



Agency
Procurement
Policy &
Guidelines

Revised
2023

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Exhibits (Documents found at: <S:\Forms\Accounts Payable Related Forms>)

OCRRA Procurement Checklist Form w/Instructions	
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RESOLUTIONS



****MOST RECENT RESOLUTION IS LISTED FIRST****

No. 2402, 2023 – Resolution Amending Agency’s Purchasing Guidelines permitting the Executive Director to Accept up to 5% increase in an Awarded Bid

No. 1985, 2015 – Resolution Delegating Revised Authority to Executive Director to enter into contracts and to amend the procurement policy.

No. 1661, 2009 - Resolution Amending Agency's Purchasing Policy to Include Reducing Greenhouse Gas and Other Emissions as a Consideration in Equipment Purchasing Decisions

No. 1628, 2008 - Resolution Delegating Revised Authority to Executive Director to Enter into Small Purchase Contracts and to Amend Procurement Policy

No. 1163, 2000 – (w/Supporting Memorandum) Resolution Amending the Agency’s Purchasing Policy in Support of Minority and Women-Owned Businesses

No. 1162, 2000 - Resolution Delegating Revised Authority to Executive Director to Enter into Small Purchase Contracts

No. 1017, 1998 - Resolution Adopting Revised Policy and Procedures for the Procurement of Recycled Goods by the Agency

No. 823, 1996 - Resolution Designating Official Newspapers for purchasing of Goods and Services for the Onondaga County Resource Recovery Agency

No. 822, 1996 - Resolution Delegating Revised Authority to Executive Director to Enter into Small Purchase Contracts

No. 233, 1992 - Resolution Expressing Agency's Intent to Support Minority and Women Businesses When Awarding Agency Contracts

No. 221, 1991 - Resolution Adopting an Office Recycling and Waste Reduction Policy

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Agency Purchasing Policy

The Onondaga County Resource Recovery Agency was created as a public benefit corporation, pursuant to Public Authorities Law Title 13-B, to carry out its purpose of benefiting the people of Onondaga County by dealing with solid waste and any products or by-products thereof. Among the powers granted to the Agency under Public Authorities Law Section 13-B is the power to make contracts and to execute all necessary and convenient instruments to further the Agency's stated public purpose. The only provision in the Agency's enabling act, which specifies a required procurement procedure, is that found in Public Authorities Law Section 2045-p which addresses "construction contracts". In general, there are no statutory requirements for public authorities to competitively bid procurement contracts. While there are no statutory or common law requirements for a public benefit corporation to make purchases, such as equipment purchases through public bidding, it has been the practice in the past and now it will be the formal policy of this Agency that it will actively solicit competition for such procurements. Whether competition is solicited pursuant to a formal competitive bidding process or a less formal method such as obtaining proposals or verbal or written quotations, will depend upon the nature of the particular purchase. By promoting the competitive securing of goods and services, the Agency will assure the prudent and economic use of public monies in the best interests of the citizens of Onondaga County and will facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances. It is also the intention of this Policy to guard against favoritism, improvidence, extravagance, fraud and corruption, and, wherever possible within existing laws, to promote and support local businesses and industry. The Agency will, through its purchases of equipment, follow Agency established guidelines for reducing greenhouse gases. The implementation of this voluntary purchasing policy will foster a greater degree of public accountability on the part of the Agency and those involved in the procurement process and will provide greater assurance that procurements will be based upon the best interests of the citizens of Onondaga County.

-END-

Rev. 7/00

Amended by Resolution No. 1661 of June 10, 2009

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OCRRA PURCHASING PROCEDURE SHORT VERSION 2023

VENDOR SELECTION and PURCHASE DOCUMENTATION PROCESS

*General Rule: **Obtain three quotes. Select the vendor with the lowest quote.***

Minority/Women owned Business Enterprises (MWBE): Agency procurement procedure encourages the active solicitation of MWBE vendors. Recruitment of MWBE vendors should be included when advertising RFP, RFQ, and RFBs. Search MWBE sources such as; NYS Certified Minority-and -Women-Owned business Directory, City of Syracuse MWBE Directory, Syracuse Builder's Exchange Directory.

Cost Levels	Authorization	Quotes	Documentation
\$500 or LESS	Dept Manager & Business Officer	Single Quote only....three quote rule is waived.	Purchase Order (accessible in MAS Accounting Program)
\$501 - \$2,999*	Dept Manager & Business Officer	Obtain verbal quotes; use the “Verbal Quote Form” to record quotes	Purchase Order (accessible in MAS Accounting Program)
*A PROCUREMENT CHECKLIST MUST BE COMPLETED FOR ALL PROCUREMENTS OVER \$1,000			
\$3,000 - \$9,999**	Dept Manager, Business Officer & Executive Director	Obtain written quotes (or) RFQ for highly detailed orders (or) RFP for highly complex orders. Advertising is recommended for an RFQ or RFP but not required. Purchases Over \$5,000 (not on an OCRRA PO) Must be reviewed by Agency Counsel.	Purchase Order (or) Contract (for complex orders requiring detailed specifications). Contracts must be written/approved by Agency Counsel.
\$10,000 -20,000**	Dept Manager, Business Officer & Executive Director, Agency Counsel reviews all purchase orders over \$10,000	Obtain written quotes or issue RFQ or RFP depending on the complexity of the order. Advertising is required for an RFQ or RFP. Purchases Over \$5,000 (not on an OCRRA PO) Must be reviewed by Agency Counsel.	Purchase Order (or) Contract (for complex orders requiring detailed specifications). Contracts must be written/approved by Agency Counsel. Conflict of Interest and Non-Collusion forms.
**THE BUSINESS OFFICER REPORTS ALL PURCHASE ORDERS/CONTRACTS BETWEEN \$5,000-\$20,000 THE BOARD OF DIRECTORS			
Over \$20,000***	Dept Manager, Business Officer, Executive Director, Agency Counsel & Board Resolution	RFP or Formal Bid Process (see “Bid Process” section in the Agency’s Procurement Guidelines). Advertising is Required for all Procurements over \$20,000.	Purchase Order (or) Contract (for complex orders requiring detailed specifications). Contracts must be written/approved by Agency Counsel. Conflict of Interest and Non-Collusion forms.

*****NYS REQUIREMENT: PURCHASES OVER \$15,000 REQUIRE A DESIGNATED AGENCY CONTACT, OTHER THAN THE PROCUREMENT MANAGER, TO HANDLE VENDOR INQUIRIES. INCLUDE WITH RFP AND FORMAL BID REQUESTS AND REQUIRE COMPLETION OF STATE FINANCIAL LAW FORMS.**

VENDOR SELECTION INSTRUCTIONS

Verbal	Quotes for purchases under \$3,000 may be taken via phone call.
Written	Vendors are required to submit their quotes by fax or e-mail for purchases of \$3,000 or more.
Request for Quotation (RFQ)	Quotes for purchases over \$2,999 involving detailed specifications should be obtained by using an RFQ. The RFQ is designed to list the required specifications of the product being purchased. RFQs are mailed to pre-selected vendors, should be advertised on the Agency website, and may be advertised in the newspaper. If more than \$5,000, the RFQ should be reviewed by Agency Counsel prior to distribution.
Request for Proposal (RFP)	An RFP is designed to obtain not only a vendor's quote but, also the vendor's expert analysis on how to handle a project. Unlike a RFQ or a Formal Bid Request, price may not always be the deciding criteria in vendor selection. RFPs are mailed to pre-selected vendors, should be advertised on the Agency website, and may be advertised in the newspaper. If more than \$5,000, the RFP should be reviewed by Agency Counsel prior to distribution.
Formal Bid Process Request for Bids	Formal bids are sought for high priced (over \$20,000), clearly defined, purchases (e.g. equipment). Bids are advertised in the Agency's designated newspaper, mailed to pre-selected vendors, and advertised on the Agency website. A formal bid must be advertised in the Syracuse Post Standard newspaper. The advertisement <i>must be placed at least 10 days from the date of the bid opening.</i> Sealed bids are opened in a public meeting. Faxed or emailed bids are not accepted. Bid packages must be reviewed by Agency Counsel.

PURCHASE ORDERS and CONTRACTS

Purchase Orders are simplified contracts filled out by the Department Manager and stored in the Agency's financial system. Generally, an order is placed after the purchase order has been approved.

<u>DOCUMENT TYPE</u>	<u>PROCUREMENT SITUATION</u>
STANDARD PURCHASE ORDER	Prepared for most Agency purchases after the vendor selection process has been completed. The purchase description, cost, freight fee, and payment terms are established.
EMERGENCY PURCHASE ORDER	In emergency situations, where time is critical, the order can be placed verbally (three quote rule is waived) and confirmed with a written Purchase Order. <i>This should be used for true, documented emergencies only. The Business Officer or the Executive Director should be informed ASAP.</i>
BLANKET PURCHASE ORDER	Prepared for purchases of expected repetitive services or products or for lower cost miscellaneous purchases over a period of up to one year.
STATE OR COUNTY CONTRACT PURCHASE ORDER web sites: www.ogs.state.ny www.cnybuys.com	When purchases are made from vendors holding a State or County Contract the three quote rule may be waived. The applicable State or County contract number must be entered on the purchase order and a copy of contract text showing this number and expiration date of the contract should be obtained for the records.
CONTRACTS	Prepared and/or approved by the Legal Department and used instead of a purchase order when detailed specifications are important to protect the Agency's interests. (See Agency Counsel, for more information concerning contracts)
POST-ORDERING PROCEDURES	
RE-ORDERING	Quotes under \$10,000 may be utilized for a subsequent purchase if made within twelve months of the original purchase. The total expenditure on both purchases combined not to exceed \$20,000.
RECEIVING GOODS	OCRRA personnel receiving products should sign, date, and forward shipping documents to the Department Manager. If no shipping receipt is available fill out the Agency's <u>Receiving Receipt Form</u> .
PAYING VENDORS	The <u>Payment Authorization Form</u> is filled out and signed by the Department Manager to initiate the payment process relating to a purchase order or contract transaction. The vendor's name, address, amount to be paid, general ledger account number, and a description of the purchase is filled in and with the attached purchase order, invoice, quote documentation and shipping receipt is forwarded to Accounts Payable. For transactions such as, purchases from utilities, for subscriptions, petty cash replenishment; where a purchase order or contract is not practical, a <u>Check Request Form</u> is used to request/authorize and process payment. Approval from the Business Officer and Executive Director (for payments over \$2,999) is needed before payment can be sent to the vendor.
FORMS	Forms used in the purchasing and payment process include (but are not limited to) the Verbal Quote Summary Form, the Receiving Receipt Form, and the Payment Authorization Form or the Check Request Form. <i>All Procurement related forms, including this document, are located at the following:</i> S:\Forms\Accounts Payable Related Forms The Agency Purchase Order is accessible in the MAS Accounting Program and entered by a Department Manager or a designated staff member. They are printed and sent to vendors SOLELY by the Agency Accounts Payable Dept (See Accounts Payable Clerk for assistance with entering purchase orders in the Agency's financial system). <i>Please Note: Certificates of Non-Collusion, Conflict of Interest Affidavits, and State Finance Forms must be included in any RFQ, RFP or Bid Packages sent to a vendor. They must be completed by the vendor BEFORE an agreement is made to purchase from them.</i>
SUPPORTING DOCUMENTS	<i>Physical Proof of Advertisements (when applicable) will be maintained by the Agency Purchasing Clerk in a central location available for review upon request.</i>

GUIDELINES FOR THE PROCUREMENT OF GOODS AND SERVICES FOR THE ONONDAGA COUNTY RESOURCE RECOVERY AGENCY



The Onondaga County Resource Recovery Agency hereby formally adopts the following written guidelines applicable to all purchases of goods and services. These guidelines are meant to actively promote competitive procurements of all goods and services, with very limited exceptions, as set forth herein. Agency staff is hereby directed to comply with these guidelines and to retain the necessary documentation as required herein to substantiate such compliance. These guidelines shall be included in the Agency's Procurement Handbook along with the Agency Purchasing Policy Statement related thereto.

ACTIONS AND AUTHORITY OF AGENCY COMMITTEES AND BOARD

For all Requests for Bids, Proposals and Quotes for goods or services, each designated Committee Chair, upon a consensus of such Committee, has authority to authorize the Agency's Executive Director to proceed with obtaining a Bid, Quote, or Proposal relevant to the responsibility of that Committee and, after Committee review of the results of said solicitation, to then sponsor a Resolution for Agency Board action recommending a provider and authorizing a contract to be executed for such goods/and or services.

CONSTRUCTION CONTRACTS

All contracts or orders for work, material or supplies performed or furnished in connection with construction shall be awarded pursuant to a Resolution of the Agency's Board of Directors. Such awards, when applicable, shall be made in compliance with paragraph (e) of Subdivision 4 and Subdivision 7 of Section 120-w of the General Municipal Law. In any such construction contract, the Agency may provide a program for the payment of damages for delays and incentive awards in order to encourage timely project completion. All contracts for such public construction work shall be awarded by the Agency to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in a manner provided for herein under the heading "Advertising and Opening of Bids".

In case any work shall be abandoned by any contractor, the Agency may, if it determines that the public interest is thereby served, adopt on behalf of the Agency any and all subcontracts made by such contractor for such work, and all such subcontractors shall be bound by such adoption, if made.

No bid or proposal shall be accepted from or any contract awarded to any person or corporation who is in arrears to the Agency upon any obligation of the Agency. Every contract, when made and entered into, as herein provided for, shall be executed in duplicate, one copy which shall be

held by the Agency and one copy which shall be delivered to the contractor. The provisions of this section shall supersede any inconsistent provisions of the General Municipal Law or any other general, special or local law.

PURCHASES OF GOODS, EQUIPMENT AND SERVICES

Except as otherwise expressly provided herein, all purchases of goods, equipment and services by the Onondaga County Resource Recovery Agency involving an expenditure of more than \$20,000 and all other such purchase contracts involving an expenditure of more than \$20,000 shall be made pursuant to an open competitive bidding process as set forth herein and shall be awarded to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided for by this Procedure. In cases where two or more responsible bidders submit identical bids as to price, the Agency's Board of Directors may award the contract to any of such bidders. The Agency reserves its discretion to reject all bids and re-advertise for new bids in the manner provided for in this Procedure.

For purchases of goods, services or equipment involving a total purchase price of less than \$20,001, the Executive Director or his designate shall, whenever possible, obtain at least three verbal or telephone quotes from different vendors and document the substance of those quotes, and specifics (i.e. vendor name, date, time, contact person, reasons) for those not choosing to quote. For non-recurring small purchases, at levels of less than \$500, competitive quotes are not required. Contracts involving reconstruction or other repair activities otherwise not covered under "Construction Contracts" above shall be subject to the requirements set forth herein for purchase of goods, services and equipment.

A "Procurement Checklist" must be signed and submitted to the Accounts Payable Clerk along with other supporting documents for all purchases over \$1,000.

For purchases of goods, services or equipment costing over \$1,000 up to \$20,000, the Executive Director or his designate shall obtain three or more written quotes, whenever possible, and shall document and retain those quotes for a period of at least two years. The Board must approve any such expenditure over \$20,000 as well as any contracts for work, material or supplies performed or furnished in connection with construction or other public work. The Executive Director shall report to the Board monthly on all non-construction public work purchases over \$5,000 made during the prior month without specific Board approval.

EMERGENCIES

Notwithstanding any of the other provisions in this procedure, in the case of an emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting Agency buildings, Agency property or the life, health, safety or property of Agency employees, customers or the general public require immediate action which cannot await a competitive process or competitive bidding, contracts for public work or the purchase of supplies, materials or equipment or services may be let by the Agency Executive Director, Business Officer or Board by immediate contract and the Executive Director may temporarily dispense with the competitive bidding or procurement requirements set forth herein. However, a good faith emergency must exist and while the emergency purchases do not require competitive bidding, it is nevertheless the policy and procedure of this Agency that such expenditures that would normally require Board Approval must, wherever possible, be made at the lowest cost to the Agency and must be later affirmed by the Agency's Board of Directors.

ORIGINAL EQUIPMENT MANUFACTURER (O.E.M) PARTS

The product to be purchased may only be made by the original manufacturer of the part. In this case it is not possible to obtain competitive quotes. However, the manager must clearly specify on the form that the part to be purchased is an O.E.M part.

Installed Software

The license/product to be renewed may only be obtained through the existing software vendor. In this case it is not possible to obtain competitive quotes. However, the manager must clearly specify on the form that the purchase relates to an installed software renewal.

SOLE SOURCE

It is the policy of the Agency to promote competition in the procurement process, whenever possible. Toward that end, the Agency will not specify the product of a certain manufacturer to the exclusion of all other comparable products, except where such a designation is required for the public interest, such as where local geographic, atmospheric or other conditions require the use of the, and only the type of, equipment specified. Where the Agency specifies a particular article or type of equipment that it regards as its general standard, it will provide that any other manufacturer of similar equipment may meet the specifications if his or her product is reasonably equivalent to that mentioned as the standard. Only in those instances where the Agency is required to secure equipment or service from a sole source, may a purchase of such items or service be made without a competitive procurement process. In such instance, the Executive Director shall report to the Board on the need to purchase the equipment or service from a sole source vendor prior to procurement.

