

Common Council Special Meeting
Common Council Chambers
City Hall
Cohoes, New York 12047

AGENDA

January 5, 2016, 7:00 p.m.

- Roll Call
- Ordinance No. 1 – Amend the Code regarding the purchasing procurement policy
- Public comment

ORDINANCE NO. 1 FOR THE YEAR 2016

Members of the Common Council William J. Smith, Donald T. Russell, Christopher M. Briggs, William B. McCarthy, Stephen A. Napier Jr. and Randy S. Koniowka, ask for unanimous consent for the introduction and passage of the following Ordinance:

AN ORDINANCE TO AMEND CHAPTER 67, ARTICLE II, SECTION 67-7, 67-9 and 67-11 OF THE CITY CODE WITH RESPECT TO THE PURCHASING PROCUREMENT POLICY.

WHEREAS, the Board of Managers has approved an update to the Purchasing and Procurement Policy for the City and its employees,

NOW, THEREFORE, the City of Cohoes in Common Council convened ordains as follows:

Section 1. Chapter 67 Article II §67-7 is hereby amended to read as follows:

§ 67-7. Required number of proposals.

[Amended 2-22-2000 by Ord. No. 2-2000]

- A. The following method of purchase will be used when required by this policy in order to achieve the highest savings: By all department heads excluding the mayor.

Estimated Amount of Purchase Contract, Public Work Contract	Method
\$0 to \$1,499.00	Discretion of Department heads
\$1,500.00 to \$19,000.00	3 written/fax quotations or written request for proposals.

- B. The Mayor can make a purchase of \$0 to \$9,999.00 without quotes or other approval.
- C. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.
- D. The exceptions found in §§ **67-6B** and **67-9** may apply to written quotations even where competitive bidding is not required. The requisitioning department head should discuss this with the Purchasing Agent when appropriate.

[Added 2-22-2000 by Ord. No. 2-2000]

[1] Editor's Note: Former §67-7, Receiving and authorization, was repealed 2-22-2000 by Ord. No. 2-2000, which local law also renumbered §67-8 as §67-6.

Section 2. Chapter 67 Article II § 67-9 (D) is amended as follows:

- D. Goods or services under \$1,499.00. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

Section 3. Chapter 67 Article II §67-11 (A) is amended as follows:

- A. Except as otherwise provided by law, it shall be the duty of the Board of Managers, where the total cost during the period of service is \$10,000.00 - \$49,999.00, and for such other expenditures for services exceeding this sum when established by ordinance of the Common Council, after public notice and in accordance with regulations to be prescribed by general ordinance of the Common Council, to direct the Purchasing Agent to let the lowest responsible bidder, who will give adequate security therefor, all contracts for public work involving an expenditure of more than \$35,000 and to direct the Purchasing Agent to let to the lowest responsible bidder, who will give adequate security therefor, all purchase contracts involving an expenditure of more than \$20,000 or as may be set forth in §103 of the General Municipal Law, and amendments thereto or successor, unless by ordinance of the Common Council, unanimously adopted and unanimously approved by the Board of Managers, it is determined to be impracticable to procure such work or materials, or both, by contract, in which case said ordinance shall direct the Purchasing Agent to procure such work or purchase such materials. If, for reasons of efficiency or economy, there is a need for standardization, purchase contracts for that particular type of standard equipment, materials or supplies of more than \$20,000 or as may be set forth in §103 of the General Municipal Law, and amendments thereto or successor, may be awarded by the Board to the lowest responsible bidder furnishing the required security after resolution or vote of a least 2/3 of the members of the Common Council, which resolution shall contain a full explanation of the reasons for its adoption and which shall further direct the Purchasing Agent to make such purchase.
[Amended 5-22-2012 by Ord. No. 3-2012]

Section 4. This Ordinance shall take effect immediately.

Approved as to form this 5th day of January 2016.

Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this _____ day of January 2016.

Clerk

President

I hereby approve the foregoing Ordinance of the Common Council.

Date

Mayor of the City of Cohoes, New York