

ORANGE COUNTY PARTNERSHIP

PROCUREMENT POLICY

Adopted: January 21, 2025

SECTION 1. PURPOSE AND AUTHORITY. The purpose of this procurement policy (the "Policy") is to outline the procurement policy by the Orange County Partnership (the "Company") of procurements of goods and services paid for by the Company.

SECTION 2. SECURING GOODS AND SERVICES. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods and services will be purchased at a fair price and that favoritism will be avoided, except in the following circumstances: (i) purchases costing less than \$500; (ii) goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the Finance Law; (iii) goods purchased from correctional institutions pursuant to Section 186 of the New York Correction Law; (iv) purchases under State contracts pursuant to Section 104 of the New York General Municipal Law; (v) purchases under county contracts pursuant to Section 103(3) of the New York General Municipal Law; or (vi) purchases pursuant to Section 4 of this Policy. The Company's Executive Director is designated as the Procurement Officer for purposes of this Policy.

SECTION 3. METHOD OF PURCHASE.

(A) General. The following method of purchase will be used when required by this Policy in order to achieve the highest savings and efficiency:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
Up to \$500	Discretion of Employee
Over \$500, up to \$2,500	Approval of Executive Administrator
Over \$2,500, up to \$10,000	Approval of Executive Director
Over \$10,000, up to \$15,000	Approval of Board Chair
Over \$15,000	Approval of Board

Note: Approval as aforesaid may be electronically provided.

(B) Documentation. The employee making any such procurement shall endeavor to document any solicitations or other investigation as to reasonableness of the price of any procurement to the extent reasonable under the circumstances.

SECTION 4. CIRCUMSTANCES WHERE SOLICITATION OF ALTERNATIVE PROPOSALS AND QUOTATIONS NOT IN BEST INTEREST. Pursuant to Section 104-

b(2)(g) of the General Municipal Law, this Policy may contain circumstances when, or types of procurements for which, in the sole discretion of the members of the Company, the solicitation of alternative proposals or quotations will not be in the best interest of the Company. In the following circumstances, it may not be in the best interests of the Company to solicit quotations or document the basis for not accepting the lowest bid:

(A) Professional Services. Professional services or services requiring special or technical skill, training or expertise. The individual, company or firm must be chosen based on accountability, reliability, responsibility, skill, conflict of interests, reputation, education and training, judgement, integrity, continuity of service and moral worth. Furthermore, certain professional services to be provided to the Company, e.g., legal and accounting services, impact liability issues of the Company and its members. These qualifications and the concerns of the Company regarding its liability and the liability of its members are not necessarily found or addressed in the individual, company or firm that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the Company shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and the members of the Company. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of Company-owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

(B) Emergency Purchases. An emergency condition is an unforeseen danger to life, safety, property, or a necessary service. The existence of such a condition creates an immediate and serious need for goods, services, or construction that cannot be met through normal procurement methods. An emergency procurement shall be limited to the procurement of those items necessary to avoid or mitigate serious danger to life, safety, property, or a necessary service. The procedure used shall assure that the required items are procured in time to meet the emergency. Given this constraint, such competition as is possible and practicable shall be obtained. The Executive Director of the Company shall at the earliest practicable time make a written determination of the basis of the emergency and the basis of the selection of the contractor. Such written determination shall include a description of the process by which the Executive Director of the Company made such selection of the contractor. A copy of such written determination shall be provided to the members of the Company at or prior to the next meeting of the Board of Directors of the Company.

(C) Purchases of Secondhand Goods. Purchases of surplus and secondhand goods from any source. If alternate proposals are required, the Company is precluded from purchasing

surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

(D) Goods or Services under \$500. The time and documentation required to purchase through this Policy may be more costly than the item itself and would therefore not be in the best interests of the public. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

(E) Sole Source Procurement. Sole source procurement shall be used only when there is only one source for the required good, service, or construction. In such case, the accepted price and terms and conditions shall be achieved through negotiation between the Company and the vendor. Prior to entering into sole source negotiations, the Executive Director of the Company shall make a written determination that there is only one source for the required good, service, or construction. Such written determination shall include a description of the process by which the Executive Director of the Company made such determination. A copy of such written determination shall be provided to the members of the Company at or prior to the next meeting of the members of the Company.

SECTION 5. POLICY REVIEW. This policy will be reviewed periodically.

ORANGE COUNTY PARTNERSHIP CREDIT CARD POLICIES AND PROCEDURES

Orange County Partnership will issue company credit cards, at its discretion, to certain employees for business related purchases. This Policy sets out the guidelines for the use of such credit cards.

Orange County Partnership reserves the right to withdraw use of this card at any time.

Any credit card issued to an employee must be used for business purposes only, in conjunction with the employee's job duties. Employees shall not use them for any non-business, non-essential purpose or any other transaction that is not authorized or necessary to carry out their duties.

Any employee who uses a company credit card for personal purchases is in violation of this policy and may:

1. Have their card privileges revoked indefinitely.
2. Incur deductions of said purchases from subsequent paychecks until the wage advance is fully repaid.
3. Be subjected to disciplinary action or termination.

Receipts for all purchases must be presented within a week from the date of the purchase to the Executive Administrator. Repeated instances of missing receipts and/or unverifiable purchases can result in revocation of card privileges.

The employee agrees to safeguard the card and monitor its use to conform with purchasing guidelines.

The employee agrees to notify the Executive Administrator immediately in the event of loss, theft, misuse of or damage to the card.