

JUL 13 2022

LOCAL
LAW

FIRST READING

12

AUG 10 2022

LOCAL
LAW

SECOND
READING

1

LOCAL LAW NO. 4 OF 2022

Establishing Best Value Procurement

Be it enacted by the City Council of the City of Mount Vernon, New York, a local law as follows:

Section 1

Article 1 Best Value Procurement

1. **Title.** This article shall be known as "the City of Mount Vernon, New York Best Value Competitive Bidding Law."
2. **Legislative intent.** New York State General Municipal Law Section 103(1) allows the City to authorize, by local law, the award of certain purchase contracts, including contracts for service work subject to competitive bidding under General Municipal Law Section 103 on the basis of "best value" as defined in Section 163 of the New York State Finance Law or any state law superseding or amending said provision. The best value option may be used, for example, if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder or offerer if factors such as lower cost of maintenance, durability, higher quality, and longer product life can be documented.
3. **Best value.** The Board of Estimate may award purchase contracts after bidding, including contracts for services work, on the basis of "best value," as that term is defined in New York State Finance Law Section 163. All awards based on best value shall require Board of Estimate approval.
4. **Applicability.** The provisions of this article apply to City purchase contracts, including contracts for services work involving an expenditure of more than \$20,000, but excluding purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the New York Labor Law and any other contract that may in the future be excluded under state law from the best value option. If the dollar thresholds of New York General Municipal Law Section 103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.
5. **Standards for best value.** Goods and services procured and awarded on the basis of best value are those that the Board of Estimate determines optimize quality, cost and efficiency, among responsive and responsible bidders or offerers. The determination shall be based on an objective analysis of clearly described and documented criteria as they apply to the rating of bids or offers. Where possible, such determination shall also be based upon and include a quantifiable analysis of the same. The criteria may include, but shall not be limited to, any or all of the following: cost of maintenance, proximity to the end use, 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.
6. **Basis for determination.** Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

JUL 13 2022

LOCAL LAW

FIRST READING

12

AUG 10 2022

LOCAL LAW SECOND READING

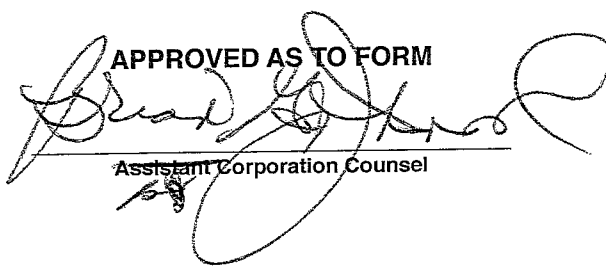
1

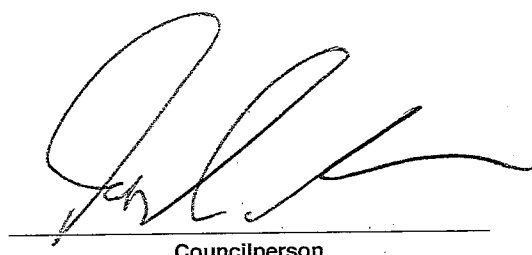
- 7. **Inconsistent provisions.** This local law is incorporated by reference into the City of Mount Vernon, New York Procurement Policy. Any inconsistent provisions of the City's procurement policy, as adopted prior to the effective date of this article by resolution of the City Council and Board of Estimate, or as amended thereafter, shall be deemed superseded by the provisions of this article.

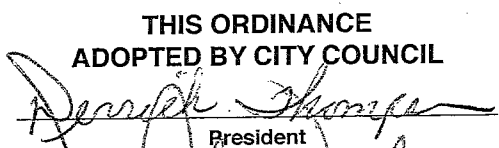
Section 2

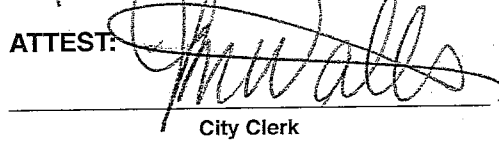
This local law shall take effect immediately upon filing in the office of the Clerk of the City of Mount Vernon, New York, the secretary of State of New York and the New York State Commissioner of Tax and Finance.

Vote Taken As Follows: 8/10/2022
 Browne: Yea Copeland: Yea
 Gleason: Yea Poterat: Yea
 Thompson: Yea Ordinance Adopted

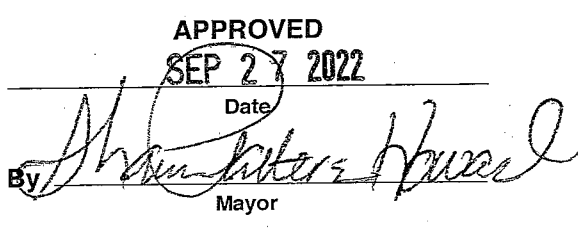
APPROVED AS TO FORM

 Assistant Corporation Counsel


 Councilperson

**THIS ORDINANCE
 ADOPTED BY CITY COUNCIL**

 President

ATTEST:

 City Clerk

APPROVED
 Dept. _____
 Page 2

APPROVED
 SEP 27 2022
 Date

 By _____
 Mayor