

**FINANCE COMMITTEE**

**June 8th, 2021**

**8:30 a.m.**

Members: Leonard, Bender, Groat, Verkey, Robusto

8:30 a.m. Approval of previous meeting minutes

8:30 a.m. Resolutions Referred to Committee

8:35 a.m. DISCUSSION:

- Authorization for MH Department to create new positions and amend 2021 County budget [MH06RES2 Positions & Amend Budget REV3.docx](#)

8:55 a.m. Information Technology, Matt Ury

TRANSMITTAL:

- Abolish IT Support Specialist position, create Computer Services Assistant [IT 06 RES 01- AUTHORIZATION TO ABOLISH AN IT SUPPORT SPECIALIST POSITION AND CREATE A COMPUTER SERVICES ASSISTANT POSITION IN THE INFORMATION TECHNOLOGY DEPARTMENT..doc](#)

9:10 a.m. County Attorney, Dan Connors

NO BUSINESS

9:10 a.m. Auditor, Kristen Scott

REPORT: [AUDIT MAY 2021 REPORT.docx](#)

TRANSMITTAL:

- Authorize the Adoption of revised WC purchasing policy [AUDIT 06 RES 01 AUTHORIZE THE ADOPTION OF THE REVISED WAYNE COUNTY PURCHASING POLICY EFFECTIVE JULY 1ST 2021 AND RESCINDING RESOLUTION NO. 522 20.doc](#)

9:25 a.m. Real Property Tax, Karen Ambroz

REPORT: [RPT 05\\_21Monthly Report.doc](#)

TRANSMITTALS:

- Part Time Temporary Tax Map Technician [RPT 06 RES 01 Overtime Line REV1.doc](#)

9:40 a.m. Treasurer, Patrick Schmitt

REPORTS: [TRE June 2021 Monthly Report.docx](#)

- Interest income Tracking 2021 [Interest Income Tracking 2021.pdf](#)

TRANSMITTALS:

- Estate Burial cost, Amend TRE Budget [TRE 06 RES 01 -Estate Burial Cost Amend TRE Budget.doc](#)
- Accept Federal American Rescue Plan Act Fund, Amend 2021 County Budget [TRE 06 RES 02 Accept Federal American Rescue Plan Act Fund Amend Co Budget.doc](#)

10:00 a.m. Fiscal Assistants, Ken Blake/ Brian Sams

TRANSMITTALS:

- Capital Plan adoption [COTB 06 RES 01Capital Plan Adoption.doc](#)

Budget update

10:20 a.m. Land Bank, Mark Humbert

Update

## **Audit Department Report**

Finance Committee

June 8<sup>th</sup>, 2021

Invoices Audited; 1,491

Invoices Approved and Paid; 1,486

Invoices Denied; 5 invoices were denied payment during the month of May;

Two invoices did not have a current contract with the CA's Office

Two AC invoices appeared to be duplicate invoices, after reaching out to this AC attorney it was determined that two different invoices were submitted for the same representation of a client.

One invoice did not provide all of the necessary information

Invoices Altered prior to Approval; 8 invoice amounts were altered prior to approval and payment for the following reasons;

Vendor invoiced in excess of contracted amounts

Incorrect mileage rate

Amounts included on invoice were paid previously

Audits/Projects being worked on;

The Purchasing Policy was reviewed and updated to conform to the approved changes to the insurance requirements required for contractual agreements amended by resolution 235-21, as well as the personnel changes that were adopted by the Board in May with resolution 257-21. The proposed amendments to the Purchasing Policy were reviewed by both the County Attorney and County Administrator prior to submission to the Finance Committee.

The Purchasing Agent and I met with the County's Staples representative several times to continue the implementation of the County's print program. Several proofs of the print items were approved by the Purchasing Clerk and the Audit Office, and we anticipate the program rollout on Staples website will occur in early June.

The engagement letter for the Business Associate Audit was sent to the Compliance Officer in early April. This audit will begin once our office receives the necessary information from the Compliance Officer.

Attended an accounting webinar training held by the Office of the NYS Comptroller.

Next on the Agenda;

The Audit Office will begin working on the Business Associate Audit for the Compliance Office once the necessary information is provided by the Compliance Officer.

The engagement letter for the Civil Office Audit performed annually at the request of the Sheriff will be sent in June.

Continue working with the Purchasing Department and County Attorney's Office to plan a contract module/purchasing policy training near the end of June via Zoom.

The Internal Audit Clerk will continue the audit of the County's vendor files.

Real Property Tax Services  
Activity Report  
May 2021

Our mission is to fulfill the requirements of New York State Laws and Regulations and to provide services for assessors and local government officials to achieve and maintain equitable assessments throughout Wayne County

Our Agency is here to serve you, ready to answer your questions, and address your concerns. Technical and professional assistance is available to county departments, local governments, school districts, taxpayers and the public for all aspects of real property assessment and taxation.

Through the Director and staff, the Wayne County Real Property Tax Services Agency takes great pride in the services we provide to all of Wayne County. This agency maintains the data related to the generation and publication of town, county, village and school assessment rolls, tax rolls and tax bills. We also publish tax maps.

BAR training was held both on site and virtually through Zoom on May 13 and 14<sup>th</sup>; with 22 people attending. I would like to say a huge Thank You to both Matt Ury and Joe in IT for all of the help getting this working. The procedure went fairly well. All on-site attendees were given their Certificate at the close of the training. All attendees through Zoom were mailed their Certificate. Copies of all Certificates were mailed to Town Clerks of the individual municipality.

I would encourage any town that currently has a 3 member BAR to consider increasing the BAR to a 5 member board. There are times when there is not a quorum with a 3 member board; therefore creating a cause for concern. When there is not a quorum, Real Property Tax Law states that the County Chairman of the Board of Supervisors, the Clerk to the Chairman and the County Treasurer become the "BAR" for that particular Grievance Day.

Grievance Day, for most municipalities, was held on May 25<sup>th</sup>. The municipalities that share an assessor would hold Grievance Day on a different day determined by the municipality

Village tax files were proofed, relevy amounts were keyed and bank codes, for the three largest mortgage servicers, were batch maintained before running the village bills. All Village tax bills were prepared and available for pick up by the Village Collectors by May 20. Bank code changes were exchanged and applied for CoreLogic and Wells Fargo and Lereta.

The tax map technicians assisted with "right of way" research, provided property ownership information to the Village of Sodus Point for possible trail, assisted LaBella in the derelict property study information exchange. In addition to assisting the general public, county departments and other agencies, there were in addition to 200 property transfers maintained.

Thank you

Karen Ambroz, CCD



County of Wayne  
**Office of the County Treasurer**  
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 Lyons, New York 14489-0008

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- During the month of May, initiated 11 new contracts with owners that have delinquent taxes to help them avoid tax foreclosure.
- Bonadio's 2020 audit work is wrapping up, presentation of the audit report is scheduled for July Finance Committee meeting.
- Tax Foreclosure Update – Last day to redeem was 5/28/21. The foreclosure process is over and parcels are not heading to auction.
- 2018 Tax Foreclosure:

<u>Date</u>	<u>Parcels Facing Foreclosure</u>
6/19/19	719
7/5/19	641
8/1/19	611
9/1/19	532
10/1/19	436
11/1/19	338
12/1/19	242
1/2/20	225
1/27/20	204
7/31/20	68
8/31/20	65
9/30/20	61
10/31/20	61
12/14/20	56
1/5/21	56
4/1/21	54
5/3/21	52
6/1/21	47

- 2019 Tax Foreclosure:

<u>Date</u>	<u>Parcels Facing Foreclosure</u>
8/5/20	581
9/30/20	445
11/2/20	334
1/5/21	193
2/2/21	174
3/1/21	165
4/1/21	140
5/3/21	93
6/1/21	49

Interest Income Tracking 2021:

	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Total	Budget	Difference (Under) / Over
General Fund (A)	\$ 391.44	\$ 5,110.07	\$ 196,947.99	\$ 26,278.01	\$ 111,254.23	\$ 237,988.14	\$ 76,789.22	\$ 73,923.23	\$ 178,694.22	\$ 123,897.55	\$ 229,222.47	\$ 140,421.34	\$ 1,400,917.91	\$ 520,500.00	\$ 880,417.91
Highway Fund (D)	\$ 22.66	\$ -	\$ 1.11	\$ -	\$ 2.41	\$ 1.36	\$ 0.14	\$ -	\$ 1.26	\$ 11.95	\$ -	\$ 11.03	\$ 51.92	\$ 200.00	\$ (148.08)
Highway Machine Fund (DM)	\$ 14.61	\$ 5.58	\$ 10.95	\$ 12.09	\$ 13.83	\$ 83.41	\$ 30.29	\$ 24.67	\$ 2.97	\$ 96.79	\$ 131.86	\$ 34.18	\$ 441.23	\$ 200.00	\$ 241.23
Nursing Home Fund (E)	\$ 39,815.87	\$ 56,765.25	\$ 35,023.90	\$ 65,394.86	\$ 58,864.61	\$ 64,688.52	\$ 78,488.21	\$ 20,072.28	\$ 91,769.53	\$ 28,113.88	\$ 26,883.34	\$ 65,238.33	\$ 639,116.38	\$ 350,966.00	\$ 288,150.38
Capital Project Fund (H)	\$ 5,203.13	\$ 15,625.72	\$ 44.77	\$ 13,640.01	\$ 168.64	\$ 1,880.71	\$ 180.53	\$ 9,235.34	\$ 92.53	\$ 2,899.56	\$ 2,977.46	\$ 4,049.07	\$ 55,977.47	\$ 27,831.66	\$ 28,145.81
Work Comp Fund (S)	\$ 11,985.36	\$ 16,321.91	\$ 30.75	\$ 17,697.77	\$ 20,261.28	\$ 3,614.89	\$ 18,070.59	\$ 18,892.98	\$ 15,066.87	\$ 6.16	\$ 8,014.05	\$ 27,001.65	\$ 156,964.28	\$ 30,000.00	\$ 126,964.28
	\$ 57,432.89	\$ 93,828.53	\$ 232,059.47	\$ 123,022.74	\$ 190,565.00	\$ 308,237.03	\$ 173,536.98	\$ 130,148.50	\$ 285,627.38	\$ 155,025.89	\$ 267,229.18	\$ 236,755.60	\$ 2,253,469.19	\$ 929,697.66	\$ 1,324,747.68

