

GOVERNMENT OPERATIONS COMMITTEE MEETING MINUTES
FEBRUARY 20, 2018

GOVERNMENT OPERATIONS COMMITTEE MEMBERS PRESENT: Hogan, O'Brien, Shaw, Middleton, Rozell

GOVERNMENT OPERATIONS COMMITTEE MEMBERS ABSENT: Haff, Ferguson

SUPERVISORS: Henke, LaPointe, Moore

Debra Prehoda, Clerk of the Board

Chris DeBolt, County Administrator

Al Nolette, County Treasurer

Laura Chadwick, Real Property Director

Matt Jones, Superintendent Bldgs. & Grnds.

AGENDA AS PRESENTED IN COMMITTEE NOTICE:

- 1) Call to Order
- 2) Accept Minutes – January 23, 2018
- 3) Department Requests/Reports
 - A. Real Property – State Land – Governor's Budget Revenue Bill to Move to Roll Section 8
 - B. Buildings & Grounds
 1. Monthly Updates
 2. 15 Year Equipment Plan Update
 - C. County Attorney – Vacation Carryover for Sr. Safety Officer
 - D. County Administrator
 1. Approve Travel Policy with Changes (Exempt Travel Required as part of a Criminal Investigation)
 2. Discuss Purchasing/Procurement Policy – Professional Svcs.
- 4) Other Business
- 5) Adjournment

Chairman Hogan called the meeting to order at 10:00 A.M.

A motion to approve the minutes of the January 23, 2018 meeting was moved by Mr. Middleton, seconded by Mr. Shaw and adopted.

REAL PROPERTY – Laura Chadwick, Director, addressed the following items with the committee:

- State Land – Governor's Budget Revenue Bill to Move to Roll Section 8 – This would impact the County's equalization table; handout distributed showing the impact of this change to the equalization table, attached. The percent the towns of Dresden, Fort Ann and Putnam pay of the County tax would decrease under this proposed change and the other towns would increase. "Governor Andrew Cuomo is proposing to convert the local assessment of taxable State-owned land into a Payment in Lieu of Taxes ("PILOT") program based on existing tax amounts to be increased each year by the allowable levy growth factor." There is opposition to this change and a proposed resolution was distributed attached. Chairman Henke stated this issue is also being addressed by the Intercounty Legislative Committee of the Adirondacks.
- New tax bills through the Total Tax Collection System – Collectors now have the ability to print the tax bills and it has drastically reduced the number of requests coming through Real Property. Last year Real Property printed 119 tax bills and this year to date only 20.

BUILDING & GROUNDS:

- Monthly Updates:
 - Boilers at St. Pauls' Head Start and the DPW Main shop are both leaking and need to be replaced this year. The St. Paul's Head Start boiler is in the Administration building estimating \$30,000 installed but there are variables, manifolds and pumps are all 50+ years old and a high probability they are wrapped with asbestos and estimates about the same amount for the DPW Main shop. He does not believe this could be done with County staff due to being busy with other projects. Costs will be provided at the next meeting and are not in his budget.

- Engineering work is in progress for both the Annex I study and the cooling tower/LEC rooftops.
- Court tenant work in progress; State projects that Buildings and Grounds addresses because it is our building: i.e. carpeting, Judges Chambers and courtroom remodel, pulling wires for TVs/WIFI.
- Parks:
 - New water guidelines for 2018. More testing required by licensed personnel. Possibly have a staff member become licensed. If the license is expensive will look into possible shared services with a town/village licensed personnel.

COUNTY ATTORNEY – Chris DeBolt, County Administrator, addressed the following items:

- Vacation Carryover for Sr. Safety Officer – With the Easter holiday, he has a trip planned that will occur the week after his anniversary date and is requesting to carry over four unused vacation days after his anniversary date. A motion to approve carry over four vacation days for a period not to exceed one month and forward to the Personnel Committee for consideration was moved by Mr. O'Brien and seconded by Mr. Shaw. Discussion. Mr. Middleton asked if this is common. The County Administrator stated yes and explained the procedure for carry over of vacation time. The motion to approve carry over four unused vacation days for a period not to exceed one month and forward to the Personnel Committee for consideration was moved by Mr. O'Brien, seconded by Mr. Shaw and adopted.
- New Safety Officer - Successful in recruiting a new Safety Officer, Ashlee Zinn currently a Dispatcher, who will probably start in another week or two.

