



Cape Vincent Local Development Corporation

121 S Market Street, Cape Vincent, NY 13618

Procurement & Lobbying Policy

The Cape Vincent Local Development Corporation (“Corporation”) will follow the below policy and procedures in relation to the procurement of goods and services, with the aim of assuring the prudent and economical use of Corporation funds.

Procurement Thresholds & Procedures

Commodities, Equipment, Goods, and Supplies

- Up to \$1,000 – Discretion of the Executive Director or authorized designee
- \$1,001-\$5,000 – Documented verbal quotes from at least three vendors, and decision made at the discretion of the Executive Director.
- \$5,001-\$10,000 – Written quotations from at least three vendors, decision is made at the discretion of the Board.
- \$10,001 or above – competitive bidding process, decision is made at the discretion of the Board.

Public Works and Services

- Up to \$1,500 – Discretion of the Executive Director or authorized designee
- \$1,501-\$5,000 – Documented verbal quotes from at least three vendors, and decision made at the discretion of the Executive Director.
- \$5,001-\$20,000 – Written quotations from at least three vendors, decision is made at the discretion of the Board.
- \$20,001 or above – competitive bidding process, decision is made at the discretion of the Board.

Exceptions to competitive bidding and/or quoting

- Emergency Situation – An emergency exists if the delay caused by soliciting quotes would endanger the health, welfare or property of the Corporation, municipality or of the citizens. With approval by the Executive Director such emergency shall not be subject to competitive bidding or the procedures stated above.
- Resolution Waiving Bidding Requirements – The Corporation may adopt a resolution waiving the competitive bidding requirements whenever it is determined to be impracticable.
- Sole Source – Defined as a situation when there is only one possible source from which to procure goods and/or services and it is shown that the item needed has unique benefits, the cost is reasonable for the product offered and there is no competition available. In this situation, a request for a resolution waiving bidding requirements, as described above, is required.



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- True Lease – Prices will be obtained through quotations whenever possible. The award shall be made on the basis of goods and/or services to be provided, ability to meet the specifications, desired and price.
- Insurance – All insurance policies shall be procured in accordance with the following procedures:
 - Premium less than \$10,000 – documented telephone quotations from at least three agents (if available).
 - Premium over \$10,001 – written quotations or proposals from at least three agents (if available)
- Professional Services – This category includes services which require special education and/or training, license to practice or are creative in nature. Examples of professional services are: lawyers, doctors, accountants, engineers, artists, etc.
- Municipal Contracts – Purchases made from Federal, State, County, or other Municipal, State Authority, or Local Development Corporation contracts are not subject to the above thresholds or procedures.

Basis of Award of Contracts

Contracts will be awarded to the lowest responsible vendor who meets the specifications. Circumstances justifying the award to other than the lowest cost quoted include:

- Delivery requirements
- Quality and/or Quality requirements
- Past vendor performance
- Vendor's previous expertise with respect to a particular procurement
- Local, MWBE and or SDVOB procurement (if less than a 10% cost differential)

If any purchase is made from a vendor providing other than the lowest quote, a written explanation must be prepared and kept on file.

Award to vendor without three quotes, where necessary per the above thresholds, is justifiable under the circumstance that there is an unavailability of three or more vendors who are able to quote on a procurement. In the case of the latter, the efforts made to identify at least three vendors to quote should be documented and kept on file.

The Board will approve any contract involving services to be rendered over a period of more than one year by resolution, and will annually review the contract.

Minority and Women Business Enterprises (MWBEs) and Service-Disabled Veterans-Owned Businesses (SDVOBs) - The Corporation shall comply with all applicable legal and contractual requirements relating to the hiring of MWBEs and SDVOBs. When appropriate and/or necessary, the Corporation will utilize the NYS MWBE and SDVOB directories to identify and reach out to such firms that could reasonably bid on and provide the needed good or service.



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Procurement Lobbying

The Cape Vincent Local Development Corporation (“Corporation”) will strictly adhere to the establishment of a restricted period during Corporation procurements, essentially the time between when the earliest notice of the Request for Proposal (RFP) is given and when the final contract is awarded, during which time contact between bidders and the Corporation are restricted to a person designated by the Corporation.

During procurements, the Corporation will:

- Designate a person to be contacted by bidders. For the Corporation this person is the Treasurer, unless otherwise designated for a particular procurement;
- Maintain records of contacts (including name, address, telephone number, place of employment and occupation) with bidders during the restricted period;
- Include copies of this policy in the Corporation’s RFP documents;
- Receive affirmation from all bidders of their understanding of the provisions of this law and their agreement to comply;
- Include a certification in the contract that all information provided to the Corporation is complete, true and accurate. This language must allow the Corporation to terminate the contract if it is found that the certification is intentionally false or incomplete; and
- Corporation staff must notify the Chair of the Governance Committee in the event they become aware of a violation of this policy.

Impermissible Contact

If the Corporation (staff or any Board member) is contacted by a vendor or potential vendor in such a manner as to attempt to unduly influence a solicitation procurement, the Chair of the Governance Committee will be immediately notified by the Contracting Officer to discuss the severity of the action and determine if further action is required.

If it is determined that there is no cause to believe the allegation is true then the matter is documented and given to the Contracting Officer to file. If there is cause to determine that an impermissible contact was made then the vendor or potential vendor shall be notified in writing that an investigation is being held. Results of the investigation may include a ‘no wrong doing’ finding or a willful violation of State Finance Law 139- j(3) resulting in a non-responsible candidate for services. In either case the Offeror shall be notified in writing of the determination. All documents are held in the Contracting Officer’s files.

Approved and adopted this <date> day of <month> 2021