PURCHASES THROUGH COUNTY OR STATE

Notwithstanding the provisions of this procedure, the Agency is authorized to make purchases of material, equipment or supplies, when available, utilizing local government current competitive procurement lists, including those of the County or NYS. The sole exception is in the instance where bids have already been received by the Agency for the purchase by the Agency of the material, equipment or supplies, and such purchase cannot be made upon the same terms, conditions and specifications and at a lower price through the County or State. When there are multiple local vendors for the same product at the same price under these State or County contract lists, it is Agency policy to distribute purchases among all of these vendors and thereby equitably distribute business opportunities to as many vendors as practical.

PURCHASES THROUGH Municipal Purchasing Cooperatives

Notwithstanding the provisions of this procedure, the Agency is authorized to make purchases of material, equipment or supplies, when available, utilizing municipal purchasing cooperatives that the Agency is a member of. The Agency may join purchasing cooperatives at the discretion of the Executive Director if the City or County is also a member. Initial membership in other cooperatives requires approval of the Board of Directors. The Agency is currently a member of Sourcewell and H-GAC, the Houston-Galveston Area Council.

REDUCING GREENHOUSE GAS AND OTHER EMISSIONS AS A CONSIDERATION IN EQUIPMENT PURCHASING DECISIONS

When purchasing vehicles, trucks, or other major pieces of equipment that utilize carbon-based fuels and that are potentially significant emitters of greenhouse gases, the Agency will, when purchasing such goods by bid, incorporate consideration of the greenhouse gas impact in developing the bid specifications and, where practical, include the opportunity for bidding an option for alternative goods that offer reduced greenhouse gas emissions. The Agency may then

consider whether such optional goods are financially viable in light of the Agency's existing budgetary constraints.

The Agency may also purchase such goods through a Request for Proposal process in which weighting for a contract award may include a credit of up to 3% for greenhouse gas emissions reduction efficiency.

Finally, when purchasing such goods off State Contract the Agency will consider the greenhouse gas impact of optional goods available there under in selecting the goods that meet the Agency's functional needs within existing Agency budgetary constraints.

PROFESSIONAL SERVICE CONTRACTS

Contracts which require professional methods, character or standards or require a State license to practice, or special skill and training or which may be creative and specialized in nature are considered to be professional service contracts. These services, when a firm is initially retained to perform relative to a specified task or project, shall be procured pursuant to a competitive process as follows:

It is the policy of the Agency to negotiate professional services contracts on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable fees in the procurement of professional services requiring special skill and training. Agency staff, in association with the Agency Committee having oversight responsibility for the professional services shall encourage any professional firms engaged in the lawful practice of the profession to submit a statement of qualifications and performance data.

Agency staff, with the above noted Agency Committee, shall evaluate the current statements of qualifications and performance data and request proposals from three or more professional firms regarding the scope of work and proposed methods of approach to the assignment. The proposal shall specify the direct labor costs, the hourly billing rates in each labor category, the estimated time for each labor category and the indirect costs. The Agency will select, in order of preference; based upon criteria established in the Request for Proposals, the professional firm deemed to be the most qualified to provide the services required.

Agency staff shall negotiate a contract with the most qualified professional firm for the professional services required at a compensation which the Agency deems to be fair and reasonable. In making this decision, the Agency will take into account the estimated value of the services to be rendered, including the cost, scope, complexity and professional nature thereof. The contract shall specify the allowable indirect costs, the direct labor costs and the hourly labor billing rates in any labor category for any professional firm selected to render services to the Agency and the determination of the reasonableness of cost shall include, among other things, the direct labor costs of the professional firm for such services, plus "allowable indirect costs". Such "allowable indirect costs" of a professional firm are defined as those costs generally associated with overhead which cannot be specifically identified with a single project or contract and are considered reasonable and allocable within the profession.

The Agency may, subject to these provisions, contract with the professional service provider under a retainer type agreement which delegates to Agency staff authority to approve specific work task assignments to be performed within a general scope of services. Should the Agency be unable to negotiate a satisfactory contract with the professional firm considered to be the most qualified, at a fee the Agency determines to be fair and reasonable, negotiations with that professional firm shall be formally terminated. The Agency shall then undertake negotiations with the second most qualified professional firm. Failing accord with the second most qualified

professional firm, the Agency shall formally terminate negotiations. The Agency shall then undertake negotiations with the third most qualified professional firm, and so forth, until it has selected the most qualified firm in order of competence and qualification that will provide the services at a reasonable cost. The Agency will then enter into an agreement based upon the condition set forth herein.

For procurements of professional services, related to legal and engineering services, the Agency shall use the respective adopted policies and procedures related thereto. Where the Agency utilizes an agent/broker to secure specialized media resources in its behalf (e.g. television time, radio time, newspaper ads, etc.), those media resources may be obtained based upon the agent's/broker's recommendation in order to provide the broadest dissemination of Agency messages and the Agency may contract directly for such services based upon that plan or recommendation. The agent/broker shall consider competitive prices, effectiveness of message dissemination and other relevant factors to provide the most effective message presentation within the resources budgeted.

LEASE ARRANGEMENTS

Leases of equipment or real property shall also be awarded after a competitive process. Agency staff shall obtain formal written quotations or proposals from three or more vendors for any lease involving in excess of \$1,000 annually. For leases involving in excess of \$1,000 annually, staff shall obtain written quotations or proposals setting forth the particulars as to the equipment or space to be provided and details as to cost, on an annual and total lease basis, which may be used for evaluation of the proposal. The lease shall also include details as to additional cost beyond the base lease amount necessary to properly evaluate the equipment or property to be leased prior to award to the successful vendor. For leases involving an annual total lease expense of less than \$1,000, Agency staff shall secure at least three informal quotes, whenever possible, and perform the same evaluation before making a recommendation to the Executive Director relative to the selection of a lessor for the equipment or property to be leased. For any lease in excess of \$1,000, but less than \$5,000 annually, the Executive Director shall report on the execution of such lease to the Agency Board at its next regularly scheduled meeting.

STANDARDIZATION

Standardization should be utilized only where there are strong reasons of efficiency or economy. It is the Agency's policy and its procedure that it will not specify the product of a certain manufacturer to the exclusion of all other comparable products except where such a designation is required for the public interest. Although the Agency may specify a particular article or type of equipment that it regards as its general standard, it should provide that any other manufacturer of a similar object may meet the specifications if his or her product is reasonably equivalent to that mentioned as the standard. Nevertheless, in those instances where the public interest requires that the Agency standardize, such standardization may only occur upon the adoption of a Resolution by a vote of at least three-fifths of all the members of the Agency's Board of Directors stating that, for reasons of efficiency or economy, there is a need for standardization. Even where the Agency standardizes on a particular article or type of equipment, competitive bids or quotes from all suppliers of that article or type in upstate New York or, if necessary, outside the area should be actively solicited to promote competition. In such case, the Board, or its designee, shall contract with the lowest responsible bidder, or the party providing the lowest quote. Such Board Resolution of standardization shall contain a full explanation of the reasons for its adoption.

SURPLUS AND SECOND-HAND SUPPLIES

Surplus and second-hand supplies, material or equipment may be purchased by the Agency without competitive bidding from the Federal Government, the State of New York or from any other political subdivision, district or public benefit corporation.

ADVERTISEMENT AND OPENING OF BIDS

Advertisements for bids shall be published in the official Agency newspapers designated for such purpose. Such advertisement shall contain a statement of the time when, and place where all bids received, pursuant to such notice, will be publicly opened and read. Agency staff shall also take all such additional measures as possible including broad direct solicitation by letter and telephone and notice to public listings such as the Dodge Report and Syracuse Builder's Exchange to maximize the response to the bid and thereby increase competition.

Unless otherwise stated, the following guidelines should be followed when placing procurement advertisements:

1. Legal ads are only **REQUIRED** for items we anticipate will cost more than \$20,000. Placing ads for smaller ticket items is not required, but can be done at the requesting Manager/Public Information Officer's discretion.
2. These big ticket item ads must be placed once in the Syracuse Post Standard Newspaper.
3. The advertisement **must be placed at least 10 days from the date of the bid opening** (i.e., the Bid Opening is 6/20, the last ad must be run 6/10 or earlier).
4. Legal ads must follow our shortened template [S:\Legal Notice Templates](#).
5. The purchaser shall retain a copy of all advertisements in the corresponding bid file.

A bid procedure checklist in the Agency's Procurement Practices and Procedures document provides details as to the steps that must be followed to increase the competitive response. The Agency may, by Resolution, designate any officer or employee to open the bids at the time and place specified in the notice. Such designee or the Agency staff member present shall make a record of such bids in such form and detail as may be necessary for meaningful review and present the same at the next regular or special meeting of the Board or, where delegated to an Agency committee, at the next regular or special meeting of the delegated committee. All bids received shall be publicly opened and read at the time and place so specified. At least ten working days shall elapse between the last publication of such advertisement and the date so specified for the opening and reading of the bids.

BID MISTAKE

In all contracts involving public projects governed by this procedure where a unilateral error or mistake is discovered in the bid, such bid may be withdrawn after a showing of the following:

1. The mistake is known or made known to the Agency prior to the awarding of the contract or within three working days after the opening of the bid, whichever period is shorter; and
2. The price bid was based on an error of such magnitude that enforcement would be unconscionable; and
3. The bid was submitted in good faith and the bidder submits credible evidence that the mistake was a clerical error as opposed to a judgmental error; and

4. The error in the bid is actually due to an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work, labor or material or services made directly in the compilation of the bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective evidence drawn from inspection of the original work paper, documents, or materials used in the preparation of the bid sought to be withdrawn; and
5. It is possible to place the Agency in status quo ante; and
6. Unless otherwise required by law, the sole remedy for a bid mistake shall be withdrawal of that bid and the return of the bid bond or security, if any, to the bidder. Thereafter, the Agency may, in its discretion, award the contract to the next lowest responsible bidder or re-bid the contract. Any amendment to, or reformation of a bid or a contract to rectify such an error or mistake therein, is strictly prohibited.

BID Price Adjustments

The Executive Director is authorized to permit an increase not to exceed 5%, and not to exceed \$20,000, for any awarded bid or proposal, provided the vendor requesting the increase presents good cause for the increase to the Executive Director and provided the requested increase does not render the awarded bid price higher than the next best bid. The Agency Executive Director is required to report to the Agency Board of Directors Administration Committee each time this provision of the Procurement Policy is used, along with the reason or reasons for the Executive Director's decision.

ITEMS MADE IN NEW YORK

Whenever possible, practical and feasible and consistent with open competitive bidding, the Agency may use the stock items specifications of manufacturers, producers and/or assemblers located in New York State in developing specification for items to be let for bid in its purchasing contracts and may use the data and information contained in stock item specifications forms as provided in Section 164-a of the State Finance Law to assist in its determination of what constitutes a stock item of a manufacturer, producer and/or assembler located in New York State for a purpose of helping to retain jobs, business and industry presently in the State of New York so as to best promote the public interest.

RECYCLED PRODUCTS

When purchasing products, the Agency may purchase off a State contract that specifies a recycled content or, whenever recycled content products meet contract specifications and the price of such products is "reasonably competitive". "Recycled products" shall mean, for the purposes of this section, any product which is manufactured from secondary materials, as defined in Subdivision 1 of Section 261 of the Economic Development Law and which meets the requirements of Subdivision 2 of Section 27-07 17 of the Environmental Conservation Law, and regulations promulgated pursuant thereto. For the purpose of this section, "reasonably competitive" means that the cost of the "recycled product" does not exceed a cost premium of 10% above the cost of a comparable product that is not a "recycled product". Pursuant to the Agency Policy set forth in Agency Resolution No. 221 of December 11, 1991, recycled paper will be considered as the "best option in making purchases of paper, envelopes, stationery, copier paper, computer paper, business cards and similar paper materials" and, therefore, should be specified in any request for bids or purchases. Only excess costs above those set forth herein, or technical problems in using the recycled paper, will justify the choice of non-recycled materials instead of recycled products. The Agency's purchasing requirements should make every effort to include the use of recycled materials in its purchasing specifications. Purchases under state

contracted items, where recycled content is specified, may make the purchases economically justifiable. When procuring various recycled content goods, the Agency should take appropriate steps to have vendors certify that such goods meet recycled specifications set forth in bids, quotes, and proposals.

SUPPORT FOR MINORITY, WOMEN-OWNED, AND SMALL BUSINESSES

The Onondaga County Resource Recovery Agency did, pursuant to Resolution No. 233, of January 8, 1992 express its support to encourage contracts with minority, women-owned, and small businesses when awarding contracts in purchasing goods, services and equipment. Hereunder, the Agency will not discriminate against any person who is qualified and available to perform the work by reason of race, color, creed, gender or national origin. The Agency will encourage active participation by women-owned, minority-owned and small businesses in its procurement process, including reviewing and referencing any available lists of such vendors and actively and affirmatively soliciting their participation through letter and telephone advisement of the coming procurement, and will fully support equal opportunity and fair treatment of all people in its contracting. For all contracts that involve New York State funding or partial New York State Funding, Agency staff shall make a good faith effort to utilize the services of minorities and women-owned businesses. Agency staff should review the New York State Directory of Certified Minority and Women-Owned Businesses for appropriately qualified and interested minority and women-owned businesses during the initial contract development and throughout the contracting process and should document the good-faith effort to utilize minority and women-owned businesses on such projects.

For the procurement of services of \$10,000 or less from minority or women-owned businesses, such procurement may be made on the basis of a single solicited proposal if the price is "reasonable". A determination as to whether the price is "reasonable" shall be made following these five guidelines:

1. Comparing the solicited price, the price of the same or similar services obtained within the last six months;
2. Comparing the price with other prospective contractors;
3. Comparing the solicited price, the price as listed in the publication, such as the "Means Building Construction Cost Data" catalog;
4. The type of work has previously been accepted by our Agency or a State Agency at a similar cost; or
5. The market value can be verified/justified by the Agency.

QUOTATION PROCESS

Documentation of quotations is required. Written, verbal or telephone quotations shall be documented on, or attached to, existing Agency forms. Bid or quote solicitations must provide, where applicable, that shipping, handling and other ancillary charges are included in Bids, Quotes, and Proposals and must be considered in determining the lowest responsible and responsive provider. Contracts may only be executed after appropriate legal review as required in the Agency Legal Procedures and Policy.

STATEMENT OF NON-COLLUSION REGARDING BIDS AND PROPOSALS SUBMITTED TO AGENCY

Every bid or proposal in excess of \$1,000 in value hereafter made to the Agency to provide work, services or equipment to the Agency shall contain a detailed statement subscribed by the bidder or proposer, under penalty of perjury, certifying that the prices were arrived at independently without collusion, consultation, communication or agreement; that the prices have

not been disclosed and will not knowingly be disclosed by the bidder prior to the opening; and that no attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition. No contract shall be awarded where the statement of non-collusion required herein is not properly completed and submitted with the bid or proposal.

ETHICS AND CONFLICT OF INTEREST

Each vendor providing a successful proposal or the lowest bid or quote under this Policy who will supply the Agency with work, equipment, or services shall submit to the Agency, prior to acceptance of the contract relative thereto, a statement on an Agency standard form indicating that the contractor, its officers and employees do not have a conflict of interest relative to supplying the work, equipment or services to be provided. The Agency Ethics Policy should be consulted where any questions of ethics or conflict of interest are raised relative to a proposed provider of work, equipment or services.

STATE PREFERRED SERVICE OFFERINGS

It shall be the Agency's policy herein to comply with Sections 162 and 163 of the State Finance Law (Laws of 1995) regarding referencing the availability of the needed article in appropriate quantities under the Preferred Source Offering List before purchasing articles available there under where minimum quantities, delivery schedules and price are not an issue.

CONTRACT PERFORMANCE ASSURANCE

- a) **Retainage:** The Agency may require a 10% retainage for some construction and engineering contracts. This retainage will be released upon successful completion of the contract.
- b) **Bid Bonds and Performance Bonds:** Generally, the Agency does not require either Bid Bonds or Performance Bonds.
- c) **Form A and Form B:** Department Managers are required to complete Contractors/Engineering Services "Form A" Basic Data Form and Contractors/Engineering Services "Form B" Invoice Monitoring Form (see exhibits). The Department Manager must complete a form for each project invoice.

CONTRACTOR DEFAULT PROCEDURE

If a contractor fails to fully perform under a contract, Agency management shall, with the advice of Agency Counsel, immediately put the contractor on notice of the default by a certified letter. Agency staff shall then seek an immediate meeting with the contractor and, with the concurrence of Agency Counsel, freeze payments then due to the Contractor. At the meeting with the contractor the Agency staff shall review the applicability of all of the following options:

1. If the contractor can and will resume performance under the contract and agree to a stipulated damage payment for the delay, or
2. If the contractor cannot perform but will allow the Agency to cover for the balance of the performance with another contractor and the defaulting contractor will pay for any difference in costs and expenses related to the delay, or
3. If the contractor cannot perform but is willing to give the Agency a written credit for the difference in costs and expenses related to the delay by means of an offset on a future contract with the Agency, or
4. If the contractor is willing to make a cash settlement for its non-performance, or

5. If the Agency will work with the issuer of the contractor's performance bond to cover the balance of the contract with another contractor. The Agency would then proceed against the contractor's performance bond. In such case, notice must be given to the performance bond issuer promptly and the Agency will work with the issuer in the selection and implementation of a cover contractor, or
6. If liquidated damages are available and will be imposed for each day of delay in accordance with the contract, or
7. The Agency staff with the advice of Agency Counsel may recommend to the applicable Committee or the Board that the Agency commences a legal action to compel performance or to seek money damages.

