

**RESOLUTION 2012-06 OF THE
LAND REUTILIZATION CORPORATION
OF THE CAPITAL REGION
December 13, 2012**

PROCUREMENT POLICY

IT IS HEREBY RESOLVED, that the Land Reutilization Corporation of the Capital Region adopts the attached Procurement Policy.


Robert Hoffman, Chairman

December 13, 2012
Date signed

Member	Aye	Nay	Abstain	Absent
Berlant	X			
DiCaprio	X			
Hoffman	X			
Martin	X			
McDonald				X
Rooney	X			
Ruzzo	X			

PROCUREMENT POLICY

I. STATEMENT OF PURPOSE

The Land Reutilization Corporation of the Capital Region (“The Land Bank” or the “Corporation”) conducts its purchasing and procurement in accordance with the Laws of New York State, the Land Reutilization Corporation of the Capital Region Act, as amended, and Section 2879 of the Public Authorities Law.

- a) The Corporation is responsible for maintaining a program for procuring goods and services that ensures fairness and integrity, and guards against fraud, favoritism and corruption.
- b) The Land Bank seeks to fulfill its need for goods and services through open competitive bidding wherever practical and possible.
- c) The Land Bank invites all segments of the business community to participate in its purchasing and procurement program, including women and minority business owners and Schenectady County-based businesses.

The Board of Directors must review and re-approve these guidelines at least every three (3) years.

- a) At a minimum, three *written* quotes (fax, catalog or other advertised bids, quotes or proposals) from vendors must be obtained unless the purchase qualifies for the use of a pre-approved vendor's list, sole source, single source or an emergency exception.
 - b) If a specialized or unique purchase is necessary, The Land Bank personnel must make reasonable efforts to obtain vendor quotes.
3. Purchases of goods over \$20,000
- a) Supplies, materials and/or equipment purchases of more than \$20,000 per year in the aggregate must be competitively bid and awarded to the lowest responsible bidder.
 - i) Requests for bids are to be advertised in a medium(s) approved by the board for that purpose for at least one day.
 - ii) There must be a minimum of five (5) days between the first day of bid publication and the public opening of bids by the Executive Director.
 - iii) The Executive Director will review bid results to determine the award, which shall be made to the lowest responsible bidder.

V. USE OF PROFESSIONAL SERVICE CONTRACTORS

1. Professional services contractors shall be used when it has been determined by the Chairman that,
 - a) Such service is necessary or convenient to the performance of The Land Bank's mission,
 - b) Such service is not available from The Land Bank employees,
 - c) The performance of such service requires it be undertaken by someone independent of The Land Bank, or that use of The Land Bank employees or Board members for such service would not be cost effective or completed in a timely manner.
2. "Professional Services" shall mean any services performed for a fee, commission or other compensation by persons or organizations that are not providing such services as Corporation employees or officers. Professional Services include, but are not limited to, legal, accounting, management consulting, investment banking, statistical, research, public relations, architectural, engineering, surveying, computer information technology or other services of a consulting, technical or professional nature.
3. Professional Service contracts awarded with State or federal funds must follow the bidding requirements imposed by State, federal or other applicable statutes and guidelines.

2. Awards for Professional Services may be based on factors other than pricing (low bid). Factors considered ought to include the nature and scope of work; the vendor's understanding of the work to be performed; relevant experience of the vendor in both performing the work; vendor's capacity and human infrastructure for performing the work; timeliness, among other things.
3. The Executive Director shall recommend making awards for all Professional Services to the Chairman *in writing* by addressing the following selection factors:
 - i. Identify the selection method utilized
 - ii. Summarize the work to be performed
 - iii. Identify the project being undertaken and/or basis for commencing the procurement action
 - iv. Summarize the reason the award is being made to the vendor/awardee
 - v. Pricing — a brief summary of any negotiations that occurred, and final negotiated prices

VII. CONTRACT PROVISIONS

1. All Professional Services contracts in excess of \$5,000 shall be in writing, and must be approved and executed by the Chairman or the Chairman's designee, as provided in the Land Bank By-Laws or an applicable The Land Bank Board resolution.
2. Contract form approval — The Land Bank's Counsel shall approve the form used for contracts before such contracts may be executed.
3. W-9 Form must be completed for all individuals providing Professional Services to The Land Bank.
4. Contracts shall detail:
 - i) The provided goods or scope of services to be performed,
 - ii) The cost of the goods or the compensation for the services,
 - iii) The timing or scheduling of project phases and completion dates,
 - iv) The timing of payment,
 - v) The preconditions for receiving payment from The Land Bank,
 - vi) Procedures for termination of the contract, and,
 - vii) Any other provisions the Board deems necessary or appropriate for each particular contract.
5. In addition, if performance of a particular procurement contract will require the use of subcontractors, the contract shall require the contractor to act affirmatively to secure such participation by Minority Business Enterprises and to report such efforts to The Land Bank pursuant to Article 15-A of Executive Law.