

Bill T 2022B A local law to amend the Code of the Village of Thomaston in relation to purchasing goods on the basis of best value.

Section one. The Code of the Village of Thomaston is hereby amended, by adding thereto a new article, to be Article 145, to read as follows:

“Article 145. Purchasing.

“§145-1. Purchasing goods by best value.

A. Purpose. The Board of Trustees of the Village of Thomaston hereby finds that contracts for the procurement of goods required by law to be awarded by competitive bidding should be awarded in a manner that assures the most prudent and economical use of public monies and guards against favoritism, extravagance, fraud and corruption. The Board finds further that, while the lowest responsible bidder method has long been the accepted method of awarding such contracts, that method may not always offer the most cost-effective or efficient option in the long-term. Accordingly, the Board wishes to exercise its authority pursuant to Section 103 of the General Municipal Law to permit the Village to utilize the best value standard of procurement, as an alternative to lowest responsible bidder, on appropriate contracts for the procurement of goods.

B. Standard for award of purchase contracts to other than the lowest responsible bidder. For purposes of this chapter, "best value" shall have the meaning provided in § 163(1)(j) of the State Finance Law, as amended from time to time. All bid offerings advertised by the Village for the purchase of goods and related service work shall be issued on the basis of lowest responsible bidder unless the Board of Trustees or the Village Administrator authorizes the use of the best value standard. Best value shall not be available for award of purchase contracts needed for the completion of a public works contract.

C. Notice. In each instance in which the best value standard is to be used, the required bid advertisement shall include notice to all prospective bidders that the purchase contract will be awarded on the basis of best value rather than based upon the standard of lowest responsible bidder. No such notice shall be required where the Village is authorized by law to purchase goods without being required to advertise for competitive bids, and the Village may

accept a proposal for such purchase on the basis of best value without giving prior notice.

D. To the extent reasonably practicable, proposals for purchase contracts in excess of \$20,000 shall be evaluated, documented and awarded in the same manner and to the same extent as provided in the then current Village Procurement Policy with respect to purchases which are not subject to competitive bidding.”

Section two. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.