

PURCHASING/PROCUREMENT

This policy sets forth the actions and procedures of the East Islip Public Library to meet the requirements of General Municipal Law, Section 104-b for purchases and procurements not required by General Municipal Law, Section 103 to be competitively bid.

PURPOSE

Goods and services which are not required by law to be procured pursuant to competitive bidding as defined in General Municipal Law, Section 103 must be procured in a manner so as to assure the prudent and economical use of public monies in the interest, to facilitate the acquisition of goods and services of maximum quality at the lowest possible costs under the circumstances, and to guard against partiality, improvidence, extravagance, and fraud. To further these objectives, the East Islip Library Board of Trustees is adopting policies and procedures governing all procurement 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 another general, special, or local law.

PROCEDURES FOR DETERMINING WHETHER PROCUREMENTS ARE SUBJECT TO BIDDING

The procedures 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 is as follows:

(1) Public works contracts (labor and materials) involving an expenditure of over \$35,000 are subject to the competitive bidding requirements contained within Section 103 of the General Municipal Law. The term “public works contract” applies to those items or projects involving labor or both material and labor. Included in this category are: construction, paving, printing, repair contracts, etc.

(2) Purchase contracts (materials only) of over \$20,000 are required to be competitively bid. Like items should be aggregated to determine if the bid threshold has been exceeded.

STATUTORY EXCEPTIONS FROM THESE POLICIES AND PROCEDURES

Except for procurement made pursuant to General Municipal Law, Section 103(3) (through county contracts) or Section 104 (through state contract, State Finance Law Section 175 a-b (from agencies for the blind or severely handicapped), Correction Law, Section 184 (articles manufactured in correctional institutions), or purchases from monopolies and cooperative arrangements as defined in General Municipal Law, Section 103, or the items excepted herein, 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 General Municipal Law, Section 104b.

METHODS OF COMPETITION TO BE USED FOR NON-BID PROCUREMENT

The methods of procurement to be used are as follows:

(1) Purchases through or from state contracts, county contracts, municipal agreements, Scorecard (New York Prison System), Industries for the Blind, or Industries for the Disabled, surplus and second hand supplies, materials, and equipment purchased from the Federal Government, the State of New York or any of its political subdivisions may be made, whenever feasible, without the necessity of competitive bidding or obtaining price quotations.

(2) For all other purchases—the following procedures will be utilized:

(a) *For purchases under \$5,000* when a purchase as per paragraph (1) above is not feasible, no quotations shall be required.

(b) *For purchases between \$5,000 and \$6,000.* When a purchase as per paragraph (1) is not feasible, a minimum of three (3) verbal quotations must be solicited for each such purchase and documentation attached to the purchase requisition when it is submitted to the Library Director for approval.

(c) *For purchases greater than \$6,000.* When a purchase cannot be made as per paragraph one (1), a minimum of three (3) written quotations shall be solicited.

(d) *Emergency purchases:* When the need for the procurement of goods or services arises out of an unforeseen occurrence of condition, as defined in General Municipal Law, Section 103(4) whereby circumstances affecting public buildings, public property, the life, health, safety or property of the inhabitants of the East Islip Public Library District are involved, the East Islip Public Library Board of Trustees shall pass a resolution declaring an emergency prior to the purchase, if feasible. Thereafter, the Board may make emergency purchases seeking competition by informal solicitation to the extent possible.

QUOTATIONS

Documentation of actions taken in connection with each such method of procurement is required as follows:

Verbal quotations shall be written on a form provided by the Library Director.

Both written and verbal quotations shall provide the following information:

- The name, address, and telephone number of the vendor.
- The name of the contact person at the vendor.
- The item(s) to be purchased, specifying the quantity, brand names, and model number.
- The unit price of each item, the extended price, and the total price of the order.
- Requested delivery date.

A memorandum should be filed by the Library Director explaining how an emergency purchase meets the established criteria. A copy of the memorandum should be attached to the purchase order file copy.

BIDDING AWARDS TO OTHER THAN LOWEST RESPONSIBLE DOLLAR OFFERER

Awards will be made to the lowest responsible dollar offerer, as will best promote public interest, taking into consideration the reliability of the offerer, the quality of the materials, equipment, or supplies to be furnished, their conformity with the specifications, the purposes for which required, and the terms of delivery.

Whenever any contract is awarded to other than the lowest responsible dollar offerer, the reasons such an award furthers the purpose of General Municipal Law, Section 104-b, as set forth herein above shall be provided by the Library Director in a memorandum attached to the purchase order file copy.

ITEMS EXCEPTED FROM POLICIES AND PROCEDURES BY LIBRARY BOARD

The East Islip Public Library Board of Trustees, in accordance with the exceptions noted in Municipal Law Section 103, and referenced below, has determined that competitive bidding will not be in the best interest of the library.

Professional Services Contracts. The determination of whether the professional service exception is applicable for given situations must be made on a case by case basis, examining the particular services to be acquired. Generally professional services involve specialized expertise, use of professional judgment, or a degree of creativity. Professional service contracts involve a relationship of personal trust and confidence. Among the services which meet the exception are those of an engineer, architect, accountant, auditor, and attorney.

Insurance. Insurance coverage for property, benefits, and liability is not subject to competitive bidding requirements. *Second-Hand Equipment from Governments.* The purchase of surplus and secondhand supplies, materials or equipment from the federal or state government or from any other political subdivision or public benefit corporation, is an exception to the competitive bidding requirements. Purchases of used or surplus goods from any other sources are not covered by this exception.

The Board may alternatively determine that it is in the best interest of the library to solicit proposals or quotations for these items.

PROCEDURES FOR PAYMENT OF INVOICES

The authorization to pay invoices may be made prior to the date of the next ensuing Board meeting, provided the Board appointed Treasurer and Library Director have reviewed and approved, in writing, the payment thereof; and that the Board of Trustees review and approve all such payments at their next regularly scheduled Board meeting.

ANNUAL REVIEW

The East Islip Public Library Board of Trustees shall solicit comments from the individuals involved in the purchasing/procurement process. The Board shall annually review these policies and procedures prior to the annual readopting of the purchasing policies. The Library Director shall be responsible for conducting an annual review of the purchasing/procurement policy and evaluate the internal control structure established to ensure compliance with the policy.

UNINTENTIONAL FAILURE TO COMPLY

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

East Islip Public Library
April 1997
Revised January 2007
Revised October 2013
Revised June 3, 2021

PETTY CASH

Petty cash funds shall be established at each location for the purchase of minor materials, supplies, or services under conditions requiring immediate payment.

The amount of each fund will not exceed the limit set by law. The Board of Trustees of the Library, upon the recommendation of the Library Director, shall appoint a custodian for the petty cash fund. The custodian shall administer and be responsible for such fund.

To ensure that these funds are properly managed, the following guidelines shall be followed:

1. Receipts and cash-on-hand must always total the authorized fund amount. All disbursements from such funds are to be supported by receipted bills, paid out slips or other evidence documenting the expenditure. Expenditures from petty cash funds shall be charged to the applicable budget code.
2. Payments may be made from petty cash for materials, supplies, or services only when payment is required.

The Library shall reimburse the uses of the petty cash fund up to the extent of expenditures, with appropriate documentary support. The fund will be closed at the end of the fiscal year and reestablished by the Board.

The Library Director shall be responsible for replenishing petty cash accounts.

Adopted: June 18, 1998