

A LOCAL LAW AMENDING THE ONONDAGA COUNTY ADMINISTRATIVE CODE IN
RELATION TO PROCUREMENT

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA,
AS FOLLOWS:

Section 1. Findings/Purpose. The Onondaga County Administrative 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.

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.”

Section 2. Onondaga County, acting through the County Executive and the Director of Purchasing, may award contracts for certain goods and services on the basis of a best value offer as an alternative to awarding such contracts to the lowest responsible bidder, consistent with the bidding requirements of General Municipal Law §103.

In electing to award a contract on the basis of an offer determined to be the best value to Onondaga County, the Director of Purchasing shall provide for a documented process for each such contract, including maintenance of a procurement record regarding the specific evaluation criteria used, the manner in which offers were evaluated, and the offer selected to proceed to an awarded contract. The evaluation criteria shall be quantifiable, whenever possible, and shall be determined and documented in advance of the initial receipt of offers to the extent practicable.

Section 3. Section 6.17B of the Onondaga County Administrative Code, being Local Law No. 1 of 1975, as previously amended, hereby is amended to strike subsection (3) and to substitute the following language therefor:

Opening of Bids and Offers; Award; Rejection. The Purchasing Director, or the Purchasing Director’s designee, shall open such bids at the time and place specified and shall make a record of such bids in such form as may be prescribed. An award shall be made to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided herein; provided, however, that 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 a responsive and responsible bidder or offerer after advertisement for sealed bids or offers, consistent with General Municipal Law Section 103. In the event of identical bids from responsible bidders or offerers furnishing security as aforesaid, an award may be made to any such bidder or offerer. The Purchasing Director, or the Purchasing Director’s designee may reject any and all said bids or offers and readvertise for new bids or offers in the manner hereinabove provided.

Section 4. Section 6.17C of the Onondaga County Administrative Code, being Local Law No. 1 of 1975, as previously amended, hereby is amended to strike such section in its entirety and to substitute the following language therefor:

The County Legislature, by the affirmative vote of at least two-thirds of its members, may resolve that there exists a need for reasons of efficiency and economy to standardize purchase and contract specifications for particular types of supplies, materials, equipment, and services. Such resolution shall contain a full explanation of the reasons for its adoption.

Any standardized contract awarded pursuant to this section in excess of the amount fixed pursuant to the provisions of Section 6.17A (1) of this Code may be awarded to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided herein; provided, however, that 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 a responsive and responsible bidder or offerer after advertisement for sealed bids or offers, consistent with General Municipal Law Section 103.

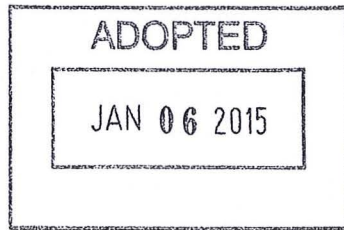
Section 5. Section 6.17B of the Onondaga County Administrative Code, being Local Law No. 1 of 1975, as previously amended, hereby is further amended to add a new subsection (6):

The terms "sealed bids" and "sealed offers", as such terms apply to 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), shall include bids and offers submitted in an electronic format including submission of the statement of noncollusion required by General Municipal Law Section 103-d.

Section 6. Except as specifically amended herein, the Onondaga County Administrative Code, as previously amended, shall remain in full force and effect.

Section 7. This Local Law shall take effect immediately.

LL Purchase - Best Value.rtf
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ONON. CO. LEG.
December 12, 2014
Jmm

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

6th DAY OF January, 2015.

Deborah A. Metzger

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

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