



Legislative & Government Affairs Committee

Wednesday, February 7, 2024 2PM
40 McMaster Street, Ballston Spa, NY

Chair: Jean Raymond

Members: Eric Connolly, Ed Kinowski, Bill Peck, Kevin Tollisen

Agenda

- I. Welcome and Attendance
- II. Approval of the minutes of the June 7, 2023 meeting
- III. Appointment of Vice-Chair
- IV. Adopting the 2024 Saratoga County Legislative Agenda – Ridge Harris, County Administrator's Office
- V. Amending the Policies and Procedures manual to revise the County's purchasing procedures, and regulations for contracts and spending – John Warnt, Central Services
- VI. Other Business
- VII. Adjournment



SARATOGA COUNTY AGENDA ITEM REQUEST

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
George Conway, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warnt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Audra Hedden, County Administrator's Office
Samantha Kupferman, County Attorney's Office

DEPARTMENT: County Administrator

DATE: 2.1.24

COMMITTEE: Legislative & Government Affairs

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

Adopting the 2024 Saratoga County Legislative Agenda

3. Specific Details on what the resolution will authorize:

The Resolution will adopt the attached legislative agenda and authorize it's distribution to state and federal officials representing Saratoga County residents.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted Yes

4. Is a Budget Amendment needed: YES or NO
If yes, budget lines and impact must be provided.
Any budget amendments must have equal and offsetting entries.

County Administrator's Office
Consulted Yes

Please see attachments for impacted budget lines.
(Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount
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Expense

Account Number	Account Name	Amount
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Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

No Budget Impact

- a. G/L line impacted
- b. Budget year impacted
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted

7. Does this item require the awarding of a contract: Y N

a. Type of Solicitation

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department? Y N N/A

d. Vendor information (including contact name):

e. Is the vendor/contractor an LLC, PLLC, or partnership:

f. State of vendor/contractor organization:

g. Commencement date of contract term:

h. Termination of contract date:

i. Contract renewal date and term:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Purchasing Office Consulted

County Administrator's Office
Consulted **Yes**

8. Is a grant being accepted: YES or NO
- a. Source of grant funding:
 - b. Agency granting funds:
 - c. Amount of grant:
 - d. Purpose grant will be used for:
 - e. Equipment and/or services being purchased with the grant:
 - f. Time period grant covers:
 - g. Amount of county matching funds:
 - h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Information summary memo
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other NYSAC Legislative Agenda

10. Remarks:

Also included for reference is the New York State Association of Counties 2024 Legislative Agenda.

2024 Saratoga County Legislative Program

Saratoga County is recognized as a statewide leader in the areas of economic opportunity and growth, public health and safety, history and cultural tourism, fiscal responsibility, and overall quality of life. These achievements are celebrated despite the sometimes burdensome and restrictive policies and mandates from State and Federal government.

It is the responsibility of the Board of Supervisors to collectively advocate for policies and initiatives that benefit residents of Saratoga County, while also speaking out against harmful, non-productive, or restrictive policies that limit the rights of residents, or usurp the decision making authority of government.

The 2024 Legislative Program of the Saratoga County Board of Supervisors summarizes requested legislative action by state and federal officials, while also identifying important priorities and initiatives for consideration at state and federal levels.

