

SUFFOLK COUNTY LANDBANK CORPORATION

PROCUREMENT POLICY

Introduction

1. Applicability – The Suffolk County Landbank Corporation (the “SCLBC”) is a Land Bank not-for-profit corporation formed under Article 16 of the Not-for-Profit Corporation Law. Pursuant to the New York State Public Authorities Accountability Act, specifically Public Authorities Law § 2824, the SCLBC is required to establish a written policy regarding its procurement of goods and services.
2. Purpose – The primary objectives of this Policy are to assure the prudent and economical use of the SCLBC’s monies in the best interests of the taxpayers of the County of Suffolk, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances and to guard against favoritism, improvidence, extravagance, fraud and corruption while maintaining flexibility in order to timely respond to business needs furthering the purposes of the SCLBC.

Procedures for the Solicitation of Professional Services.

Contracts for professional services involve the application of specialized expertise, the use of professional judgment, or a high degree of creativity. Professional services include services which require special education and/or training, license to practice or are creative in nature. Examples are: lawyers, accountants, engineers, property appraisers and specialized consultants. Procurement contracts for professional services shall be selected based upon the Best Value to the SCLBC, which takes into consideration other factors in addition to costs, such as quality and efficiency. Furthermore, Requests for Statements of Qualifications (“RFQ”) are appropriate for retention of one independent contractor, or a qualified pool of independent contractors, to provide a defined type or scope of services required by the SCLBC as the need arises; or to select professional services to be rendered at pre-established rates.

1. Initial Determination
 - a. The Executive Director shall make an initial determination as to the types of professional services that the SCLBC will require as the need arises.
2. Request for Qualifications
 - a. The SCLBC staff shall prepare a Request for Qualifications for each type of professional services identified in the initial determination.

3. Pre-Qualification of Professional Service Providers

a. The SCLBC staff shall review, evaluate and rank the qualifications received from the independent contractors based upon the criteria set forth in the RFQ, which may include, skill, experience, quality, efficiency and fee.

b. The Executive Director shall review and approve the scoring of the responses to the RFQ and the selection of the independent contractors to be included on the pre-qualified lists.

c. The pre-qualified vendor lists by type of professional service as well as any and all changes made thereto shall be pre-approved by the Board.

d. Additionally, at the discretion of the Executive Director, the SCLBC may utilize independent contractors from Suffolk County's pre-qualified vendor lists. The same "Contracts for Services" policies (outlined in section 5 below) shall be applicable when utilizing Suffolk County approved contractors.

4. Documentation

a. The Executive Director's determination of need for a particular professional service shall be maintained in the procurement file.

b. A record of the RFQ, the responses, and any determinations pursuant thereto shall be maintained in the procurement file.

c. A record of any changes made to the pre-qualified independent contractor lists and the reasons therefor shall be maintained in the procurement file.

5. Contracts for Services

a. For all services that will be rendered by pre-qualified vendors at pre-approved rates or rates that do not exceed pre-set maximums, contracts for such services may be entered into on behalf of the SCLBC by the Executive Director at his or her discretion and without the necessity of Board approval.

b. For all services that will be rendered by pre-qualified vendors where the rates and fees have not been pre-approved, or where rate or fee maximums have not been pre-set, the Executive Director shall obtain three or more quotes from vendors on the pre-qualified lists and select the lowest cost vendor. Contracts for such services may be entered into on behalf of the SCLBC by the Executive Director with the approval of the Chair and without the necessity of Board approval.

c. For any professional service contract where the total fee for the service requested by the SCLBC will exceed \$30,000 must be approved by the Board.

C. Procedures for the Solicitation of Goods, Commodities and Equipment

1. Solicitation Procedures for the Purchase of Goods, Commodities or Equipment (hereinafter “Goods”).
 - a. Up to \$5,000 per instance – The discretion of the Executive Director of the SCLBC.
 - b. Between \$5,001 to \$20,000 per instance – Written/fax/email quotations from at least three vendors.
 - c. Greater than \$20,000 per instance – Written Request for Proposal.
 - d. Notwithstanding the foregoing, should cumulative procurements pursuant to paragraphs (a) or (b) above exceed \$20,000 per calendar year for a single vendor, the SCLBC shall be required to prepare a Written Request for Proposal for such procurements.
2. Exceptions. Alternative proposals or quotations shall not be required for procurements made through or with respect to:
 - a. Suffolk County Contracts – when the SCLBC is able to procure commodities, equipment, or goods off of Suffolk County contracts, it is unnecessary to obtain quotations or bids;
 - b. Emergency Procurements – an emergency is an unanticipated occurrence beyond the control of the SCLBC that would endanger health, welfare or property. Approval of the Executive Director is necessary, which shall be documented and shall also include a description of the facts giving rise to the emergency.
 - c. Sole Source Procurements – A “sole source” means a situation where (i) there is only one possible source in the marketplace from which to procure the desired goods, (ii) no other goods provide substantially equivalent or similar benefits, and (iii) considering the benefits, the cost to the SCLBC is reasonable.
 - d. Unavailability of three (3) vendors who are able or willing to provide a quote.

3. Basis for the Award of Contracts.

Contracts will be awarded to the lowest responsible dollar offeror who meets the specifications therefor, except in circumstances that the SCLBC determines justify an award to other than the lowest responsible dollar offeror. In making any such determination, the SCLBC shall consider relevant factors including, without limitation:

- a. Delivery requirements
- b. Quality requirements
- c. Quantity requirements
- d. Past vendor performance and/or experience
- e. The unavailability of three or more vendors who are able or willing to quote on procurement.
- f. It may be in the best interests of the SCLBC to consider only one vendor who has previous expertise with respect to a particular procurement.
- g. Any procurement excepted from the alternative proposal/quotation requirements as set forth in subdivision 2 of this Section C.

4. Documentation

- a. For each procurement of Goods by the SCLBC, the Executive Director shall set forth in writing a determination of need for the Goods, the category of procurement that is being made and what method of procurement is specified, which shall be maintained in the procurement file.
- b. A record of all solicitations for alternative proposals or quotations, the response (if applicable), and any determinations pursuant thereto shall be maintained in the procurement file.
- c. Whenever an award is made to other than the lowest responsible dollar offeror the reasons for doing so shall be set forth in writing and maintained in the procurement file.
- d. Whenever the specified number of quotations cannot or will not be secured, the reasons for this shall be indicated in writing and maintained in the procurement file.

5. Required Approval

- a. Procurement Contracts for Goods in an amount up to and including \$5,000 may be entered into on behalf of the SCLBC by the Executive Director at his or her discretion and without the necessity of Board approval.
- b. Procurement Contracts for Goods in an amount over \$5,000 may be entered into on behalf of the SCLBC by the Executive Director after approval by the Board.

D. Procedures for the Solicitation of Construction Contracts

- 1. Notwithstanding anything to the contrary herein, pursuant to Not-for-Profit Corporation Law §1617, the SCLBC shall not award any construction, demolition, renovation or reconstruction contract greater than \$10,000 except to the lowest bidder who, in its opinion, is qualified to perform the work required and who is responsible and reliable. The SCLBC may, however, reject any or all bids or waive any informality in a bid if it believes that the public interest will be promoted thereby. The SCLBC may reject any bid, if, in its judgment, the business and technical organization, plant, resources, financial standing, or experience of the bidder justifies such rejection in view of the work to be performed.
 - a. The SCLBC shall prepare an Invitation for Bid (“IFB”) setting forth the standards and requirements that competitors must observe for any construction, demolition, renovation or reconstruction contract that is estimated to cost greater than \$10,000. The IFB shall specify the deadline for the submission of bids and the date on which the bids will be opened.
 - b. Upon opening of the bids, the SCLBC shall determine whether the bidder is qualified, responsible and reliable by taking into consideration the following:
 - (i) Whether the bid was timely submitted;
 - (ii) Whether the bidder was responsive to all bid requirements;
 - (iii) Whether the bidder provided all licenses, insurance and current references where required;
 - (iv) Whether the bidder has the capacity and financial ability to complete the contract;
 - (v) Past performance.

- c. Upon determining which bidders are qualified, responsible and reliable, the SCLBC shall rank the bids based upon lowest cost and award the contract to the lowest bidder.
- 2. Construction, demolition, renovation or reconstruction contracts in the amount of \$10,000 or less shall require written/fax/email quotations from at least three vendors and shall be awarded in accordance with the procedure as set forth in §C(3).
- 3. All construction, demolition, renovation or reconstruction awards must be approved by the Executive Director and all such contracts in an amount over \$5,000 may be entered into on behalf of the SCLBC by the Executive Director only after approval by the Board.

E. Minority and Women Owned Business Enterprises (“M/WBE”)

- 1. The SCLBC, acting through its contractors and their subcontractors, will encourage the use of NYS certified Minority-Owned Business Enterprises (“MBE”) and Women-Owned Business Enterprises (“WBE”). "Minority-Owned Business Enterprise" shall have the same meaning herein as is set forth in Executive Law § 310(7). "Women-Owned Business Enterprise" shall have the same meaning herein as is set forth in Executive Law § 310(15).

