



c/o Village of Ossining
16 Croton Avenue
Ossining, NY 10562
Sustainablewestchester.org

Adopted June 30, 2015

Statement of Fiscal Control Policy and Procedures

Policy: It is the policy of Sustainable Westchester (hereafter "SW") to assure the prudent and economical use of SW monies, to facilitate the acquisition of goods and services of maximum quality at a competitive cost, and to guard against favoritism, improvidence, extravagance, fraud and corruption. While SW is not obligated pursuant to New York State law to require competitive bidding on its contracts, SW finds that its policy is advanced by requiring competitive bidding in certain instances.

Conflicts of Interest: SW has adopted a Conflict of Interest Policy and an Ethics Policy, both of which are hereby incorporated into this Statement of Fiscal Control Policy and Procedures.

Procedures: SW shall, unless it otherwise determines by Resolution to the contrary, pursue its procurement policy by adhering to the following procedures:

I: Goods

A. Contracts for Goods Valued at \$5,000¹ and Under.

All contracts for goods valued at \$5,000 and under shall be awarded by the SW's Executive Director using his/her judgment as to the most appropriate vendor, without further documentation.

B. Contracts for Goods Valued over \$5,000 but less than \$10,000.

All contracts for goods valued over \$5,000 but less than \$10,000 shall be awarded after the approval of the SW Board of Directors.

C. Contracts for Goods Valued at \$10,000 and Over.

The SW shall use its best efforts to award contracts for goods valued over \$10,000 through a competitive process. The competitive process to be utilized shall, absent approval of the SW Board of Directors to the contrary, be overseen by the Executive Director and entail the following:

- (i) All solicitations and requests for proposals should be in writing and should incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description should not contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and when necessary, should set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a brand name or equal description may be used as a means to define

¹ Note: Underlined dollar amounts are subject to review and approval by the BoD here and throughout.

the performance or other salient requirements of such a procurement. The specific features of the named brand that must be met by offerers should be clearly stated and should identify all requirements which the offerers must fulfill and all other factors to be used in evaluating bids or proposals.

- (ii) Requests for proposals should be publicly advertised by placing them on the SW website and where else deemed necessary by the Executive Director.
- (iii) Proposals should be solicited from an adequate number of qualified sources.
- (iv) The Executive Director should establish a method for conducting evaluations of the proposals received and for selecting awardees.
- (v) Awards will be made by the Executive Director after consultations with the Board of Directors to the responsible respondent whose proposal is most advantageous to SW, with price and other factors considered.

II. Services

A. Professional Services.

Contracts for all services primarily or predominately of a professional nature, including marketing and communications or requiring specialized skill or judgment, shall not need to be awarded by competitive process, but shall be awarded upon a Resolution of SW confirming the professional nature or specialized skill or judgment involved in such service.

B. All Others.

The award of service contracts not described in Sections II A or B above, shall be made through the competitive process described in Sections I A, B and C above.

THE FOREGOING PROCEDURES ARE IN ADDITION TO AND NOT IN LIEU OF THE SAFEGUARDS AND PROCEDURES ADOPTED BY THE SW FROM TIME TO TIME REGARDING CHECK WRITING AUTHORITY AND THE SW'S BUDGET PROCESS.

D. Process:

Any disbursements of less than less than \$50,000 will require the signature of the Executive Director of SW. Any amounts of, or in excess of, \$50,000 will require the signature of a Co-Chair of the SW Board, and Executive Director of SW.

In the absence or unavailability of the SW's Executive Director to act as aforesaid, the Co-chairs of the Board of Directors may, orally or in writing, authorize the award of any contracts with the same authority of the Executive Director as aforesaid. Should the Co-chairs either disagree with each other or not both be available, then the matter will be referred to the full Executive Committee. These Procurement Policies and Procedures shall remain in effect until such time as the SW Board of Directors resolves to modify and amend the same.

The SW Board may, from time to time, adopt different procedures, or deviate from any of the above procedures, on a case-by-case basis.

The unintentional failure to fully comply with the provisions of this statement of policy and procedures shall not be grounds to void action taken or give rise to a cause of action against SW or any Director/member, officer or employee thereof.

draft dated 13 July 2015

[This draft is adapted from the EIC procurement policy adopted there in 2012.

<http://energizeny.org/eic/archives/category/policy>]