STATE

Finance and Taxes

- **Reform In-Rem Tax Foreclosure Process** – United States Supreme Court decision in Tyler v. Hennepin County, MN called into question the constitutionality of the current tax foreclosure process used in municipalities around the state. The enactment of new processes and reforms that comply with the Tyler decision are necessary, and are a matter of urgency for municipalities, in order to get delinquent parcels back on the tax rolls. Any proposal should include provisions that direct surplus monies be subject to an interpleader proceeding.
- **Restore pass-through of Federal eFMAP funding** – This funding was included as part of the Affordable Care Act and is intended to be passed through the state to counties. In 2023, the State diverted these funds and held them, creating budget challenges.
- **Authorize Sales Tax Collections for the “Gig Economy”** – Saratoga County has a bustling home rental industry where vacationers use platforms like AirBnB and VRBO to schedule their stay. Currently, no sales tax is collected on these transactions.
- **Continue to Fund increased rate for 18-B attorneys** – in 2023, the State doubled the hourly rate for 18-B attorneys paid through each county’s Assigned Counsel Program. The State is currently funding a portion of those increases and should continue to do so, along with any other state mandated increases, in the future.
- **Increase State Contribution to Community College** - The State’s reduction in community college tuition is driven by enrollment but fails to consider the rising costs of tuition. Historically, funding for community colleges was designed to be a three-way split between the State, counties, and students. Initially, the State offered financial support of 40% to encourage counties to develop campuses. This state commitment was later changed to “up to” 40%. Even with an increase in the per student rate, dropping enrollment can mean less state support for individual campuses and could ultimately lead to increased chargeback between counties based on the current chargeback

methodology. State funding is currently well below the one-third promised and far short of 40%.

- **Allocate State Funding for Judicial Chamber construction** – The state has approved the creation of dozens of new judicial positions across the state, including one new Family Court Judge post in Saratoga County. The State should establish a Capital Facilities Fund accessible to Counties to accommodate the expansion or construction of court facilities necessary to accommodate the increased number of judges and staff.
- **Enact “No New Unfunded Mandates” Legislation** - While counties are constrained from raising revenue by the tax cap, the State is free to enact new unfunded mandates and shift more costs on local governments for existing mandates with impunity. In 2024, all of the County property tax revenue will be consumed by unfunded mandates. Especially in this time of fiscal stress it is imperative that the State does not apply additional weight to local government’s already hefty fiscal burden.

Public Safety

- **Support S.5000/A.4077 to allow EMS agencies to exceed the tax cap restrictions.** EMS agencies that serve the growing communities of Saratoga County are hamstrung by the state tax cap calculations. By lifting these restrictions, EMS agencies can grow their budgets at a rate comparable to the increasing demand for services and population growth.
- **Repeal certain provisions of the Concealed Carry Improvement Act.** This act imposes fees for background checks on the purchases of firearms and ammunition. In December 2023, this Board of Supervisors passed Resolution 331, advocating for the repeal of this fee provision.
- **Support Investments in Crisis Intervention Team Training.** The proposed state budget includes funds to expand CIT Training. This will provide additional assistance and resources to residents who come into contact with law enforcement and may be in need of mental health services.

Health and Human Services

- **Reforming the process by which Children with Special Needs are transported** – The County is responsible for the transportation of Children with Special Needs to early intervention and preschool programs. School Districts currently have transportation infrastructure in place, and should assume this role. Saratoga County is willing to partner with the State, school districts, regional BOCES to help offset costs to the school districts.
- **Continue administrative and financial support for County’s efforts to transition to a full-service Health Department** – The state has been a good partner in the County’s effort to facilitate the transition of the of the County’s Public Health Services to a full scale local department of Health. We urge the state to continue to provide technical assistance and increase their funding allocation to ensure the smooth and timely transition of state responsibilities to the County department.
- **Housing and Safety Net Assistance.** Many communities in New York State are experiencing challenges with housing availability, and Saratoga County is no different. There are several Mandated programs that are administered through the Department of Social Services that have seen steep declines in state support. These programs are meant to lift people out of poverty, but instead can sometimes create circumstances that keep people reliant on them. We request:
 - **Restoration of the State Safety net Assistance share from 29% back to 50%**

- **Restoration of the State share of administration for Safety net Assistance and Supplementation Nutrition Assistance Program (SNAP) from 0% back to 50%.**
- **Create a calculation for Code Blue Allocation that utilizes more current data and identifies future needs.**
- **Commit multi-year funding for child care programming.** Low-income residents may be eligible for child care programs funded by the state. However, the funding fluctuates and providers have limited space creating a “waitlist.” More certainty in funding is one solution that would benefit parents and child care providers.

