

**RESOLUTION NO. 833-2010, AMENDING POLICIES AND PROCEDURES GOVERNING THE COUNTY'S PROCUREMENT OF GOODS AND PUBLIC WORK, TO BE IN CONFORMITY WITH SECTION 103 OF THE GENERAL MUNICIPAL LAW AS AMENDED**

**WHEREAS**, the Legislature adopted Resolution No. 947-1993 (Article II of Chapter 708 of the Suffolk County Code), a Resolution Establishing Policies and Procedures Governing the County's Procurement of Goods and Public Work, which among other things, adopted policies and procedures with respect to the procurement of public work including requiring all annual requirements, contracts, and lettings for public work exceeding \$20,000 be awarded after advertisement for formal sealed bids in conformance with section 103 of the NEW YORK GENERAL MUNICIPAL LAW; and

**WHEREAS**, effective November 12, 2009, section 103 of the NEW YORK GENERAL MUNICIPAL LAW has been amended to increase the threshold of contracts for public work requiring award after advertisement for sealed bids from \$20,000 to \$35,000; and

**WHEREAS**, effective June 22, 2010, section 103 of the NEW YORK GENERAL MUNICIPAL LAW has been amended to increase the competitive bidding threshold on purchase contracts from \$10,000 to \$20,000; and

**WHEREAS**; this Legislature wishes to continue to abide by standards consistent with the NEW YORK GENERAL MUNICIPAL LAW and to utilize current best purchasing practices; now, therefore be it

**1<sup>st</sup> RESOLVED**, that Article II of Chapter 708 (Suffolk County Resolution No. 947-1993) of the Suffolk County Code is hereby amended as follows:

**Chapter 708  
Purchasing**

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**Article II, Procurement Policy**

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**§ 708-3. Policy Established.**

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**A.)** The following procurement procedures are adopted for purposes of governing the purchase of goods, subject to the requirements of Local Law No. 5-1993, a Local Law establishing a Local Preference Program for Suffolk County Contracts, as amended, and Local Law No. 4-1993, a Local Law to promote Local Business for County Consulting Work, as amended:

Cost	Procedure
*****	
\$0.01 to [\$250.00] <u>\$500.00</u>	Direct purchase by [using] Department [pursuant to Standard Operating Procedure I-12(2/2/87)]
[\$250.01] <u>\$500.01</u> to \$3,500.00	Documented verbal or written quotes from at least three (3) separate vendors (if available);
\$3,500.01 to [\$10,000.00] <u>\$20,000.00</u>	Formal sealed bids from at least four (4) separate vendors (if available)
[\$10,000.01] <u>\$20,000.01</u> and up and all annual requirements, contracts, <u>and</u> lettings [and blanket orders].	Advertised, formal sealed bids in conformance with General Municipal Law § 103 and in accordance with any other applicable state and local laws and resolutions

B.) The following procurement procedures are adopted for purposes of governing the purchase of public work, subject to the requirements of Local Law No. 5-1993, as amended, a Local Law establishing a Local Preference Program for Suffolk County Contracts and Local Law No. 4-1993, a Local Law to promote Local Business for County Consulting Work, as amended:

Cost	Procedure
*****	
\$5,000.01 to [\$20,000.00] <u>\$35,000.00</u>	Formal sealed bids or requests for proposals (RFP's) from at least four vendors (if available) and written prevailing wage certification as required under Articles 8 and 9 of the Labor Law
[\$20,000.01] <u>\$35,000.01</u> and up and all annual requirements, contracts, <u>and</u> lettings [and blanket orders].	Advertised, formal sealed bids in conformance with General Municipal Law § 103 and in accordance with any other applicable state and local laws and resolutions;

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D.) The following circumstances may warrant exceptions to the procedures set forth herein:

3.) Formal bids for the purchase of goods in the \$3,500.01 to [\$10,000.00] \$20,000.00 range may be waived by the [chief purchasing agent] Commissioner of Public Works when the [chief purchasing agent] Commissioner of the Department of Public Works determines in writing, pursuant to written guideline established by the [chief purchasing agent]

Commissioner of Public Works and filed with the Clerk of the Legislature, that it would be in the best interest of the County to do so;

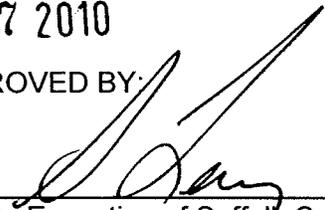
4.) Formal bids or RFP's for the purchase of public work in the \$5,000.01 to ~~[\$20,000.00]~~ \$35,000.00 range may be waived by [either] the Commissioner of Public Works [or by the chief purchasing agent] when the Commissioner of the Department of Public Works [or the chief purchasing agent] determines, in writing, pursuant to written guidelines established by the Commissioner of the Department of Public Works and filed with the Clerk of the Legislature, that it would be in the best interest of the County to do so; and be it further

**2<sup>nd</sup>** **RESOLVED**, that this Legislature, determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration

[ ] Brackets denote deletions.  
\_\_\_ Underlining denotes additions.

DATED: **AUG 17 2010**

APPROVED BY:

  
\_\_\_\_\_  
County Executive of Suffolk County

Date: 8/26/10

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on August 17, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.*

*In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.*

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Clerk of the Legislature

Intro. Res. 1805

Res. No. 833

August 17, 2010

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Muratore, Losquadro  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	18	—	—	—	—

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____      No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

*Tim Laube*

Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote