

OFFICE OF THE WARREN COUNTY CLERK
PAMELA J. VOGEL, COUNTY CLERK
SUEANNE S. LINEHAN, DEPUTY

**Warren County Support Services Committee: Co. Clerk/DMV
Monday, Feb. 22, 2016 ~ 11:15 a.m.**

- I. Committee Meeting Call to Order: Chairman Ron Vanselow.
- II. Motion to approve minutes of prior committee meeting (County Clerk – P. McDevitt, Chair)
- III. Action Agenda/New Business:

A. Employee Vacancies – Notices to Fill (3)

1.) Notice to Fill: Recording Clerk, Gr. 7, Base: \$30,949. Vacancy due to resignation.

Notice was previously approved; notice expired after 6 months. Awaiting examination; provisional appt. anticipated. Position is part of the recording/filing process with specific tasks assigned to staff, to ensure a systematic approval process/Real Property Law (indexing, reproduction requirements). Funded in 2016 budget: A. 1665 110.

2.) Notice to Fill: Motor Vehicle License Registration Clerk PT: Gr. 8, Base: \$ 32,238/ PT Allocation: \$ 16,119.

Notice was previously approved; notice expired after 6 months. Examination held Oct. 2015; Results received January 2016. Position was reduced from Full-time to Part Time at the time of vacancy, resulting in a savings of 50% of salary and 100% of benefit/health package. Emphasis on PT scheduling will be during high volume summer months; off-season vacation leave, providing express services. Funded in 2016 budget: A. 1410 130.

3.) Notice to Fill: Motor Vehicle License Registration Clerk FT: Gr. 8, Base: \$ 32,238.

This is a recent vacancy (1/29/2016), prompted by a resignation of employee to accept Sr. Account Clerk position in the Warren County Sheriff's Office. Position is essential to adequately staffing the DMV to service 60,000 transactions/\$ 3 million operation (note: over \$ 440,000 remains with Warren County). Training time is significant. Note: Office has already experienced a staff reduction of 1.5 MV Clerks. Appt. will be from eligible list available as of January 2016. Funded in 2016 budget: A 1410 110.

B. Westmount Records Management Authorizations:

Unique request necessary to address records management practices given recent sale of County gov't owned facility and operation: Westmount Health Facility to Warren Cooperatives Associates LLC (Dec. 2015). Includes identification of appropriate personnel/officials authorized to coordinate the following:

- 1.) Transfer to RSC: Lead: Betsy Henkel (county employee/liaison to new owner); also P. Hawley, G. Martin, K. Markham, K. Chilson.
- 2.) Staff Access to RSC Stored Westmount Records: Lead, Betsy Henkel; also P. Hawley, G. Martin, K. Raymond, K. Markham.
- 3.) **Resolution:** Identification of appropriate individuals authorized to approve disposition of records in accordance with NYS Retention and Disposition Schedule (CO-2) ie: created prior to 12/31/2015. This will impact records with disposition dates through c. 2022. Individuals designated to authorize disposition on behalf of Warren County: Betsy Henkel (county DPW employee/former Westmount employee), Warren County Administrator, and Warren County Attorney. All designees will work together with the Warren County Records Management Program staff: Records Manager, ARM, and Warren Co. RMO who have like knowledge of records created by former Westmount 1990 – 2015.

IV: Old/Other Business: None.

2/10/2016

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

DEPARTMENT HEAD COMPLETES THIS SECTION

Department: **County Clerk** Payroll Dept. No: **22**
 Title of Position: **Recording Clerk** Base Salary of Position: **\$ 30,949** Grade: **7**
 Filling at Step # (If Known): Request to Backfill Due to Promotion: Yes No
 Budget code and title: **A1665 110 Full Time Salaries** Union Non-Union
 This position is vacated due to: Retirement Resignation Termination Promotion Other
 Employee No.: **12124** Is this position mandated? Yes No Is the position reimbursable? Yes No
 Source of reimbursement: Federal % State % Other %

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (*hiring would be provisional*) Non-Competitive Other PCN

Actual Impact to Budget Report will be provided monthly by Human Resources Director.

Candidate's qualifications must be approved by Personnel Officer prior to hiring.

Human Resources Director has approved this form when initialed. JF 2/12/16

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

- The Administrator has no objection to the filling of the vacancy.
- The Administrator objects to the filling of the vacancy.

Administrator Signature

Date

2/16/16

BUDGET OFFICER COMPLETES THIS SECTION

- The Budget Officer has no objection to the filling of the vacancy.
- The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature

Date

2/19/16

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee

Support Services

- The committee has no objection to the filling of the vacancy.
- The committee objects to the filling of the vacancy.
- In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.
- In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature

Date

Renewal

RESOLUTION REQUEST FORM NO. 12

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NOTICE OF INTENT TO FILL VACANT POSITION

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DEPARTMENT HEAD COMPLETES THIS SECTION

Department: **County Clerk - DMV**

Payroll Dept. No: **15**

Title of Position: **Motor Vehicle License Reg Clerk PT** Base Salary of Position: **\$ 32, 238**

Grade: **8**

Filling at Step # (If Known):

Request to Backfill Due to Promotion: Yes No

Budget code and title: **A 1410 130 Part -Time Salaries**

Union Non-Union

This position is vacated due to: Retirement Resignation Termination Promotion Other **Health reasons**

Employee No.: **11032**

Is this position mandated? Yes No

Is the position reimbursable? Yes No

Source of reimbursement: Federal

% State

% Other

%

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (*hiring would be provisional*) Non-Competitive Other pan

Actual Impact to Budget Report will be provided monthly by Human Resources Director.

Candidate's qualifications must be approved by Personnel Officer prior to hiring.

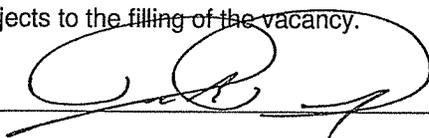
Human Resources Director has approved this form when initialed. JF 2/12/16

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

The Administrator has no objection to the filling of the vacancy.

The Administrator objects to the filling of the vacancy.

Administrator Signature



Date

2/16/16

BUDGET OFFICER COMPLETES THIS SECTION

The Budget Officer has no objection to the filling of the vacancy.

The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature



Date

2/19/16

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee

Support Services

The committee has no objection to the filling of the vacancy.

The committee objects to the filling of the vacancy.

In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.

In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature

Date

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

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DEPARTMENT HEAD COMPLETES THIS SECTION

Department: **County Clerk - DMV**

Payroll Dept. No: **15**

Title of Position: **Motor Vehicle License Reg Clerk FT** Base Salary of Position: **\$ 32, 238** Grade: **8**

Filling at Step # (If Known): _____ Request to Backfill Due to Promotion: Yes No

Budget code and title: **A 1410 110 Full-Time Salaries** Union Non-Union

This position is vacated due to: Retirement Resignation Termination Promotion Other **To WCSO**

Employee No.: **11990** Is this position mandated? Yes No Is the position reimbursable? Yes No

Source of reimbursement: Federal % State % Other %

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (*hiring would be provisional*) Non-Competitive Other Pal

Actual Impact to Budget Report will be provided monthly by Human Resources Director.

Candidate's qualifications must be approved by Personnel Officer prior to hiring.

Human Resources Director has approved this form when initialed. JF 2/12/16

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

The Administrator has no objection to the filling of the vacancy.

The Administrator objects to the filling of the vacancy.

Administrator Signature _____

Date _____

2/16/16

BUDGET OFFICER COMPLETES THIS SECTION

The Budget Officer has no objection to the filling of the vacancy.

The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature _____

Date _____

2/19/16

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee _____

Support Services

The committee has no objection to the filling of the vacancy.

The committee objects to the filling of the vacancy.

In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.

In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature _____

Date _____

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: County Clerk

DATE: 2/17/2016

- (a) Purpose of Request: **To designate county officials/personnel to approve records disposition for Westmount agency records (those created Dec. 31, 2015 and earlier).**
- (b) Details: **Given sale of Westmount Health Facility, necessary to designate county personnel to be involved with Records Management procedures.**
- (c) Previous Resolution Number: **Warren County Records Mgt. Resolution 456 of 1990 and 397 of 2007.**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount: **None**

Sample: A.8021 470 Planning & Community Development – Contract

* as listed in budget and LOGOS

SUPPORT SERVICES COMMITTEE
COUNTY ADMINISTRATOR AGENDA
FEBRUARY 22, 2016

Committee Members: Supervisors Vanselow, Frasier, McDevitt, Wood, Brock, Seeber, Montesi, and Leggett

- I. Committee meeting called to order by Chairman
- II. Motion to approve the minutes of the prior meeting
- III. Action Agenda/New Business Items:
 - 1. Proposed revisions to Warren County Workplace Violence Prevention Plan and Program.
- IV. Referrals/Pending Items:
 - None.
- V. Discussion Items:
 - None.
- VI. Privilege of the Floor to discuss any additional items to come before the Committee
- VII. Motion to adjourn

Attachments:

- 1. Proposed revisions to Workplace Violence Prevention Plan and Program.

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

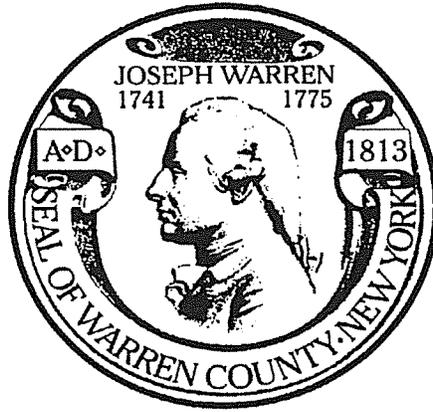
DEPARTMENT NAME: County Administrator

DATE: 02/22/2016

- (a) Purpose of Request: **Approving Revisions and Amendments to the Warren County Workplace Violence Prevention Plan and Program.**
- (b) Details: **The plan needs to be revised as already been set forth. In addition, there were a few additional revisions that were made at the Support Services Committee Meeting. County Administrator will provide details.**
- (c) Previous Resolution Number: **174 of 2012**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:

Sample: A.8021 470 Planning & Community Development – Contract

* as listed in budget and LOGOS



Warren County

Workplace Violence Prevention Plan and Program

Date Last Adopted: R174, 3-16-2012

Warren County

Workplace Violence Prevention Plan and Program

Section 27-b of the New York State Labor Law requires public employers (other than schools covered under the school safety plan requirements of the education law) to perform a workplace violence evaluation or risk evaluation at each worksite and to develop and implement programs to prevent and minimize workplace violence caused by assaults and homicides. The Law is designed to ensure that the risk of workplace assaults and homicides are regularly evaluated by public employers and that a workplace violence protection program is implemented to prevent and minimize the hazard to public employees.

The workplace evaluations must identify factors which may place the workforce at risk to occupational assaults or homicides. The results of the evaluation and the risk factors found are to be shared with employees initially and annually thereafter.

I. Board of Supervisors Policy Statement:

Warren County is committed to providing a safe workplace for our employees. We recognize that workplace violence presents a serious occupation safety hazard for workers. Therefore, Warren County has developed and shall implement this workplace violence prevention plan and program.

II. Defining Workplace Violence:

A. In accordance with Section 27-b of the New York State Labor Law and for the purpose of this workplace violence prevention plan, **workplace violence is any physical assault, threatening behavior or verbal abuse occurring in the work setting within Warren County.**

The workplace violence prevention plan has been developed to address three distinct types of Workplace Violence threats:

- **Type 1 Threat:** Physical assault, threatening behavior or verbal abuse by an assailant with no known legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act.
- **Type 2 Threat:** Physical assault, threatening behavior or verbal abuse by a recipient of a service provided by the County.
- **Type 3 Threat:** Physical assault, threatening behavior or verbal abuse by a current or former worker, supervisor or manager, or another person who has some employment-related involvement with the County, such as a worker's spouse or lover, a worker's relative or friend or another person who has a dispute with one of our employees.

B. Workplace violence may include threats in the following specific situations or when made in person, in writing, by telephone or electronic communication:

- Non-specific threats of violence by employee
- Specific threats of violence by employee
- Threats of violence directed against an employee by a non-employee
- Violent confrontation by a spouse or significant other with an employee over a personal/domestic dispute

- Threats or threatening conduct by disgruntled or ex-employees
- Violent altercations between two employees or employee and supervisor
- Multiple assaults by intruder

C. Typical warning signs of potentially violent individuals may include:

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility, extreme agitation; making ominous threats such as: “bad things will happen” to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance, irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in County policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; demonstrating a propensity to behave and react irrationally.