The Agency will not accept subcontractor non-performance or subcontractor bankruptcy as an excuse for the non-performance of an Agency contractor. Management shall then report to the applicable committee on its findings. For contracts under \$100,000 the applicable Board Committee shall decide the strategy for seeking contract performance or damages considering, among other things, the options set forth above. If the contract is for over \$100,000, the strategy shall be determined by the Agency Board, giving due consideration to the management and committee review and/or recommendations regarding the options above. Only the Agency Board may authorize the institution of a legal action or cover contracts in excess of the Executive Director's authority. Upon completion of these actions, the Agency's Executive Director shall provide a written summary of its outcome and results to the Agency's Board at its next regularly scheduled meeting.

ANNUAL REVIEW

The Agency's Administrative Committee shall annually review this Policy and Procedure and report to the Agency Board. The Agency's Business Officer or Deputy Director shall be responsible for assisting the Agency in conducting an annual review of this Procurement Policy and for an evaluation of the internal control structure established to ensure compliance with this Procurement Policy.

-END-



AGENCY PURCHASING PROCEDURE SIX STEP SUMMARY

STEP1 OBTAIN COMPETITIVE QUOTES

General Rule: Obtain three quotes; Select the vendor with the lowest quote *In conjunction with soliciting price quotes, the manager should check to see if the item to be purchased is available in the desired quantities through a designated **Preferred Source Offering** vendor, available on **State/County Contract**, through a **minority, women-owned, or small business**, and if the item being ordered is available from a vendor offering products made from **recycled materials**.*

Vendor selection methods include *obtaining verbal or written quotes, using RFQ, RFP, or the bid process.*

GUIDELINES FOR QUOTES:

- a) Goods or services costing not more than \$500 do not require multiple quotes.
- b) If the cost of goods or services will be greater than \$500 and not more than \$2,999, verbal quotes may be used. (Agency shop mechanics are only required to secure two verbal quotes). Use the Verbal Quote Summary form to record vendor quotes. (see exhibits)
- c) If the cost of goods or services is **\$3,000** or more three written quotes are required. The completion of the Procurement Checklist form must be filled out for purchases over \$1,000. Any Purchase Orders and/or Contracts between the amounts of \$5,000 and \$20,000, inclusive, will be reported to the Board.
- d) Any purchases expected to be more than \$20,000 will require a Board Resolution.
- e) **NYS Requirement:** Purchases over \$15,000 require a designated Agency Contact, other than the Procurement Manager, to handle inquiries (include with RFP and Formal Bid Requests)

All information obtained in connection with quotes must be retained for 2 years. Faxed copies (from vendors) of quotes are acceptable.

STEP 2 SELECT A VENDOR

Generally the lowest cost bidder able to meet the Agency's deadline and quality standards is selected.

Exceptions to the three quote AND Checklist rule: Transactions relating to the following are instances in which multiple quotes are not necessary.

- a) Emergency Purchase Orders
- b) O.E.M. Vendors
- c) Sole Source Supplier
- d) State/County Contract
- e) MWBE with "reasonable" price (see Step One: Obtain Price Quotes)

STEP 3 PREPARE DOCUMENTATION

Department Manager or their designated staff member with possible Agency Counsel assistance, if necessary, prepares or facilitates one of the documents described below:

- a) Purchase Order – A simplified contract used for purchasing specific products or services.
- b) Blanket Purchase Order –used for repetitive services or for miscellaneous purchases of supplies. (Usually there is a 12 month limit unless the Executive Director/Business Officer grants an extended blanket order period.)
- c) Emergency Purchase Order – used solely when an emergency requires immediate action and a delay in ordering a product or service would result in a disruption to operations, expose employees or the public to unsafe conditions, or cause harm to the Agency.
- d) Contract – Used when the purchase of a product or service is of a somewhat complex nature and will need detailed descriptions of quality or scope of service. Contracts are used for large purchases or rentals of equipment where warranty provisions are important.

STEP 4 PLACE THE ORDER

Purchase Order/Contract Transactions

Once the purchase order or contract documentation is fully approved, the Manager places an order for the goods or services. The exception to this procedure is in the case of an EMERGENCY PURCHASE ORDER.

Non-Purchase Order/Contract Transactions

The Agency's Credit Card may be used in unique circumstances when the cost of a purchase is in the low to moderate range, the nature of the purchase is uncommon, and there is no established credit relationship between the Agency and the vendor. All purchases made via the Agency's Credit Card must be approved by the Department Manager and the Agency's Business Officer prior to making the purchase.

STEP 5 RECEIVING GOODS OR SERVICES

Receiving Documentation – This is paperwork accompanying a delivery that provides a description and quantity of goods shipped. Many vendors provide receiving documents when goods are delivered or a service receipt when services are performed.

Receiving or service receipts must be **SIGNED AND DATED** by the Agency staff person who

received a delivery or who had monitored an on-site service. This documentation is forwarded to the appropriate Manager.

- a) Shipping receipt: This is a packing slip, picking ticket, etc. accompanying a vendor's delivery. Match this receipt to the item(s) on the purchase order or contract and the vendor's invoice.
- b) Receiving Receipt: This is an internal form used to record goods received when a vendor has not included a shipping receipt with a delivery. (See exhibits)

STEP 6 PAYMENT PROCESS

Usually, the payment process should commence after a vendor's order has been delivered or their service has been provided, and after the vendor's invoice and receiving receipts reconcile with quotes, the purchase order, or the contract.

Purchase Order or Contract Related Transactions

Payment Authorization Form: This form is filled out by the Department Manager or designated staff member to process payment for purchases relating to purchase order or contract transactions. This form is approved by the Manager, the Business Officer. If the cost is over \$3,000 it must be reviewed by the Executive Director, and if over \$10,000, reviewed by Agency Counsel. (See Exhibits).

Non-Purchase Order or Non-Contract Transactions

Check Request Form: The Check Request is a document filled out by the Department Manager to process payment for non-purchase order transactions. Included on the check request is the name and address of the vendor, a brief description of goods or services being purchased, the cost, the Agency general ledger number, date of service, etc. The Manager or designated staff member must reconcile any cost discrepancies with the vendor before completing the Check Request Form. All supporting documents available to verify the purpose, the cost, and the vendor's address should be attached to the Check Request. This may include the vendor's invoice or application for service, quotes, vendor faxes, letters, or emails. Unless the Check Request is in connection with confidential human resources matters it should not be submitted for approval or payment without documentation verifying the vendor name, address and cost of the transaction.

The check request is approved by the Department Manager, the Business Officer and if the cost is \$3,000 or greater also the Executive Director. The check request is forwarded to the Accounts Payable area for processing.

Notes:

1. For capital related expenditures see Capitalization Policy
2. Greenhouse gas emissions considerations must be considered when framing bid packages or RFPs for purchases of vehicles or heavy equipment. (See Resolution #1661 of 2009)
3. For information pertaining to the bidding process, see the Bid Process.
4. If the lowest cost vendor is not selected, consult with Agency Counsel before award.
5. Certificate of Non-Collusion and Conflict of Interest Affidavit must be included with any RFQ, RFP, or Bid Package sent to vendors.

6. For small purchases under \$20 consider using the Agency's petty cash fund.
7. Blank forms covered above and throughout this document can be found in the Exhibits section and at the following link:

[S:\Forms\Accounts](#) Payable Related Forms

-END-

OBTAIN PRICE QUOTES - STEP ONE

Competitive price quotes must be obtained if the price of a purchase is greater than \$500. The general rule is to obtain at least three quotes and select the vendor offering the lowest responsible quote.

When planning a purchase consider searching for potential vendors through **New York State or Onondaga County Procurement Contracts**. Check to see if the products needed are available through vendors named on the **New York State Preferred Source Offerings list**. See if the product or service needed may be supplied by a certified **minority, women-owned or small business**. Look into buying products made from **recycled materials**. If planning for a purchase of heavy equipment see if it is possible to buy equipment that was built with **greenhouse gas emissions reduction technology**.

State and County Contracts: The manager should check to see if there is a contract with the County or the State that OCRRA can access to purchase an item or service. Purchasing from a vendor holding a State or County Contract may be made without additional competitive bidding or a competitive quote process. The bidding process conducted by the State or County is formally recognized as a sufficient vendor selection process performed on behalf of the Agency. However, it may still be beneficial to obtain at least three price quotes to determine if a lower price than the State or County contract price is available. When purchasing off a State or County contract, the manager must determine the contract number, the payment terms under that contract, and the expiration date of the contract. It is important that the manager insures that the period of time covered by the Agency's purchase order does not exceed the expiration date of the State or County Contract (see www.ogs.ny.gov or www.bidnetdirect.com/new-york .

Preferred Source Offerings: It shall be the Agency's policy herein to comply with Sections 162 and 163 of the State Finance Law (Laws of 1995) regarding referencing the availability of the needed article in appropriate quantities under the *Preferred Source Offering List* before purchasing articles available there under where minimum quantities, delivery schedules and price are not an issue.

These vendors employ workers having physical or mental disabilities and workers serving in correctional facilities. (see <http://ogs.ny.gov> and enter "Preferred Source Offering list" in the Search box)

Minority, Women-Owned and Small Businesses: Pursuant to Resolution No. 1163, July 2000, the Agency encourages active participation with minority, women-owned and small businesses when awarding contracts for purchasing goods, services and equipment. This includes reviewing and referencing any available lists of such vendors and actively and affirmatively soliciting their participation through letter and telephone advisement of the coming procurement. OCRRA fully supports equal opportunity and fair treatment of all people in its contracting. For all contracts that involve New York State Funding or partial New York State Funding, Agency staff shall make a good faith effort to utilize the services of minorities and women-owned businesses. For the procurement of services of \$10,000 or less from minority or women-owned businesses, such procurements may be made on the basis of a single solicited quote or proposal if the price is "reasonable".

The "**Reasonable**" price determination can be made using the following guidelines:

- a. Comparing the solicited price with the price of the same or similar services obtained within the last six months;
- b. Comparing the price with other prospective contractors;

- c. Comparing the solicited price with the price as listed in a publication, such as the "Means Building Construction Cost Data" catalog;
- d. The type of work has previously been accepted by our Agency or a State Agency at a similar cost; or
- e. The market value can be verified/justified by the Agency.

Sources for locating minority, women-owned, and small businesses include the following:

ESD Division of Minority and Women Business Development (MWBD):

[Minority & Women's Business Development | Empire State Development \(ny.gov\)](http://www.ny.gov)

Recycled Products: The Agency encourages the purchase of products manufactured from recycled products whenever such products meet contract specifications and the price of such products is "reasonably competitive" Reasonably competitive means the price of a purchase for products manufactured with recycled materials does not exceed 10% of the price of comparable products made from non-recycled materials. The first option for obtaining any paper products should be to search for products manufactured with recycled content per Resolution No. 221 of 12/9 1. Consult with Agency Counsel if the proposed purchase is from a vendor other than the lowest priced vendor.

Greenhouse Gas Emissions Considerations: Pursuant to Resolution No. 1661 of 6/09 the Agency will purchase vehicles and equipment with consideration to securing units that are designed with technology advantageous to greenhouse gas emissions reduction standards.

Vendor selection for vehicle and equipment purchases may be obtained through the formal bid process, Request for Proposal, or from State or County contracts. Bid packages for such units will incorporate specifications considering reduced greenhouse gas emissions. Bidders, when practical, may be encouraged to submit bids for optional units that can perform at reduced greenhouse gas emissions standards. If financially viable a proposed optional unit may be considered if the unit's capabilities can match conventional performance standards.

(See Bid Process)

Request for Proposals (RFP) may also be used for vehicle or equipment purchases. RFPs may be written to include a credit for proposed units of up to 3% for greenhouse gas emissions reduction efficiency. If a purchase of a vehicle or piece of equipment is off of a State or County contract then optional units claiming greenhouse gas emissions reduction technology must be considered if they are financially viable and meet Agency performance standards.

(See RFP and State and County Contracts in the following sections)

VERBAL QUOTES

At least three verbal price quotes must be obtained for orders if the price is expected to be between \$500 and \$2,999. (Agency shop mechanics are only required to secure two verbal quotes), If applicable, shipping and handling charges must be added to the quoted price (even if they can only be estimated). A verbal quote summary form is available for organization and presentation of the information obtained. (See exhibits)

A "Procurement Checklist Form" must be completed and submitted to Accounts Payable with all other supporting documentation for any purchase greater than \$1,000.

WRITTEN QUOTES

Three or more written quotes must be obtained for orders expected to cost between \$3,000 and \$20,000. Any purchase expected to be more than \$20,000 also requires a Board Resolution. The written quotes will be used as supporting documentation to the purchase being made. **Quotes under \$10,000 may be utilized for a subsequent purchase if made within 12 months of the original purchase. The total expenditure on both purchases combined not to exceed \$20,000.** If the total expenditure of both purchases combined is expected to be more than \$20,000, **new quotes must be obtained.**

Quotes that are estimates (such as repair estimates) may also be used, but the vendor must be informed that OCRRA may not pay any charge above the estimate given by the vendor without justification and prior approval.

REQUEST FOR QUOTATION (RFQ)

An RFQ is a written request for quotes. This is a more formal process than obtaining written quotes. RFQs are used for higher priced purchases where it is important to communicate detailed specifications and conditions to potential vendors.

An RFQ states quantity and quality requirements, packaging specifications, the required return date for quotation, and any other necessary detailed information. RFQ's are generally sent to three (3) or more potential suppliers. OCRRA website and/or newspaper advertisement of RFQs are recommended, (but not required) especially if the cost is expected to exceed \$5,000. As with verbal or written quotes the vendor offering the lowest responsible price is selected.

REQUEST FOR PROPOSAL (RFP)

An RFP is used when in addition obtaining a price the Agency is requesting a vendor's expert analysis, design, and qualifications for handling a project. An RFP is most commonly used with vendors who are professional service organizations such as auditing firms, financial consultants, or engineering firms. The RFP is structured to give the vendor a listing of criteria by which their proposal will be evaluated. The vendor is required to provide a technical outline concerning the scope of the project, their methodology, suggestions to complex problems, and their pricing.

Like RFQs, RFPs are sent to at least 3 preselected vendors. OCRRA website and/or newspaper advertisement of RFPs are recommended, (but not required) especially if the cost is expected to exceed \$5,000. Unlike the RFQ, vendors responding to RFPs may be selected on criteria other than the lowest price. For example a vendor offering the Agency a higher quality project design may be selected over a vendor offering a lower price, but having an inferior design or plan.

BID PROCESS

Formal bids are sought for high priced (over \$20,000) clearly defined purchases. **For all purchases expected to be over \$20,000 a Board of Directors Resolution is required to proceed with the purchase.** A bid package must be reviewed by the Agency Counsel. Formal Bid Packages are sent to preselected vendors and bid requests are advertised on the Agency's website. It is also required that bid requests are advertised in the designated Agency newspaper, The Syracuse Newspaper. Each bid request must be advertised at least ten days from the date of the scheduled bid opening. Vendors are required to submit their bids in a sealed envelope clearly marked "Bid for (Name of the project)" The sealed bids are opened in a public meeting. Faxed or emailed bids are not accepted. *(See the Bid Process Section, for a more in-depth description of the bid process.)*

All information obtained in connection with quotes, proposals, and bids must be retained for at least two years.

ADVERTISING

Advertising is REQUIRED in the Syracuse Post Standard newspaper if a purchase of supplies, equipment or services are in the amount of \$20,000 or more. While it is not required to place a newspaper ad if a purchase will be less than \$20,000 an ad may be placed if a Department manager decides this is necessary to find the best possible vendor.

Unless otherwise stated, the following guidelines should be followed when placing procurement advertisements:

1. Legal ads are only REQUIRED for items we anticipate will cost more than \$20,000. Placing ads for smaller ticket items is not required, but can be done at the requesting Manager/Public Information Officer's discretion.
2. These big ticket item ads must be placed once in the Syracuse Post Standard Newspaper (the Agency's designated newspaper).
3. The advertisement **must be placed at least 10 days from the date of the bid opening** (i.e., the Bid Opening is 6/20, the last ad must be run 6/10 or earlier).
4. Legal ads must follow our shortened template [S:\Legal Notice Templates](#).
5. The Accounts Payable Clerk will retain copies of all advertisements in a central location available for review upon request.

RFQ, RFP, BID PACKAGE COMMON PROTOCOL CHARACTERISTICS

Vendors responding to procurement ads are directed to contact a designated Agency staff person to acquire RFP, RFQ, or Bid packages, as well as for related inquiries. The designated staff person is always someone other than the Department Manager.

New York State requires that vendors submitting quotes, proposals, or bids costing over \$15,000 disclose information relating to State Finance Law 139-K. Vendors must fill out a "Disclosure to OCRRA During Procurement Process of Prior Non-Responsibility Determination Form". Generally, this form requests information relating to any possible findings of "Non-Responsibility" from a New York State government entity in the last four years. This form should be included in RFP and Bid packages for transactions expected to cost over \$15,000.

State law also requires the Agency to keep a record of incoming inquiries relating to procurements over \$15,000 after RFP and Bid Requests have been sent out. The "OCRRA Record of Contact During Procurement" Under State Finance Law #139-k (4) Form" must be filled out by the designated Agency contact person for each vendor inquiry. In the interests of promoting fair competition among vendors each incoming inquiry and the OCRRA response to the inquiry should be shared with all potential vendors. [See Agency computer file: Forms/Procurements over \$15,000-Forms (Legal) and the Agency Counsel for more information concerning State Finance Law § 139-K and related forms].