COUNTY ADMINISTRATOR – Chris DeBolt, County Administrator, addressed the following items with the committee:

- Approve Travel Policy – Last month proposed an amendment to the policy: “Overnight or Out-of-State travel required as part of a criminal investigation is exempt from this policy. However, the requesting Department must submit an Overnight Authorization Form to the County Administrator for approval, prior to the travel occurring. If the individual traveling as part of the active criminal investigation is an elected official, then a copy of the Overnight Authorization must also be provided to the Chairman of the Board of Supervisors.” A motion to amend the policy to incorporate this change was moved by Mr. O'Brien and seconded by Mr. Middleton. Discussion. Mr. Moore recommended the following clerical changes to the policy: deleting under the section Use of Motor Vehicles and/or Mass Transportation, #1 delete a County vehicle is not available and replace with approve by Department Head and #2 – delete economical provided. The motion to amend the policy to incorporate this change was moved by Mr. O'Brien, seconded by Mr. Middleton and adopted.
- Purchasing/Procurement Policy – Professional Services – Discussed attached draft policy.
 - Page 6 – Professional Services – Discussion on proposed changes. The Board has the full discretion to set the threshold limits. Mr. O'Brien distributed GMU§104-b, attached. The County Administrator stated he did include this language. Mr. O'Brien wants to ensure we are getting multiple quotes. Mr. Middleton suggested the following wording: Professional services costing more than \$5,000 and less than \$50,000 will require an RFP unless waived by the oversight committee. Chairman Henke stated we should maintain some of the stuff about what they go to the oversight committee with; i.e. proposed scope of work. The County Administrator stated his preference for professional services would be to keep the categories fewer and the dollar ranges bigger but give the committee that discretion because professional services are all over

- the place.
- Page 8 – Compliance – The Board is the appointing authority over the Department Heads and if it is a designee then the Department Head is responsible for initiating any disciplinary action. Need to check the order of five listed disciplinary actions. In the last paragraph, the Board not the Audit Committee should do the disciplinary action. The Treasurer suggested in the 4th paragraph, the Audit Committee may take disciplinary action and delete may and insert recommends.

Chairman Hogan recommends Mr. O'Brien meet with the County Administrator and work out the details and bring the procurement policy back to next month's meeting.

The Treasurer would like the language from GMU§104 incorporated in the policy: "must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interests of the taxpayers of the political subdivision or district, 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" and this is the time to tell the County Administrator that the Board is not okay with a department just taking state contract pricing; bid out even if on state contract. The County Administrator stated this is on Page 5 – going out to bid even if on state contract but need a dollar threshold.

Chairman Henke stated that the State goes through an extensive bidding process for items and there is a cost to bid locally. Additional, a bid over state contract bid needs legal review.

Mr. O'Brien stated single source and emergency purchases need to be addressed in the policy.

Chairman Hogan stated the County Administrator is going to meet with Mr. O'Brien to go over the technical language of page 6, work with the County Attorney on legal language for bidding locally and have the policy ready to go out in advance of the next meeting for consideration.

OTHER BUSINESS:

Mr. Shaw, Budget Officer, received an email from Mr. Brillling regarding a pump failure, needs to replace and the cost is going to be over \$4,000 and has the funds within the Sewer District budget. Mr. Brillling is in the process of getting prices and will not have the information prior to the Budget Officer leaving on vacation. This is an emergency purchase and the Chairman of the Board can sign the equipment authorization form.

The meeting adjourned at 11:30 A.M.

