

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 ORLEANS

Local Law No. 2 of the year 2014

A local law AUTHORIZING THE USE OF BEST VALUE FOR AWARDING PURCHASE CONTRACTS
(Insert Title)

Be it enacted by the ORLEANS COUNTY LEGISLATURE of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of ORLEANS as follows:

Section 1. Legislative History.

A. Section 103 of New York State General Municipal Law has been amended to allow municipalities the option of utilizing a "best value" standard in purchase contracts in lieu of the "lowest responsible bidder" standard when it is deemed in the best interest of the municipality, due to factors such as cost of maintenance, durability, higher quality, and longer product life. In order to utilize the "best value" standard for purchase contracts, municipalities must adopt a local law authorizing use of this alternative purchasing standard.

B. A new subdivision 16 was added to General Municipal Law section 103, and subsequently amended, to allow municipalities to purchase apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision therein, either to the lowest bidder or on the basis of best value in a manner consistent with General Municipal Law section 103. The contracts must be made available for use by other governmental entities.

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

Section 2. Authorization.

A. The County of Orleans is hereby authorized to award purchase contracts on the basis of best value in the manner provided by Section 103 of New York State General Municipal Law.

B. It shall be the responsibility of the Orleans County Chief Administrative Officer to review each proposed non-New York procurement to determine, on advice of the Orleans County Attorney as appropriate, whether the proposed procurement has been let to the lowest responsible bidder or on the basis of best value in a manner consistent with General Municipal Law section 103.

Section 3. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2014 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of ORLEANS was duly passed by the ORLEANS COUNTY LEGISLATURE on APRIL 9, 2014, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Nadine P. Hanlon

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: April 10, 2014

(Seal)



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

April 18, 2014

RECEIVED

APR 23 2014

**ORLEANS COUNTY
LEGISLATURE**

Nadine P Hanlon
Clerk
Court House Square
3 South Main Street, Suite 2
Albion NY 14411

RE: County of Orleans, Local Law 2 2014, filed on April 17, 2014

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 474-2755