Economic Development

- **Support Expansion of Cellular Service** – The County supports and encourages increased efforts by the state to enhance cell coverage throughout Saratoga County. Additionally, the County Adopted Resolution 330-2023 calling on the State to designation a point person to lead the state’s effort to enhance cellular coverage through the Empire State Development Agency.
- **Support legislative efforts to increase Snowmobile Registration Fee and enhance the State grant program** - This Board of Supervisors adopted Resolution 135-2022 in support of Then Assembly Bill A7747, which has been renumbered to A218 in 2024, to increase fees for the registration of snowmobiles by New York residents and non-residents who are not members of snowmobile clubs. The increased fee revenue will be dedicated to a grant program used specifically for snowmobile trail development and maintenance. The county recognizes the economic impact of snowmobiles on local businesses and supports state investments in the trail network to attract more users to Saratoga County.
- **Expand Broadband Access and Enhance Funding for projects** – The County supports the expansion of Broadband throughout the county, especially the more rural areas, and calls on the state to dedicate appropriate levels of funding to support these expansion efforts. Eligible uses for this funding should include the research and development phase of projects as well as implementation.

Workforce Development

- **Reform Civil Service Process and Modernize the Civil Service Law** -The State Civil Service process and system needs to be updated in order to make County jobs more competitive with private sector industry.
- **Extend the Hiring for Emergency Limited Placement (HELP) Program.** The HELP Program removed civil service exam requirements for several titles used by the county. The expansion of this program would expedite the hiring process while still attracting qualified candidates for the positions.
- **Support recruitment and retention programs that benefit the County Workforce.** The proposed state budget includes funding to recruit and retain people in the mental health workforce and would establish a loan forgiveness program for those serving as mental health clinicians for children.
- **Establish a Integrated Data System for Workforce Development.** An integrated data system will be an asset to the County’s Workforce Development Department, as it will streamline communications between the county, state agencies, training providers, employers and others in the workforce development efforts.

General Government Services

- **Appropriately Fund the American Revolution 250th Anniversary Celebration** – As our Nation moves closer to celebrating our 250th Anniversary, New York needs to both complete the appointments to the Statewide 250th Commission, and also appropriately fund this effort to promote the central role that the State played in our war for independence. Other states including Virginia, Massachusetts, and New Jersey have already funded their 250th efforts with millions of dollars to develop programming and preparations for a large heritage tourism and educational opportunity.
- **Repeal Even-Year Election Bill** – The recently adopted law to move certain local elections to even-years is an infringement on local government’s home rule authority and presents significant questions regarding legality and constitutionality of said law. Additionally, it does nothing to decrease election costs, as touted by bill sponsors, but only drowns out local issues during state and national office election cycles.
- **Support Local Municipal Control to Determine Hours of Retail Sale of Alcoholic Beverages** - Currently, New York State’s Alcohol Beverage and Control Laws provide counties with an opportunity to submit a request to the State Liquor Authority to restrict hours of sale of alcoholic beverages on a county-wide basis. The Board supports a change to this law to allow for both local municipalities to make requests directly to the State Liquor Authority, and for the State Liquor Authority to determine hours of retail sale of alcoholic beverages based on municipality without requiring county-wide actions and restricting sales in a neighboring town, city, or village.

Federal Priorities Supported by the Saratoga County

- **Provide Funding for 250th American Revolution Anniversary events directly to County Commissions**

There is perhaps no more important battle in the American Revolution than the Battles of Saratoga in the Fall of 1777. The Patriot victory is known as the Turning Point of the American Revolution and convinced the French to become our nation’s first ally.

The Semiquincentennial Commission and the America250 organization have funding appropriated to support communities throughout the United State who are engaging in efforts to celebrate this anniversary.