III. Workplace Violence Prevention Risk Evaluation:

Warren County has performed “risk evaluations” of certain facilities identified in article V(f) as a means of inspection of workplaces to determine the presence of existing or potential hazards that might place employees at risk from physical assault, threatening behavior or verbal abuse. Warren County will be performing additional “risk evaluations” of the facilities so denoted in V(f). The County employed the following techniques in developing risk evaluations for the facilities where the evaluations have been concluded and will also use the same techniques where the evaluations have not been concluded:

- An examination of the history of past incidents to identify patterns or trends which occurred in each workplace;
- A review of occupational injury and illness logs (SH 900) and incident reports to identify injuries that may have resulted from workplace violence incidents;
- Conducting workplace building security surveys.

IV. Risk Factors Identified In Section III Above:

A review of the activities carried out at Warren County’s facilities and by County employees, indicates that threats of violence may be initiated by any of the three types of individuals listed in item II. above. Many of the County’s employees work closely with the public in situations at the following locations/worksites:

- Municipal Center which includes the County Clerk, Treasurer, Board of Supervisors, Civil Service, County Court as well as several other County departments.
- Human Services building which contains Social Services, Planning, Building Codes, Self-Insurance, Veterans Affairs as well as other County departments.
- Highway Department
- Buildings and Grounds
- Westmount Nursing Facility
- Countryside Adult Home

- Public Safety building which contains the Sheriff's Department and the correctional facility
- Employment and Training Offices
- Community Services Offices
- Office for the Aging Nutritional sites

Some individual departments, within the County, who have constant contact with the public have their own Workplace Violence plans including DPW, ~~Social Services~~, ~~Health Services~~ and Westmount Nursing Health Facility.

The County has determined that the following are some of the factors or situations in County workplaces that might place employees at risk of physical assault, threatening behavior or verbal abuse.

- Duties that involve the handling or exchange of monies
- Delivery of passengers, goods or services
- Duties that involve mobile workplace assignments (IE health care, probation, social services, building inspection, criminal justice settings.)
- Working alone or in small numbers (IE working late at night, during early morning hours or anytime the workplace is not fully staffed.)
- Duties that involve guarding valuable property or possessions
- Working in community based settings
- Bomb threats
- Working in rural or sparsely populated areas
- Working in a poorly lit environment

V. Workplace Violence Prevention Responsibility:

A. The County has identified the following responsibilities for implementing and maintaining the provisions of the Workplace Violence Prevention Program:

- The County Administrators Office is responsible for implementation of the Plan and for coordinating the delivery of required annual employee workplace violence prevention training and for ensuring that all new employees receive a copy of the Plan and required training.
- The County Administrators Office is also responsible for annual plan review, ensuring that its provisions are implemented and answering all employee questions relative to Workplace Violence Prevention procedures.
- All County employees will attend Workplace Violence Prevention training and review the contents of the plan. Training will be scheduled and announced as necessary. In addition this plan will be available from Department Heads and/or supervisors and will be posted in employee accessible areas.
- The County Administrators Office will periodically review this Workplace Violence Prevention Plan and annual employee training requirements.
- Department Heads will also conduct a formal review of any workplace violence incidents and within 30 days of the occurrence of an incident may recommend enhancements to the

existing Plan and procedures. These formal reviews together with any written report or notice filed by an employee or other person shall be sent to the Warren County Administrator, Human Resources Director and Self Insurance Administrator for their review. Annually, the County Administrator shall conduct a review of all written reports or notices filed during the past year with the County Attorney, Human Resources Director, Self Insurance Administrator, outside consultant, if any, and representatives of the CSEA, PBA and Alliance Unions for purposes of identifying patterns of injuries in particular areas of the workplace or incidents which involves specific operations or individuals, mitigating actions taken, and further, if any, recommendations regarding amendments to the Workplace Violence Prevention Plan, policies of the workplace, work practices and/or work procedures. Any reports/notices that are examined during the course of the annual review shall be redacted of any names or other information that is required to be redacted by laws, rules or regulations concerning matters of confidentiality.

- The Warren County Sheriff's Department or State Police will respond when the incident requires a police investigation based upon the reporting procedures outlined in this policy. The Investigating Officer will provide a preliminary report to the County Administrator within 15 days of the occurrence of a workplace violence incident. The County Administrator will provide a copy of the report to the Department Head, Human Resources Director and Self Insurance Administrator.

B. Injury and Illness Recordkeeping and Reporting Requirements for Workplace Violence Incidents:

Currently, Warren County is required to record and report workplace violence incidents in accordance with New York State Labor Law, Section 27-a (Public Employer Safety and Health Act). 12 NYCRR Part 801 Recording and Reporting Public Employees' Occupational Injuries and Illnesses, specifies conditions for employer recordkeeping and reporting requirements. Specifically, an employer is required to record an employee workplace violence injury if it results in death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid and loss of consciousness.

Employers are also required to report employee workplace violence related fatalities and multiple hospitalizations to the Department's Public Employee Safety and Health (PESH) Bureau within 8 hours of the incident.

(Refer to 12 NYCRR Part 801 for complete information pertaining to employee recordkeeping and PESH reporting requirements).

C. Employee Communication:

To properly maintain a safe, healthy and secure workplace the County is committed to having an open, two-way communication policy between all employees on all workplace safety, health and security issues. This communication is designed to encourage a continuous flow of safety and health information between management and employees without fear of reprisal and is readily understandable. This communication system will provide and accomplish the following:

- Employee orientation and training on workplace violence prevention and worksite security policies, procedures and work practices.
- Periodic review of the Workplace Violence Prevention Plan and Program with all personnel.
- Training programs designed to address specific aspects of workplace violence prevention and security that are unique to the County.
- Discussion of Workplace Violence Prevention at regularly scheduled safety and health meetings.
- Posted or distributed workplace security information.
- A system for employees to readily inform management about workplace security hazards or threats of violence.
- Procedures for protecting any employee who reports a threat from retaliation by the person making the threat.

D. Preventing Workplace Violence at worksites:

There is no single ingredient that will prevent or reduce violence in the workplace. Preventative measures must be based on a thorough understanding of risk factors associated with the various types of workplace violence that could occur. While understanding the factors that lead to workplace violence are not always evident, sufficient information is available which can reduce the risk. However, strong management commitment, and the day-to-day involvement of department managers, supervisors, employees and labor unions, is required to reduce the risk of workplace violence. To that end, the County will utilize the following measures in developing and maintaining its Workplace Violence Prevention Program:

- ***Foster a supportive harmonious work environment:*** Create a culture of mutual respect to help reduce harassment and hostility in the workplace. Management will strive to communicate openly, give employees adequate control in their work and provide them with support and recognition. Conflict and stress are lower when employees feel empowered to work independently and are motivated to work cooperatively.
- ***Train employees on how to resolve conflicts:*** Conflicts on the job can be reduced by developing employee skills in negotiating, communicating effectively, team building and resolving disputes.
- ***Develop effective policies to protect employees from harassment:*** Strive to build a culture free of harassment and discrimination and advance this goal by having systems in place to address infractions. Warren County will not tolerate physical assault, threatening behavior or verbal abuse. Further, all complaints will be expeditiously and thoroughly investigated. Appropriate action will be taken to those who violate this policy.
- ***Establish procedures for handling grievances:*** Employees will follow grievance procedures for reporting complaints of unfair treatment, discrimination or harassment.
- ***Provide personal counseling through an employee assistance program:*** Employees can use County resources to address personal concerns. If a physical assault, threatening behavior or verbal abuse incident occurs at work, support services can be made available by the County to help employees cope with their fears and concerns.

- **Implement security programs that protect employees:** The County has a variety of methods in-place to ensure worker safety. Such methods include: access control to facilities; employee background screening; and, employee safety awareness and training.
- **Provide employee safety education programs:** In addition to making workers aware of safety policies and employee support services, the County will provide education on ways to maximize safety at work.
- **Train supervisory personnel on how to recognize signs of a troubled employee:** The County will provide periodic information and/or training to managers and supervisors on how to recognize signs and symptoms of a potentially violent employee. Also, supervisory personnel can be instructed on how to be sensitive to signs of possible abuse among employees, such as frequent absences or depression.

E. Reporting Workplace Violence Incidents:

Any employee or representative thereof who believes that a serious violation of the Workplace Violence Prevention Plan and Program has occurred or that an imminent danger exists, should bring such matter to the attention of a Supervisor or Department Head in the form of a written notice. The referral is not required where imminent danger or threat exist to the safety of a specific employee or to the general health of a specific patient and an employee reasonably believes in good faith that reporting to a Supervisor or Department Head would not result in corrective action.

When a workplace violence incident results in a serious injury, emergency responders such as Police, Fire and/or Ambulance personnel will be promptly notified. Workplace violence incidents that include physical violence or the threat thereof the Warren County Sheriff's Department or State Police shall be notified. The County Administrator, Department Head and employee's supervisor will also be immediately notified. Based on the seriousness of the incident, the County Administrator may assemble a Workplace Violence Management Response Team which may include the County Attorney, law enforcement, Employee Assistance Program Coordinator, various Department Managers, representatives from the Employee Safety and Health Committee, Employee Union representatives and other others as deemed necessary. This team will evaluate the details of the violent incident, implement required employee safety measures, coordinate with the victim's family, other employees, the media and law enforcement personnel, and refer victims to appropriate assistance and community service programs that may include crisis counseling. If following a referral of such matter to the employee's supervisor's attention and after a reasonable opportunity to correct such activity, policy or practice the matter has not been resolved and the employee or representative of employees still believes that a violation of a workplace violence prevention program remains, or that an imminent danger exists, such employee or representative employees may request an inspection by giving notice to the New York State Commissioner of Labor of such violation or danger. Such notice and request shall be in writing, shall set forth with reasonable particularity the grounds for the notice, shall be signed by such employee or representative of employees, and a copy shall be provided by the New York State Commissioner of Labor to the employer or the person in charge no later than the time of inspection, except that on the request of the person giving such notice, such person's name and the names of the individual employees or representative employees shall be withheld. Such inspection shall be made forthwith.

F. County Worksite Security:

The County primarily provides services to County residents and visitors and its worksites must remain accessible to its clients as necessary. Therefore there is no intention to fortify facilities. The County will provide training to all employees as the primary means of reducing workplace violence. The County will utilize barriers, controlled entries, etc. where such are necessary. In addition, the following physical security measures are also employed at the various facilities as appropriate:

- Maintain exterior lighting, especially in areas where employees walk to their cars.
- As needed, prune landscaping to eliminate hiding places near entrances, walkways and parking areas.
- Keep all non-public entrances closed and locked. Post signs (where necessary) indicating public entrances.
- Post emergency numbers for police, fire and medical services.
- Equip vehicles with two way radios as necessary.

The following details the specific risks and control measures for each of the County's facilities:

- **Municipal Center:** *See attached building summary*
- **Human Services Building:** *See attached building summary*
- **Department of Public Works:** Please see the DPW's site specific plan.
- **Westmount Nursing Health Facility:** Please see the facility specific workplace violence plan.
- **Countryside Adult Facility:** *See attached building summary*
- **Public Safety Building:** *See attached building summary*
- **Employment and Training Offices:** *See attached office summary*
- **Community Services Offices:** *See attached office summary*
- **Office for the Aging Nutritional Sites:** *See attached summary*

Summary of Buildings and Office locations

1. Municipal Center

The building houses several County departments including Assigned Counsel, County Attorney, County Auditor, Legislative Board, County Administration, Civil Service, District Attorney, Dept of Motor Vehicles, County Clerk, Health Services, Information Technology, Emergency Services, Probation, Public Defender, Real Property, Tourism, Treasurer, Weights and Measurers, and the Women Infant & Children department. The building also houses the Warren County Court and NYS Supreme Court facilities. There are several entrances to the building, most of which access

is not controlled. The court area is accessible only with key or via a public entrance that is through magnetometers with armed security staff. The wing housing Public Defender, Assigned Counsel, Emergency Services and Probation has limited access via key or entrance with magnetometer and unarmed security personnel. The building is open from 8:00am – 5:00pm on weekdays. Approximately 200 employees work in the building.

The Assigned Counsel Office is located in the “old jail” wing of the building. The office takes applications and makes awards of legal assistance to indigents. Public access is controlled by unarmed security personnel and magnetometer. The primary employee works alone and has constant contact with the public. The employee does not work in the field and does not handle money.

The County Attorneys Office is located in the main area of the building. The office provides legal and administrative services to the County departments. There is no control on public access to the office. There are 6 employees and the office is open from 8:00am-5:00pm. The employees deal with members of the public routinely but do not handle money. If employees need to travel they use their own vehicles and personal cell phones.

The County Auditors Office is located in the main area of the building. The office provides support to other County departments. There is no control on public access to the office. The office has 2 employees that work from 9:00am-5:00pm. No money is handled. The staff have regular exposure to other employees but very little exposure to the public. The employees do not work in the field.

The County Board of Supervisors and County Administrators Offices are located on the 2nd floor. The offices perform legislative and administrative tasks. There are 8 employees located primarily at the office with an additional 20 members of the Board of Supervisors that attend meetings and Board functions. Access to the area is open to the public. The offices are open weekdays from 8:00am-5:00pm. The Board members travel regularly in their own vehicles. Money is not handled at the offices.

The Personnel/ Civil Service Department is located in the main area of the Municipal Center. The office provides support to County departments as well as outside municipalities. There are 2 1/2 employees of the Department and the office is open from 9:00am-5:00pm weekdays. The employees remain at the office and do not work in the field. No money is handled. Contact with the public and other employees is continual.

The District Attorneys Office is located within the courts area of the building. The office provides legal services for the “people”. Access is limited to employees with a key and public access is controlled via the armed security / magnetometer through the courts. There are approximately 16 employees within the Department. The office is open 9:00am – 5:00pm weekdays. However the employees regularly work before and after hours when the building is closed. The employees travel frequently via personal automobile throughout the County. Communication is via cell phone. The employees are regularly exposed to the public in court settings and they have continual interaction with clients involved in trials. Petty cash is the only money handled.

The Department of Motor Vehicles and County Clerks offices are located in the main area of the building. The offices provide motor vehicle registration, title and licensing services. The Clerks

office issues passports, pistol permits and performs various legal recording services. Access is not limited in any way. The approximately 19 employees in the department have continual contact with the public. The offices are open weekdays from approximately 8:00am-5:00pm. Employees are mostly in the vicinity of other employees and do not work in the field. The department handles cash on a regular basis.

The Health Services / Public Health Department is located in the main area of the building. The office provides various clinic services and home nursing services. Access is not limited in any way. The departments 85 employees work both in the field and at the main office. The office is open 8:00am-5:00pm weekdays. However nurses also work on weekends and holidays and some staff is on call 24/7. Employees usually work alone other than the office staff that is in the vicinity of other employees. Nurses perform individual home nursing visits and are issued cell phones to keep in contact with the Department. Clerical staff or clinic nursing staff handle money at clinics. If needed, employees in the field are issued radios that are monitored by the Sheriff's Department.

The Information Technology Department is located in the main area of the building. The office provides technology support to other County departments. Public access is not limited in any way. 2 employees work at the office that is open from 9:00am-5:00pm weekdays. Employees regularly interact with other employees. Employees are sometimes in the field visiting other County departments. Personal cars with personal cell phones are used in the field. Employees do not handle money.

The Office of Emergency Services is located in the "old jail" wing of the building. The office provides administration, clerical, equipment storage and classroom training for various emergency service providers within the County. Public access is controlled by unarmed security personnel and magnetometer. 3 full time employees and 6 part time employees work 8:00am-4:00pm regularly but work 24/7 during emergency operations. The employees travel regularly in County issued vehicles with County radios monitored by the 911 center. No money is handled.

The Probation Department has approximately 15 employees working from a location in the building. Public access is controlled by unarmed security personnel and magnetometer. Employees utilize other entrances via keyed doors. The employees supervise both adult and juveniles and conduct investigations for the courts. The officers are mobile in County issued vehicles with personal cell phones. Employees are regularly exposed to probationers and the public. Monies in form of restitution are collected at this location.

The Public Defender Department is located in the "old jail" wing of the building. The office provides legal representation of indigents. Public access is controlled by unarmed security personnel and magnetometer. 8 employees work from this location but are also mobile in personal vehicles while attending courts throughout the County. Office hours are 8:30am-5:00pm. Frequent contact is made with the public and the legal clients.

The Real Property office is located in the main area of the Municipal Center. The office provides tax map, clerical work, production of assessment rolls, tax rolls and tax bills. The office is easily accessible to the public. The office of 5 is open 8:00am-5:00pm weekdays. Employees remain at the facility and do not typically work in the field. Monies are handled for payments of tax and parcel maps. Employees have constant interaction with the public.

The Tourism Department is located in the main area of the Municipal Center. The office provides tourism promotion. The office is easily accessible to the public. There are 8 employees in the office that is open from 9:00am-5:00pm weekdays. Some employees have occasional field work while at a nearby informational center or at trade shows and conventions. Monies are accepted at the office mostly in the form of checks. Employees travel in County vehicles and communicate with the office via cell phones.

The Treasurer's Office is located in the main area of the Municipal Center. The office provides financial support to the County including tax collection. The office is easily accessible to the public. There are 12 employees in the office that is open from 8:30am-4:30pm weekdays. The employees remain in the office and do not go out into the field to work. Employees have constant interaction with the public. The office handles a large amount of cash. A "panic alarm" exists in the office and a counter is in place where the public enters the office.

The Weights and Measurers Office is located in the main area of the Municipal Center. The office provides inspections to commercial scales and measuring systems throughout the County. The one employee typically works 8:00am-4:00pm and is highly mobile frequently works in the field. The office is open to the public and the employee has constant interaction with the public. The employee travels with a County vehicle and communicates via personal cell phone.

The Women's Infants & Children Department is located in the main area of the Municipal Center. The office conducts clinics and determines eligibility for benefits of women and young children. The office is easily accessible to the public. There are 9 employees that are frequently mobile and in constant contact with the public. Office hours vary and clinics are conducted after the rest of the building closes for business. The employees typically work in teams. The employees travel in a County vehicle and have County cell phones for communication purposes.

2. Human Services Building

The building houses several County departments, the largest of which is the Social Services Department. Other departments include Building Codes, Board of Elections, Information Technology, Office for the Aging, Planning, Probation, Self-Insurance, and Veterans Administration. There is one primary entrance for the public that is monitored by unarmed security officers. All public visitors must enter through the magnetometer. There are several other locked entrances that are accessed by employees with a fob. The building is open to the public from 8:00am-5:00pm weekdays. Approximately 175 employees work in the building.

The Building Codes Department issues building permits, enforces building codes, performs fire safety and building inspections. The office is open to the public after entry via the security area. There are 8 employees, which regularly interact with the public at locations around the County. The department has several County vehicles some of which are equipped with radios monitored by the office staff. Others communicate with the office via personal cell phones. Cash is received at the office for permit and inspection fees and deposited weekly.

The Board of Elections Department registers voters and conducts elections. The office is open to the public after entry via the security area. There are 4 full time employees and numerous part time employees. Employees interact with the public on a daily basis and do not handle money. Employees primarily perform work within the building but during voting season attend

to the many polling locations throughout the County. Employees travel in personal vehicles and communicate via personal cell phones.

The Information Technology department supports the various County departments. The office of 5 employees interacts mostly with other County employees. The office is locked at all times and entrance is via a fob. Employees usually work alone and if traveling they communicate with the office via personal cell phone.

The Office for the Aging Department is located in the building. Access is limited by a remote controlled door locking device. The 9 employees located at this office regularly interact with the public while performing support services for the aging population. Employees work both alone and in teams. Very little cash is handled in the office. The reception area and interview rooms are equipped with call buttons.

The Planning Department performs community planning and GIS services. The office is open to the public after entry via the security area. The 4 employees are mobile performing community planning work. The department has a County issued vehicle that is equipped with a County issued cell phone. The department handles very little cash.

~~The Probation Department has a few employees working from a location in the building that is accessed via fob by employees of that area only. The employees supervise both adult and juveniles and conduct investigations for the courts. The officers are mobile in County issued vehicles with personal cell phones. Employees are regularly exposed to probationers and the public. Monies in form of restitution are collected at another location.~~

The Social Services Department performs eligibility determinations for social services benefits. The 130 employees work typically 8:00am-5:00pm . However some employees are on call 24/7 and work in the building when the building is closed to the public. Approximately 50 employees work at least part of their day in the field. They utilize County vehicles for travel and use cell phones to communicate with the office. Most employees work alone, but they do occasionally work in teams. Employees handle money of various amounts each day. Employees have face to face contact with clients on the premises and in client homes. Interview rooms are utilized for most client interviews. The interview rooms consist of glass barriers and counters separating the client from the employee.

The Self-Insurance Department performs services for Towns and County departments in the form of workers' compensation administration and safety training. The departments 3 employees are located in an area accessible via fob. The office is open 7:00am-5:00pm weekdays. Public contact is minimal. However, there is frequent contact with injured workers. Employees that travel utilize personal vehicles with personal cell phones. No money is handled at the department.

The Veterans Services Department performs administration of veteran benefits and transportation to medical visits. The office is open to the public after entry via the security area. Public interaction is frequent. Van drivers work alone and utilize County vehicles and communicate with the office via cell phone. No money is handled at the office.

3. Countryside Adult Facility

The facility is an adult care home and a nutritional meal site for the Office for the Aging. There are three entrances to the building. The entrances are locked from 11:00pm–6:00am. The Cornell Cooperative Extension building is nearby on the same property.

The facility is an adult home and also has an adult day care program. In addition the Office for the Aging Nutritional meal site is located at the same facility. Countryside Employee responsibilities include maintenance, cleaning, cooking, food services, resident aid, resident transportation and facility administration. Office for the Aging employees prepare and serve meals to the elderly public that visit the site.

The facility is in operation 24 hours a day every day of the year. The 31 employees typically work onsite. However, some employees travel with residents to doctors visits, activities and meetings. The employees usually work alone. The department has several County vehicles equipped with facility issued cell phones. Petty cash and residents personal allowance cash is kept onsite. The 2 Office for the Aging employees interact with the public that visit the meal site for lunch each day. The meal site employees collect cash daily and deposit at days end. Policies are in place and employees have been trained to deal with difficult individuals.

4. Public Safety Building

The building consists of the Administrative Office for the Warren County Sheriff's Department, the 911 Communications Offices, and the County jail. Also on site is a maintenance facility. Additionally the Police department has 2 substations, one in Chestertown and one in Warrensburg. Public access is limited to the lobby area of the Administrative Offices. Approximately 170 employees work the department in the various locations. Services performed include typical municipal police work, patrol, investigations and public safety functions. Employees are highly mobile in department vehicles equipped with radios monitored by the 911 center. Employees work both alone and in teams. Employees constantly interact with the public. All of the departments divisions are accredited and as such have many policies and training in place.

5. Employment and Training Office

The facility is shared with the NYS Department of Labor. There is one entrance which is utilized by the public and employees and one dedicated employee entrance. There are multiple other retail buildings in the area and several retail and office locations connected to the office.

The department responsibilities include continual interaction with customers to perform assessments, review resumes, review career goals, provide counseling and job search services. Customers are often at difficult places in their lives having recently lost a job or are angry over some recent event that caused them to need the services of the department.

The Employment and Training department has 7 County employees that share offices with 12 State employees. Typical work hours are 8:00am–5:00pm. Employees are occasionally mobile to attend meetings and review worksites. Vehicles are not equipped with radios. However employees usually have personal cell phones. Petty cash is the only money kept on site. Policies are in place and employees have been trained to deal with difficult individuals.

6. Community Services Office

The facility is shared with a non-County mental health services organization. There are multiple entrances that are unlocked during business hours. The office is located within city limits in a residential/small business neighborhood. The non-County offices in the building regularly have seriously mentally ill clients that come in contact with the County office area.

Staff coordinates treatment, court orders, administers programs and process housing referrals for seriously mentally ill clients. However, the employees rarely interact with face to face with their own clients. The departments 5 employees are typically office workers but also travel to various locations via personal automobile with personal cell phones. Typical work hours are 8:30am-4:30pm. Employees typically work alone. Petty cash is the only money kept on site. Policies are in place and employees have been trained to deal with difficult individuals.

7. Office for the Aging Nutritional Sites

Employees at the various Nutritional Sites prepare noontime meals and distribute them to the areas aging population either via onsite gathering or via volunteer drivers. Employees generally do not work in the field and work in teams in the kitchen areas. However, since each site is open to the public the employees have daily interaction with the public. Each site accepts a limited amount of cash as payment for meals. Typical work hours for the Nutritional sites are 7:00am-1:00pm. Below are summaries of the various nutritional sites.

Bolton Landing: The nutritional site is located in the Church of the Saint Sacrament. There are church activities in the building as well as the nutritional site. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Cedars: the nutritional site is located in the Cedars Senior Living Apartments in Queensbury. There are many other activities in the building. The site is not fenced and public access is not controlled. There are 7 employees.

Chestertown: the nutritional site is located in the Chestertown Municipal Center. There are other offices and municipal government operations in the building. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Glens Falls: the nutritional site is located in the First Presbyterian Church in Glens Falls. There are other church events conducted at the same location. The site is not fenced and public access is not controlled in any way. Meals are not prepared at this location but are distributed here. 1 employee works at this location.

