

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 Caroga

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

AUG 06 2013

Local Law No. One of the year 2013

A local law to Authorize the Award of Purchase Contracts on the Basis of Best Value
(Insert Title)

MISCELLANEOUS
& STATE RECORDS

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Caroga as follows:

RESOLUTION #2013-068 Local Law #1-2013 entitled a Local Law to AUTHORIZE THE AWARD OF PURCHASE CONTRACTS ON THE BASIS OF BEST VALUE was offered by Supervisor Ottuso at the regular monthly Town Board meeting held on July 10, 2013 at the Caroga Municipal Building and whereas at the public hearing held earlier this evening there were no comments by the public either for or against. Now therefore be it RESOLVED that a motion was seconded by Council Member Scribner to Adopt the Local Law #1- 2013.

BE IT ENACTED by the Town of Caroga as follows:

SECTION 1. Preamble.

A. Section 103 of the General Municipal Law requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project.

B. Section 103 was recently amended to provide that by enacting a Local Law so providing, counties and other municipalities may award purchase contracts which would otherwise be subject to the "lowest bidder" rule on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offer.

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

C. The Town of Caroga hereby determines that it is in the best interest of the Town and its residents for the Council to have the authority to award purchase contracts on the basis of best value.

SECTION 2. Authorization.

A. On and after the effective date hereof, Town of Caroga may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law, on the basis of best value, as defined in Section 163 of the State Finance Law, to a responsive and responsible bidder or offer.

B. The election to award any such contract on the basis of best value shall be made by the council which authorizes the solicitation for bids.

C. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing the required security.

SECTION 3. Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 4. Effective Date. This Local Law shall become effective immediately upon the filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

4 Ayes, Ottuso, Scribner, Sullivan, and Russitano
0 Nays

(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. One of 2013 of the (County)(City)(Town)(Village) of Caroga was duly passed by the Town Board on July 10 2013, 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 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.)

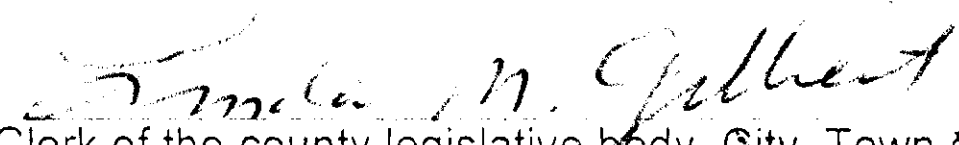
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 _____ above.


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

(Seal)

Date: July 30th 2013