

Intro No. 61
Date 6/30/19
Reviewed by LOS
Co. Attorney
Date 6/4/19

RESOLUTION
BROOME COUNTY LEGISLATURE
BINGHAMTON, NEW YORK

Permanent No. 2019-319
Date Adopted 6/20/2019
Effective Date 7/11/19

Sponsored by: County Administration Committee

Seconded by: Mary A. Kaminsky

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5 OF 2019, ENTITLED: "A LOCAL LAW AMENDING ARTICLE XII OF THE BROOME COUNTY CHARTER AND CODE AUTHORIZING BROOME COUNTY PURCHASING TO MAKE PURCHASES THROUGH NATIONAL COOPERATIVE CONTRACTS AWARDED PURSUANT TO BEST VALUE CONTRACTING"

WHEREAS, the Broome County Charter and Code shall be amended to allow the County to benefit from efficiencies to be gained through changes by New York State to the public contracting provisions of General Municipal Law. Such statutory changes permit a county to adopt a local law and elect to use a "best value" analysis in the context of awarding procurement contracts subject to the state's municipal bidding requirements, and

WHEREAS, State Finance Law §163 defines the term "best value" as being "the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers, Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority-or women-owned business enterprises [as such terms are further defined within Executive Law] to be used in evaluation of offers for awarding of contracts for services," and

WHEREAS, Broome County, may award service and purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8), on the basis of a best value offer as an alternative to awarding such contracts to the lowest responsible bidder. However, the best value methodology is only permitted to make purchases through national cooperative contracts and will not be used in conjunction with bidding under any circumstances, now therefore be it

RESOLVED, that Local Law Intro. No. 5 of 2019, entitled: " A Local Law Amending Article XII of the Broome County Charter and Code Authorizing Broome County Purchasing to Make Purchases Through National Cooperative Contracts Awarded Pursuant to Best Value Contracting" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

COUNTY OF BROOME)
STATE OF NEW YORK) ss.:

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 20th day of June, 2019, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of fifteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 21st day of June, 2019.

Date sent to County Executive: June 21, 2019
Approved [Signature]
County Executive
Date 7/11, 2019

[Signature]
Clerk, County Legislature
County of Broome

LOCAL LAW INTRO. NO. 5 Of 2019

“A LOCAL LAW AMENDING ARTICLE XII OF THE BROOME COUNTY CHARTER AND CODE AUTHORIZING BROOME COUNTY PURCHASING TO MAKE PURCHASES THROUGH NATIONAL COOPERATIVE CONTRACTS AWARDED PURSUANT TO BEST VALUE CONTRACTING”

BE IT ENACTED, by the County Legislature of the County of Broome as follows:

Section 1. That Article XII of the Broome County Charter and Code is hereby amended to include the following:

§A1207 Awarding purchase contracts through national cooperative contracts.

An award may be made for purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8) on the basis of “best value”, as such term is defined in State Finance Law Section 163 to make purchases through national cooperative contracts provided however best value will not be used in conjunction with county contracts awarded pursuant to competitive bidding under any circumstances.