All RFP, RFQ, and Bid packages sent to vendors must include the Agency's Certificate of Non-Collusion and Conflict of Interest Affidavit. These forms must be completed by the vendor before an agreement to purchase from them is finalized.

RFP and RFQs for transactions expected to cost over \$5,000 should be reviewed by the Agency Counsel.

-END-

CHOOSE A VENDOR - STEP TWO

The decision to select one vendor over another is based primarily on which firm offers the lowest responsible price. Include in the calculation of the total cost of a quote any possible shipping or other miscellaneous fees. The current trend is for companies to tack on various additional fees under such descriptions as “fuel fee”, “environmental fee”, “travel fee”, “insurance fee”, etc. It is prudent to ask the vendor if they charge for any fees other than the principle cost of a product or service. Some vendors offer discounts for early payment of invoices. Deductions for discounts may be used in reducing the total cost of a vendor’s quote.

Quotes and any other documents relating to the selection of a particular vendor must be retained for a period of at least two years. Supporting documentation for contracts should include all quotations or proposals received and, where applicable, a spreadsheet showing the analysis of cost information and basis for selection. This should be filed with the contract.

EXCEPTIONS TO THE THREE QUOTE RULE

There are circumstances in which the usual three-quote rule may be waived, those exceptions are detailed below:

County or State Contract: It is acceptable to purchase from a vendor having a County or State procurement contract without seeking additional quotes. (Note: Warranty and other conditions in the County or State contract will apply).

Original Equipment Manufacturer (O.E.M.) parts: Parts for heavy equipment, vehicles, or network equipment may only be available by the original manufacturer of the parts. In this case it is not possible to obtain competitive quotes. Using available non-O.E.M. replacement parts may violate manufacturer warrantee requirements and compromise equipment safety standards. The manager must clearly specify on the purchase order if the part being purchased is an O.E.M. part.

Sole Suppliers: Certain products have only one supplier available. In this case competitive price quotes are not available. The manager should clearly specify that the part is only available from the one supplier and document all efforts made to locate other suppliers.

Emergency Purchases: situations requiring prompt action. An emergency purchase is acceptable to expedite a purchase when there is a likelihood of costly operational delays resulting if time was spent for the normal quote gathering and purchase order processing. It is also acceptable to make an emergency purchase if there is a need to correct a safety issue that exposes staff or the public to an unsafe environment. In an emergency situation a purchase order number is released to a vendor upon a manager's verbal approval without obtaining written purchase order authorization prior to the purchase and without obtaining competitive price quotes. The manager giving the verbal approval should notify the Executive Director of the emergency as soon as practicable and document in writing why a true emergency exists requiring such a purchase.

Preferred Source Offering: The product needed may be available from a vendor listed under the State Preferred Source Offering Law. These vendors employ disabled workers or those serving in correctional facilities. (see www.ogs.ny.gov)

-END-

PREPARE DOCUMENTATION - STEP THREE

Once the selection of a vendor is determined then procurement documentation should be prepared. Depending on the cost and complexity of the purchase either a purchase order is written or a contract is drafted.

PURCHASE ORDER

The purchase order is filled out (in the accounting computer system) by a Department Manager or one of their designated staff members. In addition to clearly stating the order so the vendor will understand how to process it, the purchase order writer should record on the purchase order a brief note for the Agency describing the purpose of the order. All purchase orders are approved by the Department Manager, the Business Officer and if \$3,000 or over, the Executive Director. All purchase orders over \$10,000 shall be reviewed by Agency Counsel. The A/P Clerk prints out the purchase orders, distributes them to managers, mails out the approved purchase orders, and keeps a copy on file.

Standard Purchase Order: A Purchase Order is a simple form contract used for purchases of either goods or services. The standard purchase order is the most common document the Agency uses to present an order to a vendor. The purchase order should include a description of what item or service is being ordered, the cost of the purchase including any freight fees, and the terms of payment.

Blanket Purchase Order: Blanket Purchase Orders are written to cover multiple small purchases over a certain period of time of up to one year. The blanket purchase order eliminates the task of writing a purchase order for every small purchase made. Blanket purchase orders can be used to purchase miscellaneous supplies from frequently used vendors or to buy repetitive services over a period of time from vendors selected through the quotation process. For example, the Agency has blanket purchase orders with several office supplies stores. Throughout the year we order multiple small purchases of pens, copy paper, folders etc. **referencing** a blanket purchase order number for each order, therefore, eliminating the task of writing a purchase order for every single order. In the case of repetitive purchases a blanket purchase order may serve to document an agreed upon price with a vendor over a period of time. For example the Agency has a blanket purchase order with a truck washing firm. The firm agrees to a set a price for washing a truck or trailer throughout the period of the blanket purchase order. Managers should keep a record of blanket order purchases to make sure the total cost of purchases does not exceed the dollar amount specified on the blanket purchase order. While a blanket purchase order can cover up to 12 months, it should be noted that when buying off a State or County Contract, the period of time covered by the purchase order should not exceed the expiration date of the State or County Contract.

Emergency Purchase Order: Emergency situations are usually the only cases in which the purchase order is written after a part or service has been ordered. When the timeliness of a purchase is critical in order to either keep operations running or to correct an immediate safety issue then an order can be placed verbally (the three quote rule is waived) and confirmed with a subsequent purchase order. The emergency purchase order should be used for true, documented emergencies only. The Business Officer, Deputy Director, or Executive Director should be informed of an emergency situation ASAP.

CONTRACTS

Simple Form Contract: A Form Contract is drafted by the Agency Counsel. The form contract will clearly state the vendor's obligations when it is important to provide additional protection to the Agency not covered with a purchase order. Form contracts are drafted for purchases in which the Agency is concerned about issues of specifications, non-performance, warranty, terms and conditions, and non-collusion. The contract may be modified by the Agency Counsel to meet a Manager's request for any required changes to the contract. The Executive Director must approve all contracts.

Vendor Contract: Vendor Contracts are developed by the seller of the product/service and is their standard method of contracting. Some sellers may require this form of contract. The Department Manager should review these contracts to make sure the language written is consistent with previous verbal or written understanding of the purchase. The vendor's contract must be submitted to the Agency Counsel for review, any necessary modification, and approval. The Executive Director must approve the vendor's contract.

Detailed Contract: A Detailed Contract is a special contract developed by the Agency Counsel to address specific areas in which potential risk or liability could occur if stated terms and conditions are not met. Special performance requirements, prevailing wage rates and compliance standards are typical additional requirements. Precise and complex topics are covered in this type of contract.

(See Procurement Guidelines and Agency Counsel) -

END-

PLACE THE ORDER - STEP FOUR

AUTHORIZATION SUMMARY - Before placing an order with a vendor it is important that the related purchase order or contract is completely authorized. The following is a summary of purchase cost level and the required corresponding authorization needed as established per resolution No. 1628, of 11/08 and current adjustments agreed upon from Administration Committee Agenda of May 31, 2016 :

Purchases up to \$2,999: The Department Manager and the Business Officer or Deputy Director must sign the purchase order.

Purchases from \$3,000 up to \$20,000: The Department Manager, Business Officer or Deputy Director, and the Executive Director must sign the purchase order. (The Agency Counsel reviews all purchase orders over \$10,000.)

Purchases between \$5,000 and \$20,000 are reported to the Board Administration Committee on a monthly basis.

Purchases over \$20,000: A Board Resolution is required.

All contracts must be reviewed by Agency Counsel and signed by the Executive Director and the vendor.

MAILING OF PURCHASE ORDER

After the purchase order is authorized the vendor should be alerted that they will receive the purchase order in the mail. Along with the original purchase order the vendor receives a yellow copy for their records. Vendors should be advised that it is the Agency's policy that the white copy of the purchase order should be signed by them and sent back to the Agency. The return of the purchase order from the vendor should be given some emphasis since the payment authorization process may be delayed without the return of the purchase order from the vendor.

NON-PURCHASE ORDER TRANSACTIONS

Purchases of services such as utilities, phone service, airline travel, hotels, credit card statements, educational seminars, memberships and subscriptions to publications are examples of services from firms that are usually not set up to handle the processing of purchase orders or contracts. Setting up services with these firms is generally an application or reservation process. For many of these services the vendor agrees to provide their service upon receipt of a check. (See Payment Process Section - Check Request).

REQUEST FOR USE OF AGENCY BUSINESS CARD FORM

This document is used to order products or services through a credit card transaction. The Agency credit card is used sparingly and usually in instances when a purchase must be facilitated from an unfamiliar vendor in which there is no Agency-Vendor credit history account relationship established or where it is the normal course in which a vendor processes orders. The vendor's name and address, a description and purpose of the purchase, general ledger number, and cost information are filled out on the **Request for Use of Agency Business Card Form**. (See exhibits)

The Request for Use of Agency Business Card Form is approved by the Department Manager, the Business Officer. If the amount of the transaction is more than \$2,999 the Request must also be approved by the Executive Director. Upon approval the Business Officer will give access of the Agency credit card to the Department Manager to process the transaction with the vendor. (Ultimately a check request is filled out in the Business Unit to process payment of the monthly credit card company statement).

SALES TAX EXEMPTION

It should be made clear to all vendors that the Agency is a sales tax exempt Public Authority. Upon request a Tax Exempt Status letter received from the New York State Department of Taxation and

Finance is available to send to vendors. Copies of this letter are kept in the Accounts Payable area.
(See exhibits)

CANCELLATION OF PURCHASE ORDERS

In the event a Purchase Order must be cancelled after the order has been mailed to a vendor, a **Purchase Order Cancellation Notice** should be completed by the Manager and sent to the vendor. Record the name of the vendor, the purchase order number, comments confirming the cancellation, and the Department Manager's name on the Notice. This form should be sent to the vendor immediately via fax. The fax transmission confirmation sheet should be stapled to the OCRRA copy and retained. A copy of the Purchase Order Cancellation Notice should be forwarded to the Accounts Payable Clerk in the Business Unit.

(See exhibits)

-END-

RECEIPT OF GOODS/SERVICES STEP FIVE

SHIPPING RECEIPT

A shipping receipt is paperwork accompanying a delivery from a vendor. It lists descriptions and quantities of goods delivered. Usually vendors provide shipping receipts at the time their goods are delivered. The staff person receiving the delivery should briefly inspect the delivery to check for any obvious inconsistencies between the shipment and the receiving document. The receiver should sign, date, and forward the receipt to the manager in charge of the procurement.

SERVICE RECEIPT

A service receipt is documentation used by vendors to verify work performed. Usually vendors repairing equipment or performing on-site maintenance will present their service receipt for an Agency staff person to sign upon completion of their work. The service receipt should show the date of service and a brief description of the service performed. After the work is completed and verified by an Agency staff person the service receipt should be signed, dated and forwarded to the manager who ordered the service.

OCRRA RECEIVING RECEIPT

Many small vendors may not provide shipping receipts with their deliveries. In this case the receiver should document the delivery on an internal Agency Receiving Receipt. The receiver can use this form to record the shipper's name, the date of receipt, and the quantity of goods received. (See exhibits).

BACKORDERS

It may take more than one delivery for a vendor to complete an order. Products delivered or services performed at intervals over a period of time may be planned and agreed upon with the vendor. In other cases the vendor may ship what they have in stock, but need more time to produce or restock before they can complete an order. Whenever an order is only partially complete a backorder situation develops. Receiving receipts and the internal OCRRA Receiving Receipt are source documents useful in assisting the Manager with keeping records of backorders. The Manager or a designated staff member must follow up with vendors to make sure all back orders are completed.

INVOICES

Usually, in a few days after an order was received the vendor will mail their invoice. Invoices are date-received stamped, forwarded to Accounts Payable, and then distributed to Managers for payment processing. The invoice provides a description of goods or services sold, quantities received, total cost, and the vendor's remittance address. Some vendors will provide their invoice with delivered goods. In this case the invoice should double as a shipping receipt.

-END-

PAYMENT PROCESS - STEP SIX

Usually, the starting point to commence the payment process is receiving the vendor's invoice. Unless an original invoice was misplaced or lost in the mail, it is the Agency's policy not to process payment from faxed or emailed invoices. It is not acceptable to process payment from a vendor's monthly statement or shipping document.

Invoices mailed to the Agency should be forwarded from the front desk to the Accounts Payable area for distribution to Department Managers.

PRE-PAYMENT PROCESSING CHECKLIST

The following is a checklist of documents needed before beginning the payment process.

1. The Agency's purchase order signed by the vendor
2. The vendor's original invoice
3. A Procurement Checklist for purchases over \$1,000.
4. Cost verification supporting documentation such as one or more of the following:
 - a. Verbal Quotation Summary Sheet
 - b. Written Quotes
 - c. Contract reference number from accounts payable
 - d. Copies of State or County Contract documents
 - e. Vendor correspondence
4. A receiving receipt or the Agency's Receiving Report

INVOICE VERIFICATION

Make sure the vendor's invoice reports quantities and prices that are consistent with the quotation, purchase order and shipping receipt. Have the vendor reverse any errors involving a sales tax fee. Question vendors who charge for fees not specified in their quotes such as fees for freight, fuel fees, or environmental fees.

PAYMENT OF PURCHASE ORDER AND CONTRACT TRANSACTIONS

Payment Authorization Form: The Payment Authorization Form is filled out by the Department Manager to process payment for a transaction initiated by either a purchase order or a contract. The primary information recorded on the Payment Authorization Form includes the vendor's name, address, purchase order number, amount to be paid, general ledger account number, if Board approved the resolution number, a description of the purchase, and the appropriate approval signatures. (See exhibits).

Payment Authorization Form Documents Assembly: Attach supporting documents to the payment authorization form. The supporting documents are listed above in the Pre-Payment Processing Checklist paragraph. These documents are important in order to show proper vendor selection compliance with Agency policy, accurate bookkeeping information, and a record for future reference.

COMPLETING THE PAYMENT AUTHORIZATION PROCESS

The Department Manager signs the Payment Authorization form and submits it for approval to the Business Officer. The Executive Director must also approve the Payment Authorization Form if the cost is greater than \$2,999.

PAYMENT OF NON-PURCHASE ORDER OR NON-CONTRACT TRANSACTIONS

Check Request Form: The Check Request is a document filled out by the Department Manager to process payment for non-purchase order transactions. Included on the check request is the name and address of the vendor, a brief description of goods or services being purchased, the cost, the Agency general ledger number, date of service, etc. The Manager or designated staff member must reconcile any cost discrepancies with the vendor before completing the Check Request Form. All supporting documents available to verify the purpose, the cost, and the vendor's address should be attached to the Check Request. This may include the vendor's invoice or application for service, quotes, vendor faxes, letters, or emails. Unless the Check Request is in connection with confidential human resources matters it should not be submitted for approval or payment without documentation verifying the vendor name, address and cost of the transaction.

The check request is approved by the Department Manager, the Business Officer and if over \$2,999 the Executive Director. The check request is forwarded to the Accounts Payable area for processing.

PAYMENT TO VENDOR

Once a Payment Authorization or Check Request Form is fully approved it is forwarded to the accounts payable area where it is entered into the accounting system. Ideally, a check is sent to the vendor in accordance with the time period (payment terms) specified on the purchase order or contract. The normal time period in which a check is mailed to a vendor is net 30 (by 30 days after the date of the invoice). If the transaction is recorded on a Check Request the check should be processed in accordance with the terms stated on the vendor's invoice or facilitated according to the circumstance of the purchase. If there are no terms stated on an invoice and no pressing circumstance then we assume the terms are net 30.

The Accounting Department writes checks on a weekly basis for invoices that are due. The checks are signed by an Agency Authorized Check Signer. The check stub is attached to the Payment Authorization or Check Request assembly and filed in a paid invoices filing cabinet.

NOTES

1. Purchases should not be broken up into components to avoid the more formal bid process.
2. If the lowest cost vendor is not selected, consult with Agency Counsel before award.
3. For capital related expenditure see Capitalization Policy.
4. For information pertaining to the bidding process, see the Bid Process.
5. OCRRA employees making out of pocket purchases intending to receive reimbursement on an Expense Statement must abide by all Agency procurement procedures.
6. A Certificate of Non-Collusion and Conflict of Interest Affidavit must be included with any RFQ, RFP or Bid Package sent to vendors.
7. All purchases made through an Agency credit card must have an accompanying "Use of Agency Business Card" form filled out by the purchaser.
8. For small purchases consider using the Agency's petty cash fund.
9. Blank forms covered in these guidelines can be found at the following link:

<S:\Forms\Accounts Payable Related Forms>

-END-

BID PROCESS

A bid is a formal written solicitation to vendors, published in the Official Agency Newspaper, to submit price quotations and any other detailed information for a proposed Agency purchase of their products or services. Any purchase over \$20,000 requires formal bids and a Board Resolution.