Debra Prehoda, Clerk
Washington County Board of Supervisors

Washington County Equalization Table
 2017 Equalization Table for the 2018 Taxes

Town	Total Assessed RS 1,3,5,6, & Taxable Value RS 7	Final Equalization Rate	Equalized Full Value	% Town is to pay of County tax	County Taxable Value
Argyle	278,343,205	99.00%	281,154,753	0.05508	261,027,501
Cambridge	198,456,238	100.00%	198,456,238	0.03888	175,519,648
Dresden	132,897,132	46.00%	288,906,809	0.05659	130,798,359
Easton	5,923,040	2.12%	279,388,679	0.05473	5,560,224
Fort Ann	652,976,130	100.00%	652,976,130	0.12791	631,955,108
Fort Edward	300,819,849	84.00%	358,118,868	0.07015	282,905,439
Granville	356,869,959	100.00%	356,869,959	0.06991	334,228,019
Greenwich	441,517,327	100.00%	441,517,327	0.08649	405,684,763
Hampton	69,118,082	100.00%	69,118,082	0.01354	65,814,340
Hartford	156,754,056	100.00%	156,754,056	0.03071	139,004,355
Hebron	180,743,027	100.00%	180,743,027	0.03541	158,259,802
Jackson	66,814,319	35.00%	190,898,054	0.03740	61,440,259
Kingsbury	724,674,758	100.00%	724,674,758	0.14195	680,477,823
Putnam	287,353,155	100.00%	287,353,155	0.05629	283,592,973
Salem	127,625,284	60.00%	212,708,807	0.04167	116,268,024
White Creek	144,215,308	66.00%	218,508,042	0.04280	130,230,058
Whitehall	206,694,621	100.00%	206,694,621	0.04049	188,239,145
Totals	4,331,795,490		5,104,841,365	1.000000	4,051,005,840

Prepared by Wash Co Real Property Tax Serv.
 Dated: 11/08/2017 sjd

Washington County Equalization Table
 2017 Equalization Table for the 2018 Taxes
 State Owned Land Not Included

Town	Total Assessed RS 1,5,6, & Taxable Value RS 7	Final Equalization Rate	Equalized Full Value	% Town is to pay of County tax	Co Taxable Value No State Land
Argyle	278,343,205	99.00%	281,154,753	0.05666	261,027,501
Cambridge	198,456,238	100.00%	198,456,238	0.03999	175,519,648
Dresden	105,883,532	46.00%	230,181,591	0.04639 -	103,784,759
Easton	5,922,327	2.12%	279,355,047	0.05630	5,559,511
Fort Ann	590,870,330	100.00%	590,870,330	0.11907 -	571,878,908
Fort Edward	300,819,849	84.00%	358,118,868	0.07217	282,905,439
Granville	356,869,959	100.00%	356,869,959	0.07192	334,228,019
Greenwich	441,517,327	100.00%	441,517,327	0.08898	405,684,763
Hampton	69,118,082	100.00%	69,118,082	0.01393	65,814,340
Hartford	156,682,166	100.00%	156,682,166	0.03157	139,004,355
Hebron	180,728,827	100.00%	180,728,827	0.03642	158,245,602
Jackson	66,166,490	35.00%	189,047,114	0.03810	61,108,422
Kingsbury	724,500,618	100.00%	724,500,618	0.14599	680,477,823
Putnam	271,250,655	100.00%	271,250,655	0.05466 -	267,490,473
Salem	127,625,284	60.00%	212,708,807	0.04287	116,268,024
White Creek	142,953,408	66.00%	216,596,073	0.04365	130,230,058
Whitehall	205,085,191	100.00%	205,085,191	0.04133	188,237,215
Totals	4,222,793,488		4,962,241,646	1.000000	3,947,464,860

Prepared by Wash Co Real Property Tax Serv.
 Dated: 11/08/2017 sjd Updated 2/2/18 without State Owned Land sjd

OPPOSITION TO TAXABLE NYS OWNED LAND CONVERSION TO PILOTS

WHEREAS, State-owned lands are currently assessed by the local municipality where the State land is located, and

WHEREAS, Governor Andrew Cuomo is proposing to convert the local assessment of taxable State-owned land into a Payment in Lieu of Taxes ("PILOT") program based on existing tax amounts to be increased each year by the allowable levy growth factor, and

WHEREAS, said payment change will result in loss of local assessment of taxable State-owned as well as loss in tax revenue to local municipalities due to changes in value not reflected in a PILOT agreement,

NOW, THEREFORE, BE IT RESOLVED by the Town/County Board of the Town/County of _____ that the assessments of taxable State-owned land should remain under control of the local municipality where such property is located and is hereby opposed to New York State converting the assessment of taxable State-owned land into a Payment in Lieu of Taxes, and

BE IT FURTHER RESOLVED that the Town/County Clerk is hereby authorized to forward a copy of said Resolution to the following persons:

Governor Andrew Cuomo
NYS Senator Elizabeth Little
NYS Assemblyman Daniel Stec

Washington County Travel Policy

*Washington County Travel Policy - Adopted Res. 92 of 3/19/10
(see last page for add / change dates)*

Whenever an officer or employee travels for County business, the officer or employee shall comply with the requirements of this policy.

USE OF MOTOR VEHICLES AND/OR MASS TRANSPORTATION

Employees shall use County-owned vehicles for County business whenever possible. When practical, employees shall use mass transportation for County business as opposed to County or personal vehicles.

