms**

In order to assist you, we are providing you with the following sample forms for 1- Requesting Written Quotations and 2- Requesting Verbal Quotations

Request for Quotation

Town of Augusta

Date:  
Ref No:

**This is an inquiry, not an order. Please reply promptly.**

Reply By:  
Delivery Requested By:

Return this form to :

Telephone:


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Signature & Title

**Request for Verbal Quotation**

Item No:  
Description:  
Quantity:  
Department Head:

Date:  
RFYQ No:

Vendor Name	Phone No	Unit Price	Amount	Low Qte	Reason Lowest QTE not Chosen

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Signature & Title

## AMENDMENT TO THE TOWN'S PROCUREMENT POLICY

Minority- and Women-Owned Business Enterprise (M/WBE) Business Participation in Procurement and Contracting: In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the Town will solicit up to three MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-certified M/WBEs, or by working with a clearinghouse such as the Syracuse Minority Business Development Center. The City's established purchase/contracting thresholds will apply.

For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The City will keep documentation of M/WBE solicitation in its records and any response(s) thereto.

Section 3 Business Participation in Procurement and Contracting: For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the Town will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan.

Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development's Section 3 Businesses Registry. The Town's established purchase/contracting thresholds will apply.

The Town will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

ADOPTED: Date    October 20, 2021

A motion was made by Councilman Dowd and seconded by Councilman Russell, that the above amendment to the Towns Procurement Policy be adopted.  
Collins, aye  
Dowd,     aye  
Peck,     aye  
Russell, aye  
Wright, absent