Pursuant to Executive Law §313, the following annual NYS certified MBE and WBE goals and annual workforce participation goals were established for the SCLBC:

	<u>M/WBE</u> <u>Utilization Goals</u>
Non-Construction Services:	M = 19.60% W = 17.44%
Commodities:	M = 16.12% W = 10.93%
Construction:	M = 14.34% W = 8.41%
Construction Related Professional Services:	M = 13.21% W = 11.32%

Total Dollar Value of Annual SCLBC Procurements:

MBE:	16.53%
WBE:	12.39%
M/WBE:	28.92%

2. Service Contracts – Staffing Utilization Plan
 - a. Prior to the award of a service contract, the SCLBC shall obtain a copy of the contractors Equal Employment Opportunity (EEO) Policy Statement and a Staffing Plan of the anticipated work force to be broken down by specific ethnic background, gender and federal occupational categories (See Exhibit 1).
 - b. After the award of a SCLBC services contract, the contractor must submit to the SCLBC a Work Force Utilization Report (See Exhibit 2).
3. Contracts utilizing Subcontractors – Utilization of NYS Certified M/WBEs
 - a. The contractor shall submit to the SCLBC a Utilization Plan listing all subcontractors and supplies the contractor intends to use on the contract with the SCLBC and indicate which ones are certified M/WBEs (See Exhibit 3).
 - b. The contractor shall submit M/WBE Utilization Compliance Reports at intervals established by the SCLBC (See Exhibit 4).

STAFFING PLAN

Project/RFP Title _____ Location of Contractor/Firm _____

Contractor/Firm Name _____

Check applicable categories: (1) Staff Estimates include: Contract Specific Workforce Total Workforce Subcontractors

TOTAL ANTICIPATED WORK FORCE											Total Percent Minority Employees	Total Percent Female Employees	
Federal Occupational Category	Total Number of Employees		Black (Not of Hispanic Origin)		Hispanic		Asian or Pacific Islander		Native American Alaskan Native				
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female			
Officials/Admin.													
Professionals													
Technicians													
Sales Workers													
Office & Clerical													
Craft Workers													
Operatives													
Laborers													
Service Workers													
TOTALS													

CERTIFICATION:

I, _____ (Print Name), the _____ (Title), do certify that (i) I have read this Staffing Plan and (ii) to the best of my knowledge, information and believe the information herein is complete and accurate.

Signature _____ Date _____ Telephone Number _____

Forward to:

Suffolk County Landbank Corporation
 100 Veterans Memorial Highway
 Hauppauge, New York 11788

Suffolk County Landbank Corporation

WORKFORCE EMPLOYMENT UTILIZATION REPORT - CONSTRUCTION

TYPE OF REPORT (check one):

TOTAL WORKFORCE

CONTRACT SPECIFIC WORKFORCE

CHECK IF NOT-FOR-PROFIT

CONTRACTOR/FIRM NAME: ADDRESS: TELEPHONE NUMBER: FEDERAL ID NO.: N.Y.S. UNEMPLOYMENT INSURANCE NO.: CHECK ONE: <input type="checkbox"/> PRIME CONTRACTOR <input type="checkbox"/> SUBCONTRACTOR CONTRACT NO.: _____ CONTRACT AMOUNT: \$ _____	CONTRACT START DATE: PERCENT OF JOB COMPLETED: REPORTING PERIOD: <input type="checkbox"/> MONTHLY PROJECT NAME: PROJECT LOCATION: COUNTY: _____ ZIP: _____ PRODUCT/SERVICE PROVIDED:
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FEDERAL OCCUPATIONAL CATEGORY	NUMBER OF EMPLOYEES										TOTAL PERCENT	
	TOTAL NUMBER OF EMPLOYEES		BLACK (Not of Hispanic Origin)		HISPANIC		ASIAN or PACIFIC ISLANDER		NATIVE AMERICAN/ALASKAN NATIVE		MINORITY EMPLOYEES	FEMALE EMPLOYEES
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE		
FOREMAN												
JOURNEYMAN												
APPRENTICE												
LABORER												
TOTALS												

CERTIFICATION: I, _____ (Print Name), the _____ (Title), do certify that (i) I have read this Workforce Employment Utilization Report and (ii) to the best of my knowledge, information and belief the information contained herein is complete and accurate.