1. Use of a personal vehicle with reimbursement for mileage should only occur when a County vehicle is not available.
2. Mass transportation sources should be used when economical provided such use would not be impractical given the nature of the trip. If the use of mass transportation would save time, the value of the officer or employee's time should be considered in evaluating costs.
3. An exception allowing the use of person vehicles with reimbursement for mileage is to be made for attorneys in the District Attorney's Office and Public Defender's Office. The use of a personal vehicle with reimbursement for mileage will be permitted for these attorneys when traveling for the counsel at first appearance program. Mileage will be reimbursed at the standard County rate upon submission of proper documentation. This exception does not apply to any non-attorney personnel from either office. (Res. No. 130 of 4/15/16)
4. Employees who are traveling more than 60 miles from the Municipal Center and spending at least one night may take their personal vehicle and be reimbursed for mileage at the standard County rate upon submission of proper documentation. Reimbursement will only be provided for Mileage from the Municipal Center to the required destination via the shortest route. Permission for the use of personal vehicles in such circumstances must be granted by the Department Head. (Res. No. 166 of 7/21/17)

APPROVAL

1. Annual Travel Plan
 - a. Any department planning overnight travel during the coming budget year must submit an Annual Travel Plan during the budget process. This Plan is to be reviewed by the department's committee and approved by the Board.
 - b. The Annual Travel Plan should provide detailed information on all overnight travel for the coming year including the following:
 1. Title of conference / event
 2. Whether travel is in-state or out-of-state
 3. Number of employees planning to travel
 4. Estimated time frame

5. Number of overnights
 6. Budgeted trip cost
 7. Air or train fare needed
- c. Additions to Annual Travel Plan - During the year, should a department need to request additional travel not included in their Annual Travel Plan, the department will first need to bring the request to their supervisory committee. The committee must be provided with detailed information on the additional travel as above.
2. An overnight stay requires that the employee travel to a destination that is sixty (60) or more miles from the Municipal Center via the shortest route. Exceptions to this requirement require committee approval. (Res. No. 166 of 7/21/17)
 3. Out-of-State travel requires a resolution passed by the Board of Supervisors.
 4. Sharing a room – If more than one County person is traveling, individuals of the same gender will be required to share a room. If an individual does not wish to share, he or she must pay the difference in cost out-of-pocket.
 5. Overnight Travel Authorization Form
 - a. An Overnight Travel Authorization Form must be completed and submitted to the County Administrator, or Board Chairman for Elected Officials, for approval before any overnight trip.
 - b. If the travel is additional to the department's Annual Travel Plan, the authorization form must be submitted following travel approval by the department's committee and/or Board.
 - c. A copy of the signed Overnight Travel Authorization must be attached to any voucher(s) submitted for reimbursement and/or any related procurement requests.

DAY TRAVEL

Day travel includes, but is not limited to, travel to perform the duties of the officer or employee's position or travel for attendance at seminars, training, and/or other meetings where such is mandated by State law, rule, or regulation and does not include overnight accommodations. Day travel (ie: for a meeting or training) by officers and employees of Washington County does NOT need the approval of the department's supervisory committee or County Administrator provided the travel is part of the normal course of business. Day travel is, however, subject to approval by the department head.

PAYING FOR TRAVEL

If payment for travel expenses requires a transfer of funds, the department head must provide information on where the funds are to come from. The request for a transfer of funds must be made prior to the trip. If all or some of the travel is to be paid for by an outside agency, this must be specified on the Travel Authorization Form (notes section).

If it is necessary to use a personal credit card (see Credit Card Policy), approval to do so must be requested in the space provided on the Travel Authorization Form.

EXCEPTIONS

County departments traveling for delivery or pickup of clients or prisoners are exempt from the requirement for committee approval. However, court ordered travel does require a detailed travel request made to the County Administrator.

County-related travel and training being paid for through the use of crime forfeiture monies is exempt from the conditions of this policy (Res. No 173 of 5/18/12).

Permission to extend a trip period for personal reasons may be requested as long as there is no additional cost to the County and the use of benefit time, if applicable, has been granted in advance. Travel may not be extended for personal reasons if a County car is being used. Requests to extend travel should be made to the department head.

Any approvals required before travel by Members of the Board of Supervisors will be made by the Chairman of the Board and/or the appropriate standing committee.

