

## Hollwedel Memorial Library Procurement Policy

The Hollwedel Memorial Library is subject to procurement and purchasing procedures outlined in New York's General Municipal Law, Sections 103 and 104. Procurement of materials and services not expected to exceed thresholds identified in General Municipal Law §103 or 104<sup>1</sup> shall conform to the following procedures:

1. Purchase of single items or services up to \$999.99 are at the discretion of the Library Manager and do not require solicitation of written quotes or bids.
2. Purchases of single items or services between \$1,000 and \$19,999.99 require solicitation of three written quotes. Quotations may be solicited in whatever manner is deemed most appropriate by the Library Manager, with written quotes submitted to the Board of Trustees for review and selection.
3. A record shall be maintained indicating the date and source of the response to the solicitation.
4. Catalogs or price lists may be substituted for written quotes.
5. If it is not possible to solicit three quotes, written documentation is necessary to demonstrate presence of less than three suppliers, or other explanatory information.

It is the policy of the Library Board of Trustees to award contracts for goods and services, as recommended by the Library Manager, based on quoted price, references, and any other factors it deems to be in the library's interest. Trustees have discretion of not making a purchase from the offer of the lower price, provided a record is kept documenting the reason(s) for not accepting the lowest offer. The reason(s) shall be based on one or more of the following:

1. Failure of the vendor to deliver in a timely manner;
2. Failure of the vendor to deliver the specified product or products;
3. Failure of the product to perform in a manner comparable with products previously used;
4. Other reasons not in conflict with the intent of General Municipal Law 104b.

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<sup>1</sup> As of April 2016 thresholds identified in GML 103 and 104 are \$20,000 for item(s), and \$35,000 for services meeting the definition of "public work."

The following items do not require solicitation of quotes or bids.

1. Purchases of books, magazines, audio-visual, and other library materials intended for patron use are generally not subject to solicitation requirements.
2. Emergencies arising from 1) an accident or other unforeseen occurrence, 2) a situation in which public buildings, property, or residents are at risk, or 3) immediate action is required that cannot await competitive bidding.
3. State contracts which are regulated by the Office of General Services.
4. Sole-source purchases which may occur when there is no substantial equivalent, or when the product is available from only one source and is deemed necessary to the public interest.

A memo to the file should be made that details why the procurement is not subject to competitive bidding.

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

Adopted April 20, 2016