	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Total	Budget	Difference (Under) / Over
General Fund (A)	\$ (807.63)	\$ 157,082.18	\$ 20,119.83	\$ 35,151.98	\$ 28,173.77	\$ 208,287.17	\$ 97,411.93	\$ 12,328.15	\$ 189,493.91	\$ 30,269.94	\$ 2,021.42	\$ 224,281.27	\$ 1,004,533.92	\$ 775,500.00	\$ 229,033.92
Highway Fund (D)	\$ 11.31	\$ -	\$ -	\$ -	\$ -	\$ 0.07	\$ -	\$ 0.03	\$ -	\$ 6.99	\$ 0.94	\$ 34.53	\$ 53.87	\$ 200.00	\$ (146.13)
Highway Machine Fund (DM)	\$ 49.84	\$ 19.64	\$ 9.26	\$ 0.76	\$ 18.70	\$ 1.95	\$ 5.05	\$ 3.57	\$ 6.10	\$ 7.42	\$ 5.00	\$ 16.61	\$ 143.90	\$ 200.00	\$ (56.10)
Nursing Home Fund (E)	\$ 37,977.15	\$ 4,295.66	\$ 41,386.34	\$ 23,131.93	\$ 57,203.33	\$ 20,438.28	\$ 50,565.82	\$ 22,466.25	\$ 3,061.57	\$ 1,867.76	\$ 1,081.29	\$ 16,007.93	\$ 279,503.31	\$ 500,000.00	\$ (220,496.69)
Capital Project Fund (H)	\$ 19,476.89	\$ 37.06	\$ 1,276.49	\$ 127.52	\$ 235.51	\$ 148.14	\$ 161.85	\$ 114.67	\$ 114.79	\$ 135.06	\$ 147.25	\$ 130.45	\$ 22,105.68	\$ 88,066.33	\$ (65,960.65)
Work Comp Fund (S)	\$ 28.24	\$ 4,039.25	\$ 20,583.39	\$ 24.10	\$ 22.49	\$ 15.97	\$ 15.37	\$ 7,985.06	\$ 1,323.80	\$ 16.21	\$ 15.81	\$ 9,620.40	\$ 43,690.09	\$ 140,000.00	\$ (96,309.91)
	\$ 56,655.80	\$ 166,273.79	\$ 83,375.31	\$ 58,436.29	\$ 85,653.80	\$ 228,891.58	\$ 148,160.02	\$ 42,897.73	\$ 194,020.17	\$ 32,303.38	\$ 3,271.71	\$ 250,091.19	\$ 1,350,030.77	\$ 1,503,966.33	\$ (118,126.36)

	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total	Budget	Difference (Under) / Over
General Fund (A)	\$ 4,105.77	\$ 6,519.98	\$ 136,586.18	\$ 79,770.83	\$ 16,266.67	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 243,249.43	\$ 700,300.00	\$ (457,050.57)
Highway Fund (D)	\$ 69.29	\$ 34.49	\$ 13.14	\$ 5.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 122.34	\$ 100.00	\$ 22.34
Highway Machine Fund (DM)	\$ 23.11	\$ 10.66	\$ 3.48	\$ 3.62	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40.87	\$ 200.00	\$ (159.13)
Nursing Home Fund (E)	\$ 214.65	\$ 5,115.25	\$ 3,513.94	\$ 4,121.04	\$ 79.39	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,044.27	\$ 500,000.00	\$ (486,955.73)
Capital Project Fund (H)	\$ 139.80	\$ 93.62	\$ 67.27	\$ 55.01	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 355.70	\$ 110,172.01	\$ (109,816.31)
Work Comp Fund (S)	\$ 23.23	\$ 401.23	\$ 1,115.85	\$ 34.02	\$ 18.32	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,592.65	\$ 150,000.00	\$ (148,407.35)
	\$ 4,575.85	\$ 12,175.23	\$ 141,299.86	\$ 83,989.94	\$ 16,364.38	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 258,405.26	\$ 1,460,772.01	\$ (1,236,509.39)

17.69% of total Budget

## RESOLUTION TRANSMITTAL

Committee No. 6  
Jacobs  
Head: James Haitz

Date: June 1, 2021

Committee Chair: Susie  
Department

### **AUTHORIZATION FOR THE MENTAL HEALTH DEPARTMENT TO CREATE NEW POSITIONS AND AMEND THE 2021 COUNTY BUDGET**

WHEREAS, in February 2021 the Wayne County Department of Mental Health and its community based behavioral services agency, Wayne Behavioral Health Network (WBHN), were named the recipient of a \$4-Million dollar federal SAMSHA "Certified Community Behavioral Health Clinic (CCBHC)" grant for their Wayne County Behavioral Health Clinic Expansion Initiative; and

WHEREAS, WBHN provides a comprehensive array of community based out-patient mental health and addiction treatment and support services to adults & children. The funding is intended to allow WBHN to expand clinic services to those in need of mental health and/or addiction treatment & supports; also expanding hours for immediate 24/7 access to Crisis Intervention Team Mobile Service; expanding 24/7 access services to mental health, opioid & addiction services through the Wayne County Regional Open Access Center; expanding services of the Center for Treatment Innovation (COTI) Mobile Response Team; expanding satellite school & college campus based treatment clinics; expanding collaboration with law enforcement agencies in responding to behavioral health related calls and providing telehealth screening assessments to officers while on the scene; expanding medication assisted treatment capacity to address the opioid addiction & overdose crisis in our community, and to continue community education and training in Mental Health First Aid; and

WHEREAS, the CCBHC grant will provide the Mental Health Department with sufficient funding over the next 2-year period, combined with additional revenue from billable services, which will allow for the initiatives sustainability, and thereby allowing WBHN to create a variety new positions as detailed below, which are necessary for these new and expanded services, including the expanded 24/7 county behavioral health crisis intervention services, services related to the police reform and reinvention initiative, and in general, to address the growing psychiatric behavioral health needs of adults and children in Wayne County; now therefore be it RESOLVED, that the Mental Health Department is authorized to create and hire the following 19 positions:

Staff Social Worker FT – 5 positions  
Staff Social Worker PT – 2 positions  
Community Mental Health Professional FT – 2 positions  
Substance Abuse Counselors FT – 2 positions  
Activity Aide FT – 2 positions  
Asst. Social Worker FT – 1 position  
Licensed Practical Nurse FT – 1 position  
Staff Development Coordinator FT (management confidential) – 1 position  
Quality Assurance Coordinator FT – 1 position  
Psychiatric Nurse Practitioner FT (management confidential) – 2 positions

And be it further,

RESOLVED, that these positions will be reviewed by the Board when the grant funding has ended, and their continuation will be further determined by the Board based on other funding being available, or it can be demonstrated that the reimbursement from services covers the cost of the positions; and be it further RESOLVED, that the Wayne County Treasurer is authorized to make the following 2021 County Budget amendment:

#### **Account No. A4300 – Behavioral Health**

(Revenue)

\$500,000 to 44470.M4470 CCBHC Revenue  
\$120,149 to 41620.M8200 MH Fees

(Appropriations)

\$51,579 to 51322.M4470 Staff Social Worker FT  
\$77,368 to 51322.M2310 Staff Social Worker FT  
\$20,405 to 51323.M4470 Staff Social Worker PT  
\$51,579 to 51325.M4470 Community Mental Health Professional FT  
\$49,522 to 51497.M4470 Substance Abuse Counselors FT  
\$28,592 to 51134.M4470 Activity Aide FT

\$21,686 to 51258.M4470 Asst. Social Worker FT  
\$19,092 to 51210.M2120 Licensed Practical Nurse FT  
\$25,239 to 51384.M8200 Staff Development Coordinator FT (management confidential)  
\$24,761 to 51634.M8200 Quality Assurance Coordinator FT  
\$50,600 to 51518.M2110 Psychiatric Nurse Practitioner FT (management confidential)  
\$50,600 to 51518.M2120 Psychiatric Nurse Practitioner FT (management confidential)

\$17,296 to 58100.M8200 NYS Retirement  
\$18,737 to 58100.M4470 NYS Retirement  
\$22,815 to 58200.M8200 FICA-Soc Sec  
\$21,060 to 58200.M4470 FICA-Soc Sec  
\$35,902 to 58400.M8200 Hospitalization  
\$33,140 to 58400.M4470 Hospitalization  
\$92 to 58901.M8200 EAP  
\$84 to 58901.M4470 EAP

Budgeted: yes \_\_\_no \_\_\_x\_\_\_ Proposed Cost: \$620,149 Reimbursed Amount \$620,149 County cost: none

Departmental transfer \$\_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:  
Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**RESOLUTION TRANSMITTAL**

Committee No. 1

Date: 6/1/2021

Committee Chair: Supervisor Leonard  
Department Head: Matt Ury

Transmittal Title: **AUTHORIZATION TO ABOLISH AN IT SUPPORT SPECIALIST POSITION AND CREATE A COMPUTER SERVICES ASSISTANT POSITION IN THE INFORMATION TECHNOLOGY DEPARTMENT.**

