

Local Law Filing

Town of LaFayette

Local Law No. 2 of the year 2025.

A local law to amend Chapter 90 (Town Board Policies) of the Code of the Town of LaFayette
to add a new article relating to best value procurement

Be it enacted by the Town Board of the

Town of LaFayette as follows:

Section 1. Chapter 90 of the Code of the Town of LaFayette entitled "Town Board Policies" is hereby amended to add the following:

ARTICLE II
BEST VALUE PROCUREMENT

§ 90-6. Findings and intent.

- A. The Town Board hereby finds that contracts for goods required by law to be procured pursuant to competitive bidding, pursuant to Section 103 of the General Municipal Law, should be procured in a manner so as to assure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest price possible under the circumstances, and to guard against favoritism, extravagance, fraud and corruption. The Town Board finds further that while the lowest responsible bidder has been the historically accepted method of awarding such contracts, the lowest responsible bidder may not offer the most cost-effective option over time. Even if the initial expenditure is higher, considering the total value of the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition and, in turn, often results in better pricing, quality and customer service. Fostering healthy competition ensures that bidders will continue to strive for excellence in identifying and meeting the Town's needs. Best value procurement will provide much needed flexibility in obtaining important goods and services at favorable prices, and will reduce the time to procure such goods and services.
- B. New York State General Municipal Law § 103(1) allows the Town to authorize, by local law, the award of certain purchase contracts (including contracts for services) subject to competitive bidding under General Municipal Law § 103 on the basis of "best value" as defined in § 163 of the New York State Finance Law.

§ 90-7. Award based on best value.

- A. A purchase contract shall be awarded on the basis of lowest responsible bidder unless the applicable Town department head prepares a written specification prior to publication of the request for proposals providing reasons why it is in the best interests of the Town and its taxpayers to make an award on the basis of "best value," as defined at New York State Finance Law § 163(j). The use of best value shall be authorized by the Town Board in each instance.
- B. Factors to be considered in the award of a purchase contract on the basis of best value include:

- (1) The need for the costlier option as compared with all lower bids, supported by specific facts;
- (2) The cost of the option chosen as compared with all lower bids;
- (3) The reputation of the bidder chosen for providing quality goods or services; and
- (4) The performance, durability, estimated life and estimated cost of maintenance of the goods, including availability of replacement parts or maintenance contractors.

C. The bid award shall be accompanied by a statement explaining how the award is expected to result in savings for the Town over time and, wherever possible, shall include objective and quantifiable analysis of clearly described and documented criteria, which include the forgoing enumerated criteria, as they apply to the rating of bids or offers.

§ 90-8. Applicability.

This chapter shall apply only to purchase contracts, which includes contracts for service work, but excludes any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law.

§ 90-9. Updates.

The Town shall update its procurement policy in accordance with the provisions of this chapter.

Section 2. This local law shall be effective immediately upon filing with the Secretary of State.

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2025 of the Town of LaFayette was duly passed by the Town Board April 15, 2025 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in Paragraph 1, above.



 Clerk of the Town

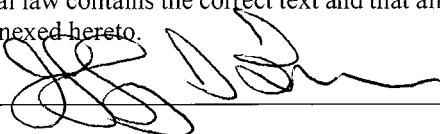
(Seal)

Date: April 15, 2025

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
 COUNTY OF ONONDAGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



 Signature

 Attorney for the Town
 Title

Town of LaFayette

Date: April 15, 2025