Indian Lake: the nutritional site is located at the Indian Lake Senior Center. There are other events conducted at the same location. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Johnsburg: the nutritional site is located at the Johnsburg Senior Center. There are other events conducted at the same location. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Luzerne: the nutritional site is located at the Lake Luzerne Town Office building. There are other events and government offices located at the site. The site is not fenced and public access is not controlled in any way. There is 1 employee.

Lake Pleasant: the nutritional site is located at the Lake Pleasant Senior Center. There are other events conducted at the same location. The site is not fenced and public access is not controlled in any way. There is 1 employee.

Long Lake: the nutritional site is located at the Long Lake Town Hall. There are other events and municipal offices at the site. The site is not fenced and public access is not controlled in any way. There are 2 employees.

Queensbury: the nutritional site is located at Solomon Heights Senior Apartments. There are many other activities in the building. The site is not fenced and public access is not controlled. Meals are not prepared at this location but are distributed here. There is 1 employee.

Wells: the nutritional site is located at the Wells Senior Center. There are other events conducted at the same location. The site is not fenced and public access is not controlled in any way. There are 2 employees.

**SUPPORT SERVICES COMMITTEE
PURCHASING AGENDA
FEBRUARY 22, 2016**

Committee Members: Vanselow, Frasier, McDevitt, Wood, Brock, Seeber, Montesi, Leggett

- I. Committee meeting called to order by Chairman
- II. Motion to approve minutes of prior Committee meeting
- III. Action Agenda/New Business
 - A. Requesting authorization for Jason Shpur and Danielle Parker to attend annual New York State Association of Municipal Purchasing Officials conference from May 11th through May 13th at the Albany Marriott.

Rationale: The SAMPO conference is an excellent resource for keeping current on Purchasing Laws, Rules & Regulations. No overnight accommodations are required, and a County vehicle may be used at the option of the employees.
 - B. Requesting Resolution to adopt the 2016 Warren County Purchasing Policy.

Rationale: By law the Purchasing Policy must be reviewed annually and adopted by the Board of Supervisors.
 - C. Requesting Resolution to authorize the Purchasing Agent to transfer surplus furniture to the City of Glens Falls at no charge.

Rationale: The City of Glens Falls is in need of office furniture to outfit an office. List of items is attached hereto. Pursuant to the Purchasing Policy, if all other methods of disposition are unsuccessful, we are allowed to make items available to the Towns, Village and City. These items are of no further value to the County.
 - D. Requesting Resolution to authorize an Intermunicipal Agreement with Warren County Municipal Subdivisions relative to consolidated commodity purchasing as a result of the Efficiency Plan.

Rationale: As part of the Efficiency Plan submitted to NYS, consolidated commodity purchasing between the County and Municipal Subdivisions was included as a cost savings measure. In order to proceed, an Intermunicipal Agreement must be authorized by the Board.
- IV. Referrals/Pending Items
 - A. None
- V. Information for Discussion/Review
 - A. None
- VI. Privilege of the Floor to discuss any additional items to come before the Committee

Item "A"

SCHEDULE "A"
AUTHORIZATION TO ATTEND MEETING OR CONVENTION

Check one:

- [X] In-State (needs Supervisory Committee authorization)
[] Out-Of State (needs Board resolution)

The Support Services hereby authorizes Jason Shpur and Danielle Parker
(Supervisory Committee) (Employee Name)

to attend annual New York State Association of Municipal Purchasing Officials Conference
(Name of meeting or organization)

at Albany Marriott, Albany, New York
(Address)

On May 11th - May 13th, 2016 Mode of transportation to be used County or personal vehicle
(Dates) (County Vehicle or Mass Transportation)

If the mode of transportation is not a county vehicle or mass transportation, please explain:
Schedule of classes is not yet available, however, they typically do not end until 5:00 pm. If the employees wish to go
straight home, they may opt to use their own vehicle.

Proper documentation must be attached when submitting for approval.

(Please check documents attached)

- [] Notice of meeting or convention including cost.

For Overnight Travel

[] Room rate \$ GSA* Rate \$

[] Meal costs - GSA*per diem rate \$

*www.gsa.gov

Date: 2/22/16

Julie A. Baller
Department Head Signature

Date: 2/22/16

Committee Chairman Signature

Please refer to the Warren County Travel Policy and County Vehicle Use Regulations for
general policy guidelines.

Please check to request a fleet vehicle.

[] REQUEST FOR USE OF FLEET VEHICLE

Filing Instructions:

- 1. Original with voucher to Auditor.
2. Copy to Frank Morehouse if fleet vehicle is needed.
3. Copy to Clerk of the Board with Resolution Request form if out-of-state travel.
4. Copy to Purchasing with Purchase Order, If required.
5. Copy to County Administrator if credit card will be used.

Item "B"

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

**Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.*

DEPARTMENT NAME: Purchasing

DATE: February 22, 2016

- (a) Purpose of Request: **Requesting Resolution to adopt the 2016 Warren County Purchasing Policy**
- (b) Details: **Annual adoption of the Policy is required by Law.**
- (c) Previous Resolution Number: **134 of 2015**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount: **N/A**

Sample: A.8021 470 Planning & Community Development – Contract

* as listed in budget and LOGOS

**WARREN
COUNTY
PURCHASING
POLICY**

2016

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SECTION I

I. INTRODUCTION

Goods and services must be procured in a manner so as to assure the prudent and economical use of public monies in the best interest of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

Adopted by the Warren County Board of Supervisors as internal policies and procedures, this Purchasing Policy governs all procurement of goods and services required to be made pursuant to the competitive bidding requirements of General Municipal Law §103 and those goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding as per General Municipal Law §104-b.

The County of Warren is hereby authorized to make all purchases of necessary goods and services by any means legal within the State of New York and in compliance with all applicable laws, rules and regulations.

The responsibilities and authority for purchasing are assigned by the governing board to Julie Butler, Purchasing Agent, Jason Shpur, Deputy Purchasing Agent and **Danielle Parker, Purchasing Assistant**. The keynote of any successful purchasing system is cooperation between the employees, Department Heads, Purchasing **staff**, Auditor, Treasurer, and the governing board.

SECTION II

II. PURCHASING PROCEDURES

A. Procedures Applicable to all Purchases Regardless of Dollar Amount

Before making any purchase, the following steps must be taken.

1. Confirm that there isn't already a County bid for the item(s).
2. If there's no County bid, check Preferred Source Offerings in the following order:
 - a. Corcraft
New York State Department of Correctional Services
Division of Industries
550 Broadway, Menands, NY 12204
Ph: 436-6321
Fax: 472-1614
website: <http://www.corcraft.org>
 - b. Industries for the Blind of New York State, Inc.
296 Washington Avenue Extension
Albany, NY 12203-5346
Ph: 456-8671
Fax: 456-3587
website: <http://www.ibnys.org>
 - c. New York State Industries for the Disabled, Inc.
155 Washington Avenue, Suite 400
Albany, NY 12210
Ph: 463-9706
Fax: 463-9708
e-mail: admin@nysid.org
website: <http://www.nysid.org>
 - d. New York State Office of Mental Health
Buy OMH
44 Holland Avenue
Albany, NY 12229
Ph: 474-0121

Items must meet the form, function and utility of the Department. Catalogs and guidelines may be obtained in the Purchasing Department. If the price from a Preferred Source is within 15% of the lowest quote and meets the specifications of the Department, the item must be purchased from the Preferred Source.

3. If the item/service is not available from a Preferred Source, search the New York State Office of General Services (NYS OGS) website (www.ogs.state.ny.us) for a State Contract. Purchases should be made through available State Contracts (OGS), or under County contract pursuant to Section 408-a of the County Law, and Subd 3 of General Municipal Law (hereinafter "GML") §103 revised in 2013 to allow purchases of materials, equipment or supplies, or to contract for services through any county within the state, whenever such purchases are deemed by the Purchasing Agent to be in the best interest of the County.
4. If no State Contract is available, or you feel the County can obtain better pricing than State Contract, then Purchasing will proceed with a County bid or the Department may obtain quotes, depending on the dollar thresholds (see pages 8-15).

5. The County is also authorized to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, as authorized by the addition of Subdivision 16 as an amendment to GML §103, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein. The contract must be let in a manner that constitutes competitive bidding to the lowest responsible bidder, or on the basis of best value, “consistent with state law”, meaning in harmony with New York State Law, and made available for use by other governmental entities. Purchases made in accordance with GML §103(16) are not subject to the competitive bidding requirements of GML §103. The stated purpose of GML §103(16) is to reduce costs, and increase efficiencies. The prerequisites that must be met are as follows:
 - a. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein. Therefore, there must be an underlying contract let by one of the listed governmental entities. Contracts developed for use by local governments that are let by private parties (e.g. a private company, association or not-for-profit corporation is the party awarding the contract to the vendor), and not by the United States or any agency thereof, any state or any other political subdivision or district therein, would not fall within the exception.
 - b. The contract must have been made available for use by other governmental entities. This means that the other governmental entity has taken steps to make its contract available for New York local governments by including a clause extending the terms and conditions of the contract to other governmental entities. Unilateral offers by vendors to extend contract pricing and other terms and conditions would not fall within the exception.
 - c. The contract must have been let in a manner that constitutes competitive bidding “consistent with state law”. “State law” refers to New York State’s bidding law applicable to its political subdivisions (GML §103 and related case law). Departments exercising the option to purchase under this exemption will be required to obtain background information on the procedures used to let the contract and, as necessary, consult with counsel, to determine whether this prerequisite is met.
6. Vendor numbers must be requested for each vendor receiving payment from Warren County. All requests for new or changed vendor numbers must be submitted to the Purchasing Department. Vendor numbers are necessary in order to complete a Purchase Order and must contain the following information:
 - a. Correct and full name of the individual/organization
 - b. Remittance address for payment & phone number
 - c. Federal ID or Social Security Number
 - d. Reason for payment (so that Purchasing can identify 1099 status)

County Departments are responsible for obtaining W-9 forms from the vendors confirming that payment information provided to the County is valid. A W-9 form must be submitted with each new vendor request in order for a vendor number to be issued.

7. Prevailing Wages apply any time a vendor employs laborers, workmen or mechanics. Vendors are required to pay prevailing rates according to Article 8 of the New York State Labor Law, no matter what the dollar amount. Pursuant to Article 9 of the New York State Labor Law, prevailing wages must also be paid for building service contracts such as moving, landscaping, elevator maintenance, etc., for any contract exceeding \$1,500 per year. Owners/operators, who have no employees, are exempt and do not need to pay themselves Prevailing Wages. Certified payrolls must be provided by the Contractor to the applicable County Department, prior to submitting an invoice. The Certified Payroll forms are required to be kept on file by the Departments for which the contract applies. The form can be found at www.co.warren.ny.us/purchasing/forms.php

All prevailing wage schedules must be requested through the Purchasing Department prior to obtaining quotes or bids. All vendors must be provided with the New York State Department of Labor PRC number assigned to each individual project so that appropriate labor rates are included in their quotes/bids. If the contract is cancelled at any time, Purchasing must be notified in order to cancel the prevailing wage schedule for that project.

On occasion, the New York State Department of Labor, Bureau of Public Works, upon receiving complaints for non-payment of prevailing wages shall direct the County to withhold monies due to a vendor. The original notice is forwarded to the Superintendent of the Department of Public Works, a copy is kept in Purchasing and a copy forwarded to the Treasurer's Office. These monies are held until notification is received from the Department of Labor on how they are to be disbursed.

Contractors and the applicable County Department must check prevailing wage schedules for each project on the 1st of each month. The Department of Labor posts corrections to each schedule (when applicable), and both parties must be informed of all updates to ensure proper payment to Contractor's employees, and for the purpose of checking certified payrolls.

New York State Office of General Services obtains a prevailing wage schedule for the State when awarding a State Contract. However, if the County uses the State Contract, the County is required to obtain a separate prevailing wage schedule specific to the County project.

It is the County's responsibility to confirm that the Prime Contractor has provided all sub-contractors with a copy of the prevailing wage schedule. A verified, signed statement must be obtained from each sub-contractor, certifying that they were provided with a copy of the schedule.

8. A contract is always required when a service is being provided to the County (regardless of **dollar** amount). Where appropriate, short form contracts are available. When determining the term of a contract, please take into consideration the nature of the **procurement**: What is the likelihood that the original term may be extended? Most contracts are capped at 3 years, with an initial one year term and two additional (optional) one year extensions. More involved contracts with larger investments by the Contractors may have longer terms which will be negotiated as part of the contract process.
9. Each set of Specifications will identify the person to which questions should be directed. This is a control mechanism so that all vendors fairly receive the same information relative to the Specifications. In the event the Purchasing Agent does not know the answer, he/she will contact the appropriate department to obtain the correct response. The appropriate information will then be distributed to the vendors in the form of a written addendum. Written addenda must be issued at least five (5) business days prior to the bid opening. If the five (5) day requirement is not met, the bid opening date will be changed in order to comply.
10. GML §103 makes it possible for the County to standardize on a particular type of material or equipment. A Resolution approved by the Department's standing committee and at least two-thirds majority of the Board of Supervisors, shall state that for reasons of efficiency or economy, there is a need for standardization. Such reasons may include, but are not limited to the following:
 - a. Larger quantities of fewer items;
 - b. More economical buying;
 - c. Flexibility of inventory;
 - d. Reduction of purchasing time;
 - e. Lower departmental operating costs; and
 - f. Reduced inventories

Adoption of such a Resolution does not eliminate the necessity for conformance to the competitive bidding requirements. Standardization restricts the purchase to a specific model or type of equipment or supply, but does not limit the vendors it can be purchased from.