WHEREAS, there is a current vacant IT Support Specialist position within the Information Technology Department with a budgeted salary of \$49,302; and  
WHEREAS, the Director of IT believes that it is important to maintain the current level of support to the mandated service functions of the county as well as the county as a whole; and,  
WHEREAS, the position of Computer Services Assistant gives more flexibility of duties to provide coverage to the ever-changing IT landscape; and  
WHEREAS, both job titles are in Grade 29 of the CSEA General Unit; and,  
WHEREAS, the Computer Services Assistant 2021 hire rate salary is \$43,538; now, therefore, be it

RESOLVED, the position of IT Support Specialist be abolished 7/1/2021; and be it further

RESOLVED, that the full time position of Computer Services Assistant (Grade 29 of the CSEA General Unit) is created and authorized to be filled as of July 9, 2021;

Budgeted: yes, X no\_\_\_ Proposed Cost: \_\_\_\_\_ Reimbursed Amount \_\_\_\_\_ County cost  
\_\_\_\_\_

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No.  
\_\_\_\_\_

County Administrator's Review \$ Approval: yes \_\_\_ no\_\_\_ by:  
\_\_\_\_\_

Human Resources Office Review & Approval: yes \_\_\_ no \_\_\_ by:  
\_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature:  
\_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:  
Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature:  
\_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature:  
\_\_\_\_\_



## RESOLUTION TRANSMITTAL

Committee No. 1

Date: 6/8/2021

Committee Chair: Supervisor Kim Leonard  
Department Heads: Kristen Scott and Kaleigh Flynn

### **AUTHORIZE THE ADOPTION OF THE REVISED WAYNE COUNTY PURCHASING POLICY EFFECTIVE JULY 1<sup>ST</sup>, 2021 AND RESCINDING RESOLUTION NO. 522-20**

WHEREAS, the Board of Supervisors adopted a County Purchasing Policy and Procedure manual with resolution 522-20; and  
WHEREAS, the Purchasing Agent along with the County Administrator, County Auditor, and County Attorney have reviewed the policy and have recommended changes to the policy to be effective July 1<sup>st</sup>, 2021; now therefore be it

RESOLVED, that the Board of Supervisors rescinds Resolution Nos. 522-20 and 129-21 and adopts the following purchasing policy effective July 1<sup>st</sup>, 2021.

#### **DEFINITIONS**

**Best Value.** The basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. Such basis shall reflect wherever possible, objective and quantifiable analysis.

**Bidding.** A public competitive process for choosing a vendor from which to purchase materials, supplies and services.

**Change Orders.** Work that is added to or delete from the original scope of work of a contract, which alters the original contract amount and/or completion date. Change orders must be approved by the Board of Supervisors unless otherwise specifically delineated by a resolution. Change orders for capital projects must follow these same procedures, unless delineated by a resolution.

**Collusion.** Actions, contrary to law, of two or more persons to determine in advance the winning bidder or proposer of a contract let, or to be let, for competitive bidding or proposals by the County or any other such acts prohibited by law.

**Commodity.** Goods that include but not limited to materials, equipment and supply items

**Equipment.** Any item which has a purchase price of \$ \$2,500 (Resolution No. 011-21) or more, and which has a useful life of more than 1 (one) year. These items are include in the Equipment Addendum as a .2 expenditure.

**General Municipal Law.** A state law governing bidding procedures for municipalities such as the County.

**Practicable.** Means sufficient performance and not unreasonably expensive.

**Professional Services.** Services that involve specialized expertise, use of professional judgment, and/or a high degree of creativity. They are not purchase contracts or contracts for public work.

Professional or technical services shall include but not be limited to the following:

Accounting (CPA)

Advertising Agency Promotion

Architectural

Computer Customized Software

Investment Management Services

Laboratory Testing

Legal

Management of Municipally Owned Property

Programming Services  
Consultants  
Design Services  
Engineering  
Instructors/Teachers/Training  
Insurance Carriers and/or Insurance Broker

Medical/Dental Services  
Public Relations  
Records Indexing  
Writing, Editing or Artwork  
Investment Management Services  
DSS Legal Counsel (if privately contracted)

**Public Works Contract.** Includes, but is not limited to, contracts for material and work on roads, highways, buildings, structures and improvements of all types, the construction, reconstruction, major renovation or painting of which is performed or contracted for by the County to serve the public interest.

**Purchase Contract.** The purchase, lease, rental or other acquisition by a County department of personal property and services, including ordinary repair or maintenance, in support of the departments' day-to-day activities and service provision.

**Purchase Order.** Document used by the Purchasing Department to purchase a product or service from an external vendor.

**Purchase Requisition.** The form used by departments that documents the requirements and is sent to the Purchasing Department for review and authorization prior to making the purchase.

**Quote.** Documentation from a vendor, preferably written, stating items, source, quantity, price, discounts, shipping, delivery time and contact information. When doing so a standard "spec form" should be used to collect quotes.

**Request for Quotations (RFQ).** A competitive process for choosing an individual or firm with which to contract for products or services. This process requires a standardized "spec sheet" to collect quotes from prospective vendors.

**Request for Proposals (RFP).** A competitive process for choosing an individual or firm with which to contract for services. The contract is awarded based on factors such as cost, qualifications, experience, and demonstrated ability, and not necessarily to the proposer with the lowest price. Not to be confused with bidding.

**Specifications.** Shall mean a written description of needed commodities and/or services setting forth in a clear concise manner; this should include the performance and/or physical characteristics of the commodities and/or services to be purchased, and the circumstances under which the purchase shall be made

## **MISSION STATEMENT OF THE PURCHASING POLICY**

The County of Wayne shall purchase materials, supplies, equipment and services as needed, at the best possible prices and value, and maintain appropriate documentation in a manner in accordance with County Law and General Municipal Law. The Wayne County Purchasing Department dedicates itself to procuring goods and services for the various county departments in a timely manner assuring the prudent and economical use of public monies in the best interest of the taxpayers of Wayne County. It will facilitate the acquisition of goods and services at the best value and guard against favoritism, extravagance and fraud. The county shall, at its option, establish purchasing regulations that do not conflict with County Law and General Municipal Law.

The responsibility and authority for acquiring goods and/or services and other related tasks has been delegated to the Purchasing Agent, Purchasing Clerks, Department Heads and Account Clerks.

## **AUTHORITIES**

**Wayne County Board of Supervisors** – The Board of Supervisors has approval authority, by majority vote, with contracts over \$5,000, and over budget actions necessary to begin the purchasing process for materials, supplies, equipment and services. The Chairman must sign off on all contracts.

**Finance Committee** - In consultation with the County Administrator, Committee Chairperson and Purchasing Agent, the committee recommends, by majority vote, purchasing policies and amendments to the Board of Supervisors. In addition, reviews all contracts before being present to the full Board of Supervisors.

**County Attorney** - The County Attorney has contract review authority on everything.

**County Purchasing Agent** - The Purchasing Agent shall be responsible for developing and administering a modified central purchasing system to make provisions for all purchases, servicing, sale, lease, and rental, of materials, supplies, equipment and services for all departments and agencies of County government pursuant to and in compliance with the applicable provisions of laws and regulations and County policy. The Purchasing Agent has signatory authority on all purchase requisitions and purchase orders. The Purchasing Agent reviews the procurement activities of all County departments, as necessary, to ensure compliance with General Municipal Law and County policy, and may require written explanations and documentation from departments when purchasing policies are not followed, and may withhold authorization until such documentation is received. The Purchasing Agent, in consultation with the County Attorney and Department Heads, determines if a transaction is a purchase contract, public work contract, or professional service. The Purchasing Agent, Clerk of the Board or designee shall conduct all bid solicitations and openings and secure the recommendations for awarding contracts from the appropriate official(s).

## **LIMITS AND CONTROLS**

### **REGULATION**

1. Authorization limits and controls shall conform to General Municipal Law Section 103. The County may establish additional authorization limits and controls that do not conflict with General Municipal Law Section 103 and 104b.

### **PROCEDURE**

1. The authorized limits for purchasing transactions shall be reviewed annually by the County Purchasing Agent and, if necessary, adjusted by the Finance Committee, to more accurately reflect the market pricing, inflation, processing expenses, and the County's utilization experience.
2. Prior to submitting a purchase requisition to the Purchasing Department, County staff are to refer to and follow:
  - a. Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts, and
  - b. Schedule B: Authorization Levels & Procedures: Professional Services.

