

Village of Lancaster Local Law \_\_\_\_\_ of the year 2024

A Local Law to enact Chapter 55 “Purchasing- Village Board Authority to Award Best Value Contracts” of the Village Code of the Village of Lancaster.

Whereas the Village Board of the Village of Lancaster wishes to enact a local law pursuant to authority granted by New York General Municipal Law to award certain purchase contracts on the basis of "best value";

Now;

Be it enacted by the Village Board of the Village of Lancaster, New York as follows:

1) Chapter 55 “Purchasing- Village Board Authority to Award Best Value Contracts” of the Village Code of the Village of Lancaster shall be enacted to read as follows:

Chapter 55 “Purchasing- Village Board Authority to Award Best Value Contracts”

§55-1. Purpose.

New York General Municipal Law §103, Subdivision 1, allows the Village 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 State Finance Law. The best value option may be used, but is not required to be used, if it is more cost-efficient over time to award the purchase contract for goods or services to other than the lowest responsible bidder or offerer if factors such as lower cost of maintenance, durability, higher quality and longer product life can be documented.

§ 55-2. Authorization to award contracts on best-value basis;

The Village Board may award purchase contracts including contracts for services, on the basis of "best value," as that term is defined in §163 of the New York State State Finance Law and all future amendments and recodifications thereof.

### § 55-3. Requirements.

A best value solicitation shall contain a specific notification that the solicitation will be analyzed and awarded in accordance with a best value determination. Such solicitations 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.

### § 55-3. Standards for best value.

Goods and services procured and awarded on the basis of best value are those that the Village determines will be of the highest quality while being the most cost-efficient as offered by responsive and responsible bidders and offerors. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described and documented criteria, which may include, but shall not be limited to, any or all of the following: product or service features, quality, durability, reliability, product performance criteria, quality of craftsmanship, cost and extent of maintenance, useful lifespan, availability of replacement parts, availability of maintenance contractors, warranties, proximity to the end user if distance or response time is a significant factor, references, past performance, organization and staffing, and financial capabilities.

### § 55-6. Documentation.

All information gathered in the course of the bidding procedures of this chapter shall be filed with the documentation supporting the subsequent purchase or public works contract. The basis for determining best value shall be thoroughly and accurately determined and set forth.

### § 55-7. Severability.

If any provision of this chapter or the application thereof by any person or circumstance is held invalid, the remainder of this

chapter and the application of such provisions to other persons and circumstances shall not be rendered invalid thereby.

2) This local law shall become effective the 20th day following its enactment.