

MHLS Purchasing Policy

Effective Date: 3/10/2011

Revised Date: 9/14/2016

It is the policy of the Mid-Hudson Library System (MHLS) to obtain the maximum value when purchasing goods and services required for the effective operation of the organization consistent with the provisions of this policy, **the MHLS Environmental Sustainability Policy**, standard business practices, and in accordance with applicable laws and statutes.

MHLS requires competitive bids for certain items and services to keep costs at a minimum; to give interested, qualified suppliers an equal opportunity to supply goods and services to MHLS; and, to guard against favoritism, improvidence, extravagance, fraud, and abuse. This policy sets forth the provisions to ensure compliance with applicable General Municipal Law and MHLS policies.

MHLS is a cooperative library system. It is neither a political subdivision of the State nor a district thereof and is not subject to General Municipal Law except when purchasing for a member library that must comply with New York State statutes.

No purchases of goods and services for MHLS may be made in a manner that violates this policy. Only the Executive Director or his/her designee may make purchases or commit to make purchases on behalf of the Mid-Hudson Library System. Thus, with the few exceptions set forth within, all purchases require advance planning and the preparation of a purchase order.

When MHLS executes procurement actions for itself or member libraries that are required to comply with New York State purchasing regulations, all purchasing actions will be in accordance with applicable General Municipal Law.

When MHLS executes procurement actions for itself or member libraries that are not required to comply with New York State purchasing regulations, MHLS local policies shall apply:

Public Works ¹	Up to \$35,000	Discretion of Executive Director/Designee
Public Works	Over \$35,000	Competitive bidding requirements ²
Other Purchases or Services	Up to \$20,000	Discretion of Executive Director/Designee
Other Purchases or Services	Over \$20,000 to \$49,999	Competitive bidding requirements ³

NYSED/ P-12/SOMS/Educational Management Services/District Management/Purchasing/Purchasing Handbook - Public works contracts apply to those items or projects involving labor or both materials and labor. The law does not cover professional service contracts such as for insurance, electricity, water, or services performed by engineers, architects, and attorneys.

¹ <http://www.p12.nysed.gov/mgtserv/purchasing/handbook3.html>

² <https://www.osc.state.ny.us/localgov/training/modules/capplan/three/bids.htm>

³ Ibid.

For Public Works up to \$35,000 and Other Purchases or Services up to \$20,000:

- For all Public Works or Purchases/Services below \$2,500, quotes will be sought from at least two bidders. Quotes may be verbal and/or in writing. Quotes may be made without public advertisement. MHLS shall make an award based on the most responsible quote that is in the best interest of MHLS.
- For all Public Works or Purchases/Services more than \$2,500 and less than \$10,000, quotes will be sought from at least two bidders. Quotes will be in writing. Quotes may be made without public advertisement. MHLS shall make an award based on the most responsible quote that is in the best interest of MHLS.
- For all Public Works or Purchases/Services more than \$10,000 but below the public bidding limit, quotes will be sought from at least three bidders. Quotes will be in writing. Quotes may be made without public advertisement. MHLS shall make an award based on the most responsible quote that is in the best interest of MHLS.

Competitive bidding may not apply for:

- Purchases through New York State contracts
- Items to be purchased from a “sole source”
- Purchases or public works required in an emergency
- Professional services

Single and sole source purchases are allowed. Single source purchases are those in which other qualified sources may be available but competition would not be beneficial because of prior agreements or technical considerations. Sole source purchases are those in which there are no other qualified suppliers. In the absence of competition, reasonable attempts to negotiate fair and reasonable pricing are required.

Reasonable efforts will be made to ensure suppliers providing goods and services to MHLS are qualified and reputable. It is MHLS policy to purchase goods and services from qualified local sources when prices are fair and reasonable.

The Executive Director and the Finance Manager shall be responsible for establishing procedures that comply with the requirements of this policy and demonstrate efficient controls.