11. Anticipate your needs! Once you have determined what you need, within the limitations of your budget, contact Purchasing to help you develop the specifications for the quote or bid to get the best value possible for the expenditure of tax dollars.

The key is time and preparation. Turn around time is dependant on many factors ranging from the complexity of the specifications, and the need for a pre-bid meeting and addendums to the number of bids and quotes currently in process with Purchasing. **Remember, poor planning does not move your request to the top of the list!**

12. Warren County takes the position, consistent with County Law §369; the State Comptrollers Opinion 81-83 and Opinion 81-90; and good business sense, that prepayments should not be made using County funds.

13. As standard business procedure, all County vendors are entitled to prompt payment. Invoices should be processed as soon after goods/services are obtained and in accordance to batch deadlines established by the County Auditor. **If the Auditor receives any claims for goods or services for which no Purchase Order was issued, the Purchasing Agent in conjunction with the County Auditor will have the authority to nullify the payment of such claim.**

14. The Purchasing Department endeavors to aide in getting Departments the right material on time. There will be occasions when inferior goods or services are received or they are not received in a reasonable amount of time. If the problem cannot be resolved by the Department it should be reported to Purchasing as soon as possible. This can be done via e-mail or phone. Remember to include the vendors name, bid number, the problem you have with the order and your name and extension.

Purchasing will contact the vendor and try to come to a resolution of the problem. If necessary the County Attorney's Office will be contacted for assistance.

15. When developing bid or Request for Proposal specifications, it is understood that Departments may require the expertise of vendors. When consulting with vendors it must be clearly stated that their services, in no way, give them an advantage in the bidding or proposal process. Departments must be especially diligent in this situation to ensure that the specifications are not written in such a way that the consulting vendor is given such an advantage (i.e. writing the specifications so narrowly that only their company or firm can respond).

16. When the County is seeking commodities, public works and/or professional services to be funded by New York State and/or Federal Grants, the Purchasing Department will actively and affirmatively solicit bids for supplies and/or contracts from qualified New York State certified MBEs or WBEs as more fully set forth in Warren County Resolution No. 635 of 2014.

17. P-Cards may be utilized on a limited basis for purchases in accordance with the Credit Card Policy adopted by the Board of Supervisors via Resolution No. 222 of 2015. Even when using a P-Card, procurements must be made in compliance with this policy.

B. Procedures Specific to Each Type of Purchase¹

1. Commodity/Equipment/Furniture Purchases

These purchases may be made without a Resolution of the Board of Supervisors to the extent your Department budgeted/planned for the same.

Most often, purchases made under State Contract do not require quotes, however, there are instances where quotes or a mini-bid process are required. Please read each State Contract carefully to make sure all requirements are being met before making the purchase. Some vendors may offer GSA (federal) pricing to the County. Please note, this does not exempt the County from following State and/or County procurement requirements. The GSA pricing may be used as a quote, but additional pricing is still required in accordance with the guidelines set forth below. The only exceptions to this are for Information Technology purchases offered under GSA Federal Supply Schedule 70 and Law Enforcement products under Schedule 84. Additionally, some vendors may offer to sell products as part of an Alliance or Private Cooperative. If authorized by Board Resolution, the County may purchase through National Cooperatives such as, and by way of example, the National Joint Powers Alliance. Please contact the Purchasing Department if a vendor has offered pricing from a national cooperative in order to determine whether or not you have authority to proceed.

a. Competitive Bidding:

Legal notices are published in the official County newspapers, informing the public of the products or services being bid. The advertisement for bids shall contain a statement of the time and place where all bids will be publicly opened and read. All bid openings will be conducted at a public meeting and all interested parties may attend.

Where bids are required, the Department Head will assist the Purchasing Agent in the preparation of specifications and contracts. It is the responsibility of the Department Head to provide an adequate description of items needed so that the Purchasing Agent may be able to prepare the specifications to procure the desired commodity or service. The Purchasing Agent will send specifications to vendors from a list prepared jointly by the Purchasing Agent and the Department Head for all bids. Warren County does NOT accept faxed documents where original (ink) signatures are required, i.e. on proposal pages, Non-Collusive Certifications, Corporate Resolutions and Iran Divestment Act Certifications.

¹Commodities vs. Public Works

Purchase contracts for materials, equipment and supplies involving an estimated annual expenditure of over \$20,000.00 and public works contracts involving over \$35,000.00 shall be awarded to the lowest responsible bidder only after public advertising soliciting formal sealed bids (GML §103). The term public works contracts would apply to those projects involving labor or both materials and labor where the labor portion exceeds the material component. Included in this category would be construction, paving, printing, and repair contracts.

Although not defined in GML §103, the Office of the State Comptroller has expressed the opinion that the term "contract for public work" encompasses contracts for services, or labor or construction by a "laborer, workman or mechanic service requiring wage rates". When a contract involves acquisition of both goods and services, such as a commodity where installation is required, the contract should be viewed as a purchase for purposes of the competitive bidding monetary threshold only if the service portion is minor, incidental, or customarily provided by the vendor as a component of the purchase. Conversely, if the services are extensive, substantial, or involve specialized skills, so that the acquisition of the commodity is incidental to the work, the contract should be treated as a contract for public work (1987 Opns St Comp No. 87-46, p 70). For example, a contract for interior painting of a building involves both material and labor. In most cases, the labor component of the contract will be predominant, making it a contract for public work. In contrast, replacing a boiler or furnace, while involving both labor and equipment will, in most cases, consist primarily of a charge for the equipment, making it a commodity purchase.

In determining the necessity for competitive bidding and quoting, the aggregate cost of an item or commodity estimated to be purchased in a fiscal year would have to be considered. As a general guide, items of the same or similar nature which are customarily handled by the same vendor or kind of vendor should be treated as a single item for purposes of determining whether the dollar threshold will be exceeded, i.e. plumbing materials, electrical materials, lumber, hardware, etc. It is the responsibility of the Purchasing Agent and/or County Auditor to note where purchases over the course of a fiscal year are exceeding the bidding thresholds from the purchase orders submitted by the various departments.

Items purchased through Warren County bid or the New York State Office of General Services (OGS) on State Contract have already been subject to bidding and are therefore exempt. However, all political subdivisions must purchase from the vendor holding a current State or County contract, even if another vendor's price is equal or lower, or said political subdivision must go to separate bid. The purchasing exemption made through the NYS OGS does not apply to a purchase from the State Contract vendor upon terms and conditions which materially or substantially vary from the State Contract. Used items are not exempt from bidding requirements except as noted in the exceptions section of this policy.

1. Commodity/Equipment/Furniture Purchases (continued)

When soliciting bids, a "Statement of General Conditions" will be included with all specifications and contracts provided to vendors. These General Conditions will be incorporated into contracts awarded for the purchase of commodities and the procurement of public works services.

Plan holders lists shall not be released prior to a bid opening as this may adversely affect the bids received and/or encourage collusion. Any requests received by a County department for this information are to be directed to Purchasing. Construction bids are an exception as allowing subs to contact bidders will most likely result in better pricing.

After the public opening of a sealed bid, a tabulation sheet shall be prepared, recording all pricing as submitted by the responding vendors. The appropriate Department(s) shall evaluate the bid responses and prepare a recommendation letter. When required, the using Department will request a Resolution to be presented to their standing committee and then sent to the Board of Supervisors for final award. The using Department shall also handle any renewal Resolutions through their standing committee submitted with the proper supporting documentation provided by Purchasing.

Resolutions for multi-department use are handled by the predominant Department and are submitted to the appropriate Committee for approval.

b. Bid Approval Process:

Bids for commodities will be awarded by the Purchasing Department after the following conditions are met:

- i. Sufficient appropriations are contained within the Department's current budget (or after a budget transfer has been completed).
- ii. The Department Head provides the Purchasing Agent with a written recommendation for award indicating that the lowest bid meets the intent of the specifications. **NOTE: Commodity bids do not require a Resolution unless the lowest bid is not accepted.**

c. Bidding Timeline:

The following represents the estimated amount of time required to complete a bidding cycle. Timelines for commodities and services will be different. Times may change depending on the complexity of the project. Not all items pertain to all bids. The cycle does not begin until Purchasing is able to move your project to the top of its system. ie: first come, first served. If in doubt of the Purchasing workload at any given time, give the Purchasing Department a call to see how long it will be before you can get your project started. These are meant as a guideline, not a rule. Times may be shorter or longer depending on the circumstances.

1. Requisition or request for bid comes to Purchasing
2. Plus up to 15 working days until Purchasing begins bidding process
3. Plus 5 working days for Purchasing to review documents
4. Plus appropriate time to supply Purchasing with approved set of documents
5. Plus 1 working day for printing of documents (except large Construction projects)
6. Plus 5 working days for papers to publish Notice to Bidders (Saturdays only, Purchasing Department's deadline is the Monday before the Saturday publication)
7. Plus 5-20 working days for vendors to pick up bids
8. Plus 1 day for prebid meeting (if applicable)
9. Plus 1-3 working days for tabulation / evaluation by Purchasing Department
10. Plus 5 working days for each addendum
11. Plus 1 day for opening of bids
12. Plus a minimum of 7 calendar days for review of bid results by the using department or by consultants.
13. Get on the agenda for all appropriate committees including sending all necessary documentation, evaluations, resolutions, etc.
14. Plus appropriate days to receive all necessary committee endorsements
15. Board of Supervisors Meeting (this may require 2 meetings)
16. Plus 1 working day for "Notice of Award" to be mailed to successful vendor
17. Plus 10 calendar days to receive contracts, bonds etc.
18. Plus anticipated delivery time (best guess or check with vendors)

1. Commodity/Equipment/Furniture Purchases (continued)

Note: The amount of time required is dependant on the frequency the Board meets. Remember, if you miss the Board meeting you may delay the start of the project for up to a month.

d. Dollar limit guidelines:

\$1-\$3,000.99 (.2 & .4 codes): Purchases can be made at the discretion of the Purchasing Department and/or Department Head. All equipment/furniture costing more than \$1000.00 aggregate, (ex. 7 chairs costing \$150 each for a total of \$1,050) requires 3 verbal quotes. For coding purposes, ANY equipment/furniture with a useful life of more than one year shall be a .2 object code regardless of cost.

\$3,001 - \$10,000.99: Documented verbal quotes from at least 3 separate vendors, if available. If 3 quotes cannot be obtained, the Purchasing Agent must be consulted before the goods are ordered. When the lowest quoted item is deemed as not acceptable, documented facts must support the decision and approval must be obtained from Purchasing BEFORE the item is ordered.

\$10,001 - \$19,999.99: Formal written or fax quotes from at least 3 separate vendors, if available. If 3 quotes cannot be obtained, the Purchasing Agent must be consulted before the goods are ordered. When the lowest quoted item is deemed as not acceptable, documented facts must support the decision and approval must be obtained from the appropriate committee, and a Board of Supervisors Resolution adopted BEFORE the item is ordered.

\$20,000 & Up: Sealed bids in conformance with GML §103.

COMMODITY PURCHASES	AS PER PURCHASING AND/OR DEPT. HEAD	3 VERBAL QUOTES	WRITTEN QUOTES	
			3	Other
Under \$3,000.99 (.2 & .4 codes)	X			
\$3,001 - \$10,000.99		X		
\$10,001 - \$19,999.99			X	
\$20,000 & up				Bid

e. Best Value Methodology - see section II(B)(3) for complete guidelines.