PRE-BIDDING CHECKLIST:

- 1) Before putting a project out to bid, gain an in-depth understanding of exactly what services are required.
- 2) Establish a listing of at least five potential vendors who you would like to solicit for bids or quotations on the project. Refer to bidders' lists, if available, yellow pages or the Builders' Exchange.
- 3) Invite the vendors to a joint meeting where they provide input on how to best package the bid request to facilitate competition.
- 4) Try to determine the best unit for pricing or the best time to do the work for the Agency to establish good competition and effective service.
- 5) Review the proposed package with Agency Counsel or Agency Engineer if there are any questions about legal or construction methods.
- 6) See Agency Counsel to determine if a "Bid" or "Performance" Bond is necessary for the specified procurement

BIDDING PERIOD CHECKLIST

- 1) Large ticket items purchased via RFQ, RFP and/or the Bid Process should also be posted to the Agency's Website at: www.ocra.org/Procurements

To do this, send the following information to the Agency's Public Information Officer:

Prepare a **PDF** of your full RFQ, RFP or Bid package (anything you are sending out to vendors as specs – including the required legal forms – Certificate of Non-Collusion, Conflict of Interest Affidavit, etc).

Be sure to send the **name of the contact person** if vendors have questions and **how they should be contacted** (i.e., phone number or email address).

Also include the **date and time** the responses are required by

- 2) The Agency also requires that procurements in the amount of \$20,000 or more are advertised a minimum of two times in the Agency designated newspaper (the Syracuse Post Standard, Resolution No. 1401).

Unless otherwise stated, the following guidelines should be followed when placing procurement advertisements:

- a. **Legal ads are only REQUIRED for items we anticipate will cost more than \$20,000.** Placing ads for smaller ticket items is not required, but can be done at the requesting manager / PIOs discretion.

- b. **The advertisement must be placed at least 10 days before the bid opening.**
 - c. **Legal ads must follow our shortened template [S:\Legal Notice Templates](#).**
 - d. **Copies of all advertisements shall be maintained in the corresponding bid file.**
- For large projects a longer period of time between the advertisement and the date of opening is recommended. The amount of time between advertisement and bid should be established in the pre-bid process through communication with potential vendors.
 - a. Structure all bid advertisements so that bids are received in sealed envelopes, and the sealed envelopes are plainly marked, "Bid for _____". Sealed envelopes shall be received and time-stamped by the front desk, and held by the Appropriate Manager until the opening of the bids.
 - b. Bid envelopes shall be received no later than 4:00 p.m. the day of the opening. Late Bids will not be considered and will be returned unopened.
 - c. Construction work which is estimated in excess of \$25,000 shall be advertised with a minimum of 21 days between the first advertisement and the bid opening. Copies of the bid package shall be mailed to the Syracuse Builders' Exchange and the Dodge Report for use on their bulletin boards and in their plan rooms.
 - d. Mailing of bid packages shall be timed so that bid packages would arrive at the potential vendors one day after the first advertisement appears in the local newspaper.
 - e. Agency Manager shall prepare a summary of vendors contacted and status of their intended bidding for the Board's review at the time of the bid opening.

VENDOR CONTACTS WITH AGENCY STAFF BEFORE BID/PROPOSAL OPENING

New York State has enacted provisions in its State Finance Law applicable to any contract over \$15,000 that further promotes fair competition. This law now requires that all communications i.e. "contacts" with the Agency staff regarding a pending procurement, after the Request to Bid, Request for Proposals, or Request for Quotes go out, must be only through a designated Agency Procurement Contact Person. All such contacts will be recorded by the Designated Procurement Contact Person and any responding information given to an inquiring potential vendor will also be shared with all other potential vendors, so no vendor has a competitive advantage.

A potential vendor will need to fill in the Disclosure to OCRRA During Procurement Process of Prior Non-Responsibility Determinations Form, including the Permissible Contacts Affirmation section; and submit it with the vendor's bid/proposal under this State law. Failure to submit these forms will result in the bid/proposal being rejected. If a potential vendor fails to comply with the above Procurement contacts restrictions or submit false, inaccurate or incomplete information, or otherwise violates the Agency's Ethics Code, the potential vendor may be found to be a "Non-Responsible" vendor.

Alleged violations of the above referenced State Finance Law provisions regarding permissible contacts, or the impermissible lobbying by a vendor of an Agency staff member or any other vendor violation of the Agency's Ethics Policy should be reported by Agency staff or by a competitive vendor, preferably in writing or by email, to the Agency's Ethics Officer. The

Agency's Ethics Officer will immediately review and investigate any such alleged violation and report the results of his/her review and investigation to the Agency's Audit Committee. The Ethics Officer will advise the vendor in writing that the investigation is ongoing and provide the vendor an opportunity to respond to the allegation.

The Audit Committee may also request the presence of the accused vendor and of its involved employees at a due process hearing before making a recommendation to the Agency's Board of Directors. If the Audit Committee finds that sufficient cause exists to believe that the allegations of impropriety is true, it may recommend that the Agency Board provide a written letter of admonition to the vendor or impose the sanctions described below. This Board action can, in fact, result in a rejection of such firm from the pending contract award, a cancellation of any contract if later discovered (the Contract will include a cancellation provision for such a contingency), and in the event of two such findings in a four year period, debarment from obtaining any further Agency procurement contract for a period of four years from the time of the second documented violation.

BID OPENING

1. At the bid opening, the sealed envelopes shall be opened and read aloud, and the summary of the bids shall be prepared on a one-page format for future reference. Any deviations must be set forth on a page included for that purpose.
2. At the time of the bid opening, the bid response documents shall be reviewed for inclusion of the bid amount, as well as any bid bonds or documents required to be submitted with the bid, such as a Non- Collusion Affidavit.
3. Bids shall be reviewed and studied and may be awarded at a later date.

BID AWARD PROCESS

The law requires that a contract shall be awarded by the Agency to the lowest responsible bidder; therefore, the Agency must award the bid to the lowest responsible bidder who complies with the bid specifications. Generally, there are two grounds for awarding to other than the lowest bidder: the low bidder's material non-compliance with the bid specifications or a finding that the low bidder is not a "responsible bidder". In both cases, the Agency will give an opportunity to the low-bidder to respond before rejecting the low-bid. A disqualification letter should be sent identifying the reason for the disqualification and giving the vendor a specific time to respond before awarding to the next lowest qualified or compliant bidder.

Included in the elements which have been recognized as being valid considerations in the determination of "responsibility" are: prior history of performance with the Agency or others, accountability, reliability, financial responsibility, and capital resources. The Agency may also consider such areas as operational responsibility, skill, judgment, integrity, prior criminal activity and moral worth. Generally, before determination is made, that bidder is not a "responsible bidder"; the Agency should give an opportunity to the bidder to be heard on the issue before it is disqualified. When the Agency disqualifies the lowest dollar bidder, it may either award to the next lowest responsible bidder complying with the specifications or, in appropriate circumstances, reject all bids and re-advertise if deemed to be in the best interest of the Agency. Disqualifying a bidder should only be considered after discussion with Agency Counsel.

At the time of evaluation for award of the bid, the Agency will consider the cost of the work, as well as the amount of competition developed through the bidding process. When the bids are

opened, you can advise the low bidder that they are the apparent low bidder, subject to their meeting the Contract terms and specifications and being willing to sign a Contract, and meeting the bid security requirements. The apparent low bidder should be advised that the Contract will not be awarded to them until these other matters have been determined.

Note: Once a low bidder is determined, public policy does not bar an Agency from seeking a price concession from that very same vendor. In other words, once the lowest compliant bidder is selected, there is nothing that would prevent the Agency from attempting to renegotiate with that bidder to further reduce the bid prices.

-END-

OCRRA

Basic Capitalization Concepts

(Per Resolution #1399 November 2004)

I CAPITAL ASSET CLASSIFICATIONS

Capital assets are assets purchased or constructed by OCRRA (the “Agency”) that have a useable life of 2 or more years and that have a value equal to or greater than the established capitalization threshold of \$5,000.

A. The following categories are used by the Agency.

Land

Land Improvements

Landfill

Buildings & Improvements

Buildings Landfill Plant

Equipment

Trucks & Auto

Heavy Equipment

Furniture & Fixtures

Computers/Software

Communications

Construction in Progress

B. Maintenance costs and items are not considered to be capital assets.

II CAPITAL ASSET ACQUISITION COST

The cost of a capital asset includes any ancillary costs that are necessary to place the asset in its intended condition for use. These include the vendor's invoice (plus the value of any trade-in, if reflected on the invoice), initial installation cost (excluding in-house labor), modifications, attachments, accessories or apparatus necessary to make the asset usable and render it into service.

III LEASED EQUIPMENT

A. Equipment is capitalized if the lease agreement meets any one of the following criteria:

The lease transfers ownership of the property to the lessee by the end of the lease term.

The lease contains a bargain purchase option.

The lease term is equal to 75 percent or more of the estimated economic life of the leased property.

The present value of the minimum lease payments at the inception of the lease, excluding executory costs, equals at least 90 percent of the fair value of the leased property.

- B. Leases that do not meet any of the above requirements are recorded as operating leases and reported in the notes of the financial statements.

IV DEPRECIATING CAPITAL ASSETS

- A. Capital assets are depreciated over their estimated useful lives in accordance with this policy unless they are inexhaustible (e.g. Land).
- B. The straight-line depreciation method (historical cost divided by useful life) is the method that is to be used.

V SALE OF CAPITAL ASSETS

- A. When an asset is sold, a gain or loss is recognized when:
 - Cash is exchanged and the amount paid does not equal the net book value of the asset. Cash is not exchanged and the asset is not fully depreciated or has a residual value
- B. A gain or loss is not reported when:
 - Cash exchanged equals the net book value and the asset does not have a residual value
 - Cash is not exchanged and the asset is fully depreciated and has no residual value

VI CAPITAL ASSET CATEGORIES

- A. Land** (Definition): Land is the surface or crust of the earth, which can be used to support structures, and may be used to grow crops, grass, shrubs, and trees. Land is characterized as having an unlimited life (indefinite). Land is an inexhaustible asset and is not depreciated.
- B. Land Improvements** (Definition): Land improvements consist of betterments, site preparation and site improvements (other than buildings) that ready land for its intended use. Land improvements include such items as excavation, non-infrastructure utility installation, driveways, sidewalks, parking lots, flagpoles, retaining walls, fences, and outdoor lighting. They can be exhaustible or non-exhaustible.
 - a) Non-Exhaustible land improvements - Expenditures for improvements that do not require maintenance or replacement. Expenditures to bring land into condition to commence erection of structures, and expenditures for land improvements that do not deteriorate with use or over the passage of time are additions to the cost of land and are generally not exhaustible and therefore not depreciated.
 - b) Exhaustible land improvements - Expenditures for improvements that are part of a site, such as parking lots, landscaping and fencing, are usually exhaustible and are depreciated.
 - c) Depreciation Methodology:
 - Land improvements that are inexhaustible assets are not depreciated.
 - Exhaustible land improvements are depreciated on a straight-line basis. The straight-line depreciation method (historical cost less residual value, divided by useful life) will be used for exhaustible land improvements.

C. Buildings (Definition): A building is a structure that is permanently attached to the land, has a roof, is partially or completely enclosed by walls, and is not intended to be transportable or moveable.

D. Building Improvements (Definition): Building improvements are capital events that materially extend the useful life of a building or increase the value of a building, or both. A building improvement should be capitalized as a betterment and recorded as an addition of value to the existing building if the expenditure for the improvement is at the capitalization threshold, or the expenditure increases the useful life or value of the building.

Depreciation Methodology: The straight-line depreciation will be used for building improvements and their components.

E. Machinery and Equipment (Definition): Fixed or movable tangible assets to be used for operations, the benefits of which extend beyond one year from date acquired and rendered into service.

-END-

EXHIBITS

All Forms in this section can also be found at the following link:

[S:\Forms\Accounts Payable Related Forms](#)

OCRRA Procurement Checklist Form w/Instructions	Exhibit 1
OCRRA Verbal Quote Summary Form w/Instructions	Exhibit 2
Check Request Form w/Instructions	Exhibit 3
Payment Authorization Form w/Instructions	Exhibit 4
Request for Use of Business Credit Card Form w/Instructions	Exhibit 5
OCRRA Receiving Receipt Form w/Instructions	Exhibit 6
Purchase Order Cancellation Form w/Instructions	Exhibit 7
FORM A - Contractor/Engineering Services - Basic Data Form w/Instructions	Exhibit 8
FORM B - Contractor/Engineering Services - Invoice Monitoring Form w/Instructions	Exhibit 9
Disclosure to OCRRA During Procurement Process of Prior Non-Responsibility Determinations Form	Exhibit 10
Important State Finance Law Procurement Compliance Provisions	Exhibit 11
OCRRA Record of Contact During Procurement Under State Finance Law (§139-k)	Exhibit 12
Certificate of Non-Collusion Form	Exhibit 13
Conflict of Interest Affidavit Form	Exhibit 14
Tax Exempt Status of Onondaga County Resource Recovery Agency Form	Exhibit 15

OCRRA Procurement Checklist

Date _____ Unit _____
 Purchaser _____ Manager _____
 PO# (if applicable) _____ Resolution# (if applicable) _____

This Form Must Be Completed and Submitted to the Accounts Payable Department with All Other Supporting Documentation for ALL Procurement Projects in EXCESS of \$1,000 unless EXEMPTED as listed below (check one):

- _____ Emergency (List Emergency PO# _____)
- _____ OEM Part Required
- _____ Supplier/Consultant is the Sole Source Vendor for the Procurement
- _____ Supplier/Consultant has Municipal Contract or is State Preferred Source Vendor
- _____ Blanket Purchase Orders (*Subject to #1, preferred source procurement, below)
- _____ Other _____

Describe the Goods and/or Services being procured: _____

IF EXEMPT, STOP HERE, SIGN AND RETURN THIS FORM WITH OTHER DOCUMENTS

- 1) Did you pursue procurement through a Preferred Source Vendor? Yes No
 If YES, why was a Preferred Source not selected (circle all that apply): (a)form, (b)function, (c)utility, (d) price in excess of 15% prevailing market
 If NO, please begin the procurement process again by soliciting Preferred Source Vendors

- 2) MWBE participation for this procurement? Yes No
 If YES, please indicate how: _____
 If NO, please indicate why: _____

- 3) Are you required to assign an Agency Contact Representative for this procurement? Yes No
 If yes, whom? _____

- 4) Are you required to advertise for this procurement? If yes, attach a copy advertisement Yes No

List the three most competitive quotes/proposals solicited and received

Vendor Name	Price	Shipping/Other	Payment/Discount Terms (i.e. 2% 10; Net 30, etc)	Total Price	Vendor Selected?
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

What was your reason for selecting this vendor? _____

"I have conducted this procurement in compliance with OCRRA's Current Procurement Policy & Guidelines."

Signature: _____

Date: _____

MWBE Resources

Pursuant to Resolution No. 233, of January 8, 1992, the Agency encourages active participation by women-owned, minority-owned, and small businesses (MWBE) in its procurement process, including reviewing and referencing any available lists of such vendors; and will fully support equal opportunity and fair treatment of all people in its contracting – *contact information and a brief description of some of these agencies can be found below.* (see Agency Procurement Guidelines for more information)

Office of Minority Women Owned Businesses and Community Relations

<http://OGS.NY.Gov>

New York State Office of General Services
Corning Tower, Empire State Plaza
Albany, NY 12242
Ph. 518.486.9284 Fax. 518.486.9285

The office of Minority and Women-Owned Business (M/WBE) and Community Relations is responsible for ensuring that the Office of General Services (OGS) and its host agencies comply with the provisions of New York State Executive Law, Article 15A and the rules and regulations set forth in 5NYCRR, Part 140-144. These policies are intended to promote and encourage participation by minority and women-owned businesses in state contracting opportunities.

Onondaga county Commission of Human Rights

<http://www.ongov.net/humanrights/mwbe.html>

Helps businesses locate MWBE contractors. It can also assist minority and women owned business enterprises in the certification process:

Onondaga County Commission on Human Rights
Herman Howard
John H. Mulroy Civic Center, 13th Floor
Syracuse, NY 13202
Ph. 315.435.8462 Fax. 315.435.3424

New York State Division of Human Rights Syracuse Division

<http://www.dhr.ny.gov/mwbe-goals>

New York State Division of Human Rights
333 E. Washington St., Room 543
Syracuse, NY 13202

Ph. 315.428.4633

idders are encouraged to confirm all licenses, insurance and workers compensation requirements and/or documentation is current for any and all firms contracted. Research information can be found in many places including but not limited to, the following websites:

NYS Department of Labor <https://dbr.labor.state.ny.us/EDlist>

NYS Attorney General Office <http://www.nyknowyourcontractor.com>

Better Business Bureau <http://upstateny.bbb.org>

Preferred Source Vendors

WHAT – What are preferred sources?

Preferred source vendors provide services and commodities to state agencies, political subdivisions and public benefit corporations. This status allows these vendors to be the first stop in choosing a procurement method.

WHY – Why do we use preferred sources?

Designating certain vendors with the “preferred source” status, allows New York State to:

- ♣ To promote the purchasing of goods and services from these providers
- ♣ Ensure that what you buy helps you to fulfill your core mission
- ♣ To provide information to you that helps you follow state purchasing requirements

WHO – Who does this apply to?

If you are a state agency, political subdivision, or a public benefit corporation (including most public authorities) you must purchase approved products and services from preferred sources before other methods of procurement are considered. This does not apply to the New York State Legislature and Judiciary.

WHEN – When do I use preferred sources?

As a state agency, political subdivision, or a public benefit corporation your first stop must be a preferred source vendor when seeking services and commodities as required by New York State Finance Law.

WHERE – Where can I find these preferred sources?