Communities like Saratoga County are uniquely positioned to execute the goals of the America250 program on a local and regional level. Because New York State has not yet established its own Commission to commemorate the Semiquincentennial, Saratoga is at a disadvantage to secure federal money for important projects meant to boost heritage tourism, education, and preservation.

We request that County 250th Anniversary Commissions. Established by the county governments, be able to directly apply for and access Federal Funding designated projects related to the Semiquincentennial . Learn more about Saratoga’s efforts at Saratoga250.com
- **Amplify the unique county role in the intergovernmental system and federal policymaking**

County governments are instrumental partners in our nation's intergovernmental system, which balances, divides and shares power and responsibilities between all levels of government. Uniquely positioned to implement and administer policies and investments at the local level, Saratoga County supports meaningful and consistent engagement between intergovernmental partners, and efforts that recognize and respect the unique roles and responsibilities of counties. Saratoga County supports bills that will reduce the regulatory burden of unfunded federal mandates on the public, increase transparency, foster intergovernmental dialogue and unite all levels of government in supporting our system of federalism.

- **Pass a bipartisan farm bill with the inclusion of county priorities**

The Farm Bill authorizes key programs that help counties make critical investments in infrastructure, economic development, workforce training, nutrition and conservation within some of our nation's most underserved communities. Preserving and expanding these programs is vital to the continued prosperity of both urban and rural counties and the residents we serve. With the current legislation set to expire on September 30, 2024, counties will continue to work with our federal partners to ensure that a five-year, bipartisan Farm Bill that includes key county priorities is signed into law in 2024.

Saratoga County supports full funding for all twelve titles of the Farm Bill. For the 70 percent of America's counties, parishes and boroughs considered rural, the Farm Bill represents a significant opportunity to address acute issues unique to rural America. Programs authorized through the bill help counties strengthen rural infrastructure, deliver essential public services to county residents, protect our nation's food supply, increase access to healthy food for low-income populations through the Supplemental Nutrition Assistance Program (SNAP), and empower locally-led environmental stewardship and conservation initiatives.

- **Promote county priorities and local decision-making in federal rulemaking around land use, environmental quality, and energy development**

Saratoga County supports federal policies that balance environmental, public health and safety and local economic needs. As both regulators and regulated entities, counties are responsible for protecting local air, water and land resources through delegated authority under state and federal laws. For example, counties spend \$23 billion on sewerage and solid waste management per year. Federal regulations and guidelines are more effective if they are clear, understandable and can be easily administered at the local level.

As the U.S. Environmental Protection Agency (EPA) and other federal agencies move forward with future rulemaking, the County supports further federal investments and consistent and meaningful engagement with local government officials. The County additionally supports increased federal funding to support the successful implementation of future rulemakings and urge the EPA to continue to hold meaningful consultation with local governments early in the rulemaking process to reduce the risk of unfunded mandates and other unintended consequences caused by implementing federal policy.

- **Strengthen community resilience through enhanced federal, state and county partnerships for disaster preparedness, response and recovery**

Counties engage in all aspects of emergency management, including planning, preparation, mitigation, response, and recovery. As the frequency and costs of disasters increase, Saratoga County urges Congress and the administration to provide increased federal resources to counties so they can continue to protect our residents, property, infrastructure systems, and local economies. Counties support reforms to FEMA's Public Assistance Program to ensure expedited reimbursement for communities following a disaster.

Furthermore, the delegation supports increased funding for the Emergency Management Grant Program and other mitigation grants to support local hazard mitigation and preparedness.

- **Prioritize and Incentivize Rural Cellular Deployment**

Many areas of New York are either underserved or not served at all by cellular phone carriers, preventing access to education, economic advancement, and emergency services. Americans are increasingly dependent on cellular phones. According to a study released in 2017 by the Center for Disease Control, 50.8% of US households rely solely on cellular phones—up from 24.5% in 2009. The percentage is even higher for young adults (25-29) and renters at 72.7%. Still, many rural areas throughout the United States remain either unserved or underserved by cellular carriers.

