

SARANAC LAKE LOCAL DEVELOPMENT CORPORATION

Procurement Policy

The purposes of the Saranac Lake Local Development Corporation (“LDC”) seeks to relieve and reduce unemployment; promote and provide additional and maximum employment; improve and maintain job opportunities; attract new industry; retain existing industries; lessen the burdens of government.

Classes of Goods and Services

1. Purchase of goods or services with a value of \$2,500 or less.
2. Purchases of goods or services with a value of more than \$2,500, but less than \$10,000.
3. Purchases of goods or services with a value of more than \$10,000.
4. Purchases of good or services when the LDC is a joint funding party; see Section II.

Procurement Policies

1. For the procurement of goods or services with a value of \$2,500 or less, the LDC shall seek a verbal documented or written quotations from the provider or providers of the good or service that best meets the standards of efficiency, timeliness, practicality and convenience for obtaining the good or service. Given these objectives, a price quote from a single vendor may be sufficient.
2. For the procurement of goods or services with a value of more than \$2,500, but less than \$10,000 the LDC shall seek written quotations from not less than three vendors, if available, and shall select the least expensive, responsible and competitive vendor from those who respond to the request for quotations.
3. For procurement of goods or services with a value of more than \$10,000 a competitive bid process will be followed with a written request for proposal. The competitive bid process will consist of the solicitation from not less than three vendors and, the contract may be awarded to the least expensive, responsible and competitive vendor, with preference given to local vendors who are priced competitively, even if not the lowest.
4. For a LDC joint funding project, the form of procurement will be as mutually agreed by all involved parties but written request for proposals will be required when the LDC portion of the procurement exceeds \$10,000, same as “3” above herein.

Basis for Purchases

1. Basis for the award of contracts – contracts will be awarded to the lowest responsible vendor who meets the specifications.
2. Circumstances justifying an award to other than the lowest cost quoted:
 - (a) Delivery requirements.
 - (b) Quality requirements.
 - (c) Quality.
 - (d) Past vendor performance.
 - (e) The unavailability of three or more vendors who are able to quote on procurement.
 - (f) It may be in the best interests of the LDC to consider only one vendor who has

previous expertise with respect to a particular procurement.

- (g) It is the policy of the LDC, to the extent practicable, to use competitive suppliers of goods and services within the Village of Saranac Lake or from within the Counties of Franklin and Essex. Every effort will be made to include vendors within these preference locales on any contact list in any procurement process.

3. Exceptions to Policy

- (a) Emergency Situation. An emergency exists if the delay caused by soliciting quotes would endanger the health, welfare or property of the LDC, its employees or other persons. With approval by the Chief Executive Officer such emergency shall not be subject to competitive bidding or the procedures stated above with subsequent ratification by the Board.
- (b) Resolution Waiving Bidding Requirements. The LDC may adopt a resolution waiving the competitive bidding requirement on a project-by-project basis whenever it is determined to be impracticable.
- (c) Sole Source. Defined as a situation when there is only one possible source from which to procure goods and/or services and it is shown that the item needed has unique benefits, the cost is reasonable for the product offered and there is no competition available. In this situation, a request for a resolution waiving bidding requirements, as described above, is required.
- (d) True Lease. Prices will be obtained through quotations whenever possible. The award shall be made on the basis of goods and/or services to be provided, ability to meet the specification desired and price.
- (e) Professional Services. This category includes services which require special education and/or training, license to practice or are creative in nature. Examples of professional services are: lawyers, doctors, accountants, engineers, architects, etc. When professional services are required the Board will determine the method of procuring such services.

4. Documentation

- (a) For each purchase made the Chief Executive Officer or authorized designee shall set forth in writing the category of procurement that is being made and what method of procurement is specified.
- (b) The basis for any determination that competitive bidding is not required shall be documented, in writing, by the Chief Executive Officer or such authorized designee, and filed with the purchase order or contract therefore.
- (c) For those items not subject to competitive bidding such as professional services, emergencies, or procurements from sole sources, documentation should include a memo to the file which details why the procurement is not subject to competitive bidding and include, as applicable:
 - i. a description of the facts giving rise to the emergency and that they meeting the statutory criteria; or
 - ii. a description of the professional services; or
 - iii. opinions of counsel, if any; or
 - iv. a description of sole source items and how such determinations were made.
- (d) Whenever an award is made to other than the lowest quote the reasons for doing so

shall be set forth in writing and maintained in the procurement file.

(e) Whenever the specified number of quotations cannot or will not be secured, the reasons for this shall be indicated in writing and maintained in the procurement file.

5. Annual Review

The LDC Governance Committee shall annually review its policies and procedures.

6. Unintentional Failure to Comply

The unintentional failure to comply with the provisions of this Policy shall not be grounds to void action taken or give rise to a cause of action against the LDC or any director, officer or employee thereof.