New York State recognizes three preferred source organizations, and they are to be given preference in the following order:

NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES (CORCRAFT)

Division of Industries 550 Broadway, Menands, NY 12204 Phone (518) 436-6321 or 1 (800) 436-6321 FAX (518) 436-6007 1 (800) 898-5895 Web Address: <http://www.corcraft.org/> Vendor ID #042000082

NYS PREFERRED SOURCE PROGRAM FOR PEOPLE WHO ARE BLIND (NYSPSP)

136 State Street, 2nd Floor Albany, NY 12207 Phone (518) 621-0605, (800)421-9010 FAX (518) 456-3587 Web Address: <http://www.nyspsp.org> Vendor ID #1100070977

NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC

11 Columbia Circle Drive Albany, NY 12203 Phone (518) 463-9706 FAX (518) 463-9708 Email: administrator@nysid.org Web Address: <https://shop.nysid.org/default.asp> Vendor ID #1000001252

The Catalogs for the Preferred Source Vendors can be found at the weblinks above, or on the Shared Drive: <S:\Preferred Source Vendor Catalogs>. The Business Unit also retains one printed copy of the available catalogs.

As noted above it is both State Law and Agency Management expectation that Preferred Sources are used for procurement whenever the products and/or services offered meet the form, function, and utility the Agency requires, and that the pricing of said product or service is not in excess of 15% higher than the prevailing market price. Please note that Agencies are allowed and encouraged to negotiate volume pricing from the Preferred Sources.

If you have questions on using Preferred Sources please direct your question(s) to the Business Officer.

INSTRUCTIONS FOR THE COMPLETION OF THE PROCUREMENT CHECKLIST FORM

- | | | |
|----|----------------------|--|
| 1 | Date | Enter the date the procurement process begins |
| 2 | Unit | Enter the department sponsoring the purchase (i.E. business unit, recycling, etc) |
| 3 | Purchaser | Enter the name of the “delegated” individual responsible for the purchase |
| 4 | Manager | Enter the name of the department manager |
| 5 | PO/Contract # | Enter the appropriate Purchase Order/Contract # affiliated with the invoice payment |
| 6 | Resolution # | Enter the appropriate resolution # (if applicable) |
| 7 | Exemption | If the purchase includes any of the criteria listed in this section; your procurement is considered “EXEMPT” and therefore you are not required to complete the lower portion of this checklist |
| 8 | Description | Provide a detailed description of the Goods and/or Services being procured |
| 9 | Q&A | Answer the first three (3) questions circling “yes” or “no” (be sure to refer to the reverse of this form for contact information and a brief description of some MWBE resources); then Read and Initial the <hr/> statement at #4 |
| 10 | Competitive Quotes | List your “top three” (3) quotations, proposals and/or estimates (provide the requested detail for each vendor listed) |
| 11 | Reason for Selection | List your reason for selecting this vendor |
| 12 | Signature & Date | Person completing this form must sign & date |

OCRRA VERBAL QUOTE SUMMARY

ITEM(S)/SERVICE(S): _____

QUANTITY: _____

Vendor	_____	Contact	_____
Address	_____	Fax	_____
Email	_____	Phone	_____
Date	_____	Time	_____
Per Unit	_____	S&H	_____
Charges	_____	TOTAL PRICE	_____
	Quote Good Until	_____	
Notes	_____ _____ _____		

Vendor	_____	Contact	_____
Address	_____	Fax	_____
Email	_____	Phone	_____
Date:	_____	Time	_____
Per Unit	_____	S&H	_____
Charges	_____	TOTAL PRICE	_____
	Quote Good Until	_____	
Notes	_____ _____ _____		

Vendor	_____	Contact	_____
Address	_____	Fax	_____
Email	_____	Phone	_____
Date	_____	Time	_____
Per Unit	_____	S&H	_____
Charges	_____	TOTAL PRICE:	_____
	Quote Good Until	_____	
Notes	_____ _____ _____		

INSTRUCTIONS FOR THE COMPLETION OF THE VERBAL QUOTE SUMMARY FORM

The Verbal quote Summary Form may be used for recording quotes taken from vendors over the phone. It is a document helpful in organizing information gathered from multiple vendors in the vendor selection process. It should be used only for purchases expected not to exceed \$1,000 dollars. (Purchases in excess of \$1,000 require vendor generated written quotes.)

The Verbal Quote Summary Form should be attached to the Agency's purchase order as a supporting document during the purchase order approval process, and eventually be included in the Payment Authorization Package and filed in the paid invoices cabinet.

- | | | |
|---|-------------------|---|
| 1 | Item (s)/Services | Description and quantity of the product or service to be purchased. |
| 2 | Vendor | Complete vendor contact information including the name of the person giving the price |
| 3 | Date/Time | List the date/time the quote is received; |
| 4 | Per Unit/ S&H | Enter the per unit charge, shipping & handling when applicable. |
| 5 | Charges | Determine if the vendor requires any other fees to be included in the cost of the purchase; Enter this cost |
| 6 | Total Price | Multiply the unit quantity by price, Plus, any other vendor fees to calculate as accurate a total price as possible |
| 7 | Quote Good Until | Enter the expiration date of the quote |
| 8 | Notes | Use the Notes section for miscellaneous information or if more space is needed in the "Price Per Unit" and "Other Charges" sections |

INSTRUCTIONS FOR THE COMPLETION OF THE CHECK REQUEST FORM

- 1 Date Date Check Request Form is prepared
- 2 Payee Exact Name of Vendor to be paid. On Contract items, this name must match the name on the Contract and the invoice. On Non-Contract Items, this name must match the vendor name indicated on the invoice. Also, the address must match the "Remit to" address listed on the invoice.
- 3 Discounts Allowed Circle "Yes or No" if the invoice allows for any discount.
- 4 Terms Insert the payment terms as outlined in the Contract/Agreement (ex: Net 30 days)
- 5 Invoice Number Number assigned to the invoice and printed on the invoice by the vendor.
- 6 Invoice Date Date of Invoice-printed on the invoice by the vendor
- 7 General Ledger Number(s) General ledger account number(s) from the Manager's budget to be charged for the expenditure
- 8 Distribution Amount(s) Amount of invoice total to be charged to the specified general ledger number. NOTE: If more than one general ledger number is listed, the corresponding dollar amounts must be entered for each general ledger number. The total of all distributed amounts must equal the total invoice amount
- 9 Date Goods/Services Received Enter the date the goods or services were physically received or provided
- 10 Comments The requestor submitting the check request for approval, is required to use this space for any descriptions and/or explanations (be as descriptive as possible). This section is may also be used for any NON-INVOICED charge for which the Manager is requesting a check, such as utility bills, ordering refreshments for meetings, etc.
- 11 Due Date The date the invoice is to be paid should be entered on this line.

continued

12	Disposition of Check	Manager must check the appropriate box to indicate whether Accounts Payable should mail the check directly to the payee or return it to the requestor. Manager may also enter any special/additional instructions in this area, under "Other Instructions", such as "Check is needed by (date).
13	Required Signatures	
	Requester	Signature of Requesting Staff Member
	Manager	Signature of Appropriate Manage
	Business Officer	All Completed Payment Request Forms MUST be signed by the Business Officer
	Executive Director	Executive Director will sign when appropriate; based on amount of transaction, availability of Business Officer, etc.
14	Total Request	This section will be filled in by the computer with the Total Distribution amount from section 8.
15	Accounts Payable	This section will be filled in with information by the accounts payable department only.

PAYMENT AUTHORIZATION

(for use w/Purchase Orders and Contracts)

Date	3/5/2018	Total Request	\$ -
Vendor Name			
Remit Address			
	City	State	Zip
	PO/Contract #		Complete? (please circle one)
	Yes	No	Yes No
	Discount Allowed? (please circle one)		Terms

Invoice #	Invoice Date	G/L Number	Distribution Amount
<i>Date Goods/Services Received</i>			
Total Distribution			\$ -

Comments

Mail Check to Payee

Return Check to: _____

Hold Invoice *(reason for hold)*: _____

Special Instructions

Approvals

Requestor	Manager	Business Officer	Executive Director

For AP Use Only	Vendor # _____	Invoice Due Date _____	
	Invoice # _____	Discount Due Date _____	
PO/Contract# _____		Discount Amount _____	
Account # _____		Total Invoice _____	

12	Comments	The requestor submitting the payment authorization for approval, is required to use this space for any descriptions and/or explanations (be as descriptive as possible). This section is may also be used for any NON-INVOICED charge for which the Manager is requesting a check, such as utility bills, ordering refreshments for meetings, etc.								
13	Due Date	The date the invoice is to be paid should be entered on this line.								
14	Disposition of Check	<p>Manager must check the appropriate box to indicate whether Accounts Payable should mail the check directly to the payee or return it to the requestor.</p> <p>Manager may also enter any special/additional instructions in this area, under "Other Instructions", such as "Check is needed by (date)."</p>								
15	Required Signatures	<table border="0" style="width: 100%;"> <tr> <td style="padding-left: 100px;">Requester</td> <td>Signature of Requesting Staff Member</td> </tr> <tr> <td style="padding-left: 100px;">Manager</td> <td>Signature of Appropriate Manage</td> </tr> <tr> <td style="padding-left: 50px;">Business Officer</td> <td>All Completed Payment Request Forms MUST be signed by the Business Officer</td> </tr> <tr> <td style="padding-left: 50px;">Executive Director</td> <td>Executive Director will sign when appropriate; based on amount of transaction, availability of Business Officer, etc.</td> </tr> </table>	Requester	Signature of Requesting Staff Member	Manager	Signature of Appropriate Manage	Business Officer	All Completed Payment Request Forms MUST be signed by the Business Officer	Executive Director	Executive Director will sign when appropriate; based on amount of transaction, availability of Business Officer, etc.
Requester	Signature of Requesting Staff Member									
Manager	Signature of Appropriate Manage									
Business Officer	All Completed Payment Request Forms MUST be signed by the Business Officer									
Executive Director	Executive Director will sign when appropriate; based on amount of transaction, availability of Business Officer, etc.									
16	Total Request	This section will be filled in by the computer with the Total Distribution amount from section 8.								
17	Accounts Payable	This section will be filled in with information by the accounts payable department only.								

**INSTRUCTIONS FOR THE COMPLETION OF THE REQUEST FOR USE OF THE OCRRA BUSINESS
CREDIT CARD FORM**

- | | | |
|----|--------------------------|---|
| 1 | Date | Date Request is prepared |
| 2 | Payee | Exact Name of Vendor to be paid. If this is an internet/phone purchase then the address may be left blank, all other purchases require the correct address information for the vendor |
| 3 | Web Address | Enter the appropriate web site from which the purchase is to be made. |
| 4 | Phone/Fax | Enter the current phone number and fax number (if available) for the vendor. |
| 5 | Confirmation # | For all internet/phone purchases, the confirmation number must be listed. (Attach a copy of the emailed confirmation to the request whenever possible) |
| 6 | Shipment/Receipt Date | Enter the anticipated date of shipment as per email confirmation receipt, or the date the order is received |
| 7 | General Ledger Number(s) | General ledger account number(s) from the Manager's budget to be charged for the expenditure |
| 8 | Distribution Amount(s) | Amount of invoice total to be charged to the specified general ledger number. NOTE: If more than one general ledger number is listed, the corresponding dollar amounts must be entered for each general ledger number. The total of all distributed amounts must equal the total invoice amount |
| 9 | Description | Use the space for any descriptions or explanations (be as descriptive as possible) |
| 10 | Required Signatures | |
| | Requester | Signature of Requesting Staff Member |
| | Manager | Signature of Appropriate Manage |
| | Business Officer | All Completed Payment Request Forms MUST be signed by the Business Officer |
| | Executive Director | Executive Director will sign when appropriate; based on amount of transaction, availability of Business Officer, etc. |
| 11 | Accounts Payable | This section will be filled in with information by the accounts payable department only. |
| 12 | Total Request | This section will be filled in by the computer with the Total Distribution amount from section 8. |

OCRRA Receiving Receipt

Date Received: _____ Time Received: _____

PO/Contract#: _____

Vendor Name: _____

Description: _____
include quantities _____

Signature (OCRRA employee)

Date

OCRRA Receiving Receipt

Date Received: _____ Time Received: _____

PO/Contract#: _____

Vendor Name: _____

Description: _____
include quantities _____

Signature (OCRRA employee)

Date

INSTRUCTIONS FOR THE COMPLETION OF THE OCRRA RECEIVING RECEIPT FORM

The OCRRA Receiving Receipt form should be used in the absence of a vendor shipping receipt when products are delivered. The OCRRA staff person receiving the delivery should use this form to record the amount of cartons or the numbers of items received and forward the Receiving Receipt to the Manager responsible for the shipment. The Receiving Receipt will be attached to Payment Authorization Package and filed in the paid invoices cabinet.

This form is printed “two” per page to save paper.

1	Date Received	The date the shipment was delivered
2	Time Received	Exact Name of Vendor to be paid. If this is an internet/phone purchase then the address may be left blank, all other purchases require the correct address information for the vendor
3	PO #	The purchase order number should be entered if it is readily available to the receiver.
4	Vendor Name	Enter the company name that sent the shipment
5	Description	Record the number of cartons or the number of items received.; Give a brief description of the contents of the products received
6	Signature of OCRRA Employee	The staff member receiving the delivery from the delivery person should sign the Receiving Receipt.
7	Date	The receiver should date the Receiving Receipt when they sign the form. (Conceivably the signature date may be different than the “Date Received” if the delivery was dropped off prior to anyone checking it).



**ONONDAGA COUNTY
RESOURCE RECOVERY AGENCY**

Purchase Order Cancellation Notice

Date: _____

Vendor _____ Contact _____

Address _____ Phone/Fax _____

Dear Sir/Madam:

Please note that Purchase Order # _____ (copy attached) is **cancelled** as of this date. Our decision to cancel this purchase order is based on the following *(Include any Special Instructions for the vendor i.e., return the unsigned PO, etc.):*

Should you have any questions please contact (_____) at (315) 453-2866.

Thank you for your anticipated cooperation.

Sincerely,

Attachments

TSB
CC: Accounts Payable

INSTRUCTIONS FOR THE COMPLETION OF THE PURCHASE ORDER
CANCELLATION NOTICE FORM

The Purchase Order Cancellation Notice is filled out in the event a decision has been made not to purchase from a vendor after a purchase order has been mailed out. The vendor should first be contacted by a phone call explaining to them that the purchase order they received or are about to receive has been cancelled. The cancellation notice is documentation follow up to the phone call to remind the vendor not to process the purchase order. This notice should be faxed to the vendor promptly after the phone call by the writer of the purchase order. This notice with a copy of the fax confirmation should be retained and a copy forwarded to Accounts Payable. Accounts Payable will withdraw the purchase order from the system.

1	Date	Date of purchase order cancellation
2	Vendor	Enter all vendor contact information available; including contact, address, phone, & fax etc
3	PO #	The cancelled purchase order number
4	Reason for Cancellation	Type the cancellation explanation over this message
5	Special Instructions	Type over this message any actions the vendor should take in regards to the cancelled purchase order
6	Manager's Name	Type over this message the name of the procurement manager
7	Closing	Signature of person sending the Cancellation Notice
8	Attachments	Attach a copy of the purchase order when faxing this Cancellation Notice to the vendor

FORM "A"

Contractor/Engineering Services

BASIC DATA FORM

Project Number _____

Project Title _____

Contractor/Engineer _____

Individual Contact _____

Name _____

Title _____

Address _____

Phone _____

Fax _____

Email _____

Key Agency Representative _____

Other Agency Personnel _____

Duration of Contract _____

Date of Contract Signing _____

Not-to-Exceed Contract Value _____

(Resolution # _____ of _____)

Contract Amendments (if any) _____

Amended Contract Value (if any) _____

Rates to be Invoiced

Summary of Scope of Work

INSTRUCTIONS FOR THE COMPLETION OF THE
FORM “A” CONTRACTOR/ENGINEERING SERVICES
BASIC DATA FORM

Form “A” is a document summarizing a construction or engineering project. It includes the name of the firm, cost information, scope of the project, and completion date. It should be filled out for each invoice submitted by the vendor. Form “A” should be included in the Payment Authorization Package as a supporting document for justification of the contractor’s invoice.

1	Project Number	Record any project or job number assigned by the construction or engineering firm.
2	Project Title	Label the project with a brief but descriptive phrase.
3	Contractor/Engineer	The name of the firm contracted.
4	Individual Contact	The contracted firm’s primary contact person, job title, phone/fax number, and the firm’s address
5	Key Agency Contact	Enter the name of the OCCRA staff person monitoring the project. This person is usually responsible for initiating the payment process of the hired firm’s invoice. Name other staff involved with the project.
6	Duration of Contract	Enter contract project starting and completion dates.
7	Date of Contract Signing	This is the date OCRRA’s Executive Director signed the contract with the hired firm
8	Not-to-Exceed Contract Value	The dollar amount limit the contractor may submit in billing
9	Resolution #	The number assigned to the Board Resolution Document approving the hiring of the contractor
10	Contract Amendments (if any)	Record any necessary changes from the original contract specifications
11	Amended Contract Value (if any)	Record any price changes due to changes in the original contract.
12	Rates to be Invoiced	Enter any readily definable invoice rates or make reference to prices stated in the contract.
13	Summary of Scope of Work	Give a brief description of the work or service being performed by the contracted firm

FORM "B"

Contractor/Engineering Services

INVOICE MONITORING FORM

Project Number _____

Contractor/Engineer _____

Key Representative _____

Billing Period _____

Total Contract _____

Prior Invoices _____

Total Retainage _____

Amount this Invoice _____

Retainage _____

Balance of Contract Remaining if Invoice is Approved: _____

Payment Amount _____

Check List for this Invoice (circle one):

- | | | |
|-----|----|--|
| Yes | No | Are all services within contractual scope of services? |
| Yes | No | Are each of the labor rates and direct expenses charges in conformity with contract? |
| Yes | No | Are any invoice items in need of challenge or clarification? |
| Yes | No | Overall, invoices services are fair and reasonable. |
| Yes | No | Payment recommended? |

Explain in detail each "NO" answer, or "YES" answer for item 3 above:

Other Comments _____

Agency Key Representative _____

Date _____

INSTRUCTIONS FOR COMPLETION OF
FORM “B” CONTRACTOR/ENGINEERING SERVICES
INVOICE MONITORING FORM

Form “B” is a document used to track payments and balances due relating to construction or engineering projects in progress to the point of completion. Form “B” should be filled out for each contractor’s invoice being processed for payment. Form “B” should be attached to Form “A” to be included in the Payment Authorization Package as a supporting document to record payments made and future amounts owed in connection with an engineering or construction project.