Cell phones and the requisite cell coverage are often the first link of our emergency response chain. Americans who live in or travel to these areas cannot reach emergency services when they need them.

The Federal Communications Commission (FCC) designates the Universal Service Administrative Company (USAC) to administer the Universal Service Fund. The USAC established the High-Cost Program to provide funding to telecommunications carriers to deliver service to rural areas where the market alone cannot support the cost to provide telecommunications services.

- **Reform IRS Reporting Requirements for Election Workers**

Across New York State, counties are struggling to recruit and onboard election workers who are critical to the effective administration of elections. Current IRS reporting requirements add to the cost and administrative burden of onboarding these workers, most of whom earn less than \$1000 in a calendar year.

Current IRS regulations require government entities to file a W-2 when a worker earns over \$600 in a calendar year. To be issued a W-2, the election worker must be an employee. If the election worker is an employee, they must file a W-4 when they are hired and be entered into government HR systems, creating an additional administrative burden.

There is a threshold of \$2000 which an election worker must earn in a calendar year before any FICA or income tax is required to be withheld by the IRS. The IRS further stipulates that once they reach \$2,000 employers must go back and calculate withholding from the first dollar.

The County urges the Federal government to reform IRS reporting requirements to stipulate that election workers earning between \$600 and \$2000 submit a Form 1099-MISC. This change would eliminate the need to make those election workers employees and save counties a substantial amount of money, time, and effort along with benefiting the many election workers that are already retired and enable them to collect a full paycheck.

DRAFT



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES

Legislative Program



2024

KEY COUNTY PRIORITIES



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— NEW YORK STATE —
ASSOCIATION OF COUNTIES

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Top County Priorities for the 2024 Legislative Session and SFY 25 Budget



Reconcile with Counties for Outstanding Federal Medicaid Funding

Since SFY 2016-17, the State of New York has withheld millions of dollars in the Affordable Care Act and now Family First Coronavirus Relief Act (FFCRA) enhanced FMAP funding. Historically, the State has reconciled county Medicaid contributions at the end of each fiscal year, returning additional federal dollars owed to counties. We are asking the state to establish a strategic fund for these eFMAP reconciliations.



Reform the In-Rem Tax Foreclosure Process

- Enact reforms to the in-rem tax foreclosure process to comply with the *Tyler v. Hennepin County, MN (2023) Supreme Court decision*.
- Support S.1634-A (Kavanagh) / A.4026 (Rosenthal) to allow local land banks to bring abandoned properties into productive use.



Reform the Public Safety Surcharges & Invest in 9-1-1 Communications

- Support S.4560 (Martinez) / A.6290 (Jean-Pierre) to increase the statewide interoperable communications grant (SICG) and public safety answering points (PSAP) grants by \$25 million and \$30 million, respectively, to provide needed support for implementing next generation 9-1-1 (NG911) technology and continuity of emergency dispatching services.
- Support S.4583-A (Martinez) / A.5942-A (Jean-Pierre) to use a portion of the 9-1-1 surcharge revenue to fully fund and deploy a statewide ESInet and related infrastructure for NG911 technologies.



Authorize Sales Tax Collections for the Gig Economy

- Support S.885 (Hinchey)/A.4130-a (Fahy) to authorize gig economy industries, such as VRBO, AirBnB, and other vacation and home rental agencies to collect sales tax (outside of New York City).



Provide a Funding Model to Save the EMS System

- Support S.4020-A (Mayer) / A.3392-A (Otis) to provide our EMS partners with the resources they need.
- Support S.5000 (May) / A.4077 (Lupardo) to exempt EMS funding from the tax cap calculation.
- Support S.6630 (Mannion) / A.6274 (Barrett) to allow volunteer firefighters and ambulance workers to claim both state income and local property tax credits.
- Provide funding to cover 100% of the cost of EMT and AEMT training and state certification for volunteers.
- Support S.5122 (Rivera) / A.5133 (McDonald) to create a Uniform Ambulance Assessment Program, generating additional federal Medicaid funding for non-government EMS providers.
- Support legislation to reimburse EMS agencies for services delivered at a patient's residence and for transportation to an alternative healthcare setting such as an urgent care facility.