## PURCHASING REGULATIONS

1. The Purchasing Agent shall authorize and administer all purchase orders for the County for the acquisition of materials, supplies, equipment and services over \$5,000 in accordance with established procedures. The procedures contained herein are applicable for purchases which are anticipated to exceed five thousand dollars (\$5,000) for like/similar items or services in a calendar year throughout all County departments.
2. The County shall purchase materials, supplies, equipment and services as required, at the best possible prices, and maintain and attach appropriate documentation above \$5,000. Depending on the type and amount of the purchase, purchases will be secured by use of written requests for proposals, requests for quotes, competitive public bids, to ensure that goods will be purchased for the best interest of Wayne County, and that favoritism will be avoided.
3. Purchases shall be made to the extent practicable, through available state contracts of the Office of General Services, Division of Standards and Purchase, Department of Correctional Services, New York State Industries for the Disabled, Industries for the Blind of New York State, surplus and second-hand purchases from another governmental entity, and competitive purchase contracts from contiguous counties and municipal cooperatives, whenever such purchases are in the best interest of the County.
4. Opportunity shall be provided to all responsible vendors to do business with the County. To this end, the Purchasing Agent shall develop and maintain lists of potential vendors for various types of materials, supplies, equipment and services. Such lists shall be used to develop mailing lists of potential suppliers and for distribution of specifications, invitations to bid, RFPs and RFQs. Any supplier may be included in the list upon request. Exceptions include vendors named ineligible by the NY State Office of General Services, or those who's past business practices have disqualified them from doing business with the County.
5. When soliciting bids and proposals, a statement of "General Conditions Agreement" shall be included with all specifications submitted to suppliers. These general conditions shall be incorporated in all contracts awarded for the purchase of materials, supplies, equipment and services.
6. No official or employee of the County shall have financial interests in any purchase or contract secured by the County, without disclosure to and authorization from the originating department's standing committee. No official or employee of the County shall participate in collusive activity. This precludes:
  - a. acceptance of gratuities, financial or otherwise, by the above persons, from any supplier of materials, supplies, equipment or services to the County; and/or
  - b. the sharing of bids, RFPs, or specifications with potential bidders prior to the competitive process,
  - c. assisting a supplier or firm to win a contract award prior to or during the competitive process, and/or
  - d. all other activities prohibited by federal, state, or local law.
7. The County Purchasing Agent in conjunction with the County Auditor developed the following procedures upon receipt of any inquiry or allegation in violation of this policy:
  - 1st inquiry/allegation – review of purchasing policy with alleged violator
  - 2nd inquiry/allegation – internal audit of violator's purchasing practices for prior 6 months and required corrective action plan for any findings
  - 3rd inquiry/allegation and all future inquiry/allegation's - referred to County administrator to address
8. Wayne County shall not pay for materials, supplies, equipment and services in advance except for the following exceptions; all postage expenses, membership and conference fees, PO Box subscriptions at the United States Post Office, newspaper subscriptions, and rental agreements for a space or building.
  - In addition, support and maintenance for software and hardware, software licensing, IT related hardware maintenance, and warranties may be considered exceptions. Prior approval of the County Attorney, County Auditor, and County Purchasing Agent is required to ensure the purchase meets the criteria of this policy and the pre-payment exception applies before a department can make such payments and engage the service.

9. All purchases from the equipment addendum should be purchased within the first 6 months of the fiscal year, unless otherwise documented with an explanation. **A Requisition is still required for all equipment purchases with the required documentation.**
10. All office supplies should be purchased through Staples or Amazon Business; in addition all toner should be ordered at the direction of the Wayne County IT Department.
11. Only one contract may be applied to a quote and/or invoice at a time; if more than one contract is being used they MUST be invoiced separately. In addition, the quote and/or invoice MUST include the contract number being used. Also, if an item is not on a contract that too must also be invoiced separately.
12. Purchases may be made online. All purchases made through online vendors must accept payment after delivery of the product, materials, equipment or service. Payment to an online vendor will not be made in advance of delivery, and will be made upon receipt of an invoice.
13. All IT related equipment purchases and IT related projects must have prior approval of the Wayne County IT Director.
14. If deemed necessary and appropriate, a Department may request authorization from the County Budget Officer, County Administrator and County Treasurer to transfer funds within their approved budget from account to account (ex: .4 expenditure to .2 expenditure, or vice versa), without a Board Resolution, so long as the amount does not exceed \$5,000. Authorization will be approved or denied at the discretion of the three County Officers named above.

### **Best Value (Resolution 301-14)**

General Municipal Law §103 now provides local governments greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. With the increased complexity of the goods and services that the County must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense. Best value procurement links the procurement process directly to the County's performance requirements, including, but not limited to, selection factors such as useful life span, quality and options and incentives for more timely performance and/or additional services. Best value procurement can provide much needed flexibility in obtaining important goods and services at favorable prices, and can reduce the time to procure such goods and services.

"Best value" means the basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors. Such basis shall reflect, whenever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor of offerors that are small businesses or certified minority or women-owned business enterprises as defined in subdivision one, seven, fifteen and twenty of section three hundred ten of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

#### **Requirements:**

- A. Where the basis for award is the best value offer, the Purchasing Agent or Department Head shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection be conducted.
- B. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.

### **PURCHASING PROCEDURES**

1. **Determining and Documenting Type.** Every **aggregate total** purchase over five thousand dollars (\$5,000); must have a completed requisition which will be reviewed by the Purchasing Agent to determine whether it is a purchase contract, a public works contract, or a professional service. A good faith effort will be made to determine if the aggregate amount to be spent on the item of supply or service throughout the county requires quotes, competitive bidding or a request for proposal, taking into account the aggregate amount to be spent in past years.

- A. An opinion that a purchase is not subject to the county's purchasing policy will need a resolution adopted by the Board of Supervisors, explaining why, unless the purchase is listed as an exemption; the resolution should then be attached as backup to the requisition before sending to the Purchasing Agent. The Purchasing Agent must sign off on the resolution transmittal concurring with or overriding the department's opinion. The Purchasing Agent may request documentation, this documentation may include written quotes from vendors, a memo from the purchaser indicating how the opinion was arrived at, a copy of the contract indicating the source which makes the item or service exempt, documentation from the Chairman and/or County Administrator declaring an emergency, or any other written documentation that is appropriate.
  - B. If the purchase is subject to competitive bidding or is a professional service, the department shall complete and submit a Purchase Requisition and refer to Schedule A and Schedule B of this policy for procurement procedures.
2. **Purchase Requisition.** Purchase Requisitions are required for all purchase orders, they must be completed with the required documentation by the department requesting the product or service and forwarded to the Purchasing Department before a purchase order can be issued. Departments shall complete a Purchase Requisition specifying the services, and/or item(s) requested in as much detail as possible. Details concerning quality and grade, specifications, including samples from vendor catalogs, should be attached, as well as any required quotes, contract numbers (if piggybacking), resolutions and bid documents. All proper documentation must be attached for the requisition to be approved and converted.
3. **Authorization.** The Purchasing Agent ensures compliance with the authorization limits and controls outlined in "Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts," and "Schedule B: Authorization Levels & Procedures: Professional Services."
4. **Confirmation/Inspection.** Upon receipt of goods or completion of services, the department shall conduct a visual inspection and cross check against the specifications as negotiated and agreed upon through the purchasing process. Should goods be received which were not ordered, or are damaged, or services do not meet the terms of the Purchase Order or Contract, **DO NOT SIGN OFF ON ANY PAPERWORK** - contact the Purchasing Department. Failure to complete and document inspection may result in delay of payment.
5. **Payment.** The Department submits the original invoice to Audit with the appropriate Purchase Order or Contract number. The ordering department is responsible for ensuring the vendor does not charge sales tax.

### **COMPETITIVE BIDDING**

#### **REGULATIONS**

1. Purchase contracts for materials, supplies and equipment involving an estimated County expenditure in excess of \$20,000, and Public Works contracts in excess of \$35,000 within a calendar year, shall be awarded only after public advertising soliciting formal bids pursuant to Section 103 of the General Municipal Law.
2. The Purchasing Agent or designee shall be responsible for all required public advertising and competitive bidding, shall conduct all bid solicitations and openings, and shall provide recommendations for awarding contracts.
3. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner should consult with the Purchasing Agent before contacting a potential vendor.
4. Bids will be awarded to the lowest responsible, responsive bidder or upon determination of best value, depending on which criteria is in the bid specifications before public advertising requesting submission of sealed bids.
5. If there is a tie between the lowest bidders based on price, a business that has its primary operations based in Wayne County would be selected. If both or neither have operations based in Wayne County a coin toss will be done to determine who is the awarded bidder is.

6. **Prevailing Wage:** The term Public Works Contract applies to those items or projects involving labor or both materials and labor. Under Article 8 of the New York State Labor Law, Prevailing Wage Rates apply when a laborer, workman or mechanic is employed. There is no minimum dollar amount.
- All vendors must be provided with the New York State Department of Labor PRC number assigned to each individual project so that appropriate labor rates are included in their quotes/bids.
  - On occasion, the New York State Department of Labor, Bureau of Public Works, upon receiving complaints for non-payment of prevailing wages shall direct the County to withhold payment to a vendor. The original notice is forwarded to the County Attorney a copy is then sent to the Superintendent of Public Works, County Auditor, Purchasing Agent, and Treasurer's office.
  - Contractors and the applicable County Departments must check the prevailing wage schedules for each project on the first working day of the month. The Department of Labor posts corrections to each schedule (when applicable), and both parties must be informed of all updates to ensure proper payment to the Contractor's employees, and the for the purpose of checking certified payrolls.
  - New York State Office of General Services obtains a prevailing wage schedule for the State when awarding an OGS State contract. However, if the County uses the State Contract, the County is required to obtain a separate prevailing wage schedule specific to that County project.
  - It is the County's responsibility to confirm that the Prime Contractor has provided all sub-contractors with a copy of the prevailing wage schedule. A verified, signed statement must be obtained from each sub-contractor, certifying that they were provided with a copy of the schedule.