1	Project Number	Record any project or job number assigned by the construction or engineering firm.
2	Contractor/Engineer	The name of the firm contracted.
3	Key Representative	Enter the name of the OCCRA staff person monitoring the project. This person is usually responsible for initiating the payment process of the hired firm’s invoice. Name other staff involved with the project.
4	Billing Period	Enter the beginning and ending dates covered by the contractor’s invoice
5	Total Contract	The total cost of the project as established by contract
6	Prior Invoices	Sum up the dollar amount on previously submitted contractor invoices
7	Total Retainage	Enter 10% of the total cost of the contract. OCRRA places on hold 10% of the cost of a construction project. The final 10% of a contractor’s billing will be processed for payment only after all of the contractor’s obligations have satisfactorily been met.
8	Amount of this Invoice	Enter the dollar amount of the contractor’s current invoice
9	Retainage	The dollar amount retained, if any, of the contractor’s current invoice. A retained amount indicates the contractor has not completely fulfilled his obligations and must do so to receive full payment of an invoice
10	Balance of Contract Remaining	Total cost of the contract minus the current invoice plus all previous project related invoices.

continued

- | | | |
|----|----------------------------|---|
| 11 | Payment Amount | The dollar amount of the current invoice minus any retained amount, if any |
| 12 | Checklist for this Invoice | Five yes or no questions must be answered. These questions are to be filled in fulfilled |
| | 12-a) | Did the contractor do the work they were contracted to perform? |
| | 12-b) | Were contractor labor rates and expenditures acceptable per contract? |
| | 12-c) | Was contractor invoice clear and accurate? |
| | 12-d) | Was invoice pricing acceptable? |
| | 12-e) | Should this invoice be paid? |

Provide an explanation for “No” answers for questions a,b,d,e.

Provide an explanation for a “Yes” answer to question c.

- | | | |
|----|---------------------------|---|
| 13 | Other Comments | Use this section to enter any comments helpful In clarifying or noting project status or contractor billing |
| 14 | Key Agency Representative | The Manager responsible for monitoring the contracted project must sign here |
| 15 | Date | The date form “B” was signed by Agency representative. |

**DISCLOSURE TO OCRRA DURING PROCUREMENT PROCESS OF
PRIOR NON-RESPONSIBILITY DETERMINATIONS**

OCRRA Procurement regarding: _____

OCRRA Designated Procurement Contact Person: _____

OCRRA conducts its procurements to maximize competition and provide all vendors with an opportunity to compete fairly. New York law now provides that, for any procurement over \$15,000.00, all potential vendors must disclose whether a governmental entity in New York has made a finding of "Non-Responsibility." "Non-Responsibility" is defined in State Finance Law Section 1 39-j and can include failure of a potential bidder/proposer/quoter to timely disclose truthful, accurate, or complete information that may allow OCRRA to make a determination as to its "responsibility" relative to this procurement as well as unauthorized procurement contacts (including contacts to someone other than the designated procurement contact) and ethics code violations. In order to qualify for consideration on this procurement, the bidder/proposer/quoter must complete and sign the form below.

Bidder/Proposer/Quoter Seeking to Enter into the Procurement Contract with OCRRA:

Name: _____

Address: _____

Person Submitting this Form:

Name: _____

Title: _____

Phone Number: _____

Has any Governmental Entity in New York made a finding of Non-Responsibility regarding the bidder/proposer/quoter seeking to enter into the Procurement Contract in the previous four years? (Please circle):

Please Circle: No / Yes

If you answered yes to the above question, please provide details regarding the finding of Non-Responsibility below:

New York Governmental Entity: _____

Date of Finding of Non-Responsibility: _____

Basis of Finding of Non-Responsibility: _____

Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named bidders/proposers/quoters after a finding of intentional provision of false or incomplete information? (Please circle):

Please Circle: _____ No / Yes

If yes, please provide details: _____

New York Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Bidder/proposer/quoter certifies that all information provided to OCRRA above with respect to State Finance Law §139-k is complete, true, and accurate.

By: _____

Date: _____

Signature: _____

PERMISSIBLE CONTACTS AFFIRMATION

As a potential bidder/proposer/quoter on an OCRRA solicitation where the contract amount may exceed \$15,000.00, I recognize that once the solicitation issues, New York law requires that all contacts with OCRRA regarding that procurement must be through the designated OCRRA Procurement Contact Person and no one else. On behalf of my client as a potential bidder/proposer/quoter, I affirm that my client understands and agrees to comply with the procedures of the Onondaga County Resource Recovery Agency relative to permissible contacts as required by New York State Finance Law §139-j (3) and §139-j (6) (b). This form must be submitted with the bid, proposal, or quote.

OCRRA Designated Procurement Contact Person: _____

Vendor Signature:

Print Signer's Name:

Vendor Title:

Date:

Vendor Name:

Vendor Address:

IMPORTANT STATE FINANCE LAW PROCUREMENT COMPLIANCE PROVISIONS

OCRRA Procurement regarding: _____

OCRRA Designated Procurement Contact Person (s): _____

OCRRA conducts its procurements to provide all vendors with an opportunity to compete fairly to maximize competition. New York State has enacted provisions in its State Finance Law, applicable to any contract over \$15,000.00 that further promotes fair competition. This law now requires that all communications i.e. “contacts” with OCRRA regarding this procurement, after the Request to Bid, Request for Proposals, or Request for Quotes go out, must be through a designated OCRRA Procurement Contact Person. Our Designated Procurement Contact Person is listed above. All contacts by potential vendors should be through the Designated Procurement Contact Person and **NO ONE ELSE!** The Designated Procurement Contact Person will record all such contacts and any responding information given to a potential vendor will also be shared with all potential vendors, so no one has a competitive advantage. As a potential vendor on this procurement, you will need to fill in the Permissible Contacts Affirmation form, attached, and submit it with your bid/proposal/quote. You will also need to fill in the other part of this two-page form that advises OCRRA of any Non-Responsibility Determinations under this law. If you fail to comply with the above Procurement contacts restrictions or you submit knowingly false, inaccurate or incomplete information, or you violate our OCRRA Ethics Code, you may be found to be a “Non-Responsible” vendor. This can result in a rejection of your firm for contract award, a cancellation of the contract, if later discovered (the Contract will include a cancellation provision for such a contingency), and in the event of two such findings in a four year period, debarment from obtaining any further OCRRA procurement contract for a period of four years from the time of the second violation.

Please be sure to familiarize yourself with these new legal provisions, fill out the attached forms, and contact only the Designated Procurement Contact Person during the procurement process. This will promote fair competition on this procurement and will not disqualify your firm from a potential OCRRA contract award.

OCRRA RECORD OF CONTACT DURING PROCUREMENT
UNDER STATE FINANCE LAW §139-K(4)

OCRRA Procurement Record Regarding:

OCRRA conducts its procurements to maximize competition and provide all vendors with an opportunity to compete fairly. For any procurement over \$15,000, all contacts with the Agency after the RFP, RFQ or Request for Bid go out, must be exclusively through a designated OCRRA Procurement Contact Person, and no one else. The designated procurement contact should use this form to document questions or other contact with bidding, quoting, or proposing (or potential) vendors and record your response.

OCRRA Designated Procurement Contact Person – Name and Title

I was “contacted” by the below named individual regarding the above identified procurement. The term “contact” means any oral, written, or electronic communication with OCRRA’s designated procurement contact person after advertising and before awarding the procurement.

Name: _____ Date of Contact _____

Vendor or Supplier Represented _____

Telephone No. _____ Fax No. _____

Address: _____

Summary of the form (e.g., email, letter, conversation) and topic of the communication on date of contact:

(attach a copy of the email or written communication if applicable)

CERTIFICATE OF NON-COLLUSION

Non-collusive Certifications required of all bidders under Section 103 -d of the General Municipal Law as amended by Chapter 751 of the Laws of 1965 and Chapter 675 of the Laws of 1966 effective September 1, 1966, is as follows:

By submission of this bid, the bidder and each person signing on behalf of the bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

(1)The prices in this bid have been arrived at independently without collusion, consultation, communications, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.

(2)Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3)No attempt has been made or will be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.

Legal Name of Bidder/Proposer/Quoter (Typed)

Address (Typed)

City State Zip

By: _____
Signature

Name (Typed)

Dated _____, 20____

Title

**CONFLICT OF INTEREST
AFFIDAVIT**

STATE OF _____)

)ss:

COUNTY OF _____)

_____, being duly sworn, deposes and says for and on behalf of
_____, that:

1. Our (my) firm _____, is an independent firm or company, and has this date submitted a bid, proposal, or quote to provide goods and/or services to the Onondaga County Resource Recovery Agency.
2. I certify on behalf of the bidder, proposer, or quoter that it and its employees have no interest, direct or indirect, which could conflict in any manner or degree with the performance or provision of these goods and/or services to the Onondaga County Resource Recovery Agency.
3. If successful a contract my (our) firm agrees that in providing the goods or in the rendering of services to the Onondaga County Resource Recovery Agency, no persons having any such interest shall be employed by the firm. I assume full responsibility for knowing whether my (our) employees or agents have any such interest and hereby certify that no such interest exists.

Dated: _____, 20____ By:

For and on Behalf of:

Sworn before me this _____ day of

_____, 20



New York State Department of
TAXATION and FINANCE
OTPA Sales Tax Exempt Organizations Unit
Building 9 Room 154
W.A. Harriman Campus
Albany, NY 12227

February 25, 2013

Onondaga County Resource Recovery Agency
100 Elwood Davis Road
North Syracuse, New York 13212-4312

Dear Sir or Madam:

The Tax Law exempts New York State governmental entities such as your organization, Onondaga County Resource Recovery Agency, from the payment of New York State sales and use taxes on their purchases. In order to make tax exempt purchases, a New York State governmental entity must present vendors with the entity's official purchase order or other documentation (e.g., payment voucher, contract of sale, Form AC 946, *Tax Exemption Certificate*, Form ST-129, *Exemption Certificate - Tax on occupancy of hotel rooms*, etc.) which indicates that the purchaser is a New York State governmental entity.

Tax exemption numbers and Form ST-119.1, *Exempt Organization Exempt Purchase Certificate*, are not issued to New York State governmental entities. If a vendor requests a tax exemption number or Form ST-119.1, *Exempt Organization Exempt Purchase Certificate* from you, the Onondaga County Resource Recovery Agency may give the vendor a copy of this letter. This will assure the vendor that a governmental purchase order, or other evidence that the Onondaga County Resource Recovery Agency is the purchaser, is the only documentation the vendor needs in order to not collect sales tax.

For additional information, please refer to Publication 843, *A Guide to Sales Tax in New York State for Exempt Organizations*, which is available on the New York State Tax Department website at nystax.gov

New York State Department of Taxation and Finance
OTPA-Taxpayer Guidance Division
Sales Tax Exempt Organizations Unit
Building 9 Room 154
W A Harriman Campus
Albany NY 12227

RESOLUTIONS



****MOST RECENT RESOLUTION IS LISTED FIRST****

No. 2402, 2023 – Resolution Amending Agency’s Purchasing Guidelines permitting the Executive Director to Accept up to 5% increase in an Awarded Bid

No. 1985, 2015 – Resolution Delegating Revised Authority to Executive Director to enter into contracts and to amend the procurement policy.

No. 1661, 2009 - Resolution Amending Agency's Purchasing Policy to Include Reducing Greenhouse Gas and Other Emissions as a Consideration in Equipment Purchasing Decisions

No. 1628, 2008 - Resolution Delegating Revised Authority to Executive Director to Enter into Small Purchase Contracts and to Amend Procurement Policy

No. 1163, 2000 – (w/Supporting Memorandum) Resolution Amending the Agency’s Purchasing Policy in Support of Minority and Women-Owned Businesses

No. 1162, 2000 - Resolution Delegating Revised Authority to Executive Director to Enter into Small Purchase Contracts

No. 1017, 1998 - Resolution Adopting Revised Policy and Procedures for the Procurement of Recycled Goods by the Agency

No. 823, 1996 - Resolution Designating Official Newspapers for purchasing of Goods and Services for the Onondaga County Resource Recovery Agency

No. 822, 1996 - Resolution Delegating Revised Authority to Executive Director to Enter into Small Purchase Contracts

No. 233, 1992 - Resolution Expressing Agency's Intent to Support Minority and Women Businesses When Awarding Agency Contracts

No. 221, 1991 - Resolution Adopting an Office Recycling and Waste Reduction Policy

**RESOLUTION AMENDING THE AGENCY PURCHASING GUIDELINES
PERMITTING THE EXECUTIVE DIRECTOR TO ACCEPT UP TO 5%
INCREASE IN AN AWARDED BID**

WHEREAS, the Agency has in place an “Agency Procurement Policy & Guidelines”, which was last revised in 2018; and

WHEREAS, among other things, the Procurement Guidelines encourage and require competitive bidding for purchases in excess of \$1,000; and

WHEREAS, as a result of the global COVID-19 pandemic and resulting supply chain shortages, successful bidders have occasionally requested an increase in the cost of the goods or services which were the subject of the bid awarded by the Agency; and

WHEREAS, the Agency further desires to provide the Agency’s Executive Director with the discretion to accept from time to time, and for good cause shown, an increase from the successful vendor in the bid price not to exceed 5% of the accepted bid, and not to exceed \$20,000, and provided the amount of the requested increase does not render the bid price higher than the next best bid; and

WHEREAS, the Agency further believes that the best way to authorize this flexibility is to modify the Agency’s Procurement Policy; and

WHEREAS, the Agency’s Administration Committee recommends the Agency Board adopt this change to the Agency Procurement Policy; now, therefore be it

RESOLVED, the Agency Procurement Policy & Guidelines is hereby amended to include the following language:

“The Executive Director is authorized to permit an increase not to exceed 5%, and not to exceed \$20,000, for any awarded bid, or proposal, provided the vendor requesting the increase presents good cause for the increase to the Executive Director and provided the requested increase does not render the awarded bid or proposal price higher than the next best bid or proposal. The Agency Executive Director is required to report to the Agency Board of Directors Administration Committee each time this provision of the Procurement Policy is used, along with the reasons for the Executive Director’s decision.”

This resolution shall take effect immediately.

Resolution Adopted Date: July 19, 2023

Votes: Ayes: 8 Nays: 0 Abstain: 0

Signed: 

RESOLUTION DELEGATING REVISED AUTHORITY TO EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS AND TO AMEND PROCUREMENT POLICY

WHEREAS, the Agency in its day-to-day activities is required to enter into many routine contracts and/or purchase orders for supplies, equipment and services; and

WHEREAS, the Agency authorized its Executive Director, pursuant to Resolution No. 1162 of July 12, 2000, to enter into purchase contracts to provide such goods and services in an annual individual contract amount up to \$10,000 without specific Board authority, with the exception of contracts or orders for work, material, or supplies performed or furnished in connection with construction, the latter of which may, under Public Authorities Law Section 2045-p, only be awarded by Board Resolution; and

WHEREAS, the Agency did, subject to the above limitation by Resolution No. 1628 of November 12, 2008, delegate to its Executive Director, increased authority to enter into the above specified purchase contracts, purchase orders and similar contracts for expenditures of up to fifteen thousand dollars (\$15,000) without Board approval; and

WHEREAS, the Administration Committee has recommended that the Executive Director's authority to enter into such contracts be raised to twenty thousand dollars (\$20,000) subject to the above limitations; now, therefore be it

RESOLVED, that this Agency does delegate revised authority to its Executive Director to enter into purchase contracts, purchase orders and similar contracts for purchases of supplies, equipment or services in annual amounts of up to twenty thousand dollars (\$20,000) without specific Board approval and subject to these conditions:

1. The Executive Director may not enter into contracts or orders for work, material or supplies performed or furnished in connection with construction or other such public work without Board approval; and
2. The Executive Director shall report to the Board on a monthly basis all such purchases of over five thousand dollars (\$5,000); and
3. All purchases must be made within the adopted Agency budget; and
4. Where possible, three or more quotes should be secured to ensure that purchases are made in a cost effective manner.

The Agency's Procurement Policy shall be amended accordingly. This Resolution shall take effect on January 1, 2016.