Members of the Board of Supervisors will not be compensated or reimbursed for travel with destinations within Washington County.

Elected officials planning to travel overnight on County business must have the Travel Authorization Form signed by the Chairman of the Board. All other requirements are the same as for employee travel.

In the event that costs for travel are entirely (100%) covered by sources other than County funds (ie. grants, forfeiture funds, etc.) the requirements and conditions of this policy may be waived by the Department Head. However, Overnight Travel Authorization Forms and a detailed description of the travel arrangements must be submitted to the County Administrator. (Res. 166 of 7/21/17)

Add / Change Dates:

- *Updated Res. 173 of 5/18/12*
- *Revised, Gov't Operations Committee, 2.22.16 (travel distance radius)*
- *Updated Res. 130 of 4/15/16 (counsel at first appearance use of private vehicles)*
- *Updated Res. 166 of 7/21/17 (Use of Personal Vehicles for Overnight Trips, Minimum Distance Traveled & Exceptions for 100% Funded)*

Purchasing Policy Update (2018)

- 1) The Washington County Purchasing Agent/Coordinator reports directly to the County Administrator and will be responsible for administering the Washington County Purchasing Program. The Purchasing Agent is responsible for enforcement of the County's Purchasing Policy and Procedures. The Purchasing Agent/Coordinator shall periodically review this policy and procedures and make recommendations to the Government Operations Committee as to any changes or alteration to the prescribed Policy and procedures.
- 2) The Purchasing Agent/Coordinator shall ensure that necessary commodities and professional services are procured at the lowest possible price from responsible providers. The Purchasing Agent/Coordinator shall retain all supporting documentation for these procurements.
- 3) While obtaining commodities and professional services at the lowest possible cost is paramount to the efforts of the Purchasing Agent/Coordinator, the value, quality, and total cost of ownership shall be taken into account whenever practicable by the Purchasing Agent/Coordinator to ensure the residents of Washington County receive the best possible value from procurements executed by the County.
- 4) The Purchasing Agent/Coordinator shall periodically review the recent purchasing of the County's various Departments to develop a list of frequently-purchased goods. Based on this analysis of items frequently purchased by the County, at his/her discretion, the Purchasing Agent/Coordinator shall create a 'catalog' of these items and create a 'store room' containing inventory of these common items to increase the efficiency of frequent purchases by the Departments and decrease costs for these goods by ordering in bulk when possible.
- 5) Whenever possible, for items commonly used in multiple Departments, the Purchasing Agent/Coordinator shall impose standardization whenever consistent with operational goals and in the interest of efficiency and economy.
- 6) Every effort shall be made to support private industries and local businesses of Washington County, so long as the action does not violate Federal, State, Local Laws, or County policies and procedures.
- 7) Washington County strives to ensure the best value of purchases made on behalf of the residents and businesses of the County. It is the belief of Washington County that open and competitive procurement helps to achieve this goal. Every effort should be made to encourage participation from as many vendors and suppliers as possible to maximize this benefit.

Procedures:

With the exception of those purchases made under emergency situations, only the person designated by the Board of Supervisors as the Purchasing Agent/Coordinator or County Administrator may commit the County for a purchase of commodities costing more than Five Thousand (\$5,000) dollars. Commitment by the County is only valid after a Purchase Order has been authorized and approved.

The commodities and/or services to be purchased shall be of the quality and in the quantity required to serve the function in a satisfactory manner, as determined by the Requisitioner.

It is the responsibility of the requisitioner to provide an adequate description of the commodity(s) needed in the preparation of their bid specifications. The specifications should be written so as not to restrict competition or otherwise preclude the most economical purchase of the required commodities.

A standard 'catalog' of commonly-used commodities shall be jointly developed for all categories or groups of supplies by the Purchasing Agent/Coordinator and the appropriate requisitioners. This 'catalog' shall be used as the basis for requisitions whenever possible. A requisitioner submitting a requisition for an item not contained in the standard 'catalog' shall provide adequate justification for requisitioning an item not contained in the standard 'catalog'.

It is the responsibility of the Purchasing Agent/Coordinator and County Administrator to ensure the compliance of all purchases with this policy. Whenever possible, adherence to the requirements of this policy and the various components therein shall be determined prior to the commitment of the County. If, a purchase or purchases are made that do not comply with this policy, it shall be the responsibility of the Audit Committee to identify that purchase and take corrective action with the involved party or parties.