## PROCEDURES

1. **Specifications.** If a purchase is deemed subject to competitive bidding, the requisitioner will assist the Purchasing Agent in the preparation of specifications for the Bid. It is the responsibility of the Purchasing Agent to make alternative suggestions to the requisitioner if, in the judgment of the Purchasing Agent, the specifications would restrict competition or otherwise preclude the most economical purchase of the required items. In case of disagreement as to the content of the specifications, the County Attorney, after reviewing all available data, will make the final determination. The finalized specifications will be approved by the requesting Department, and the County Attorney; a copy will be maintained in the bid solicitation file in the Board of Supervisors office.
2. **Advertisement and Bids.** The advertisement for bids shall be in accordance with the provisions of the General Municipal Law. The Clerk of the Board shall publish the advertisement in the official newspapers designated by the Board of Supervisors and any other print or electronic publications that will insure receipt of responsible and competitive bids. The requesting Department may recommend additional sources for publication. Copies of the public notice, list of all publications, and publication dates shall be maintained in the bid solicitation file. During the period a bid is let, if the Purchasing Agent determines an amendment is warranted, all known bidders will be notified of the amendment by the Clerk of the Board.
3. **Bid Openings.** Sealed bids shall be opened by the Clerk of the Board, and the Purchasing Agent, and will be publicly opened and read at a time and place published in the bid documents. Bids received after the published time will not be accepted and will be returned unopened. The Clerk of the Board or the Purchasing Agent or designee, and at least one County employee, must be present for the bid opening. **No bids are to be opened by a County representative alone.** The public and interested parties may attend the bid opening. At the bid opening, the Purchasing Agent or designee shall prepare a bid tabulation sheet indicating the date, time and location of the bid opening, a listing of the bidders, item being bid, and bid price. This tabulation shall be maintained in the bid solicitation file.
4. **Bid Evaluation.** Following the opening of bids, they will be evaluated by the Purchasing Agent and the Requesting Department and will be awarded to the lowest responsible, responsive bidder or upon determination of best value, depending on which criteria is in the bid specifications.
  - A. The County must have assurance that the successful bidder will be able to perform satisfactorily under the contract. "Responsibility" of bidders shall be determined based

upon financial stability, production capability, ability to deliver on time, ability to provide service if required and past performance. A “responsive” bid is one which is in conformance with the published specifications and requirements, essentially void of contravening terms, gratuitous additions, and unilateral mistakes or obvious errors made in calculating or presenting figures, and reasonable in price.

- B. A bid which is not responsive to the specifications, terms and conditions of the bid shall be rejected by the Purchasing Agent. In all instances where bids are rejected, the Purchasing Agent shall document in writing the specific reasons to substantiate the determination. This documentation shall be maintained in the bid solicitation file.
  - C. Where the basis for award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
5. **Award.** The Board of Supervisors shall award the bid on the basis of the summary and evaluation. The announcement of bid award shall be made in the monthly Board of Supervisors meeting.
6. **Reservation of Rights.** The County of Wayne reserves the right to reject any and all bids or proposals.

## PROFESSIONAL SERVICES

### REGULATIONS

1. Contracts for professional services, which are exempt under the General Municipal Law, Section 103 are not subject to competitive sealed bidding requirements, but are subject to the guidelines of GML 104-b for competitive pricing to be obtained for these services. These services must be procured in a manner so as to assure the prudent and economical use of public monies. Professional services and services requiring special or technical skill, training or expertise are not purchase contracts or contracts for public work, as those phrases are used in the bidding statutes and therefore are not subject to competitive bidding procedures. The determination of whether the professional service exception is applicable in given situations must be made on a case-by-case basis, examining the particular services to be acquired.
2. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner must consult with the Purchasing Agent before contacting a potential vendor.
3. Competitive procedures for professional services may include Requests for Quotations (RFQ), Requests for Proposals (RFP), and pre-qualification for engineering, architectural, and computer science services. Authorization limits and controls are outlined in “Schedule B: Authorization Levels & Procedures: Professional Services.”
  - Contracts are required for all vendors on Wayne County Property
4. Contracts for professional services must be made in the best interest of the County. Professional services may be awarded based on the following methods.
  - A. The “**Lowest Cost for Service**” method which allows for awarding to the lowest proposer, OR other than the lowest proposer when the lowest proposal is deemed as non-responsive. Documented facts must support the decision and approval must be obtained from the appropriate committee.
  - B. The “**Best Value**” method, based on weighted average scores from all criteria stated in the RFP specifications and submitted by sealed proposals
5. A good faith effort shall be made to obtain the required number of quotations or proposals. Appropriate supporting documentation shall be maintained if the Purchasing Department and the requesting department is unable to obtain the required number of quotations or proposals. In no event shall the inability to obtain the quotations or proposals be a barrier to procurement of services.

### PROCEDURES



1. **Determination.** Inquiries to determine whether a proposed service qualifies as professional shall be made to the Purchasing Agent, who in turn may consult with the Department Head, and/or the County Attorney, taking into consideration the following guidelines:

- A. Whether the services are subject to State licensing or testing requirements;
- B. Whether substantial formal education or training is a necessary prerequisite to the performance of the services;
- C. Whether the services require an enduring professional and/or confidential relationship between the County and a vendor of proven ability.
- D. Whether the services have been previously determined to be professional services (See DEFINITIONS).

2. **Solicitation.**

- A. The Purchasing Agent shall use "Schedule B: Authorization Levels & Procedures: Professional Services" to determine the solicitation procedure.
- B. RFQs, RFPs, and pre-qualification surveys, at minimum, should include:
  - 1. Solicitation of a sufficient number of qualified firms. While this number will vary depending upon the situation, a minimum of three (3) firms should be contacted, if possible.
  - 2. The needs of the County and the desired format of the vendor's response must be shown as clearly and as specifically as possible. Vagueness in the requests will hamper the award process.
- C. In consultation with the Department Head, the Purchasing Agent will develop a list of potential vendors.
- D. During the period a bid is let, if the Purchasing Agent determines if an amendment is warranted, all known bidders will be notified of the amendment.

3. **Evaluation.** Evaluation of proposals shall be conducted by a committee formed or designated for such purpose, which must include, at a minimum, the Department Head and one other designated county employee . The members of the committee should evaluate and rank proposals in accordance with pre-determined factors such as price, staffing and suitability for needs, reliability, skill, education and training, experience, demonstrated effectiveness, judgment and integrity. Evaluations shall be sent to the Purchasing Agent as documentation with the procurement record. After reviewing and discussing the evaluations, an award will be recommended..

4. **Award.** Awards for professional services shall follow the procedures outlined in the CONTRACTUAL OBLIGATIONS section of this policy.

5. **Pre-qualification.** The Purchasing Agent shall develop and conduct a public competitive process to pre-qualify lists of engineering, architectural, and computer science services, which can reasonably be estimated to cost less than \$10,000 per project or \$20,000 per public work project.
- A. The pre-qualification process shall be conducted every three (3) years by the Purchasing Agent, in consultation with appropriate department heads.
  - B. The pre-qualification process shall not obligate the County to the expenditure of monies to any firm.
  - C. Firms contracted to write grants shall not obligate the County in the grant application to any further contracts with the firm.
  - D. Pre-qualification programs conducted by New York State or New York State professional associations may be accepted.
  - E. The pre-qualification lists are subject to the approval of the Finance Committee and the Board of Supervisors.

**COMMUNICATIONS DURING BID/RFP PROCESS**

1. All Bids/RFPs shall include a statement of communications restrictions that reflect the following:
- A. Communications with the County shall be solely through the Purchasing Agent during the Solicitation and Evaluation Period, which is defined as the time of issuance of Bid/RFP documents until the time an award is made.

- B. There shall be no unauthorized communications among vendors, County officials, employees, and the news media regarding Bids/RFPs during the Solicitation and Evaluation Period, without prior written approval from the Purchasing Agent.
- C. Necessary, incidental or unauthorized communications, whether initiated by a vendor, County official, employee, or news media, **must** be reported to the Purchasing Agent immediately, and in writing within two (2) business days, and will become part of the bid/RFP file.
- D. If a vendor exists under current contract for the materials or services solicited in a Bid/RFP, and contact between the vendor and requesting department is necessary to maintain operations or perform repairs during the Solicitation and Evaluation Period, Department Heads must report the contact to the Purchasing Agent, as required by Section c above. During such necessary contact, the Bid/RFP shall not be discussed.
- E. If the Bid is being solicited by a Planning House, all communications will go through the Planning House not the Purchasing Department.
- F. All responses to vendor questions will be made in writing under the same restrictions. All known bidders/proposers will receive copies of written responses to ensure that all have equal access to information.
- G. All communications or contacts are limited to the Purchasing Agent, during normal operating hours, 9 a.m. to 5 p.m., unless otherwise part of an on-site pre-bid meeting, Planning House or vendor site visit scheduled by the Purchasing Agent.
- H. All bidders/proposers must include a signed Non-Collusion Statement with their Bids/RFP.
- I. Depending on the nature and circumstances of unauthorized communications, violations of this policy may result in the rejection of the vendor's bid or proposal and/or disciplinary action against the County official or employee.
- J. All sealed bids and proposals will be turned in to the Clerk of the Board, 26 Church St Lyons, NY 14489.

## **BID PROTESTS**

**1. Purpose:** Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract may file a protest with the Purchasing Department of Wayne County. The procedures for submitting such protests are set forth herein.

**2. Definitions:**

- A. The term "County" shall mean Purchasing Department of Wayne County.
- B. The term "Bidder" shall mean any actual or prospective Bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract pursuant to an Invitation for Bids, Request for Proposals (RFP) or other form of procurement solicitation.
- C. The term "interested party" includes all bidders on the contract or procurement. The term also includes a subcontractor or supplier at any tier who shows that he/she has a substantial economic interest in a provision or in the interpretation of such a provision of a Bid, RFP or other form of procurement solicitation.

**3. Contents of Protest:** A Bidder desiring to file a protest may submit a **written** protest to County's Purchasing Agent. The protest must include:

- A. the name and address and telephone number of the Bidder;
- B. identification of the contract or bid solicitation being protested;
- C. a detailed and factual statement of the grounds for protest;
- D. supporting documentation; and
- E. the desired relief, action or ruling.

**4. Time for Filing:**

- A. Protests alleging restrictive specifications or improprieties in the bid solicitation which are or should be apparent prior to the bid due date must be received by the County not later than **three** working days prior to the bid due date.
- B. All other protests must be received by the County within **five** working days after the opening of the Bid/RFP.
- C. Any additional information relevant to the protest requested by the County from the protestor shall be submitted to the County as expeditiously as possible, but in no case later than three working days after receipt.

- D. The time limits set forth in this section must be strictly adhered to. The County will not consider a protest or additional documentation which is not received by the Purchasing Department within the time periods set forth in this section.

