

Gloversville Public Library has established this purchasing policy to comply with General Municipal Law §104-b.

General

Only the Library Director may commit the library to purchases. All purchases require the proper preparation of a purchase order. It is the responsibility of the Library Director to secure the appropriate bids or to investigate alternative suppliers to ensure the most economical purchase of required items. The Library Director shall have the final authority on all purchase decisions.

Library Materials

The Director has the discretion to purchase books, magazines, audio-visual, and other materials intended for patron use from vendors offering a state contract, volume discounts or materials available only from the publisher.

General Purchases

The following schedule is for purchases involving the acquisition of materials, supplies, equipment or professional services for which there are stated prices and sufficient budget appropriations. Catalogs or price lists may be substituted for verbal or written quotes. If the item is offered under state contract and the price is equal to or less than the state contract price, no quotes are required.

Up to \$5,000	Discretion of the Library Director
\$5,000-\$19,999	Minimum of three documented quotes or a documented reasonable alternative approved by the Board of the Trustees prior to purchase
\$20,000 or more	Formal bid process. If a bid other than the lowest is accepted written justification and documentation must accompany the purchase paperwork.

Public Works The following schedule is for public works projects involving services, labor, or construction. Prevailing wage regulations apply to all public works projects.

Up to \$5,000	Discretion of the Library Director
\$5,000-\$34,999	Minimum of three documented quotes or a documented reasonable alternative approved by the Board of the Trustees prior to purchase
\$35,000 or more	Formal bid process. If a bid other than the lowest is accepted written justification and documentation must accompany the purchase paperwork.

Items Not Subject to Bid

- Professional services which involve specialized expertise, use of professional judgment and/or a high degree of creativity, such as attorney, architect, engineer, land surveyor
- Emergencies arising from: an accident or other unforeseen occurrence; a situation in which public buildings, property, or residents are at risk; or immediate action is required that cannot await competitive bidding
- State contracts which are regulated by the Office of General Services
- Sole-source purchases which may occur when there is no substantial equivalent, or when the product is available from only one source and is deemed necessary to the public interest

A memo should be attached to purchase orders for items not subject to competitive bidding detailing why the procurement was not competitively bid.

Purchase Orders

The Finance Committee, in consultation with the library’s auditors and with their approval, shall be responsible for establishing procedures for the proper and cost-effective preparation of purchase orders.

Appropriations

All purchases must have a budgetary appropriation.

Financial Reporting

The Library Director shall authorize the payment of all claims made for purchases. The Vice President for Finance shall report such activity to the Board of Trustees on a monthly basis.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of General Municipal Law, §104-b shall not be grounds to void action taken or give rise to a cause of action against the Gloversville Public Library or any officer or employee thereof.

Approved: October 2012

Reference

Section 104-b provides that:

"2. Such policies and procedures shall contain provisions which, among other things:

a. prescribe a procedure for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law;

b. provide that, except for procurements made [through the County, off State Contract, or through the Department of Correctional Services], or the policies and procedures adopted pursuant to paragraph f of this subdivision, 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 which furthers the purposes of this section;

c. set forth when each such method of procurement will be utilized, taking into account which method will best further the purposes of this section and the cost-effectiveness of the method;

d. require adequate documentation of actions taken in connection with each such method of procurement;

e. require justification and documentation of any contract awarded to other than the lowest responsible dollar offer or, setting forth the reasons such an award furthers the purpose of this section; and

f. identify the individual or individuals responsible for purchasing and their respective titles. Such information shall be updated biennially.

g. set forth any circumstances when, or types of procurements for which, in the sole discretion of the governing body (or in the case of cities with a population of one million or more, the procurement policy board), the solicitation of alternative proposals or quotations will not be in the best interest of the political subdivision or district therein."