

## ROCKLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY PROCUREMENT POLICY

### **Statement of Policy**

Pursuant to Section 858(a)(2) of Article 18-A of the General Municipal Law (the "Act"), the Rockland Industrial Development Agency (the "Agency") must adopt internal policies and procedures generally requiring, for procurement exempt from competitive bidding, written requests for proposals and generally requires awarding contracts for goods or services to the lowest responsible offeror.

It is Agency policy to establish and incorporate internal procedures and controls for the acquisition of goods or procurement of services of any kind, in the actual or estimated amount of \$10,000 or more.

Responsibility for administration and implementation of this Procurement Policy is delegated to the Executive Director. The Executive Director shall establish written procedures for day-to-day operations consistent with this Procurement Policy.

### **Procurement of Goods and Services**

#### **1. Standardized Goods and Services**

The acquisition of goods and services of a standardized nature that may reasonably be made the subject of specifications, qualification data and price offers shall be made in accordance with the following procedures:

- a. Awards shall be made to qualified vendors/contractors based primarily on the lowest price;
- b. The Agency shall identify and apply a broad spectrum as possible of vendors/contractors for the procurement of general goods and common, non-technical services (i.e., cleaning services, property maintenance services, printing and copying services, etc.);
- c. The Agency shall solicit at least three (3) competitive bids when the goods or services required are of a standardized nature.

#### **2. Unique goods or specialized, technical or professional services**

It is Agency policy that contract awards be consistent with the quality of goods or services required at fair and reasonable prices for legal, accounting, architectural, engineering, etc.

- a. The Agency shall conduct a solicitation process for evaluating prospective contractors or professionals.
- b. The process may include formal, written Requests for Proposals (RFP) and/or Requests for Qualifications (RFQ), but in any event shall identify firms or individuals that exhibit an understanding of the financial, organizational, logistical requirements, and technical problems identified by the Agency.
- c. The Agency may negotiate proposals, including scope of work and prices for services, to complete the evaluation process.

### **3. Sole Source Procurements**

The procurement of materials, parts, supplies, equipment or services without competition, is done under exceptional and limited circumstances. Sole source procurements may be made in the following circumstances:

- a. When products or services can be obtained from only one (1) person or firm.
- b. When competition is precluded because of the existence of patent rights, copyrights, confidential processes, control of raw material or other such conditions.
- c. When the procurement is for electric power or energy, gas, water or other utility services where it would not be practical to allow a contractor other than the utility company itself to work upon the system.
- d. When the procurement is for technical services in connection with the assembly, installation or servicing of equipment of a highly technical or specialized nature.
- e. When the procurement is for parts or components to be used as replacements in support of equipment specifically designed by the manufacturer.
- f. When the procurement involves construction where a contractor is already at work on the site (based on an existing Purchase Order) and it would not be cost effective to engage another contractor.
- g. When the procurement involves an emergency.
- h. When competitive bids are solicited and, no responsive bid is received, or only a single responsive bid is received and is rejected.
- i. When a provider of services has unique qualifications.

### **4. Emergency Exemption**

In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition, whereby circumstances are adversely affecting Agency property or life, health or safety, and require immediate action which cannot avail competitive procedures, the Chair or his/her designee may award a contract without complying with the procedures outlined in this Procurement Policy. A record setting forth the circumstances under which such contract was let shall be maintained for a period of at least ninety days following the date of approval.

### **5. Authorization and Approval**

The Agency shall approve all professional services contracts by resolution.

### **6. Exceptions**

The Agency may purchase goods valued below \$10,000.00 without complying with the procedures outlined in this Procurement Policy.