**5. Action by the County:**

- A. Upon receiving a protest, the Purchasing Agent shall notify the County Administrator and the County Attorney that a protest has been received.
- B. If an award of a contract has already been made at the time that a bid protest is received, the County will notify the contractor of the protest, and will delay the issuance of any notice to proceed until the protest has been disposed of.
- C. If an award of a contract has not already been made, but bids have been opened, the County will notify all bidders who appear to have a substantial and reasonable prospect of receiving an award if the protest is denied.
- D. A recommendation to the Board of Supervisors will not be made for contract award until a written response to a bid protest has been prepared by the Purchasing Agent and such response has been transmitted to the protestor.
- E. If a bid protest is filed before the due date for receiving bids, the County will notify all bidders from whom bids have been received of the filing of a protest and that bids will not be opened until the protest has been resolved.
- F. The filing of a protest will not alter the date on which bids are due. Bids will not, however, be opened by the County until such time as the protest is resolved.
- G. If the County determines that the protest has merit and that the contract must be rebid, the County will set a new date for the submission of bids as set forth in following section (H).
- H. The County shall make a decision regarding the protest and send notice of that decision to the protestor within ten working days following receipt of the protest by the County. The notice of the decision shall outline the factors upon which the decision is based.
- I. The Purchasing Agent shall notify the County Administrator and County Attorney concerning the decision.
- J. If the relief, action or ruling requested by the protestor is granted, the County will take appropriate actions to amend the bid solicitation or terminate the procurement process.

**7. Furnishing Information on Protests:** The County shall, upon request, make available to any interested party information bearing on the substance of the protest which has been submitted by the protestor except to the extent that withholding of information is required by law or regulation. Any comments on this material must be received by the County within three working days, but in no event will a decision be delayed because an interested party has not had an opportunity to provide comments.

**CONTRACTUAL OBLIGATIONS**

***The Chairman is the only person designated to be the signor of any contracts on behalf of Wayne County.***

1. All contractual agreements committing the County to any obligation, shall require the signature of the Chairman of the Board of Supervisors. Anyone who executes an agreement in violation of this stated policy shall assume personal liability for any and all obligations, monetary or otherwise.
2. All contracts must be approved by the County Attorney and signed by the Chairman; no County employee shall sign any agreements or contracts.
3. Awards made on the basis of Best Value must be properly documented, including the rationale for selection of the Vendor.
4. A contract with current insurance is required for all vendors that come on Wayne County property, no matter the anticipated cost (pursuant to Res 235 21)
  - If the risk associated with the contract requires the modification of the Wayne County insurance requirement (Res 235 21), it must be presented to the Ad-Hoc Committee consisting of the County Attorney, Fiscal

Assistant and the County Auditor

- If you predict our current insurance requirements (Res 235 21) are too stringent for the item or service being provided, the Ad-Hoc committee must be notified and consulted **BEFORE** RFQ, RFP or Bid is issued.

Insurance and contract requirements do not apply for the following exceptions; utility vendors such as NYSEG, Wayne County Water and Sewer Authority, and RGE, delivery services such as UPS, USPS, Fedex, and foster parents. Please reach out to the County Attorney's Office or County Auditor's Office to confirm any exemptions that do not appear on this list prior to the vendor's presence on any County property.

Resolution 235-21 adopted the following insurance requirements for vendors that will come on County property, besides the exceptions discussed above. The required insurance is dependent on the type of service the vendor will be providing. If your department is unsure of what category is applicable to the service a vendor will be providing please contact the County Attorney's Office. If this determination disputed by the Department, the final determination lies with the Ad-Hoc committee, consisting of the County Attorney, Fiscal Assistant, and County Auditor.

Vendor Classification	Purchase or Lease of Merchandise or Equipment	Maintenance and Repair of Equipment	Transportation Services	Renovation, Maintenance & Repair of Building & Property	Janitorial Services	Lease/Use of Facilities or Grounds	Non-Professional Contract Services	Professional Contract Services	Consultant Services	Capital (New) Construction Projects
<b>Insurance Type</b>										
<b>Commercial General Liability</b>										
Each Occur.	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Fire Damage/ Damage to Rented Premises	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$100,000	\$50,000	\$50,000	\$50,000	\$50,000
General Agg.	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Prod. Comp.Op.	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Personal & Adv. Injury	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Med. Expense	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Host Liquor						\$1,000,000				
<b>Auto Liability</b>										
Any Auto OR	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Owned	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Hired	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Non-Owned	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
<b>Excess / Umbrella</b>										
Each Occur.	\$1,000,000	\$1,000,000	\$10,000,000	\$1,000,000 - \$5,000,000 (limit dependant on project size)	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$5,000,000
Aggregate	\$1,000,000	\$1,000,000	\$10,000,000	\$1,000,000 - \$5,000,000 (limit dependant on project size)	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$5,000,000
<b>Professional Liability</b>										
Each Occur.								\$1,000,000	\$1,000,000	
Aggregate								\$3,000,000	\$3,000,000	
<b>Cyber Liability (if applicable)</b>										
Each Occur.	\$2,000,000							\$2,000,000	\$2,000,000	
Aggregate	\$2,000,000							\$2,000,000	\$2,000,000	
<b>Owners and Contractors</b>										
Each Occur.										\$1,000,000
Aggregate										\$2,000,000
<b>Bonds</b>										
				Payment & Performance Bonds, if applicable.	Employee Dishonesty					Payment & Performance Bond
<b>Additional Insured on a Primary &amp; Non-Contributory Basis with a Waiver of Subrogation and 30 Days Notice of Cancellation or Non-Renewal</b>	General Liability & Auto	General Liability & Auto	General Liability, Auto & Excess	General Liability, Auto & Excess & Work Comp (Waiver of Subrogation)	General Liability, Auto & Excess	General Liability	General Liability, Auto, Excess	General Liability, Auto & Excess	General Liability, Auto & Excess	General Liability, Auto, Excess & Work Comp (waiver of subrogation)

5. The Chairman may sign contract renewals with no amendments and new, budgeted,

contracts **under** \$5,000.00 after review and approval or the County Attorney.

6. Items and/or services that are specifically delineated in a Departments budget, do not need a resolution before beginning the proper purchasing procedures contained within.
7. A Department Head shall pick the option of the contracts to be effective for one year with the option to renew for two (2) additional one (1) year periods, or the contract be executed for a full three (3) year term; unless earlier terminated.
8. All service and/or maintenance contracts are required when work is being performed on County owned property; regardless of the amount. Before any person or business renders a service to the County you need to have an executed contract with insurance certificates in place and an authorizing Resolution (if needed). The procedure must be followed regardless of how long the services will be rendered.

## **PROCEDURES**

1. **Contract Review.** Any type of contract must have a contract agreement form. All contracts shall be signed by the Chairperson and must be approved as to content by the County Attorney and County Administrator.. This includes any and all contracts, agreements, leases, maintenance agreements, and any other form which creates a legally binding agreement between the County and another entity
  - a. Contractual agreements shall be submitted to the County Attorney's Office no later than two (2) months prior to the required date of execution.
  - b. A sign-off sheet will accompany each contract and will be initialed by the Department Head, Chairperson, County Attorney, and the Purchasing Agent.
2. **Award.** Upon authorization and execution and delivery of approved contracts, and any required documentation, the County Attorney's office will provide a notice to proceed to the selected firm, the originating department and the Purchasing Agent.
3. **Documentation.** Upon execution by the Chairperson, copies of the agreements shall be sent to the originating department and the original will be stored by the County Attorney's office for retention. A record of all contracts shall be maintained by the County Attorney's office.

## **EMERGENCY PURCHASES**

Pursuant to Section 103(4) of the General Municipal Law, defines an emergency as, "as a public emergency arising out of an accident or other unforeseen occurrence or condition, whereby circumstances affecting public buildings, public property or the life, safety or property of the inhabitants requires immediate actions." This section does not preclude alternate proposals if time permits.

If an emergency arises, the Department must contact the Chairman and the County Administrator to obtain approval prior to making any emergency purchases; notification of declaration of Emergency must be done before any vendors can be contacted. Purchasing may be contacted for assistance in procuring products or services required to deal with the emergency. If the Chairman of the Board of Supervisors and the County Administrator determine there is a true emergency, the vendor who can immediately provide the required goods or services will be given prime consideration for the purchase.

## **EXEMPTIONS TO THE PURCHASING POLICY**

**Purchases falling under the exemptions listed below shall be negotiated to the best of the Department's ability.**

1. Purchases may be exempted from competitive bidding and RFP or RFQ by the County Purchasing Agent when it is clearly determined that there is only one vendor capable of providing a particular material or service. Status of a vendor as a sole or single source shall be fully and clearly documented and on file with the County Purchasing Agent. In addition, the sole/single source status should be declared by the Board of Supervisors in an appropriate resolution prior to contracting.
2. In accordance with Section 104 of the General Municipal Law, emergency purchases may be waived from competitive bidding in case of a public emergency arising out of an accident or other

unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants require immediate action.

