

LOCAL LAW NO. 1 OF 2024

A Local Law to Adopt a 'Best Value' Standard for Purchase Contracts, Public Works Contracts, and Quote Solicitations Under the Village of Middleville Procurement Policy.

- I. FINDINGS.** The Village of Middleville Board of Trustees finds, except for construction projects under Article 8 of the Labor Law or as opposed to 'lowest responsible bidder' standard, for purchase contracts, public works contracts and quote solicitations, will better serve the overall interests of both local taxpayers and operations of the various Village departments.
- II. DEFINITIONS.** The following definitions shall apply for the purposes of this local law and local procurement policy, to wit:
 - A. Best Value.** The awarding of purchase contracts, public works contracts, and quote solicitations under local procurement policy on the basis of an *optimization* of quality, cost and efficiency notwithstanding that competitive bidding may not otherwise be required.
 - B. Optimization.** The good faith consideration of such applicable objective and quantifiable factors for purchase contracts, public works contracts, quote solicitations and services as, but not limited to, cost; size of business; reputation of product; efficiency of product for the desired purpose; certification as a minority or women-owned business enterprise as defined in Executive Law 310; whether initial investment will ultimately result in cost savings, higher quality products, or greater efficiency; and, the responsiveness and responsibility of an offeror/bidder.
- III. REQUIREMENTS.** The following shall be satisfied under the 'best value' standard, to wit:

- A. An optimization justification analysis for the purchase or quote selection shall be documented regardless of whether competitive bidding is required.
- B. When competitive bidding is not required RFPs (Request For Proposal) shall be used and advertised when it would be more prudent to do so for purchase of the particular product, work, or service.

IV. EFFECTIVE DATE. This local law shall become effective upon its filing with the Secretary of State.