

ONEIDA COUNTY SPORTS FACILITY AUTHORITY PURCHASING POLICY

This Resolution sets forth the policy and procedures of the Oneida County Sports Facility Authority (hereinafter the "Authority") to meet the requirements of General Municipal Law, section 104-b.

PURPOSE

Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner as to assure the prudent and economical use of public moneys in the best interest of the taxpayers; 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 and corruption. To further these objectives, the Board of the Authority (hereinafter the "Board") is adopting an internal policy and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, section 103 or of any other general, special, or local law.

PROCEDURES FOR DETERMINING WHETHER PROCUREMENTS ARE SUBJECT TO BIDDING

The procedures for determining whether a procurement of goods or services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

Authorizations and Purchasing Limit

Purchase(s) less than \$1,000. Any completed Purchase Order(s) must be signed and dated by the preparer and approved by the Board Chairman, no matter the amount, before it is deemed effective. The Board Chairman is authorized to enter into any contract(s) on behalf of the Authority in any amount(s) less than \$1,000.00.

Open purchase orders. Open purchase orders can be requested for routine purchases totaling under \$500. Open purchase orders may be kept on file with local merchants to assist in the procurement of everyday items. The open purchase order will not be used for items costing over \$500. A separate Purchase Order must be made for those items costing more than \$500 with prior approval obtained consistent with the Purchasing Policy.

Purchase(s) more than \$1,000. Any contract(s) in an amount exceeding \$1,000.00 must be reviewed and approved by the Authority counsel, the Chairman, and a majority vote by the Board. These requirements shall also apply to the renewal(s) of any existing contract(s).

Emergency Purchases. The only instances in which this policy will not apply is in emergency situations where immediate procurement may be necessary to prevent delays in critical agency

activities or such delays may vitally affect the life, safety, or health of individuals served. The process for emergency purchases requires a written purchase request be completed to begin procurement.

Purchase(s) requiring bids. Any Authority purchase(s) of goods, services, and/or equipment which will exceed \$20,000 in one fiscal year, and any contract(s) for any time interval exceeding \$35,000 shall be formally bid using Section 103 of the New York General Municipal Law for parameters. Subject to the requirements herein, the following provisions shall be observed in connection with Authority purchases:

- 1) Any purchase(s) of good(s), service(s), and/or equipment estimated to cost:
 - a) Less than \$20,000 but greater than \$3,000 shall require written/fax/email quotes from 3 vendors;
 - b) Less than \$3,000 but greater than \$1,000 require oral/fax/email quotes from 2 vendors;
 - c) Less than \$1,000 are left to the discretion of the Purchaser, subject to the requirements of this policy.
- 2) Any construction and/or demolition contract(s) in an estimated amount of:
 - a) Less than \$35,000 but greater than \$10,000 shall require a written request for proposals and written/fax/email proposals from not less than three (3) qualified contractors;
 - b) Less than \$10,000 but greater than \$500 shall require a written request for proposals and written/fax/email proposals from two (2) qualified contractors;
 - c) Less than \$500 are left to the discretion of the Purchaser.
- 3) Any written request for a proposal shall describe the desired purchase(s) and/or service(s) sought. The Board shall compile a list of any qualified contractor(s) and/or vendor(s) from whom written/fax/oral/email quotes have been requested and the written/fax/oral/email quotes offered. All information gathered in complying with the procedures of this policy shall be preserved and filed with the documentation supporting any subsequent purchase(s) and/or contract(s).
- 4) The lowest responsible proposal or quote shall be awarded the purchase(s) and/or contract(s) unless the Board Chairman prepares a written justification providing reasons why it is in the best interest of the Authority and its constituents to make award the contract to one other than the contractor or vendor who submitted the lowest bid. For the purposes of the Purchasing Policy, "responsible" shall mean one whose business and financial capabilities, past performance, and reputation support that the bidder is fully capable and qualified to perform the work, and/or provide the goods and/or services sought. If any contractor(s) and/or vendor(s) is/are not deemed responsible, facts supporting that determination shall also be documented and filed with the record supporting the relevant procurement(s).
- 5) A good faith and duly diligent effort shall be expended to obtain the required number of proposals or quotations, pursuant to the Purchasing Policy. If the required number of proposals or quotations cannot be obtained following a duly diligent effort undertaken in good faith, the

All departments or designated individual shall inspect all goods received. Upon receipt of any item from a vendor, the following actions shall immediately be taken:

- 1) Verify the quantity of boxes/containers with the packing slip.
- 2) Examine boxes/containers for exterior damage.
- 3) Note on the packing slip any discrepancies (missing or damaged boxes/containers, etc.).
- 4) Sign and date the packing slip and deliver to the treasurer
- 5) Retain a copy of the packing slip and send original to financial official immediately

When goods are moved to another area for thorough inspection, the following inspection procedures shall be performed by the Chairman or his designee:

- 1) Remove any packing slip(s) from each box/container.
- 2) Compare the description and quantity of goods per the Purchase Order with that of the packing slip.
- 3) Examine goods for physical damage.
- 4) Count and/or weigh items, as appropriate.
- 5) Record an indication of counts on the Purchase Order.

It is the policy of the Authority to perform the preceding inspection procedures promptly to facilitate the timely return of goods and/or communication with vendors when necessary.

REAL PROPERTY CONTRACTS

Prior to execution of any contract(s) for any interest(s) in real property, the Authority shall first obtain the Chairman's approval of any such contract(s). Upon the Chairman's approval, the prospective contract(s) shall then be referred to the Authority counsel for review and approval. Upon approval of the Authority counsel, the proposed contract(s) shall then be referred to the Authority Board of Directors for approval and resolution.

INPUT FROM OFFICERS

Comments have been solicited from officers of the County of Oneida prior to the enactment of this policy and procedures, and will be solicited from time to time hereafter.

ANNUAL REVIEW

The Board shall annually review and, when needed, update this policy and procedures. The Chairman shall be responsible for conducting an annual evaluation of the effectiveness of the procurement policy and procedures and an evaluation of the control procedures established to ensure compliance with the procurement policy, and shall be responsible for reporting back to the Board.

UNINTENTIONAL FAILURE TO COMPLY