Resolution Adopted Date: December 9, 2015

Vote: Ayes: 10 Nays: 0 Abstentions: 0

Signed: Beth E. Morrison

**RESOLUTION AMENDING AGENCY'S PURCHASING
POLICY TO INCLUDE REDUCING GREENHOUSE GAS AND OTHER
EMISSIONS AS A CONSIDERATION IN EQUIPMENT PURCHASING DECISIONS**

WHEREAS, the Onondaga County Resource Recovery Agency has adopted a Purchasing Policy to govern the Agency's purchasing of goods, services and equipment, and

WHEREAS, the Agency did, by Resolution No. 1617 of September 10, 2008, commit to achieving a 10% reduction in greenhouse gas emissions from internal Agency operations over a five (5) year period commencing in 2009, and

WHEREAS, through its Purchasing Policy OCRRA can use its influence in the marketplace to encourage vendors to make information available about emissions and fuel consumption and, ultimately, to provide more fuel-efficient equipment that emit reduced levels of greenhouse gases and other pollutants, and

WHEREAS, the Greenhouse Gas Committee has recommended, as a significant step toward achieving those Agency emission reductions, that the Agency adopt the following amendment to the Agency's Purchasing Policy:

- When purchasing vehicles, trucks, or other major pieces of equipment that utilize carbon based fuels and that are potentially significant emitters of greenhouse gases, the Agency will, when purchasing such goods by bid, incorporate consideration of the greenhouse gas impact in developing the bid specifications and, where practical, include the opportunity for bidding an option for alternative goods that offer reduced greenhouse gas emissions. The Agency may then consider whether such optional goods are financially viable in light of the Agency's existing budgetary constraints.
- The Agency may also purchase such goods through a Request for Proposal process in which weighting for a contract award may include a credit of up to 3% for greenhouse gas emissions reduction efficiency.
- Finally, when purchasing such goods off State contract the Agency will consider the greenhouse gas impact of optional goods available thereunder in selecting the goods that meet the Agency's functional needs within existing Agency budgetary constraints.

now, therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency does hereby adopt the above-referenced amendment to the Agency's existing Purchasing Policy to implement a competitive selection process that will, where appropriate, assist the Agency in achieving its goal of reducing greenhouse gas emissions as stated in Board Resolution No. 1617 of September 10, 2008. This Resolution shall take effect immediately.

Resolution Adopted Date: June 10, 2009

Vote: Ayes 12 Nays 0 Abstentions 0

Signed: Catherine M. Strong

WJB/pe

**RESOLUTION DELEGATING REVISED AUTHORITY TO EXECUTIVE DIRECTOR
TO ENTER INTO SMALL PURCHASE CONTRACTS
AND TO AMEND PROCUREMENT POLICY**

WHEREAS, the Agency in its day-to-day activities is required to enter into many routine contracts and/or purchase orders for supplies, equipment, and services, and

WHEREAS, the Agency authorized its Executive Director, pursuant to Resolution No. 1162 of July 12, 2000, to enter into purchase contracts to provide such goods and services in an annual individual contract amount up to \$10,000 without specific Board authority, with the exception of contracts or orders for work, material, or supplies performed or furnished in connection with construction, the latter of which may, under Public Authorities Law Section 2045-p, only be awarded by Board Resolution, and

WHEREAS, it is the intent of this Agency, subject to the above limitation, to delegate to its Executive Director, increased authority to enter into purchase contracts, purchase orders, and similar contracts for expenditures of up to fifteen thousand dollars (\$15,000) without Board approval, and

WHEREAS, the current Agency Procurement Policy allows for the one-time use of a prior successful quote when re-ordering the same material within a six (6) month period as long as the terms are the same and the amount is below \$1,000, and

WHEREAS, the Administration Committee has recommended that the re-order dollar limit be raised to \$2,500, while retaining the one-time re-order restriction, and

WHEREAS, the current Agency Procurement Policy requires a minimum of three quotes, written or verbal, for all purchases in excess of \$100, and

WHEREAS, the Administration Committee has recommended that the three quote minimum be increased to \$500, now, therefore be it

**RESOLUTION DELEGATING REVISED
AUTHORITY TO EXEC DIR TO ENTER
INTO SMALL PURCHASE CONTRACTS
AND TO AMEND PROCUREMENT POLICY
Page 2**

Resolution No. 1628, 2008

2. The Executive Director shall report to the Board on a monthly basis all such purchases of over five thousand dollars (\$5,000), and
3. All purchases must be made within the adopted Agency budget, and
4. Where possible, three or more quotes should be secured to ensure that purchases are made in a cost effective manner.

The Agency's Procurement Policy shall be amended accordingly. Be it

FURTHER RESOLVED, that the Agency Procurement Policy is further amended to provide that staff may, when re-ordering the same material previously ordered as a result of a prior successful quote, re-order the same material within a six month period on a one-time basis as long as the terms are the same and the amount of the re-ordered material is below \$2,500 and be it

FURTHER RESOLVED, that the Agency Purchasing Policy is amended to provide that staff must obtain a minimum of three quotes, written or verbal, for all purchases in excess of \$500. This Resolution shall take effect on January 1, 2009.

Resolution Adopted Date: November 12, 2008

Vote: Ayes 12 Nays 0 Abstentions 0

Signed: Catherine M. Strong

WJB/pe

**RESOLUTION AMENDING THE AGENCY'S PURCHASING POLICY
IN SUPPORT OF MINORITY AND WOMEN-OWNED BUSINESSES**

WHEREAS, the Onondaga County Resource Recovery Agency did, pursuant to Resolution No. 233 of January 8, 1992, express its support to encourage contracts with minority and women-owned businesses, particularly in purchasing goods, services and equipment, and

WHEREAS, it is the Agency's policy to use minority and women-owned businesses, vendors, contractor/and consultants wherever possible or practical and the Agency wishes to amend its Purchasing Policy to further require that for all State purchases, the New York State Directory of Certified Minority and Women-Owned Businesses should be reviewed for appropriately qualified and interested M/WBE businesses during the initial contract development and throughout the contracting process and that Agency staff should document their good faith efforts to utilize minority and women-owned businesses wherever possible or practical on State funded or subsidized Agency projects, and

WHEREAS, the Agency wishes to also amend its Purchasing Policy and Procurement Handbook to also provide that in the procurement of services of \$10,000 or less, to be sourced from minority businesses or women-owned businesses, that such purchases can be made on the basis of a single solicited proposal if the price is "reasonable", and that the determination of "reasonableness" shall consider the five criteria in the attached supporting memorandum, now, therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency does hereby amend its Purchasing Policy and Procurement Handbook to require that a good-faith effort be made to utilize the services of minority and women-owned businesses in all contracting and purchasing activities which involve State dollars and that it is also the Agency's policy to use minority and women-owned business vendors, contractors and consultants for all other contracts whenever possible or practical. For all contracts that involve New York State funding or partial funding, the Agency Purchasing Policy and Procurement Handbook shall be amended to provide that staff should review the New York State Directory of Certified Minority and Women-Owned Businesses for appropriately qualified and interested minority and women-owned businesses during the initial contract development and throughout the contracting process and should document a good-faith effort to utilize minority and women-owned businesses on such projects. The Agency Purchasing Policy and Procurement Handbook should also provide that, for the procurement of services of \$10,000 or less from minority or women-owned businesses, that such procurement may be made on the basis of a single solicited proposal if the price is "reasonable", following the five guidelines set forth in the attached supporting memorandum. The Agency wishes to further reiterate its continuing support as set forth in Resolution No. 233 of January 8, 1992 to utilize minority and women-owned businesses wherever possible or practical when awarding Agency contracts. This Resolution shall take effect immediately.

Resolution Adopted Date: July 12, 2000

Vote: Ayes 8 Nays 2 Abstentions 0

Signed: Catherine Strong

**RESOLUTION DELEGATING REVISED AUTHORITY
TO EXECUTIVE DIRECTOR
TO ENTER INTO SMALL PURCHASE CONTRACTS**

WHEREAS, the Agency in its day-to-day activities is required to enter into many routine contracts and/or purchase orders for supplies, equipment and services, and

WHEREAS, the Agency authorized its Executive Director pursuant to Resolution No. 822 of August 14, 1996, to enter into purchase contracts to provide such goods and services in an annual amount up to \$5,000 without specific Board authority, with the exception of contracts or orders for work, material or supplies performed or furnished in connection with construction, the latter of which may, under Public Authorities law Section 2045-p, only be awarded by Board Resolution, and

WHEREAS, it is the intent of this Agency to delegate to its Executive Director, increased authority to enter into purchase contracts, purchase orders and similar contracts for expenditures of up to ten thousand dollars (\$10,000) without Board approval, now, therefore be it

RESOLVED, that this Agency does delegate revised authority to its Executive Director to enter into purchase contracts, purchase orders and similar contracts for purchases of supplies, equipment or services in annual amounts of up to ten thousand dollars (\$10,000) without specific Board approval and subject to these conditions:

1. The Executive Director may not enter into contracts or orders for work, material or supplies performed or furnished in connection with construction or other such public work without Board approval, and
2. The Executive Director shall report to the Board on a monthly basis all such purchases of over five thousand dollars (\$5,000), and
3. All purchases must be made within the adopted Agency budget, and
4. Where possible, three or more quotes should be secured to ensure that purchases are made in a cost effective manner.

The Agency's Purchasing Policy shall be amended accordingly. This Resolution shall take effect immediately.

Resolution Adopted Date: July 12, 2000

Vote: Ayes 10 Nays 0 Abstentions 0

Signed: Catherine Strong

WJB/am

**RESOLUTION ADOPTING REVISED POLICY AND PROCEDURES
FOR THE PROCUREMENT OF RECYCLED GOODS BY THE AGENCY**

WHEREAS, the Onondaga County Resource Recovery Agency has, by Resolution No. 692 of August 9, 1995, previously developed and adopted a "Policy for the Procurement of Goods and Services" (i.e. Purchasing Policy) specific to the needs and responsibilities of this Agency, and

WHEREAS, the New York State Environmental Conservation Department has advised that public authorities should make every effort to procure recycled goods pursuant to Section 175 of the State Finance Law and Public Authorities Law Section 2875-b to ensure products manufactured from Secondary Materials are used as much as possible, and

WHEREAS, the Administrative Committee has recommended that the Agency revise and extend its Purchasing Policy applicable to purchases of recycled goods, including those covered by State Finance Law Section 175, to promote the purchase of recycled goods and to amend the policy as a result of the discontinued use of the State Recycling Emblem, and

WHEREAS, after due consideration by the Board, and on the recommendation of the Administrative Committee, it is the desire of this Agency to adopt the attached revisions to the Agency Purchasing Policy relating to the purchase of recycled goods, now, therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency does hereby adopt the attached revisions to the Agency's Purchasing Policy applicable to purchases of recycled goods by the Agency as covered by Public Authorities Law Section 2875-b and directs its inclusion in the Agency Handbook of Procurement Practices and Procedures. The Executive Director is hereby authorized and directed to make all future purchases and expenditures for recycled goods in accordance with the attached revisions to the Agency Purchasing Policy. This Resolution shall take effect immediately.

Resolution Adopted Date: September 9, 1998

Vote: Ayes 9 Nays 0 Abstentions 0

Signed: Catherine M. Strong

/lm

**RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS
FOR PURCHASING OF GOODS AND SERVICES FOR THE
ONONDAGA COUNTY RESOURCE RECOVERY AGENCY**

WHEREAS, it is often necessary for the Onondaga County Resource Recovery Agency to publish legal notices, requests for proposals or bids, or other official advertisements in a newspaper or newspapers of general circulation in the Onondaga County area, and

WHEREAS, the Agency wishes to increase competition on Agency bids and solicitations by designating three official newspapers where such purchasing notices and advertisements will be published and, at the same time, reduce confusion by continuing to direct the attention of the public and others interested in Agency matters that are published to the Herald Journal newspaper, now, therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency hereby designates the Herald Journal, Post Standard and Herald American newspapers, newspapers of general circulation in the Onondaga County area, as its official newspapers for requests for proposals and bids while the Herald Journal shall remain the sole official newspaper for legal notices and official advertisements, and directs the Agency's Executive Director to publish all official Agency notices, advertisements or other publications in such manner until further notice. Resolution No. 97 of January 16, 1991 is amended accordingly. This Resolution shall take effect immediately.

Resolution Adopted Date: August 14, 1996

Vote: Ayes 9 Nays 0 Abstentions 0

Signed: Catherine M. Strong

/cms

**RESOLUTION DELEGATING REVISED AUTHORITY
TO EXECUTIVE DIRECTOR
TO ENTER INTO SMALL PURCHASE CONTRACTS**

WHEREAS, the Agency in its day-to-day activities is required to enter into many routine contracts and/or purchase orders for supplies, equipment and services, and

WHEREAS, the Agency authorized its Executive Director pursuant to Resolution No. 76 of December 12, 1990, to enter into purchase contracts to provide such goods and services in an annual amount up to \$2,500 without specific Board authority, with the exception of contracts or orders for work, material or supplies performed or furnished in connection with construction, the latter of which may, under Public Authorities law Section 2045-p, only be awarded by Board Resolution, and

WHEREAS, it is the intent of this Agency to delegate to its Executive Director, increased authority to enter into purchase contracts, purchase orders and similar contracts for expenditures of up to five thousand dollars (\$5,000) without Board approval, now, therefore be it

RESOLVED, that this Agency does delegate revised authority to its Executive Director to enter into purchase contracts, purchase orders and similar contracts for purchases of supplies, equipment or services in annual amounts of up to five thousand dollars (\$5,000) without specific Board approval and subject to these conditions:

1. The Executive Director may not enter into contracts or orders for work, material or supplies performed or furnished in connection with construction or other such public work without Board approval, and
2. The Executive Director shall report to the Board on a monthly basis all such purchases of over two thousand five hundred dollars (\$2,500), and
3. All purchases must be made within the adopted Agency budget, and
4. Where possible, three or more quotes should be secured to ensure that purchases are made in a cost effective manner.

This Resolution shall take effect immediately.

Resolution Adopted Date: August 14, 1996

Vote: Ayes 9 Nays 0 Abstentions 0

Signed: Catherine M. Strong

/cms

Resolution No. 233, 1992

**RESOLUTION EXPRESSING AGENCY'S INTENT
TO SUPPORT MINORITY AND WOMEN BUSINESSES
WHEN AWARDING AGENCY CONTRACTS**

WHEREAS, the Onondaga County Resource Recovery Agency contracts with local businesses for services, supplies and equipment and has plans for several major building projects, and

WHEREAS, the Agency is in full support of equal opportunity and fair treatment of all people in its contracting and wishes to affirm its non-discrimination in contracting, now therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency hereby expresses its intent to support equal opportunity and equal treatment in all Agency contracting activities and declares that it shall not, by reason of race, color, creed, gender or national origin, discriminate against any person who is qualified and available to perform the work to which the contract relates.

Resolution Adopted Date: January 8, 1992

Vote: Ayes 12 Nays 0 Abst. 0

Signed: Catherine M. Accorlino

**RESOLUTION ADOPTING AN OFFICE
RECYCLING AND WASTE REDUCTION POLICY**

WHEREAS, the Onondaga County Resource Recovery Agency is committed to a program that recycles as much office waste as possible and promotes procedures which effect reduction in the amount of waste, and

WHEREAS, it is the goal of the Agency to remove all that is possible from the waste stream and to serve as a positive example for other places of business, and

WHEREAS, the Recycling Committee has proposed the following office policy regarding recycling and waste reduction, now therefore be it

RESOLVED that the Onondaga County Resource Recovery Agency hereby adopts an office recycling and waste reduction policy for its offices and facilities as follows:

Recycling Every person working in the office has been provided with a container for collection of recyclable paper and a container for non-recyclable items. Acceptable paper items are: white paper, colored paper, all envelopes, folders, self-adhesive notes, NCR paper, fax paper, junk mail, soft/hard cover books, catalogs and magazines. Non-acceptable paper items (trash) include: plastic tabs, wire spirals, wax paper, food wrappers (waxed or plastic), styrofoam, soiled tissues/napkins, paper plates and cups, corrugated cardboard, three-ring binders, carbon paper, TYVEC envelopes, rubber bands, paper clips, blue prints and telephone books. Glass metal, plastic, newspapers and food are recycled in the kitchen area in appropriately labeled containers.

Buying Recycled In making purchases of paper, envelopes, stationery, copier paper, computer paper, business cards, etc., recycled paper will be considered as the best option. Only excess cost or technical problems in using the recycled paper will justify the choice of non-recycled materials. Purchases under state contracted items may make the purchases economically justifiable.

RESOLUTION ADOPTING AN OFFICE
RECYCLING AND WASTE REDUCTION POLICY
PAGE 2

Waste Reduction A policy of waste reduction will be encouraged by a campaign to change ways of thinking and work habits which promote the use of excess amounts of paper. Everyday in the world 2 billion copies are made on copier machines; it is the agency staff responsibility to help in beginning a revolution in waste reduction. Two-sided copying should be seen as the first option; single side copies will be done only when necessary. This policy will be implemented also by circulating documents to staff rather than making copies for all. Board mailings will be kept to a minimum, based on a survey of members as to what materials they wish to receive. Staff also will reduce office waste in the kitchen by the use of dishes rather than disposables whenever possible.

Be it further

RESOLVED, that the Executive Director is hereby authorized to modify the aforementioned definitions for acceptable and unacceptable recycling items and to expand the waste reduction initiatives listed above. This Resolution shall take effect immediately.

Resolution Adopted Date: December 11, 1991

Vote: Ayes 9 Nays 0 Abst. 0

Signed: Catherine M. Accardino

/gb

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