3. Membership and conference fees.
4. All Physician, Dentists, Medical Providers, Counseling Services, and Certified Therapists, such as in the areas of Speech, Occupational and Physical Therapies.
5. Subscriptions and valid membership dues.
6. Public Work Services where, upon the determination by the Superintendent of Public Works, it is not feasible to determine the amount to be spent for repairs to vehicles, equipment or machinery (outside of standard repair to be handled by the County employees including Central Garage), until the item is inspected and/or dismantled and a cost for the inspection or diagnosis has already been incurred and for which it would not be practical to transport the equipment or machinery for multiple quotes, If auto repairs are authorized by the Insurance Provider as a result of an collision, the Superintendent of Public Works may proceed upon the recommendation of the Insurance Adjuster.
7. When purchases for goods or services are funded by State and/or Federal agencies, and procurement policies other than Wayne County are required, by law, to be followed, the Federal and/or State procurement policies shall override the County's Purchasing Policy.
8. Interdepartmental charges and agreements by which the County departments are able to charge other County departments for services rendered and/or goods or supplies
9. Assigned Council
10. Employee reimbursements
11. Legal Notices
12. Utility Bills
13. Postage meter and stamp costs
14. Youth Placement Agencies
15. Pass thru money

### **SINGLE AND SOLE SOURCE**

Competitive Bidding is not required under section 103 of the General Municipal law in those limited situations when there is only one possible source from which to procure goods and services required in the public interest such as in the case of certain patented goods or services. Single and Sole Source status of a vendor shall be declared by the Wayne County Board of Supervisors and will be re-evaluated at the end of each contract term before entering into a new contract, if applicable.

**Sole Source** can be a manufacturer, software developer or service provider that sells direct and there are no other sources offering an "or equal". A sole source procurement is one in which only one vendor can supply the commodities or services required. Prior to a vendor being considered, a sole source form shall be completed by the requesting department and reviewed for approval by the Purchasing Agent and County Attorney. In addition, a letter from the manufacturer must be on file with the County Purchasing Agent detailing their sole source status, this is the responsibility of the requesting department.

**Single Source** could be a distributor/wholesaler/retailer that has a contractual agreement for a specific territory to the exclusion of others. A single source procurement may be one in which, although there are two or more potential offerors, it is determined that it is in the best interest of the County to procure from a particular vendor. An example would be where an agency needs maintenance for a particular piece of equipment and that maintenance must be provided by a particular vendor to maintain the warranty.

Should you have a situation involving a single source supplier, a statement describing the reasons the vendor is considered a single source, along with appropriate documentation (such as a copy of the equipment warranty) shall be provided to the Purchasing Agent and County Attorney for review and approval prior to making the purchase. This is the responsibility of the requesting department.

In making these determinations, the Department should document, among other things, the unique benefits of the item as compared to other items available in the marketplace. In addition, the Department should also document that, as a matter of fact, there is no possibility of competition for the procurement of the goods. The request may be reviewed with the County Administrator, Purchasing Agent, and County Attorney for approval before being presented to the Board of Supervisors.

### **STANDARDIZATION**

Section 103 of the General Municipal Law makes it possible for the County to standardize on a particular type of material or equipment. The standardization resolution must be approved by at least two-thirds of all Board members, and must state that for reasons of efficiency or economy there is a need for standardization. The resolution will contain a full explanation supporting such action.

The adoption of such a resolution does not eliminate the necessity for conformance to the Purchasing Policy.

Standardization, as the word implies, restricts a purchase to a specific model or type of equipment or supply, but does not limit the vendors it can be purchased from.

### **ALTERNATIVE PROCUREMENT METHODS**

Mandated Sources/Preferred Sources - Mandated procurement sources shall be investigated when commodities and/or services offered by these sources are requested, regardless of the dollar amount. These sources are referred to as New York State Preferred Sources. If the commodity or service is available in the form, function and utility as required by the County, then the purchase must be made from the mandated/preferred source.

State Contract - As an alternative to securing quotes or following the bid procedures identified herein, a department may purchase from a State Contract, with approval by the Purchasing Agent and County Attorney, by submitting a requisition as directed herein. [www.ogs.state.ny.us](http://www.ogs.state.ny.us)

Purchases made by utilizing New York State Contracts may be done without the requirement of obtaining quotes or bids as New York State has already gone to bid for these items. In the event that any purchase is ruled not in the County's best interest or additional price comparisons are desired, the department(s) shall obtain quotes pursuant to quoting procedures as outlined in the Purchasing Policy and Procedures. This will ensure the County is obtaining the best possible price for the commodities required.

Other County Contracts - As an alternative to securing quotes or following the bid procedures identified herein, a Department head may purchase from a another County's Contract, with approval by the Purchasing Agent and County Attorney, in accordance with the provisions of GML §103(3). Such purchases shall comply with the procedures and terms established by the County from whom said contract was originated. The Requisition must contain in the notes the agency name and contract/bid/reference number.

Piggybacking on Other Government Contracts — Pursuant to GML § 103 (16), local governments are allowed to "make purchases of apparatus, materials, equipment or supplies, or to contract for services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, may make such purchases, or may contract for such services related to the installation, maintenance or repair of apparatus, materials, equipment, and supplies, as may be required by such county, political subdivision or district thereon through the use of a contract let by the United States of America or any agency thereof, any state or any other county or political Subdivision or district therein if such contract was let in a manner that constitutes Competitive bidding consistent with state law and made available for use by other Governmental entities."

IT Purchases through Federal Schedule 70: Pursuant to GML §103 (1-b) local governments can bypass the usual bidding process for IT equipment. They are authorized to purchase information technology and telecommunications hardware, software and professional services through cooperative purchasing

permissible pursuant to federal general services administration information technology schedule seventy.

Security and Law Enforcement Purchases through Federal Schedule 84: Used for the purchase of security and law enforcement equipment. It features alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services.

\*\*Please contact the Purchasing Agent for assistance

### **BLANKET PURCHASE ORDERS**

A Blanket Purchase Order is created for products or services that are purchased on an “as needed” basis from a vendor throughout the year where the dollar value will vary for each purchase. These are issued for a maximum period of twelve (12) months and must be reissued at the beginning of each fiscal year.

For vendors used by all County Departments, each Department will issue a Blanket Purchase Order for their Department only. There has to be quotes, a bid and/or a contract established with the vendor and insurance on file (if required) before a Blanket Purchase Order can be issued.

Departments are responsible for providing the Blanket Purchase Order number to the vendor and verify that the number also appears on the documentation sent to Audit for payment processing.

### **§ 140-16. ARTICLE XVI, UNIFORM GUIDANCE COMPLIANCE FOR FEDERAL AWARDS- PROCUREMENT, SUSPENSION AND DEBARMENT**

#### § 140-16.1 Purpose

2 CFR Part 200 (subparts A-F) “Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards requires organizations receiving federal awards to establish and maintain effective internal controls over federal awards.

#### §140-16.2 General Policy Statement

The requirements for procurements using federal awards are contained in the Uniform Guidance (2 CFR Part 200, subparts A-F), program legislation, Federal awarding agency regulations, and the terms and conditions of the award.

To comply with 2 CFR Part 200 (subparts A-F), the County of Wayne implements policies and procedures, including, but not limited to:

A. The County will use its own documented procurement procedures which reflect applicable State, Local and Tribal laws and regulations; provided that the procurements conform to applicable federal law and Uniform Guidance. As such, County procurements related to Federal grants will be subject to New York State General Municipal Law, Wayne County Procurement Policy and Uniformed Guidance Requirements.

B. Contract files will document the significant history of the procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis of contract price.

C. The County will utilize one of the five acceptable procurement methodologies detailed in §200.320 which include:

- Micro Purchase
- Small Purchase Procedure
- Sealed Bid
- Competitive Proposal
- Non-Competitive Proposal (Sole Source)

D. Procurements will provide for full and open competition as set forth in the Uniform Guidance, or State and local procurement thresholds, whichever is most restrictive.



- E. No employee, officer or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents can neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. If the financial interest is not substantial or the gift is an unsolicited item of nominal value, no further action will be taken. However, disciplinary actions will be applied for violations of such standards otherwise.
- F. The County will avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical procurement approach. The County will also analyze other means, as described in §200.318 of the Uniform Guidance, to ensure appropriate and economical acquisitions.
- G. The County will enter into state and local intergovernmental agreements or inter-entity agreements, where appropriate.
- H. The County will only utilize Time and Materials contracts when it has been determined, in writing, that no other contract type is suitable.
- I. Vendors/Contractors that develop or draft specifications, requirements, statements of work, or invitation to bids or requests for proposals must be excluded from competing for such procurements.
- J. The County will make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed.
- K. County Departments are prohibited from contracting with or making sub awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. "Covered Transactions" include those procurement contracts for goods and services awarded under a non-procurement transaction (i.e. grant or cooperative agreement) that are expected to equal or exceed \$20,000. All non-procurement transactions (i.e. sub-awards to recipients), irrespective of award amount, are considered covered transactions.
- L. The County of Wayne will include a suspension/debarment clause in all written contracts in which the vendor/contractor will certify that it is not suspended or debarred. The contract will also contain language requiring the vendor/contractor to notify the County immediately upon becoming suspended or debarred. This will serve as adequate documentation as long as the contract remains in effect.
- M. County Departments will be required to notify the Purchasing Department and Board of Supervisors that federal funding will be used for a certain procurement/contract. When requesting a written contract, the County Department will be responsible for running the vendor/Contractor's name through the System for Award Management (SAM) to determine any exclusions. A copy of the SAM search will be included with the contract request. Prior to issuing a purchase order using federal funds, the Fiscal Assistant will check the SAM to determine if any exclusions exist for the Vendor/Contractor. If a vendor/contractor is found to be suspended or debarred, the County will immediately cease to do business with the vendor.
- N. The County will not use statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals; except in those cases where applicable federal statutes expressly mandate or encourage geographical preference.
- O. The County will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor area surplus area firms are used when possible.
- P. The County will procure recovered materials in compliance with §200.322.
- Q. The County will require appropriate bonding requirements as per §200.325.
- R. The County will only award contracts to Responsible Vendors and will document, in writing, such determination.
- S. County contracts will contain the applicable provisions described in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.
- T. The County will maintain oversight to ensure that contractors perform in accordance with the contracts terms, conditions, and specifications.
- U. Copies of executed contracts will be maintained in MUNIS and Purchase Orders will be maintained in the MUNIS.

