



Village of Menands

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Menands Best Value Contract Award Policy

BE IT ENACTED, by the Board of Trustees, Village of Menands, State of New York, as follows:

Section 1. Short Title and Legislative Intent

This Policy intends to authorize the use of Best Value criteria when awarding purchase contracts consistent with Section 103 of the General Municipal Law and Section 163 of the New York State Finance Law. Use of best value criteria is intended to provide the Village greater flexibility in awarding contracts and to ensure that the Village obtains the highest quality goods at a low cost. Awarding contracts based on Best Value standards is further intended to promote competition, foster fairness among vendors and competitors, expedite contract awards, optimize quality, control costs, and enhance efficiency among responsible bidders. This policy authorized the Purchasing Agent to award purchase contracts that have been procured pursuant to competitive bidding under General Municipal Law Section 103 by either the lowest responsible bidder or the best value.

Section 2. Definitions

Whenever used in this Policy, the following terms shall mean:

- a. **Purchasing Agent.** Village of Menands Clerk and/or Treasurer.
- b. **Purchase Contracts.** Contracts for goods, commodities, equipment, and technology.
- c. **Best Value.** The basis for awarding contracts for services to a responsible bidder who optimized quality, cost, and efficiency for the Village based upon objective and quantifiable analysis. Goods procured and awarded based on best value are those that the Purchasing Agent determines will be of the highest quality while being the most cost-efficient.

Section 3. Requirements

1. Whenever any contract is awarded based on best value instead of the lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.
2. 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 the following: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; and quality of craftsmanship.
3. General evaluation criteria shall be identified in the Village's Procurement Policy, a copy of which shall be maintained in the Village Clerk's Office and be made available to the public.
4. The Purchasing Agent shall establish specific evaluation criteria that will be relied upon for procuring goods based upon best value, which shall be maintained in the Village Clerk's Office and made available to the public.
5. Solicitation documents shall state the minimum requirements and specifications that must be met for the bidder to be deemed responsible and shall identify the general procedure and way the evaluation and selection shall be conducted.

Section 4. Severability

If any clause, sentence, paragraph, section, subdivision, or other part of this Policy or its application shall be inconsistent with any federal or state statute, law, regulation, or rule, then the federal or state statute, law, regulation, or rule shall prevail. If any clause, sentence, paragraph, section, subdivision, or other part of this Policy or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the Policy which shall remain in full force and effect except as limited by such order or judgment.