TOWN OF BRISTOL

LOCAL LAW #3 OF THE YEAR 2014

A LOCAL LAW TO PERMIT BEST VALUE CONTRACTS

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BRISTOL.

Section 1. **Legislative Intent.**

New York State General Municipal Law 103 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. Section 103 was amended to provide that by enacting a Local Law so providing, towns 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 the New York State Finance Law 163, to a responsive and responsible bidder or offerer. The Town Board hereby determines that it is in the best interest of the Town of Bristol and its residents for the Town to have the authority to award purchase contracts on the basis of best value.

Section 2. **Best Value Contracts.**

In addition to the other manners of awarding contracts provided in the New York State General Municipal Law section 103 and the Town of Bristol Procurement Policy , the Tow of Bristol 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 New York State labor Law on the basis of best value, as that term is defined in 163 of the New York State finance Law, to a responsive and responsible bidder or offerer in the manner provided by 103 of the New York State General Municipal Law.

Section 3. **Authority.**

This Local Law is enacted pursuant to the authority of the Municipal Home Rule Law and the General Municipal Law 103 (1).

Section 4. **Severability.**

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

Section 5. **Effective Date.**

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF Bristol OF LOCAL LAW NO. ___ OF 2014 ENTITLED "A LOCAL LAW TO PERMIT BEST VALUE CONTRACTS"

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Bristol for a public hearing to be held by said Town Board on _____, 2014, at 7:00 p.m. at Bristol Town Hall, 6740 Cnty. Rd. #32 Bristol, New York, to hear all interested parties on a proposed Local Law entitled, "A Local Law Permitting Best Value Contracts"; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Bristol, on _____, 2014 and other notices required to give by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on _____, 2014, at 7:00 p.m. at the Bristol Town Hall, 6740 Cnty. Rd. 32 Bristol, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Bristol, after due deliberation, finds it in the best interest of the Town of Bristol to adopt said Local Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Bristol hereby adopts said Local Law No. ____ of 2014, entitled "A Local Law Permitting Best Value Contracts", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Bristol, and to give due notice of the adoption of said local law to the Secretary of State of New York.

I, Sharon Miller, Town Clerk of the Town of Bristol do hereby certify that the Town Board of the Town of Bristol, on _____, 2014 adopted the aforementioned resolution by the following vote:

	Ave	Nay
Robert Green	_____	
Bruce Harter	_____	_____
Tom Stevens	_____	_____
Al Favro	_____	_____
Dave Parsons	_____	_____

Dated: _____, 2014

_____
Sharon Miller, Town Clerk

SEAL