## **VIOLATIONS**

Department heads are responsible for their departments' and employees' compliance with this policy. Deviation from this policy may delay purchasing or payment. Violations of this policy will be reported to the County Administrator for corrective action.

**This policy shall go into effect July 1<sup>st</sup>, 2021 and will be reviewed periodically as circumstances warrant. If subsequent changes occur in New York State or Federal Law which are inconsistent with this Purchasing Policy, or if any part of this policy as adopted is in violation of state or federal law, state or federal law shall control the purchasing practices of the County of Wayne.**

**ATTACHMENTS**

Schedule A and Schedule B

**REFERENCES:**

New York State General Municipal Law and County Law

**ISSUED:**

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Richard House  
County Administrator

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Ken Miller  
Chairman

Schedule A: Authorization Levels and Procedures:

**Purchase of Materials, Supplies and Equipment and Public Works Contracts**

Purchase Contracts: Materials, Supplies and Equipment	Public Works Contracts:	Authorization and Process:
<b>Total purchase amount anticipated for the calendar year</b>		
\$0-\$4,999	\$0-\$4,999	*Discretionary spending unless vendor on county property
\$5,000-19,999	\$5,000-\$34,999	* RFQ solicited and 3 quotes received (if possible)
\$20,000 or More	\$35,000 or more	*Prepare bid specifications and send to Purchasing to finalize bid and get proper approvals *Bids advertised

Schedule B: Authorization Levels and Procedures:

**Professional Services**

<b>Total purchase amount anticipated for the calendar year</b>	
\$0-\$4,999	*Discretionary spending unless vendor on county property
\$5,000- \$19,999	* RFQ solicited and 3 quotes received (if possible)
	*Selected from Pre-Qualified list of firms currently on contract with the County
	*Vendor is selected by the Department Head and Purchasing after approval from the County Attorney
\$20,000 or	*Department sends Purchasing the RFP specifications; Purchasing will then finalize

more	RFP and get approval from the County Attorney then send to the Clerk of the Board for advertisement *If the services are on a prequalified list the RFP only needs to be sent to all vendors on the prequalified list at a minimum.
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**\*\*A contract is required for all vendors who's employees/agents will be physically on the county property at any point during the contract.\*\***

**Pursuant to Resolution 235 21\*\***

Budgeted: yes \_\_\_ no \_\_\_ Proposed Cost: \_\_\_ 0 \_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \_\_\_ 0 \_\_\_

Departmental transfer \$ \_\_\_ 0 \_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:  
Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**RESOLUTION TRANSMITTAL**

Committee No. 1

Date: June 15, 2021

Committee Chair: Supervisor Leonard  
Department Head: Karen Ambroz

Transmittal Title: AUTHORIZATION TO CREATE A PART-TIME TEMPORARY TAX MAP TECHNICIAN AS A RESULT OF AN EMPLOYEE ILLNESS

WHEREAS, The Real Property Tax Department currently has a staff member illness that is anticipated to create a vacancy, and

WHEREAS, that it is anticipated the vacancy could be several months, and

WHEREAS, the duties and tasks of the vacant position's staff member must continue to be completed during the staff member's absence, and

WHEREAS, the Real Property Tax Director knows of a person who could potentially be hired as a part time unbenefited Tax Map Technician on a temporarily basis for up to a 6-month period of time, at the 2021 hire rate of \$24.77 to assist the department in the absence of the staff member, and

WHEREAS, that in the event that the potential part time unbenefited Tax Map Technician was not able to fulfill the department's needs, a second Tax Map Technician within the department could work overtime to fill the department's needs; therefore, be it

RESOLVED that a part-time temporary tax map technician position be created in Real Property Tax Department and; be it further

RESOLVED that the Wayne County Treasurer is authorized to revise the 2021 budget as follows;

1990 General Fund Contingencies  
(Appropriations)  
\$5,000 from 54000 Contractual Expenses

A1355 Assessment – Real Property Tax  
(Appropriations)  
\$5,000 to 51904 Overtime

Budgeted: yes \_\_\_ no x Proposed Cost: \$5,000 Reimbursed Amount \_\_\_\_\_ County cost \$5,000

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:  
Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**RESOLUTION TRANSMITTAL**

Committee No. 1

Date: 6/1/21

Committee Chair: Supervisor Leonard  
Department Head: Treasurer Schmitt

**AUTHORIZATION TO AMEND COUNTY TREASURERS BUDGET FOR ESTATE BURIAL COST**

WHEREAS, Resolution 373-20 authorized funding for estate burial cost; and

WHEREAS, no funding was needed during calendar year 2020; and

WHEREAS, the County Treasurer acts as the Wayne County Public Administrator pursuant to the Surrogate's Court Procedures Act (SCP) 1219; and

WHEREAS, there continues to be an above average number of estates where no one with a legal responsibility has stepped forward to settle an estate resulting in the County Treasurer being appointed to settle the estate; and

WHEREAS, there have been instances where the estate has no liquid assets, but does have assets that disqualify the decedent from a DSS or Veteran indigent burial; and

WHEREAS, there have been instances where legally responsible spouses have not stepped forward creating public health concerns where the County must step in pay for a burial, and

WHEREAS, the County can be held financially responsible for the storage of unclaimed decedents by area morgues; and

WHEREAS, it is the respectful thing to do to ensure that residents are properly taken care of even in death; and

WHEREAS, the County would have the ability to recover burial costs once assets from the estate were liquidated; now therefore be it

RESOLVED, the Wayne County Treasurer is authorized to amend the 2021 County Budget as follows to pay for burial cost as needed:

**A1325 COUNTY TREASURER**

(Revenues)

\$10,000 to .40000 Miscellaneous

(Appropriations)

\$10,000 to .54515 Estate Expense

Budgeted: yes no\_\_ Proposed Cost: \_ Reimbursed Amount \$0.00 \_ County cost \_

Departmental transfer \$\_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**RESOLUTION TRANSMITTAL**

Committee No. 1

Date: 6/1/21

Committee Chair: Supervisor Leonard  
Department Head: Treasurer Schmitt

**AUTHORIZATION TO ACCEPT THE FEDERAL AMERICAN RESCUE PLAN ACT FUNDING AND AMEND THE 2021 COUNTY BUDGET**

WHEREAS, On March 11, 2021, the American Rescue Plan Act (ARPA) of 2021 (H.R. 1319) was signed into law, and includes \$65.1 billion in direct aid to counties and several additional funding opportunities for counties, to combat the COVID-19 pandemic, including its public health and economic impacts; and  
WHEREAS, Wayne County is to receive \$17,465,517 in total funding; and  
WHEREAS, on June 1, 2021 Wayne County received the first install of \$8,732,758.50 with the second installment to be paid out in County Fiscal year 2022; and  
WHEREAS, to ensure that the County received this funding the County Treasurer and Chairman of the Board of Supervisor where required to complete a formal request and sign documents with the United States Treasury; and  
WHEREAS, this funding is restricted funding that can only be used for specific purposes, which requires the County to manage, track, monitor, and report APRA revenues and expenses separately from other accounts; and  
WHEREAS, the County believes it is necessary to have an oversight committee that will review and approve all request for use of these fund prior to request going to standing committees for approval; now there be it

RESOLVED, the Wayne County Treasurer is authorized to amend the 2021 County Budget as follows

**A1011 – ARPA Funding**

(Revenues)

\$8,732,758.50 to .44289 Federal Aid

(Appropriations)

\$8,732,758.50 to .54000 Contractual Expenses

and be it further

RESOLVED, that the Board acknowledges and approves of the County Treasurer and Chairman of the Board of Supervisor filing and signing necessary paperwork prior to Board of Supervisor approval; and be it further

RESOLVED, that the County Treasurer and Chairman of the Board are authorized to file any reports as required for this funding going forward; and be it further

RESOLVED, that the Chairman of the Board is authorized to appoint an oversight committee to provide preliminary approval of usage of these funds prior to standing committee approval

Budgeted: yes no\_\_ Proposed Cost: \_ Reimbursed Amount \$0.00 \_ County cost \_

Departmental transfer \$\_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

RESOLUTION TRANSMITTAL

Committee No . 1  
Leonard  
Dept. Head: Rick House

Date: 6/8/2021

Committee Chair: Kim

ADOPTION OF THE 2022-2026 CAPITAL PLAN FOR WAYNE COUNTY

WHEREAS, the County Administrator submitted the proposed 2022-2026 Capital Plan to the Board of Supervisors on April 20, 2021; and  
WHEREAS, Department Heads who have submitted Capital Plan requests have reviewed their requests with their committees at their regularly scheduled May committee meetings; and  
WHEREAS, a copy of the revised Capital Plan is on file with the Clerk of the Board of Supervisors; and  
WHEREAS, a Public Hearing on the 2022-2026 Capital Plan was conducted on June 15, 2021; and  
WHEREAS, the Capital Plan is a planning instrument and not an appropriations or funding commitment; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby adopts the 2022-2026 Capital Plan filed with the Clerk of the Board.

Budgeted: yes \_\_\_ no \_\_\_ Proposed Cost: \_\_\_ 0 \_\_\_ Reimbursed Amount \_\_\_\_\_ County cost \_\_\_ 0 \_\_\_\_\_

Departmental transfer \$ \_\_\_\_\_ from Account No. \_\_\_\_\_ to Account No. \_\_\_\_\_

County Administrator's Review: \_\_\_\_\_ Date: \_\_\_\_\_

Human Resources Office Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

County Attorney Review: yes \_\_\_ no \_\_\_ N/A \_\_\_ Signature: \_\_\_\_\_

Standing Committee: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Signature/Date Rec'd: \_\_\_\_\_ Clerk, Board of Supervisors

Referred to:  
Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Committee: \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_