Children with Special Needs

Counties play a vital role in supporting children with special needs, running all Early Intervention (EI) services through local health departments (LHDs) or Youth Bureaus and funding preschool special education programs to ensure that all children who need preschool special education receive it at no cost to their families.

RECOMMENDATIONS

- Allow speech-language pathologist assistants and aides to practice via license, registration, or certification in New York’s early intervention program to expand capacity for children in need of services.
- Provide equal access to Universal Prekindergarten (UPK) special education students the same as traditional education students. The state created Universal Prekindergarten under the promise that it would fully fund this program at state expense. While the state has made substantial progress in expanding UPK, too often special education students are still being taught in segregated settings and funded under an antiquated system that requires counties and New York City to pay 40 percent of these program costs.
- Reform the way we transport children with special needs who attend early intervention and preschool center-based programming. Counties are experiencing significant increases in both early intervention and preschool special education transportation costs. School districts and regional BOCES should be required to transport these children, as they already have the infrastructure in place and are transporting their peers to local school programs. Counties are willing to partner with the state and school districts or regional BOCES to help pay for the transportation of these students to avoid a negative financial impact on school districts.
- Fund incentives to become special educators. As part of the SFY 25 Budget, the Governor should allocate funding for incentives to encourage students to consider speech, occupational or physical therapy, and other special education fields.
- Increase the administrative cost reimbursement rate for counties to equal the administrative reimbursement rate paid to school districts for their students.





Community Colleges & Higher Education



Counties create, sponsor, and fund community colleges, while also paying a share of their residents' community college tuition. In recent years, the state has reduced its contribution to community college funding below its historic commitment of at least one-third. The state is also required to reimburse counties for Fashion Institute of Technology (FIT) chargebacks but has not provided the necessary appropriations to comply with this state law requirement.

RECOMMENDATIONS



- Set the base state aid formula allocation for each community college to 100% of the prior year or increase \$100 per FTE, whichever is greater.
- Modify the institutional classification of the Fashion Institute of Technology (FIT) from a community college to a regular SUNY university or otherwise ensure 100% state reimbursement to counties for students attending FIT for 4- and 6-year degrees.
 - If the state deems it impossible to fully fund the FIT requirement, it should consider an interim step of fully funding FIT chargebacks to counties related to all educational instruction provided after two years, or the completion of an associate degree (i.e. coursework necessary for a 4-year and/or master's degree).
- Increase the state share for community college base aid to 40% of a school's operating budget. The lack of sufficient state fiscal support has required counties to pay more through increased chargeback rates and forced students to pay higher tuition and fees.





Economic Development & Agriculture

60-hour Overtime Threshold for Farm Workers

The Farm Laborers Wage Board is charged with making a recommendation on whether to reduce the current 60-hour overtime threshold for farm workers to 40 hours. In January 2022, after numerous public hearings on the issue that included testimony from farmers, farm workers, and industry stakeholders, the Wage Board recommended lowering the threshold.

RECOMMENDATIONS

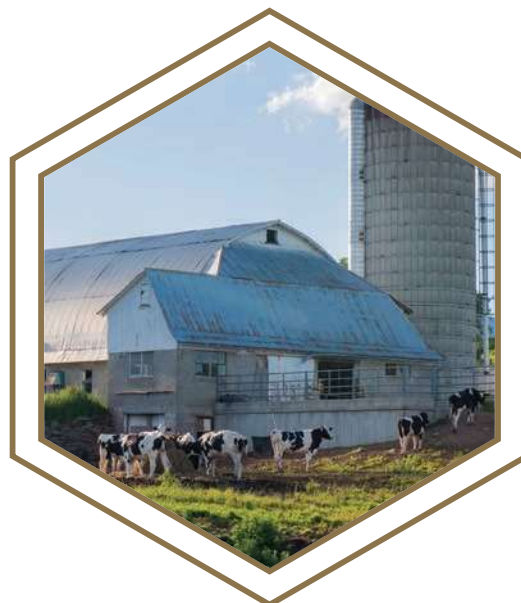
- Counties oppose any decrease to the 60-hour farm worker overtime threshold adopted by the Farm Laborers Wage Board and the NYS Department of Labor.
- Repeal section 674-a of the Labor Law relating to establishing the Farm Laborers Wage Board, thereby eliminating the three-member board.

