SYRACUSE ECONOMIC DEVELOPMENT CORPORATION

333 West Washington Street, Suite 130
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PROCUREMENT POLICY

I. Introduction

A. Scope:

In accordance with Article 18-A of the New York State General Municipal Law (GML), Section 104-b of the GML and the Public Authorities Reform Act of 2009, the Syracuse Local Development Corporation (the "Corporation"), is required to adopt procurement policies which will apply to the procurement of goods and services paid for and for its own use and account.

B. Purpose:

The primary objectives of this Policy are to assure the prudent and economical use of public monies in the best interests of the taxpayers of the City of Syracuse, 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.

II. Procedures

A. Procurement Policy

1. Determination Required – Prior to commencing any procurement of goods and services, the Executive Director or an authorized designee shall prepare a written statement setting forth the basis for (1) the determination that competitive bidding is not required for such procurement, and if applicable (2) the determination that such procurement is not subject to any requirements set forth in this policy. Such written statements shall be maintained by the Executive Director or such authorized designee in a specially designated procurement file.

2. Procedure for determining whether Procurements are subject to Competitive Bidding – The procedure for determining whether a procurement of goods and services is subject to competitive bidding shall be as follows:

    a. The Executive Director or an authorized designee shall make the initial determination as to whether competitive bidding is required. This determination will be based on Section 103 of

the GML which requires competitive bidding for expenditures of (1) more than $7,500.99 for the performance of any public works contract (services, labor or construction), and (2) more than $7,500.99 for any purchase contract (acquisition of commodities, materials, supplies or equipment).

b. The Executive Director or such authorized designee shall review the purchase request against prior years' expenditures and a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate purchases of a similar nature will exceed the above competitive bidding procedures shall be followed for said expenditure.

c. The Executive Director or such authorized designee shall present any legal issues regarding the applicability of the competitive bidding requirements stated herein to the Corporation's Counsel.

3. Methods of Competition to be used for Non-Bid Procurements and Procurements Exempt by Statute – Alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals or written quotations, verbal quotations or any other method of procurement which furthers the purposes of this Section except for items excepted herein (see 7 below) or procurements made pursuant to:

a. GML, Section 103 (3) (through county contracts), or

b. GML, Section 104 (through state contracts), or

c. State Finance Law, Section 175-b (from agencies for the blind or severely handicapped), or

d. Correction Law, Section 186 (articles manufactured in correctional institutions).

4. Procedure for the Purchase of Commodities, Equipment or Goods Under$7,500

$0.00 to $1,000	The discretion of the Executive Director.
$1,001 - $3,000	Documented telephone quotations from at least three vendors (if available)
$3,001. - $7,499	Written/fax quotations from at least three vendors (if available)
At or Over $7,500	Formal Bid

5. Procedure For The Purchase of Public Works of Services Under $7,500

$0.00 to $1,000	The discretion of the Executive Director.
$1,001 - $3,000	Documented telephone quotations from at least three vendors (if available)
$3,001 - $7,499	Written/fax quotations from at least three vendors (if available)
At or Over $7,500	Formal Bid

B. Documentation:

1. A record of all solicitations for alternative proposals or quotations, the response (if applicable), and any determinations pursuant thereto shall be maintained in the procurement file.

2. For each procurement by the Corporation the Executive Director or authorized designee shall set forth in writing the category of procurement that is being made and what method of procurement is specified.

3. Whenever an award is made to other than the lowest responsible dollar offer the reasons for doing so shall be set forth in writing and maintained in the procurement file.

4. 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.

C. Procedure For The Award Of Quotations:

1. Quotes will be awarded to the lowest responsible and responsive vendor who meets the specifications.

2. Circumstances that may justify an award to one other than the lowest cost quoted, include, but are not limited to delivery requirements, quantity, past vendor performance, etc. Whenever an award is made to one other than the lowest quote, this shall be indicated in writing and Board approved.

3. Circumstances may exist that preclude the availability of three or more vendors who are able to quote on a procurement. In other situations, it may be in the best interest of the Corporation to

consider only one vendor who has previous expertise relative to a procurement. Whenever the specified number of quotations cannot or will not be secured, the reason for this shall be indicated in writing and maintained in the requisition file.

D. Exceptions:

Alternative proposals or quotations shall not be required for the following procurements:

1. **Emergency Situation**
   An emergency exists if the delay caused by seeking competitive bids would endanger the health, welfare or property of the Syracuse Economic Development Corporation or of its citizens. Approval of the Executive Director is necessary, which shall be documented and shall also include a description of the situation that gave rise to the emergency.

2. **Sole Source Procurements**
   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.

3. **City of Syracuse Contracts**
   When the Corporation is able to procure goods and services through City of Syracuse contracts, it will be unnecessary to obtain formal quotations or bids.

4. **Insurance**
   All insurance policies shall be procured in accordance with the following procedures:

Premium Less than $10,000	documented telephone quotations from at least three agents (if available)
Premium Over $10,001	written quotations/fax or proposals from at least three agents (if available)

5. **Professional Services**
   This category includes services requiring special or technical skill, training or expertise. The individual, company or firm must be chosen based on accountability, reliability, responsibility, skill, conflict of interest, reputation, education and training, professional judgment, integrity and continuity of service. Professional service agreements are not required to be awarded to the lowest

responsible bidder, but rather the Corporation may use a selection process to determine the most qualified proposal to perform the services .All contracts for professional services shall be awarded based upon a request for proposal process. If the cost of the service is not more than $10,000, the Executive Director may authorize the agreement and shall notify the Board of such contract.

III. Local Preference and Minority and Women Owned Enterprises.

It is the preference of the Corporation to provide opportunities for the purchase of goods and services from (i) business enterprises located in the City of Syracuse and (ii) certified minority and/or women-owned business enterprises. To that end, the Corporation will utilize available lists of M/WBE firms certified by the City of Syracuse and will solicit bids and proposals from such businesses by notifying them of opportunities to submit proposals and bids for goods and services. MBE and WBE businesses will be provided with sufficient time to submit proposals in response to solicitations.

IV. Annual Review

The Corporation shall annually review its procurement policies and procedures and the Corporation may, from time to time adopt different procedures or deviate from any of the above procedure, on a case-by-case basis.

Adopted November 4, 2011