2. **Public Works Projects/Contracts**

A Board of Supervisors Resolution must be adopted to award a Public Works bid and authorize a contract and hence acquisition of the services. In some instances, Departments have been provided, by Resolution, with general authority to enter into Public Works contracts within certain parameters. On-call service contracts may be entered into for smaller projects (quotes or bids must be obtained on a per hour basis with a mark-up for materials). However, if a project is expected to exceed the public works threshold of \$35,000, then a bid specific to that project, or portions thereof, must be established. The \$35,000 threshold includes public works expenditures, as well as materials/commodities purchased as part of the public works project. However, if a project is undertaken by the County workforce, the commodity needed for that project shall be acquired pursuant to the County Purchasing Policy in accordance with the commodity thresholds. If contract labor or services should be needed for that project, the same will be independently bid or otherwise acquired pursuant to the County Purchasing Policy in accordance with the public works threshold. Regardless of the source of funding, i.e. grant funding or County funding, the County Purchasing Policy must be adhered to. (Please note that a "project" can be 2 or more construction projects lumped together for bidding purposes.)

a. **Competitive Bidding:**

See Paragraph II(B)(1)(a) above.

b. **Bid Approval Process:**

- a. Bids for public works projects will be awarded by a Board of Supervisor's Resolution after the following conditions are met:
- i. Sufficient appropriations are contained within the Department's current budget (or after a budget transfer has been completed).
 - ii. The Department Head provides the Purchasing Agent with a written recommendation for award indicating that the bids received meet the intent of the specifications.

c. **Bidding Timeline:**

See Paragraph II(B)(1)(c) above.

d. **Dollar limit guidelines:**

- \$1 - \$5,000.99: At the discretion of the Department Head.
- \$5,001 - \$19,000.99: Written or fax quotes from at least 3 separate vendors, if available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.
- \$19,001 - \$34,999.99: Formal written or fax quotes from at least 4 separate vendors, if available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.
- \$35,000 & Up: Formal sealed bids according to GML §103.

2. Public Works Projects/Contracts (continued)

PUBLIC WORKS Wage rates and Board Approval Required	AS PER PURCHASING AND/OR DEPT. HEAD	WRITTEN QUOTES		
		3	4	Other
Under \$5,000.99	X			
\$5,001 - \$19,000.99		X		
\$19,001 - \$34,999.99			X	
\$35,000 & up				Bid

e. Best Value Methodology - see section II(B)(3) for complete guidelines.

3. Best Value Methodology

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

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

When developing solicitation documents for competitive bids for the award of purchase contracts including contracts for service work, the Purchasing Agent may, and subject to the requirements herein and the applicable requirements set forth in this policy, determine that an award of a purchase contract shall be based upon best value methodology. In making such determination, the Purchasing Agent shall consider the recommendation, if any, of the Department Head or designee of the Department the purchase contract is being procured for. The Department Head or designee shall, in all instances, obtain the approval of the Purchasing Agent to utilize best value methodology prior to issuance of the competitive bid documents.

Requirements:

Where the basis for an award of a purchase contract will be the best value offer, the Purchasing Agent shall, in all instances:

- a. Document in the procurement record as a component of the competitive award process and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- b. Shall select a formal competitive procurement process in accordance with guidelines established under this policy and document the determination in the procurement record. The process of selection shall include, but may not necessarily be limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerors to submit responsive offers; and a balanced and fair method of award. Where the basis for award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
- c. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.

4. Professional Services

Professional Services are not subject to competitive sealed bidding requirements, but are subject to the guidelines of GML §104-b for competitive pricing to be obtained for these services. When a Department Head determines that professional services, except for legal services pursuant to §501 of County Law are necessary, they must solicit proposals by obtaining written quotes and/or letting RFPs depending upon the anticipated cost for service (see below). Upon receiving responses, the Department Head will then bring proposals before the appropriate committee. The cost of said services shall be outlined as price per hour and/or total cost, and the names of qualified, licensed persons to perform said services will be presented to the committee. Data from other counties or individuals may be used at this time to compare costs. Department questions as to which services require Requests for Proposals should be directed to the Purchasing Department.

Engineers and other professionals may be retained in accordance with any of the following award methods:

- a. The "Lowest Cost for Service" method which allows for awarding to the lowest proposer, **OR** other than the lowest proposer when the lowest proposal is deemed as non-responsive. Documented facts must support the decision and approval must be obtained from the appropriate committee. A Board of Supervisors Resolution is required prior to award.
- b. The "Best Value" method, based on weighted average scores from all criteria stated in the RFP specifications and submitted by sealed proposals; or
- c. The "Two Envelope" method where criteria is stated in the RFP specifications and professionals submit two separate sealed envelopes, one with the Proposal, the other with the Price. First, all Proposals are opened and the three "best" are selected. Only the "best" Proposal price envelopes will be opened and the low price will determine the award.

Proposals must be formally opened at a set time. The aforesaid methods must be authorized by the appropriate Board of Supervisors committee or used when required by Federal or State Law, Rule or Regulation.

When the County is seeking professional services to be funded by Community Development Block Grant ("CDBG") funding, a Notice to Professionals must be advertised in the official County newspapers, as well as the appropriate MWBE publications required by New York State. The Purchasing Department is responsible for placing said ads as part of the procurement process provided an RFP is required, and in all other instances the Department Head shall bare similar responsibility.

Proposals for professional services will be awarded by a Warren County Board of Supervisor's Resolution after the following conditions are met:

- a. Sufficient appropriations are contained within the Department's current budget (or after a budget transfer has been completed).
- b. The Department Head provides the Purchasing Agent with a written recommendation for award indicating that the bids received meet the intent of the specifications.

If passed, a service contract shall be prepared by the County Attorney and signed by the Professional before services are rendered. Contracts may contain the option for an extension for a second or third year, or more, before new RFP's need to be processed.

A Board of Supervisors Resolution must be adopted before services are ordered and shall be referenced on the Purchase Order together with the appropriate quotes.

See Paragraph II(B)(1)(c) above for bidding/RFP timeline.

3. Professional Services (continued)

Thresholds for seeking proposals is determined by the anticipated cost as follows:

\$1 - \$5,000.99: No solicitation of quotes or proposals is required at the discretion of the Department Head (quotes or proposals are encouraged when practical).

\$5,001 - \$19,999.99: Written quotes from at least 3 qualified sources, where available. When the lowest quote is deemed as not acceptable, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.

\$20,000 & Up: RFP through the Purchasing Department from at least 3 qualified sources, where available. When the lowest proposal is deemed as non-responsive, documented facts must support the decision, and approval must be obtained from the Board of Supervisors, by Resolution, BEFORE the services are ordered.

PROFESSIONAL SERVICES Board Approval Required	AS PER PURCHASING AND/OR DEPT. HEAD	WRITTEN QUOTES	
		3	RFP
\$1 - \$5,000.99	X		
\$5,001 - \$19,999.99		X	
\$20,000 & up			X

C. Exemptions and Exceptions to Purchasing Policy:

1. It will NOT be necessary to seek quotes, RFP's or bids to comply with this Purchasing Policy for:
 - a. Emergencies: GML §103(4) describes an emergency as an urgent need affecting the health and safety of citizens, which requires immediate action, where the occurrence or condition is "unforeseen". Lack of anticipation or planning cannot be deemed as a cause for declaring an emergency. A true emergency does not exclude the need for securing competitive pricing, only the formal bidding process. An exception to the competitive bidding requirements exists for emergency situations. There are three basic statutory criteria to be met in order to fall within this exception. These are that: (1) the situation arises out of an accident or unforeseen occurrence or condition; (2) public buildings, public property or the life, health, safety or property of the political subdivision's residents are affected; and (3) the situation requires immediate action which cannot await competitive bidding. When the Board of Supervisors passes a Resolution that a public emergency exists, the public interest dictates that purchases are made at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances. The County Attorney and the Chairman of the Board shall be consulted and will make a recommendation as to how to proceed. The Board of Supervisors' committee chairperson (and committee, if time permits) shall also be advised.
 - b. Employment and Training Services obtained through ACC and/or BOCES for educational services.
 - c. **Membership dues and conference fees.**
 - d. All Physicians, Dentists and any Medical Providers for departments including, but not limited to, the Health Services Department, Warren County Sheriff's Office, Office of Emergency Services, Countryside Adult Home and the Department of Public Works. Also included shall be counseling services for the Office of Community Services. Data from other counties or individuals may be used to compare costs.
 - e. Attorneys needed for a particular or specialized requirement as reviewed and approved by the Finance Committee.
 - f. Situations not required by Law such as New York State Executive Law, Article 2B, State and Local Natural and Man-Made Disaster Preparedness Subsection 29A Suspension of Other Laws.
 - g. **Subscriptions for updates to existing Law Libraries.**
 - h. Public works services where, upon the determination by the Department Head, it is not feasible to determine the amount to be spent for repairs to vehicles, equipment or machinery (outside of standard repairs to be handled by County employees **including auto body repairs**), until the item is inspected and/or dismantled and a cost for inspection or diagnosis has already been incurred and for which it would not be practical to transport the equipment or machinery for multiple quotes. **If auto repairs are authorized by the Insurance Carrier as a result of an accident, Department Head may proceed upon the recommendation of the Insurance Adjuster.**
 - i. Pursuant to GML §103(6), surplus and second hand supplies, material or equipment may be purchased without competitive bidding or competitive offering from the Federal Government, the State of New York or from any other political subdivision, district or public benefit corporation.

- j. When procurements for goods or services are funded by State and/or Federal agencies, and procurement policies other than Warren County's are required, by law, to be followed, the Federal and/or State procurement policies shall supercede the County's Purchasing Policy.
- k. Produce purchases which shall not exceed \$20,000 in the aggregate on an annual basis, due to the volatility of the market, large minimum order requirements, and remoteness of some County sites. In the event of large orders over \$1,500 per site, or at the point that the commodity threshold is exceeded, State Contract must be utilized.

2. Quotes or proposals are not required for Sole Source & Single Source Commodities or Services

Competitive bidding is not required under GML §103 where the subject of the contract is controlled by a monopoly, or where there is only one possible (sole) source from which to procure certain patented goods or services, and therefore no possibility of competition exists. Should certain supplies or materials be obtainable only from a specific manufacturer, then a true monopoly would exist and the purchase would not be subject to bidding requirements. The mere likelihood that only one firm will bid, however, is insufficient to justify a sole source procurement. Further, a political subdivision may not artificially create a sole source situation such as by, without proper justification, tailoring bid specifications to limit competition to only one bidder.

In determining whether a sole source item is required in the public interest, the County should show, at a minimum:

- a. The unique benefits to the County of the item or service as compared to other products or services available in the marketplace;
- b. That no other product or service provides substantially equivalent or similar benefits;
- c. And that, considering the benefits received, the cost of the item or service is reasonable in comparison to other products or services in the marketplace.

In addition, the County should document that, as a matter of fact, there is no possibility of competition, as from competing dealers or distributors. The sole source exception may apply, for example, in those instances when:

- d. Services from a regulated public utility are available from only one source;
- e. There is only one source from which to acquire equipment which meets state-mandated requirements; or
- f. A political subdivision, which owns equipment uniquely suited to or compatible with a particular make of equipment, has adopted a standardization resolution for that make of equipment and the equipment is only available from one source.

A sole source can be a manufacturer, software developer or service provider that sells direct and there are no other sources offering an "or equal". Prior to a vendor being considered a sole source, a letter on the vendor's official letterhead must be on file with the Purchasing Department detailing their sole source status.

A single source could be a distributor/wholesaler/retailer that has a contractual agreement for a specific territory to the exclusion of others. Should you have a situation involving a single source supplier, a letter on the manufacturer's letterhead must be on file with the Purchasing Department confirming the single source authorized vendor.

Should there be ANY possibility of purchasing the item from two or more vendors, sealed bids should be requested after public advertising.

3. True Leases are not subject to the previous purchasing rules but rather must comply with the following requirements.

True leases are neither purchases nor contracts for public works, and thus, are not subject to bidding under the General Municipal Law. County policy however, requires that:

- a. After a Department has been given budget funding and approval to lease equipment, unless the lease is on State Contract, RFP's must be obtained through the Purchasing Department. Where a lease will not exceed a total of \$2,000 annually, no RFP shall be required. Quotes must be obtained and the Purchasing Agent shall sign the lease as indicated in Section II(C)(3)(e) below.
- b. A written explanation must be sent to Purchasing when the lowest lease quotation or response to an RFP is not taken, and a Board of Supervisors Resolution must be obtained;
- c. Appropriations must be specifically available for the lease (this will be considered authorization by the Board to enter into the lease);
- d. The lease agreement entered into may be for multiple years but must:
 - i. not contain any automatic buyout or automatic renewal clauses;
 - ii. contain a non-appropriation clause; and
 - iii. address the disposition of the equipment at the end of the lease so that the vendor pays the cost for return of the equipment, etc.
- e. All lease agreements shall be treated as purchases and signed by the Purchasing Agent; and
- f. While the lease agreement may not contain an automatic renewal clause, at the end of the lease term, departments may extend the lease agreement beyond the original term for a period of up to 18 months without securing additional quotes or engaging in an RFP process provided that:
 - i. the lease payments do not increase;
 - ii. the department has appropriations therefore; and
 - iii. Purchasing Agent approval is received.