Thresholds/Requirements:

Equipment:

All purchases of equipment costing more than four hundred dollars (\$400) require the prior authorization of the Budget Officer via a *Budget Officer Equipment Purchase Authorization Form* (Appendix A) signed by the Budget Officer.

It is not permissible for Departments to segment purchases to avoid this threshold. For example, if four (4) chairs are to be purchased at a cost of \$150 each, the total purchase is for \$600 and requires Budget Officer Approval. It is not acceptable for the Department to make two purchases of two (2) chairs each for \$300 to avoid this requirement.

Technology:

All purchases of computer equipment and software must obtain the prior approval of the Director of Information Technology via a *IT Purchase Authorization Form* (Appendix B) signed by the Director of IT. The Director of IT shall ensure that all technology-related purchases requested by Departments have been discussed and considered by the Enterprise Technology Planning Group, and when appropriate, the Information Technology Committee of the Board of Supervisors. The Director of IT, along with the aforementioned bodies, shall consider the Total Cost of Ownership, necessity, compatibility with existing technology infrastructure, security, and other criteria he or she deems appropriate when determining the advisability of a proposed technology purchase.

For the purposes of this policy, the following items shall be considered technology purchases and require the approval of the Director of IT: copiers, printers, computers, handheld devices, cell phones, software programs, any device that connects to, or operates on, the County's computer network, and any device that will require the installation, support or involvement of the Information Technology Department in its installation, operation or maintenance. The list provided above is illustrative in nature and not exhaustive. The Purchasing Agent/Coordinator shall have the authority to require the approval of the Director of IT for items or services not listed above that he or she feels meet the spirit of this requirement.

Bidding/Quoting: (General Purchases, non-Public Works)

Aggregate, not individual, purchases made, or anticipated to be made, over the course of a fiscal year for a given service or commodity shall require verbal quotes, written quotes, or bids as outlined below.

Cost	Requirement
< \$500	None
\$500 to \$5,000	3 Verbal Quotes (must be documented)
\$5,001 to \$20,000	3 Written Quotes
\$20,001 and greater	Formal Public Bid

Verbal and written quotes may be obtained by the requisitioning Department, but must be supplied to the Purchasing Agent/Coordinator prior to the approval of the Purchase Order. The Purchasing Agent/Coordinator shall keep the supporting documentation for each purchase requiring such.

For purchases costing Twenty Thousand dollars (\$20,001) and greater, the requisitioning Department shall provide the Purchasing Agent/Coordinator with detailed specifications and requirements for the goods and/or services being sought, and the Purchasing Agent/Coordinator shall prepare, post, and advertise the bid and shall receive, open, tabulate and retain all responses to such bids.

Professional Services:

Professional Services are exempted from the competitive bidding requirements of GML §103. Professional Services for the purposes of this policy are defined as those services requiring specialized skills, training or expertise, professional discretion or judgement, and/or a high degree of creativity. Examples of such services are: architectural, engineering, and legal services. In general, Professional Services are those services wherein the skills, training, and judgement of the vendor are critical to the outcome of the project.

Requests for Proposals (RFPs):

Due to the nature of Professional Services, it is not practicable to procure these services through a formal bidding process. Instead, a Request for Proposals should be utilized. A Request for Proposals outlines the proposed project and provides a detailed Scope of Work enumerating the exact deliverables and work product expected from respondents. The RFP should be used to evaluate the skills and proposed approach of each respondent as well as provide cost estimates of the intended work.

Evaluation of RFPs often requires considerable effort, and may require interviews with the leading candidates. The procedure for the evaluation of RFPs and awarding of Professional Services work is outlined below based on the estimated cost of the services sought by the RFP.

Thresholds:

Professional Services costing less than \$5,000 may be procured without a formal RFP. Services in this category must be procured with the involvement of the Purchasing Agent/Coordinator, but do not require a formal RFP. A written Scope of Work, accompanied by a written cost estimate or not to exceed contract amount, must be developed prior to engaging the vendor.

Professional Services costing more than \$5,000 and less than \$50,000 may require an RFP. The requesting Department shall take the proposed Scope of Work to their oversight committee and request a waiver from the RFP requirements of this policy if the requesting Department desires to procure services in this category without the issuance of an RFP. If the Department's oversight committee grants such a waiver, a detailed Scope of Work and written cost estimate, or not to exceed contract amount, must be developed prior to engaging the vendor. If the oversight committee has required an RFP be utilized to procure the desired services, the oversight committee shall also indicate at that time whether the Department, in conjunction with the Purchasing Agent/Coordinator and County Administrator shall review the RFP responses, or if the oversight committee would like to evaluate the RFP responses and select the successful respondent.