SIGNATURE: _____ DATE: _____

Forward to: Suffolk County Landbank Corporation, 100 Veterans Memorial Highway, Hauppauge, New York 11788

Suffolk County Landbank Corporation
WORKFORCE EMPLOYMENT UTILIZATION REPORT
 NON-CONSTRUCTION

TYPE OF REPORT (check one):

TOTAL WORKFORCE CONTRACT SPECIFIC WORKFORCE

CHECK IF NOT-FOR-PROFIT

TYPE OR SERVICE (check one):

PROFESSIONAL CONSTRUCTION CONSULTANT

SERVICES/CONSULTING

COMMODITIES

CONTRACTOR/FIRM NAME: ADDRESS: TELEPHONE NUMBER: FEDERAL ID NO.: N.Y.S. UNEMPLOYMENT INSURANCE NO.: CHECK ONE: <input type="checkbox"/> PRIME CONTRACTOR <input type="checkbox"/> SUBCONTRACTOR CONTRACT NO.: _____ CONTRACT AMOUNT: \$ _____	CONTRACT START DATE: PERCENT OF JOB COMPLETED: REPORTING PERIOD: <input type="checkbox"/> QUARTERLY REPORT <input type="checkbox"/> SEMI-ANNUAL REPORT PROJECT NAME: PROJECT LOCATION: COUNTY: _____ ZIP: _____ PRODUCT/SERVICE PROVIDED:
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FEDERAL OCCUPATIONAL CATEGORY	NUMBER OF EMPLOYEES										TOTAL PERCENT	
	TOTAL NUMBER OF EMPLOYEES		BLACK (Not of Hispanic Origin)		HISPANIC		ASIAN or PACIFIC ISLANDER		NATIVE AMERICAN/ALASKAN NATIVE		MINORITY EMPLOYEES	FEMALE EMPLOYEES
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE		
Officials/Administrators												
Professionals												
Technicians												
Sales Workers												
Office & Clerical												
Craft Workers												
Operatives												
Laborers												
Service Workers												
TOTALS												

CERTIFICATION: I, _____ (Print Name), the _____ (Title), do certify that (i) I have read this Workforce Employment Utilization Report and (ii) to the best of my knowledge, information and belief the information contained herein is complete and accurate.

SIGNATURE: _____ DATE: _____

Forward to: Suffolk County Landbank Corporation, 100 Veterans Memorial Highway, Hauppauge, New York 11788

CONTRACTOR'S MWBE UTILIZATION PLAN
SUFFOLK COUNTY LANDBANK CORPORATION
 100 Veterans Memorial Highway
 Hauppauge, NY 11788

CONTRACTOR IDENTIFICATION

Firm _____
 Address _____
 City _____ State, Zip _____

PROJECT IDENTIFICATION

Project _____ Contract Amount \$ _____
 Address _____ Contract Number _____
 Address _____ Project Term _____ Mo.
 Address _____ Authority Goal: MBE _____ %
 Authority Goal: WBE _____ %

Work Description _____

1. List previous Suffolk County Landbank Corporation Work performed by your Firm:

Project _____ Contract Amount \$ _____
 MBE Utilization: \$ _____ WBE Utilization: \$ _____
 MBE Utilization: \$ _____ WBE Utilization: \$ _____

2. Do you intend to subcontract any Work on this Project:

NO YES If YES, provide the information below and complete item (4A):
 Amount (\$) _____ -or - Range: From (\$) _____ to (\$) _____

3. Do you intend to purchase supplies, materials, equipment, vendor or professional services in connection with the Project?

NO YES If YES, provide the information below and complete Item (4B):
 Amount (\$) _____ -or - Range: From (\$) _____ to (\$) _____

4. Schedule of proposed subcontract work and purchase activity.

(A) SUBCONTRACT WORK: Trade and Amount	(B) PURCHASE ACTIVITY: Description and Amount
_____ \$ _____	_____ \$ _____
_____ \$ _____	_____ \$ _____
_____ \$ _____	_____ \$ _____
_____ \$ _____	_____ \$ _____
_____ \$ _____	_____ \$ _____
_____ \$ _____	_____ \$ _____
_____ \$ _____	_____ \$ _____
_____ \$ _____	_____ \$ _____

CONTRACTOR'S MWBE UTILIZATION PLAN

5. List all subcontractors and suppliers that you intend to use on the Contract and indicate which ones are certified M/WBEs.