SECTION III

III. PURCHASE ORDERS

A. General

The Purchasing Department is designated to review and approve Purchase Orders. It is the individual Department Heads responsibility to insure that expenditures are within the budgetary appropriations and that the proper Department account is charged.

Should there be insufficient funds available, Departments must do a budget transfer and secure all the necessary approvals before the order can be processed.

Most purchases exceeding \$499.99 require a Purchase Order. Exemptions are listed beginning on page 16. The Purchase Order provides a formal document authorizing the purchase of goods and services as well as the necessary authority to pay vendor claims and proof of tax-exempt sales. Purchase Orders are prepared by the Department with all the necessary documentation such as contracts, quotes and insurance forms (where applicable) on file.

The Purchasing Department verifies the following information when approving a Purchase Order:

1. Vendor/vendor number
2. County contract/resolution/bid number/quotation information/ state contract number
3. Comments/special instructions
4. Description of goods and services being ordered
5. Quantity/unit of measure
6. Unit price/extension and total cost
7. Commodity codes/budget codes
8. Asset status (if over \$1,000)

The Purchasing Department will determine if the best method of procurement has been followed. If available, a current County bid or NYS contract will be used. If none apply, the formal bid or quotation process may be commenced depending on estimated annual expenditures.

Once the Purchase Order has been approved by the Purchasing Department, it is then posted by the Treasurer's Office and is then available for use.

In all instances, Purchase Orders are to be completed before a purchase is made. The only exceptions are exempt and emergency purchases as described beginning on page 18.

If at any time a Department finds they will exceed the competitive bidding threshold for a particular product or service, they should notify the Purchasing Department to allow time for specifications to be developed and the formal bid process to be completed, to meet their anticipated needs.

Purchases of \$499.99 or under do NOT require a Purchase Order. The following additional purchases do NOT require a Purchase Order. Purchases billed to the Department on a monthly basis not requiring Purchase Orders are Postal costs, Internet and Telephone charges, and routine Printing needs, which are to be handled by the Print Shop, via a Printing Order Form. Also exempt from the Purchase Order requirement are mileage, utilities and gas. To obtain routine maintenance and repairs, a Work Order Form must be completed and submitted to the Buildings & Grounds Department at the Municipal Center. Requests for shelving, bookcases, bulletin boards, and computer work stations may also be handled in this manner. When Buildings & Grounds funds are available for such requests, there will be no charge for Work Order requests to the individual departments. However, if Buildings & Grounds funds are not available or otherwise committed, it is the responsibility of the department to purchase required materials. Department Heads must be responsible for making sure that all these procedures are complied with as outlined in this Purchasing Policy.

B. Blanket Purchase Orders

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

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

PLEASE NOTE: Whenever possible, BPO’s must be for the total amount (or aggregate) amount to be spent with the vendor annually or for the term of the bid and/or contract. The Purchasing Department issues several commodity bids that are for less than one-year terms. The BPO’s for the commodity bids should only include enough funding for the term of the bid and not an annual total. If multiple budget codes are involved in the purchase, the department may either assign multiple codes to one PO, or individual PO’s may be submitted for each code even if the PO’s are less than \$500.00

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

C. Emergency Purchase Order

General Municipal Law Section 103 (4) defines an emergency as “a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants requires immediate action”.

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

The Purchasing Department will **not** approve an Emergency Purchase Order when the purchase is not justified, where the purchase is being made to circumvent established procedures, or where there is a lack of proper planning.

D. Purchase Order Checklist

For reference purposes, the following checklist should be used when submitting PO’s:

- √ Is the vendor remit to address correct (submit vendor form to Purchase if a change is required).
- √ Is the description complete? (One-time message should include bid number, state contract number, quotes and/or any other information relevant to the purchase). If the one-time message indicates that the purchase is from a sole source vendor, a copy of the sole source letter must be provided to the Purchasing Department or attached as a document to the PO.
- √ Is the form type “REGULAR-REGULAR”? (“REG-Regular” should not be selected.)
- √ Deliver by Date and Expiration Date fields must be left blank.
- √ Is the correct Resolution Number referenced? Confirm that the authorizing resolution is current.
- √ Is the dollar amount correct? Does it match the contract or quote amount? We cannot approve PO’s that exceed the authorized amount.
- √ Create New Asset Box - if the item is less than \$1,000, uncheck the asset box.
- √ Contracts - If applicable, has the contract been signed? The Purchasing Department will not approve PO’s until it’s confirmed that the contract is fully executed. If the contract is for an exact dollar amount, it must be attached to the PO prior to approval.

SECTION IV

IV. ASSET MANAGEMENT

The purpose of the asset inventory management system is to establish proper procedures for monitoring the movement of fixed assets to maintain accurate reporting of assets values as required by NYS Audit and Control.

A. Fixed Assets

Fixed assets are defined as those properties the County of Warren retains more or less permanently, not for sale, but for utilization in the normal course of operations.

Fixed assets will always imply tangible fixed assets. The general accepted practice, as in Warren County, is to record and report fixed assets at their historical acquisition cost. The cost of a fixed asset should include all expenses of transporting the asset to the proper location and placing it in the condition necessary for its intended use. Only items costing One Thousand Dollars (\$1,000.00) or more and with a useful life of more than one year will be inventoried.

Upon receipt of an asset valued over \$1,000, the Treasurer's Office will issue a numbered inventory sticker to be attached to the new asset. Stickers are necessary to provide positive identification of assets. They also provide a quick and accurate method of identifying assets during the annual physical inventory. If a sticker is lost or damaged the Department should contact the Treasurer's Office.

Please note that all stickers must remain on the item until the time of sale or disposition. When sold or scrapped, the sticker shall be removed and placed on the Treasurer's Office copy of the Disposition Form.

Each Department Head has the ultimate responsibility to conduct and maintain the individual inventory pertaining to that Department. It is also the responsibility of the Department Head to evaluate on a continuing basis the suitability and need for materials, supplies and equipment. If they should become obsolete by reason of age, wear or technical advancement or should become surplus, unnecessary for the operation of his/her department, the department inventory manager should send an e-mail to the Purchasing Agent with details and condition of the item for sale or disposal. The Department will then complete a work order to have the item removed either for the sale or disposal.

SECTION V

V. TRANSFER AND SALE OF SECOND-HAND EQUIPMENT

The Purchasing Agent is designated by the Board of Supervisors to be responsible for the salvage control program. The same precautions must be taken when disposing of property as when purchasing. A Physical Inventory Deletion Form is needed for items sold, scrapped or traded in. Surplus equipment may be transferred to another department where it is needed by using a Property Transfer Form. Both forms are available through the Purchasing Department. The Purchasing Agent is solely authorized to sell or trade in used and/or obsolete equipment to a vendor, even those under State Contract, and to accept a trade in allowance from such vendor. If all above procedures have been exhausted, the Purchasing Agent will arrange to sell such articles at a widely advertised public auction, on-line auction through a contracted Auction, or on eBay. Items that have no value and are broken beyond repair, must be properly disposed of by the appropriate Department

Department personnel assigned the task of inventory management are to report any surplus equipment or materials they have to the Purchasing Department. These items will be made available to all County Departments on a first-come first-served basis. If an asset remains unclaimed on the list for over 2 weeks, it will be made available to the towns, village and city in Warren County. If unclaimed the Purchasing Agent will determine the most beneficial disposition of this surplus equipment.

Any vehicle or equipment that requires a title to be signed for transfer will be handled by the Purchasing Agent and/or the Superintendent of the Department of Public Works or his designee.

SECTION VI

VI. PURCHASING POLICY - GENERAL CONDITIONS

- ▶ The Purchasing Agent is appointed at the pleasure of the Board of Supervisors and is responsible for reviewing and administering the purchasing policy of Warren County.
- ▶ Employees of the Purchasing Department shall maintain effective and professional public, vendor and customer relationships.
- ▶ To maintain a high level of quality service to Warren County Departments and Municipal Subdivisions, Purchasing staff shall participate in educational opportunities offered in the purchasing field, and keep abreast of current developments in market conditions, pricing, new products and the Law.
- ▶ The Purchasing Policy herein shall be administered in accordance with all ethical rules called for by the County of Warren.
- ▶ Any County Officer or employee who has, will have, or acquires an interest in, any actual or proposed contract with the County of which he/she is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to the Board of Supervisors as soon as he/she has knowledge of an actual or prospective interest. This written disclosure will be made part of the official minutes of the Board of Supervisors. **If an officer or employee has a reason to believe that he/she may have a conflict of interest, the office of the County Attorney should be contacted immediately.**
- ▶ Each Purchase Order will be examined by a member of the Warren County Purchasing Department and processed according to the guidelines set forth under the section of applicable Purchasing Procedures.
- ▶ The Warren County Purchasing Department and Department Heads will maintain adequate documentation of all action taken in connection with each method of procurement. Such documentation may include, but not be limited to any and all pertinent Board Resolutions, Memoranda, Written Quotes, Contracts and any other appropriate form of documentation.
- ▶ Opportunity will be provided to all responsible suppliers to do business with the County. To this end, the Purchasing Department will maintain a listing of potential bidders for the various types of material, equipment, supplies and services used by County Departments. This list will be used for the distribution of notices for bids and quotes. Any supplier may be included on the list upon request.
- ▶ Suppliers will be removed from the bidders list if they make a formal written request, or if the Purchasing Agent finds the supplier to be an irresponsible bidder. This is determined by failing to provide proof of responsibility, having repeatedly made slow or unsatisfactory delivery of supplies or services or having been found by a Court of competent jurisdiction to have engaged in unlawful employment or business practices within the previous 12 months.
- ▶ Supplies used by various County Departments should be uniform whenever consistent with operational goals in the interest of efficiency or economy. The material, equipment, supplies, and services purchased by Warren County shall be of the quality and quantity required to serve ALL departments in a satisfactory manner, as will be determined by the requisitioner and the Purchasing Agent.

- ▶ Credit cards or P-Cards whose use is approved by the Clerk of the Board of Supervisors are held by same and signed out for use by County staff. **Some Departments hold cards specific to their operations and reference is herein made to the County Credit Card Policy for further details.**
- ▶ On occasion, County Departments are asked by vendors to complete credit applications in order to be able to set up an account. Said applications should not be returned as the County is not applying for credit. In most cases, a Purchase Order is sufficient documentation for the vendor to set up an account.
- ▶ No official or employee will be interested financially in contracts entered into by the municipality (as defined in Section 800 of General Municipal Law). This also precludes acceptance of gratuities, financial or otherwise, as stated in the Warren County Code of Ethics.
- ▶ The County of Warren will not be deemed responsible for any commitment made at the departmental level circumventing these procedures. If County procedures are circumvented, disciplinary action may be taken.
- ▶ Salespersons are encouraged to visit the Purchasing Department prior to or in conjunction with initial, individual Department contact.
- ▶ The Finance Committee will annually review the policies and procedures set forth in this manual prior to adoption by the Warren County Board of Supervisors.
- ▶ The unintentional failure to fully comply with the provisions of GML §103 and 104-b shall not be grounds to void any action taken or give rise to cause of action against the County of Warren, the Purchasing Department, or any officer or employee thereof.
- ▶ The County Attorney and the Warren County Board of Supervisors shall make the final decision regarding any issues related to procurement of goods and services for Warren County.
- ▶ Standard lists of commonly used items shall be jointly developed for all categories or groups of supplies by the Purchasing Agent and the appropriate requisitioners. These lists shall be used as a basis for determining the feasibility for obtaining quotations on quantity purchases or the necessity of advertising for formal bids.
- ▶ It is the responsibility of the Purchasing Agent to make alternative suggestions to the requisitioner if, in the judgment of the Purchasing Agent, the specifications would restrict competition or otherwise preclude the most economical purchase of the required items. In case of disagreement as to the content of the specifications, the Board of Supervisors, after reviewing all available data, should make the final determination.
- ▶ The Purchasing Department offers a vendor library which includes many reference materials. NYS OGS contracts, Buyer's (Consumer) Guides, vendor catalogues, preferred source catalogues, industrial buying guides, and all materials pertaining to Warren County bids. These materials may be viewed in the Purchasing Department Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m.
- ▶ When a low bidder proposes an alternative as an "equal" to that specified, it is the responsibility of the Department Head to determine whether the proposed substitution is, in fact, an equal.
- ▶ Grant/Revenue and Asset Forfeiture funding is NOT exempt from the County's Purchasing Policy or GML §103 or §104-b. These funds are still considered to be taxpayer money and procurement guidelines must be followed as with any other budgetary appropriation.

▶ The Purchasing Department posts all public bid documents on the County's WCEAS system, including, but not limited to:

- | | |
|--------------------------|-----------------|
| * Specifications | * Addenda |
| * Recommendation Letters | * Award Letters |
| * Resolutions | * Tab Sheets |
| * Extension Letters | |

If a bid document is not posted, please contact the Purchasing Department for further information.

