



Town of Pelham

Policy: Procurement Policy

Adopted: February 9, 2026

I. STATEMENT OF PURPOSE

The Town of Pelham (“Town”) adopts this Procurement Policy to ensure that the procurement of goods and services is conducted in a manner that:

- Assures the prudent and economical use of public funds;
- Facilitates the acquisition of quality goods and services at the lowest possible cost consistent with quality and responsibility;
 - Guards against favoritism, improvidence, extravagance, fraud, and corruption;
 - Provides fair competition among vendors; and
 - Creates a clear paper trail to support transparency, auditability, and public confidence.

This Policy is adopted pursuant to General Municipal Law (“GML”) §104-b and shall govern all Town procurements not subject to the competitive bidding requirements of GML §103.

II. APPLICABILITY AND GOVERNING LAW

A. Competitive Bidding (GML §103)

Except as otherwise provided by law, the following procurements by the Town are subject to competitive bidding pursuant to General Municipal Law §103:

- Purchase contracts (including goods, materials, equipment, and supplies) involving an aggregate expenditure of **more than \$20,000** in a fiscal year; and
 - **Public works contracts** involving an aggregate expenditure of **more than \$35,000** in a fiscal year.

All such procurements shall be awarded in accordance with GML §103 and applicable law and are not governed by this Procurement Policy.

B. Procurements Below Competitive Bidding Thresholds

All procurements below the statutory bidding thresholds set forth above, and all procurements otherwise exempt from competitive bidding under GML §103, shall be governed by this Policy pursuant to General Municipal Law §104-b.

C. Other Applicable Law

This Policy shall be read in conjunction with:

- Town Law
- General Municipal Law
- State Finance Law
- OSC guidance and audit standards
- The Town's Code of Ethics
- Records retention and FOIL requirements

III. ROLES AND RESPONSIBILITIES

A. Town Board

- Adopts this Policy and any amendments.
- Retains authority over procurements requiring Board approval by law.

B. Town Supervisor

- Provides overall oversight of procurement practices.
- Ensures compliance with this Policy.
- May designate procurement authority consistent with law.

C. Town Comptroller

- Oversees fiscal controls, audit readiness, and compliance.
- Reviews procurement documentation as required.

D. Department Heads

- Estimate annual needs.
- Initiate procurement requests.
- Assist in vendor evaluation and documentation.

IV. DETERMINATION OF APPLICABILITY OF COMPETITIVE BIDDING

Prior to initiating any procurement, the authorized Town official shall:

- Estimate the aggregate annual cost of the goods or services, including consideration of:
 - Past purchasing history
 - Similar purchases across departments
 - Reasonably anticipated future needs
- Determine whether competitive bidding applies under GML §103; and
- Document the determination in writing for procurements exceeding the thresholds set forth in this Policy.

Documentation shall be retained with the procurement record.

V. PROCUREMENT METHODS WHEN COMPETITIVE BIDDING IS NOT REQUIRED

When competitive bidding is not required, the Town shall use one of the following methods, as appropriate, to ensure competition and cost-effectiveness.

A. GOODS (Including Incidental Services)

Estimated Annual Amount	Required Method
Less than \$500	Discretion of Purchaser; competitive pricing encouraged
\$500 – \$3,500	Oral or written quotes from at least two vendors
\$3,500 – \$10,000	Written quotes or RFP from at least three vendors
Over \$10,000 – Threshold	Formal written RFP or quote process

B. SERVICES (Non-Professional)

Estimated Annual Amount	Required Method
Less than \$1,000	Discretion of Purchaser
\$1,000 – \$5,000	Oral or written quotes from at least two vendors
\$5,000 – \$15,000	Written quotes or RFP from at least three vendors
Over \$15,000 – Threshold	Formal written RFP

C. PUBLIC WORKS (Below GML §103 Threshold)

Estimated Annual Amount	Required Method
Less than \$2,500	Discretion of Purchaser
\$2,500 – \$10,000	Oral or written quotes from at least two contractors

\$10,000 – Threshold

Written quotes or RFP from at least three contractors

VI. PROFESSIONAL SERVICES

Professional services (including but not limited to legal, engineering, architectural, auditing, planning, and consulting services) are generally exempt from competitive bidding.

However, the Town shall:

- Use Requests for Proposals (RFPs) or Qualifications-Based Selection (QBS) where practicable;
- Evaluate proposals based on experience, expertise, quality, and cost; and
- Document the basis for selection.

VII. USE OF STATE, COUNTY, AND COOPERATIVE CONTRACTS

The Town may procure goods and services through:

- New York State Office of General Services (OGS) contracts;
- County contracts; or
- Other governmental cooperative or piggyback contracts.

When using such contracts, separate competitive quotes are not required, but the use of the contract shall be documented.

VIII. DOCUMENTATION REQUIREMENTS

For all procurements subject to this Policy, the Town shall maintain documentation including:

- Vendors solicited
- Quotes or proposals received
- Basis for vendor selection
- Written justifications where required

All records shall be retained in accordance with records retention schedules and made available for audit and FOIL purposes.

IX. AWARD OF CONTRACTS

Contracts shall be awarded to the **lowest responsible offeror**, unless it is determined in writing that awarding to another offeror is in the Town's best interest.

Factors may include:

- Quality
- Experience
- Reliability
- Responsiveness
- Past performance

X. EXCEPTIONS

Solicitation of quotes or proposals may be waived under the following circumstances, provided justification is documented:

- Emergencies
- Sole source procurements
- Professional services
- Preferred sources
- Purchases from other governmental entities
- Purchases at auction
- Purchases below minimal thresholds

XI. BEST VALUE AWARDS

Pursuant to **General Municipal Law §103(1)**, and where authorized by resolution of the Town Board, the Town may award purchase contracts on the basis of Best Value, as permitted by law.

“Best Value” shall mean the basis for awarding contracts that optimizes quality, cost, and efficiency, and may include consideration of:

- Cost of maintenance or operation over the life of the product or service;
- Product performance, durability, and reliability;
- Quality of workmanship or materials;
- Vendor experience, past performance, and reputation; and
- Compliance with specifications, delivery schedules, and service requirements.

When a contract is awarded on the basis of Best Value rather than lowest price, the basis for the award shall be documented in the procurement record.

XII. ANNUAL REVIEW

The Town Board shall review this Policy periodically and no less than annually and may amend it by resolution as necessary.