

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one)

of Shawangunk, Ulster County, New York

Local Law No. 1 of the year 20<sup>24</sup>

A local law Authorizing Best Value Purchasing  
(Insert Title)

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one)

of Shawangunk as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Be it enacted by the Town Board of the Town of Shawangunk, Ulster County, New York, as follows:

The Code of the Town of Shawangunk hereby is amended to add a new Chapter 58 entitled Authorizing Best Value Purchasing.

## **Section 1. General Provisions**

### **Section 1.1 Purpose/Authority**

This local law provides for the Shawangunk Town Board to exercise its local option authorized by § 103, Subdivision 1 and Subdivision 16 of the New York Municipal Law. This amendment authorizes the Town to award purchase and service contracts subject to competitive bidding under General Municipal Law § 103 based on either lowest responsible bidder or “best value”, as defined in § 163 of the New York State Finance Law. This best value option may be, but is not required to be, used to award an applicable purchase contract for either goods or services to optimize quality, cost and efficiency among responsive and other responsible offerors instead of the lowest responsible bidder.

This local law is authorized also by the New York Municipal Home Rule Law, the Statute of Local Governments and other enabling authority.

### **Section 1.2 Basis for award**

In accordance with § 103, Subdivisions 1 and 16 of the New York General Municipal Law, Town Boards may award contracts, including both purchase contracts and those contracts for service work, that otherwise would have been procured pursuant to competitive bidding under General Municipal Law § 103, by either lowest responsible bidder or best value. All awards based upon best value shall require Town Board approval.

Goods and services procured and awarded on the basis of best value are those that the Town Board determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described as documented criteria, which may include, but shall not be limited to, any or all of the following: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; and quality of craftsmanship.

### **Section 1.3 Applicable Contracts**