Item "C"

RESOLUTION REQUEST FORM NO. 18

Request to Transfer or Sell County Equipment

DEPARTMENT NAME: Purchasing

DATE: February 22, 2016

- (a) Purchaser's Name: **City of Glens Falls**

- (b) Purchaser's Address: **42 Ridge Street
Glens Falls, NY 12801**

- (c) **Description, Serial Number and/or County Inventory Number of Item being sold:**
4 Guest Chairs, 1 Office Chair, 2 Work Stations, 2 File Cabinets

- (d) Amount:
No charge.

- (e) Value of County Equipment being transferred or sold:
\$0 - We have not been able to sell these items on eBay or transfer them to other Depts.

Item "D"

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: Purchasing

DATE: February 22, 2016

- (a) Is this a Result of a Bid or Request for Proposal? No
- (b) Purpose of Contract: **To authorize Intermunicipal Agreements between the County and Municipal Subdivisions in order to proceed with consolidated commodity purchasing as submitted in the Efficiency Plan as a cost savings measure.**
- (c) Name of Contractor: **Town of Bolton, Town of Chester, Town of Hague, Town of Horicon, Town of Johnsbury, Town of Lake George, Town of Lake Luzerne, Town of Queensbury, Town of Stony Creek, Town of Thurman, Town of Warrensburg, Village of Lake George & City of Glens Falls.**
- (d) Address of Contractor:
- (e) Contractor's Contact Person and Telephone Number:
- (f) Has or will the Contract be provided, if so, please attach: **Draft attached hereto.**
- (g) Commencement Date of Contract: **July 1, 2016**
- (h) Termination Date of Contract: **June 30, 2017 with 2 potential annual renewals**
- (i) Payment Provisions:
 - i) lump sum amount N/A
 - ii) hourly rate amount N/A
 - iii) total amount not to exceed N/A
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc. N/A
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount: N/A**

Sample: A.1010 470 Legislative Board – Contract \$xx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx

*as listed in budget and LOGOS

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT, made the _____ day of _____, 2016, by and between the COUNTY OF WARREN, a municipal subdivision of the State of New York, hereinafter the "County" and the TOWN OF _____, a municipal subdivision of the State of New York, hereinafter "TOWN";

WITNESSETH:

WHEREAS, the County of Warren, by Resolution No. _____ adopted on the _____ day of _____, 2016, and the TOWN, by Resolution No. _____ adopted on the _____ day of _____, 2016, have authorized the execution of a contract pursuant to General Municipal Law Section 119-o for the provision of certain purchasing services by the County; and

WHEREAS, it is anticipated that the consolidation of purchasing services allows for taxpayer savings by streamlining services, reducing overall costs, and/or creating a greater economy of scale for items needed by each municipality; and

WHEREAS, the purpose of this Agreement is to combine the administrative functions of the respective offices, but not to alter or diminish the powers and duties of the respective parties; and

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, receipt of which is hereby acknowledged, it is AGREED AS FOLLOWS:

1. AUTHORIZATION TO ENTER INTO AGREEMENT

The County and TOWN each have obtained the required approvals to enter into this agreement for the County to perform purchasing services for the TOWN as provided for herein.

2. COUNTY CONTRACTS THROUGH WHICH THE TOWN SHALL PURCHASE GOODS PURSUANT TO GENERAL MUNICIPAL LAW §103(3)

- A. The County shall continue to procure goods according to the applicable provisions of Federal, State and Local laws, resolutions, regulations, and more specifically, shall procure goods listed on Schedule "A" for the TOWN. The TOWN shall purchase such goods through the County's contract. The County shall contact the designated administrator of the County and TOWN [as provided for in subsection 3(A) below] to determine a consolidated quantity of any goods used by the parties, and the TOWN shall utilize the bids and/or quotes provided by the County in those instances.
- B. The County Purchasing Agent shall determine whether New York State and/or National Cooperative contracts are advisable based on the type of commodity and quantity to be purchased pursuant to applicable law.
- C. When the TOWN purchases goods through a County, State or National contract, the TOWN shall accept sole responsibility for any payment due the vendor or contractor for such purchase.
- D. For matters of efficiency and in an effort to obtain best possible pricing based on the potential for quantity discounts, it is hereby understood and agreed that the County Purchasing Agent shall, whenever practical, consolidate commodity purchases with other municipal subdivisions of the County, together with those being obtained for the TOWN.

3. ADMINISTRATIVE PROCEDURE

- A. The TOWN shall file with the County Purchasing Agent, a list of administrators designated to be the point(s) of contact for purposes of this Agreement. The appropriate TOWN administrator shall provide information to the County Purchasing Agent, in a timely fashion, to assist the County in drafting bid specifications and in determining the consolidated quantity of goods to be procured by the parties, including whether the funds are appropriated and available to purchase the goods and whether any MBE/WBE/DBE/Veteran-Owned or other requirements apply.
- B. In consultation with the appropriate administrator as provided for above, the County Purchasing Agent, or her designee, shall develop the bid specifications and shall determine the key terms to be included within the awarded contract prior to the issuance of the bid specifications, and such key terms shall be provided for within the bid specifications so issued by the County. Such bid specifications shall provide for a separate contract to be awarded for goods required by the County and the TOWN, if appropriate.
- C. Prior to solicitation of any bids, the TOWN shall, on a form provided by the County, verify to the County Purchasing Agent that sufficient funds are appropriated and available to pay for the TOWN share of the goods, that the County is authorized to solicit the bid on behalf of the TOWN, and that the TOWN shall be responsible for payment of all goods so procured. The parties agree that the County is entitled to rely, presumptively to its detriment, upon the representations made therein.
- D. The County Purchasing Agent, or her designee, shall provide for publication and advertisement of bid solicitations, respond to bidder inquiries, schedule and staff bid openings, receive, open, read and record bids. The County Purchasing Agent shall review the responses, and notify the TOWN as to determination of the lowest responsible bidder. Where bid submittals are inconsistent with specifications, regardless of the level of importance, the County Purchasing Agent will consult with the TOWN prior to making an award.

4. OBLIGATIONS OF THE TOWN

A. Purchasing Services to be Performed by the TOWN

The TOWN shall continue to perform all other procurement functions and duties, i.e. public works, professional services, etc., and the County shall perform no services with respect to the following, except as specifically provided for herein:

- i. Procurement of professional services pursuant to Requests for Proposals (RFP);
- ii. Management of insurance coverage and bonds related to contract performance;
- iii. Procurement of goods where such procurement is deemed by the TOWN impracticable to bid, where such procurement is deemed to be available only from a sole source or has been subject to standardization of purchase, or where such procurement would otherwise fall under an exception to bidding, such as where the cost of the goods will be less than the applicable monetary thresholds for competitive bidding, lease purchases, or energy performance. However, the County will provide for the competitive procurement of standardized goods if so requested by the TOWN, provided that the TOWN provides the County with documentation reasonably acceptable to the County

that such standardization comports with applicable law. And, if requested by the TOWN, the County Purchasing Agent will assist the TOWN in obtaining price quotes for the purchase of goods where the anticipated cost of such goods is less than the applicable monetary thresholds for competitive bidding.

- iv. Procurement of goods or services for emergency work, change orders, and extra work on public contracts,; and
- v. Administration of all contracts awarded after bid on behalf of the TOWN, including contracts for joint procurement of goods, and contracts for goods, services, and public works exclusively for the TOWN. Such administration shall include, but not be limited to, legal work, enforcement, and communication with the vendor related to job performance.

B, Change in Bid Limits

The TOWN will advise the County Purchasing Agent of any changes in TOWN Purchasing Policy bid or quote limits adopted by the TOWN.

C. Vendor Payment

The TOWN accepts responsibility for payment to vendors for the TOWN share of any goods procured pursuant to this Agreement.

D. Continuation of Powers

Nothing herein shall be deemed to transfer, curtail or otherwise diminish the powers of the TOWN.

E. Standardization

The TOWN will commit to converting its commodity purchasing and other applicable administrative functions to the County platform as soon as it is available to provide a completely integrated environment in which to perform procurement functions.

5. COUNTY CHARGES/ASSESSMENTS AND TOWN COSTS

The County will provide the services set forth herein without cost to the TOWN. The parties further agree that the TOWN shall be responsible for and shall pay all costs of establishing links to the County procurement system and all costs of acquiring and maintaining any hardware or software required for TOWN employees or contractors to perform any necessary functions and duties under this Agreement.

6. TOWN, COUNTY AND DISTRICT PARTICIPATION

The parties hereby agree that additional municipalities and districts within Warren County may be invited by the County to participate in this consolidated purchasing program and that the County, in its sole discretion, may enter into cooperative contracts with other entities.

7. PERSONNEL

The County will determine the number of employees to be employed within the Purchasing Office and the number of employees assigned to perform any and all functions performed on behalf of the TOWN. The County will afford TOWN requests for procurement the same priority as it affords County requests.

8. TERM

This Agreement shall commence on July 1, 2016 and shall continue through June 30, 2017. The Agreement shall automatically be renewed for two (2) additional one year periods. The Agreement may be terminated by either party upon sixty (60) days written notice.

9. REPRESENTATION

In the event legal issues arise relative to the services provided for in this Agreement, the TOWN shall represent the TOWN, and the County Attorney or his designee shall represent the County.

10. DEFENSE, INDEMNIFICATION, HOLD HARMLESS

Regarding the operations and responsibilities concerning this Agreement, the parties further covenant and agree to indemnify, defend and hold harmless each other, and therefore, the County shall indemnify, defend and hold harmless the TOWN, their officers, employees or agents from and against any and all liability, damage, loss, cost or expense that may arise by reason of liability for injury or death to persons, damage to property or casual or continuing trespass or nuisance and any other claim for damages arising at law and equity alleged to have been caused or sustained by or because of any omission of duty, negligence or wrongful act on the part of the County, its officers, employees or agents and likewise the TOWN shall indemnify, defend and hold harmless the County, its officers, employees or agents from and against any and all liability, damage, loss, cost or expense that may arise by reason of liability for injury or death to persons, damage to property or casual or continuing trespass or nuisance and any other claim for damages arising at law and equity alleged to have been caused or sustained by or because of any omission of duty, negligence or wrongful act on the part of the TOWN, their officers, employees or agents.

11. CONTRACT MODIFICATIONS

This Agreement represents the entire and integrated agreement between the County and the TOWN and supersedes all prior negotiations, representations or agreements either written or verbal. This Agreement may be amended only by written instrument authorized and signed by both the County and the TOWN.

12. SEVERABILITY

If any term or provision of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and every other term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

13. CLAUSES REQUIRED BY LAW

The parties hereto understand and agree that each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein, and if through mistake or inadvertence such provision is not inserted, said clause shall be deemed to have been inserted and shall have the full force and effect of law.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

COUNTY OF WARREN

By: _____
Chairman of the Board

Dated: _____

TOWN OF _____

Dated: _____

By: _____
Supervisor

STATE OF NEW YORK)
) ss:
COUNTY OF WARREN)

On the _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to be that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or person upon behalf of which the individual acted, executed the instrument.

Notary Public

SCHEDULE "A"
AUTHORIZATION TO ATTEND MEETING OR CONVENTION

Check one:

- In-State (needs Supervisory Committee authorization)
- Out-Of State (needs Board resolution)

The Support Services Committee hereby authorizes Amanda Allen and Samantha Hogan
(Supervisory Committee) (Employee Name)

to attend the New York State Association of Clerks of County Legislative Boards
(Name of meeting or organization)

at Otesaga Resort Hotel - 60 Lake Street Cooperstown, NY 13326
(Address)

On May 18-20, 2016 Mode of transportation to be used County Vehicle
(Dates) (County Vehicle or Mass Transportation)

If the mode of transportation is **not** a county vehicle or mass transportation, please explain:

Proper documentation must be attached when submitting for approval.

(Please check documents attached)

- Notice of meeting or convention including cost.

For Overnight Travel

Room rate \$ 100 GSA* Rate \$ 89

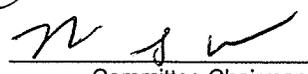
Meal costs - GSA*per diem rate \$ 51

*www.gsa.gov

Date: 2/1/2016


Department Head Signature

Date: _____


Committee Chairman Signature

Please refer to the Warren County Travel Policy and County Vehicle Use Regulations for general policy guidelines.

Please check to request a fleet vehicle.

REQUEST FOR USE OF FLEET VEHICLE

Filing Instructions:

1. Original with voucher to Auditor.
2. Copy to Frank Morehouse if fleet vehicle is needed.
3. Copy to Clerk of the Board with Resolution Request form if out-of-state travel.
4. Copy to Purchasing with Purchase Order, if required.
5. Copy to County Administrator if credit card will be used.