Firm Name _____ Address _____ Address _____	Service/Product Provided: Award \$ _____ MBE _____ WBE _____
Firm Name _____ Address _____ Address _____	Service/Product Provided: Award \$ _____ MBE _____ WBE _____
Firm Name _____ Address _____ Address _____	Service/Product Provided: Award \$ _____ MBE _____ WBE _____
Firm Name _____ Address _____ Address _____	Service/Product Provided: Award \$ _____ MBE _____ WBE _____

6. Complete the Minority - and Women Owned Business Goal Tabulation Schedule below for your Firm using either dollar amounts or a percentage of your Contract.

GOAL AWARD CATEGORY	MBE GOAL	WBE GOAL	DOLLARS or PERCENT	
Subcontract Work	_____	_____	(\$)_____	(%)_____
Purchase Activity	_____	_____	(\$)_____	(%)_____
Total Goal	_____	_____	(\$)_____	(%)_____

7. The space below is provided for comments that your Firm may have regarding the utilization of Minority- and/or Women-Owned Businesses in the Work of your Contract.

Principal or Officer:

Type Name of Principal or Officer

Type Title of Principal or Officer

Signature of Principal or Officer

Date

**CONTRACTOR'S MWBE UTILIZATION COMPLIANCE REPORT
ACTIVITY SUMMARY WITH
MINORITY - WOMEN-OWNED BUSINESS ENTERPRISES**

Suffolk County Landbank Corporation
100 Veterans Memorial Highway
Hauppauge, NY 11788

CONTRACTOR IDENTIFICATION

Firm _____ Fed ID No. _____
Address _____
City, State, Zip _____

PROJECT INFORMATION

Project _____ Contract Amount \$ _____
Contract Number _____
Work Description _____ MBE Goal Status: Over _____ Under _____
Contractor Goals: MBE \$ _____ WBE \$ _____ WBE Goal Status: Over _____ Under _____

MINORITY - AND WOMEN-OWNED BUSINESS BID AND CONTRACT ACTIVITY SUMMARY

If additional summary space is required, use Continuation Sheet.

Continuation Sheet Used? No Yes

Firm Name _____ Value of Proposal/Bid Reviewed or Award \$ _____
Addr _____ Date of Award, Pending or Eliminated Action _____
Addr _____ Contract Status: Awarded _____ Pending _____ Eliminated _____
Work Description _____ Type of Firm: MBE _____ WBE _____

Firm Name _____ Value of Proposal/Bid Reviewed or Award \$ _____
Addr _____ Date of Award, Pending or Eliminated Action _____
Addr _____ Contract Status: Awarded _____ Pending _____ Eliminated _____
Work Description _____ Type of Firm: MBE _____ WBE _____

Firm Name _____ Value of Proposal/Bid Reviewed or Award \$ _____
Addr _____ Date of Award, Pending or Eliminated Action _____
Addr _____ Contract Status: Awarded _____ Pending _____ Eliminated _____
Work Description _____ Type of Firm: MBE _____ WBE _____

Firm Name _____ Value of Proposal/Bid Reviewed or Award \$ _____
Addr _____ Date of Award, Pending or Eliminated Action _____
Addr _____ Contract Status: Awarded _____ Pending _____ Eliminated _____
Work Description _____ Type of Firm: MBE _____ WBE _____

Firm Name _____ Value of Proposal/Bid Reviewed or Award \$ _____
Addr _____ Date of Award, Pending or Eliminated Action _____
Addr _____ Contract Status: Awarded _____ Pending _____ Eliminated _____
Work Description _____ Type of Firm: MBE _____ WBE _____

Type Name of Principal or Officer

Type Title of Principal or Officer

Signature of Principal or Officer

Date

CONTRACTOR'S MWBE UTILIZATION COMPLIANCE REPORT
ACTIVITY SUMMARY WITH
MINORITY - WOMEN-OWNED BUSINESS ENTERPRISES
(CONTINUATION SHEET)

CONTRACTOR _____

PROJECT _____

Firm Name _____ Value of Proposal/Bid Reviewed or Award \$ _____
Addr _____ Date of Award, Pending or Eliminated Action _____
Addr _____ Contract Status: Awarded _____ Pending _____ Eliminated _____
Work Description _____ Type of Firm: MBE _____ WBE _____

Firm Name _____ Value of Proposal/Bid Reviewed or Award \$ _____
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Work Description _____ Type of Firm: MBE _____ WBE _____

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Addr _____ Date of Award, Pending or Eliminated Action _____
Addr _____ Contract Status: Awarded _____ Pending _____ Eliminated _____
Work Description _____ Type of Firm: MBE _____ WBE _____