

## Procurement

- I. Sayville Library shall be in full compliance with the provisions of New York Law regarding public work and public purchase contracts.
- II. Except as provided by law, e.g. emergency situations, all public work contracts in excess of \$35,000 and all purchase contracts in excess of \$20,000 shall be subject to the laws and regulations concerning competitive bidding.
- III. For public work and purchase contracts which fall below the competitive bidding thresholds, as described in #II above, the following conditions shall apply:
  - (a) Whenever practicable, at least three (3) price quotes for goods and services to be acquired, shall be obtained. Such price quotes may be either written or verbal and record of such quotes will be retained.
  - (b) Goods or services procured under New York State, Suffolk County, or municipal contracts, shall be exempt from the comparative price quote requirement stated above.
  - (c) Under normal circumstances, contracts shall be awarded to the lowest responsible bidder. Circumstances under which the contract may not be awarded to the lowest responsible bidder may include, but are not limited to:
    1. Vendor cannot guarantee delivery of goods or services within the time frame or under the conditions established by Sayville Library.
    2. Vendor's terms of payment are disadvantageous to the Library, e.g. full payment before commencement of work or delivery of goods.
    3. Vendor cannot comply with the full specifications of goods or services as set forth by the Library.
    4. Vendor's warranty for goods or services is deemed inadequate by the Library.
    5. Vendor's after purchase support service are deemed inadequate by the Library.
    6. Emergency purchases: when the need for the procurement of goods and services arises from an unseen emergency situation as defined in Section 103 (4) of the general Municipal Law, whereby such circumstances affect public buildings, public property, the life health safety of the inhabitants of the Sayville Library District, the Sayville Library board shall pass a resolution declaring an emergency prior to purchase, if feasible. Thereafter, the Board may make emergency purchases seeking competition by informal solicitation to the extent possible.
- IV. Items excerpted from the policies and procedures by Library Board:

The Sayville Library Board of Trustees, in accordance with the exceptions noted in General Municipal Law, Section 103, and reference below, has determined that

competitive bidding will not be the best interest of the Library in the following situations:

**Professional Service Contracts:** The determination of whether a professional service exception is applicable will be made on a case by case basis, examining the particular services to be acquired.

**Second Hand Equipment from Governments:** The purchase of surplus supplies, materials, and equipment from the federal, or state government, or any of its political subdivisions, is an exception to the competitive bidding process.

#### **V. Separate specifications for certain public work**

General Municipal Law, Section 101 states that contracts for the erection, construction, reconstruction or alteration of buildings when the entire cost of such public work shall exceed one million five hundred thousand dollars (\$1,500,000), separate specifications for the following three subdivisions of the work to be performed will be prepared: plumbing and gas fitting; hot water heating, ventilating and air conditioning apparatus.

#### **VI. Unintentional failure to comply:**

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

**VII.** No purchase of goods or services shall be made from any vendor in which an elected official of the Library or member of the Library administration hold a full or partial interest.

#### **VIII. Sustainable Purchasing**

Sayville Library will support responsible use of its resources in an effort to decrease its impact on the environment. Toward that end, the Library shall, wherever practicable and efficient, endeavor to use sustainable and environmentally sound procurement practices in purchasing supplies and equipment for the Library.

Vendors with environmentally sound and sustainable business practices will be prioritized when possible as part of the Library's commitment to sustainability and its Sustainable Library Certification.

Library purchasing agents shall take factors, such as the following, into consideration when making purchases for the Library, although this is not an exhaustive list:

- (a) Recyclability of the items
- (b) Amount of post-consumer recycled content in the items and packaging
- (c) Disposal of items such as batteries and hardware
- (d) Transportation distances and impacts for delivery of the items

- (e) Ability for an item to be repaired or repurposed rather than re-purchasing
- (f) The environmentally friendly practices of the vendors under consideration

Nothing in this policy shall prohibit the Library from considering a product or vendor that is more suitable for the intended use and/or available at a more competitive price that does not meet these aspirational standards.

**IX.** This Procurement Guideline Policy shall be reviewed annually at the July meeting of the Board.

July 1997  
Amended July 11, 2011  
Reviewed July 10, 2017  
Reviewed July 9, 2018  
Reviewed July 8, 2019  
Reviewed July 13, 2020  
Reviewed July 12, 2021  
Reviewed July 11, 2022  
Amended September 13, 2022  
Reviewed July 10, 2023  
Reviewed July 8, 2024