Professional Services costing \$50,000 or greater require an RFP. In extenuating circumstances, the Finance Committee may waive this requirement when, in their opinion, an RFP would not substantially influence the procurement of the requested services. For Professional Services costing \$50,000 or greater, the oversight committee shall approve the Scope of Work to be included in the RFP and shall be responsible for the evaluation of responses and selection of the successful respondent.

Presented to the Gov. Ops. Committee 2/20/18

Procurement Card:

The County maintains and utilizes a procurement card. This procurement card allows the County to make purchases that require a Credit Card rather than a traditional Purchase Order as well as provides certain rebates to the County based on the amount of purchases made through the Procurement Card in a given period of time.

The Purchasing Agent/Coordinator shall determine in what circumstances it is in the best interest of the County to utilize the Procurement Card for certain transactions. This will include those instances where standard Purchase Orders are not accepted by the vendor such as when reserving hotel rooms or booking travel arrangements.

In addition, the Procurement Card allows the County to take advantage of online vendors that have recently shown their ability to routinely beat State Contract pricing for certain goods. When processing requisitions, the Purchasing Agent/Coordinator will endeavor to find the best possible value for the goods being purchased and shall have the authority and ability to utilize online vendors and the Procurement Card when required.

It is the policy of Washington County that the County does not pay sales tax on purchases. Some online vendors and out-of-state Hotels, do not recognize the County's Tax Exempt status and require the County to pay sales tax. In cases where the total cost of the purchase, plus Sales Tax, is less than the purchase from a vendor who honors the County's Tax Exempt status, the Purchasing Agent/Coordinator is hereby authorized to pay sales tax to these vendors, given that the total amount paid must represent a savings to the County and its residents.

Requisitions from Departments that require the use of the Procurement Card for various reasons, shall be accompanied by a *Procurement Card Authorization Form* (Appendix C). Any Procurement Card Requests for overnight or out-of-state travel must also be accompanied by an *Overnight Stay Authorization Form* (Appendix D).

Compliance:

All Department Heads shall be provided with a copy of this policy upon the commencement of the employment as a Department Head. Each Department Head shall, read, and sign the Department Head Attestation (Appendix E) to confirm that they have been provided with a copy of this policy and have duly reviewed and understood the same. The completed Department Head Attestation shall be filed with the County Administrator no later than 30 days from the date of appointment.

In the event this policy undergoes substantial amendment or alterations, the Government Operations Committee may require that updated copies of the policy be formally distributed to all Department Heads and that all Department Heads complete and file updated Department Head Attestation Forms with the County Administrator. In such an event, Department Heads shall have 30 days from the date they receive the updated policy to file such forms with the County Administrator.

Department Heads shall have the ability to designate an employee or employees within their department to carry out purchasing duties. In such cases where a Department Head elects to do so, a Purchasing Agent Authorization Form (Appendix F) must be completed and signed by the Department Head and filed with the Purchasing Agent/Coordinator prior to the execution of any purchasing duties by the employee or employees so designated by the Department Head.

In the event that the Purchasing Agent/Coordinator, County Administrator, or Audit Committee determine there has been a violation of this policy, the Audit Committee may take disciplinary action against said Department Head pursuant to NYS Civil Service section 75. These disciplinary actions may include one or more of the following, as laid out in section 75 of the NYS Civil Service law:

- 1) A Fine not to exceed \$100
- 2) Suspension with or without pay. (Suspensions without pay not to exceed 30 days)
- 3) Formal Reprimand
- 4) Demotion
- 5) Termination

In such cases where disciplinary action is deemed appropriate, the Audit Committee shall consult with the County Attorney and Personnel Director to ensure disciplinary actions taken comply with the requirements outlined in the section of law referenced above.

Appendix A:

Budget Officer Equipment Purchase Authorization Form

Attach form here.

Appendix B:

IT Purchase Authorization Form

Attach form here.

Appendix C:

Procurement Card Authorization Form

Attach form here.

Appendix D:

Overnight Travel Authorization Form

Attach form here.

Appendix E:

Department Head Attestation

Attach form here.

Appendix E:

Purchasing Agent Authorization Form

Attach form here.

Presented to the Gov. Ops. Committee 2/20/18

New York Consolidated Laws, General Municipal Law - GMU § 104-b. Procurement policies and procedures

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1. Goods and services which are not required by law to be procured by political subdivisions or any district, the procurement to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys in the best interests of the taxpayers of the political subdivision or district, 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 governing board of every political subdivision and any district therein, by resolution, shall adopt internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of section one hundred three (https://1.next.westlaw.com/Link/Document/FullText?

findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000086&refType=LQ& of this article or of any other general, special or local law. In cities with a population of one million or more, the procurement policy board shall develop and promulgate such policies and procedures by rule.

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 pursuant to subdivision three of section one hundred three (https://1.next.westlaw.com/Link/Document/FullText?

findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000086&refType=SP& or section one hundred four (https://1.next.westlaw.com/Link/Document/FullText?

findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000086&refType=LQ& of this article, section one hundred seventy-five-b of the state finance law

(https://1.next.westlaw.com/Link/Document/FullText?

findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000138&refType=LQ& B) , section one hundred eighty-six of the correction law

(https://1.next.westlaw.com/Link/Document/FullText?

findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000064&refType=LQ& , 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;

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- e. require justification and documentation of any contract awarded to other than the lowest responsible dollar offeror, 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.
3. Comments concerning the policies and procedures shall be solicited from officers of the political subdivision or district therein involved in the procurement process prior to the enactment of the policies and procedures, and from time to time thereafter.
4. The governing board shall annually review its policies and procedures. In the case of a city with a population of one million or more, the annual review shall be the duty and responsibility of the procurement policy board.
5. The unintentional failure to fully comply with the provisions of this section shall not be grounds to void action taken or give rise to a cause of action against the political subdivision or district or any officer or employee thereof.
6. Notwithstanding any other provisions of this section or any provision of law, boards of education shall have the authority to include in the internal policies and procedures governing procurement of apparel or sports equipment, where such procurement is not required to be made pursuant to the competitive bidding requirements of section one hundred three ([https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000086&refType=LQ&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000086&refType=LQ&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))) of this article, a prohibition against the purchase of apparel or sports equipment from any vendor based upon either or both of the following considerations: (a) the labor standards applicable to the manufacture of the apparel or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or (b) the bidder's failure to provide information sufficient for boards of education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

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Figure 2: Professional Services Procured Without an RFP

Professional Services ^a	Expenditures
Insurance (1)	\$651,452
Speech Therapy (2)	\$117,355
Physician Services (1)	\$107,228
Delinquent Tax Searches (1)	\$71,300
Auditing (1)	\$63,730
Physical Therapy (2)	\$31,360
Occupational Therapy (1)	\$12,845
Total	\$1,055,270

^a Total number of service providers in each category shown in parentheses.

Although we found the services procured were for legitimate and appropriate County purposes, without obtaining RFPs, County officials and the Board are not assured that professional services are being procured in the most economical way and in the best interests of residents. County officials told us that they do not routinely solicit proposals and quotations for professional services. However, due to the recent revision in the County's procurement policy, they will seek RFPs in the future.

What Do We Recommend?

The Board, County Administrator and purchasing coordinator should ensure that:

1. The procurement policy and competitive bid laws are adhered to when purchasing goods or entering public works contracts in excess of the threshold established by policy or GML.
2. County officials and employees adequately document actions taken when soliciting bids and quotes, and retain documentation including other government contracts when used.
3. County officials and employees comply with the County's procurement policy when procuring goods and professional services.
4. Legal counsel is consulted to determine the steps to take to recover the \$11,343 in overcharges identified in this report.

	Warren	Madison	Steuben	Clinton	Franklin	Cattaragus professional services	Cattaragus Services
Purchasing and/or Department Heads	0-5000	No RFP if in	0-5000	0 - \$3000	1 - 1000 verbal		0-2500
Telephone Quotes with Fax Responses 3 vendors		best interest		3,001 - 8000			
Written Quotes	5001 - 20000	of county		8001-15000			2501-10000
RFPS	20001 -		5001 up	15001 up	1001- 50000	Encouraged	10001 up
Approval by Committee/Board	yes	yes	yes	yes all levels	yes	yes	yes 10K up
	exceptions		exceptions for HHS		there are some	lists specific	
	for certain				qualifications on	professional services	
	professional services				the rfp process up to 50000		
					based on		
Cites 401b	Yes	Yes		Yes	Yes	Yes	Yes