Deploy ConnectALL Funds & Expand Access to Cellular Service

On October 27, 2020, the Federal Communications Commission adopted a report establishing the 5G Fund for Rural America, which will make up to \$9 billion available to bring 5G mobile broadband service to rural areas. The 5G Fund will help ensure that rural Americans enjoy the same benefits from our increasingly digital economy as their urban counterparts and will include a special focus on deployments that support precision agriculture.

RECOMMENDATIONS

- Enact A.30 (Woerner) / S.26 (Stec), the “Wireless Broadband Eligible Facility Permitting Act”, to ensure New York State is ready to rapidly deploy ConnectALL and 5G for Rural America funds.
- Mandate providers build out middle-mile and final-mile broadband infrastructure before obtaining ConnectALL grant funding.





Environment

Counties play an important role in preserving and protecting the environment. From protecting our drinking water to promoting recycling and climate resiliency, counties across New York State are acting locally to have an impact globally.

In the face of global recycling market volatility that has caused unsustainable cost increases, additional state support is needed to maintain recycling programs. Additional support is also needed to fortify our state's water infrastructure.



RECOMMENDATIONS

- Expand the Bottle Bill to include additional glass containers—including liquor, wine, and iced tea bottles—to increase recovery and recycling rates and improve curbside recycling quality.
- Reject adding additional plastic and aluminum containers to the Bottle Bill, as this would remove over \$10 million in value from curbside bins that are used to offset the cost of local recycling programs.
- Enact S.4246-A (Harckham)/A.5322-A (Glick), to help address skyrocketing costs by establishing an extended producer responsibility (EPR) program for paper and packaging.
- Establish a Safe Water Infrastructure Program, S.4350-A (Hinchey) / A.6155 (Gunther), to offer assistance to local governments for drinking water, stormwater, and sanitary sewer infrastructure. The bill would require the State Department of Environmental Conservation to invest at least the same annual amount in local water infrastructure projects as is invested in local CHIPS projects.
- Enact S.1650 (Holman)/A.5979 (Burdick), to provide all New Yorkers with information on the quality of their drinking water.





Gaming

Making Municipalities Whole for Lost Gaming Revenue

Several counties that are entitled to revenue from the state’s agreement with the St. Regis Mohawk Tribe have not received payments since the last quarter of 2019.

RECOMMENDATIONS

- Immediately make municipalities whole for funding that is being withheld by the state.

Commercial Gaming Tax Reduction Impact Appropriation

The 2022 State Budget lowered the tax rate on commercial casinos to support the industry, jobs, and economic activity they provide to communities. Coupled with this tax break, the budget included a one-time \$7 million appropriation to hold counties harmless for the resulting decrease in shared tax revenue. This appropriation was raised to \$10 million in the SFY 23 Budget.

RECOMMENDATIONS

- Make a permanent annual appropriation of \$15 million to offset any local funding decrease that results from the state’s private casino tax reduction.





General Government & Shared Services

Intergovernmental Affairs & Shared Services

Counties have long used shared services and consolidating functions as primary tools to improve local government efficiency. Over the last several years, the state has enacted a variety of shared services initiatives to encourage more consolidation and service sharing at the local level. In the SFY 2017-18 Budget, state lawmakers enacted the Countywide Shared Services Initiative (CWSSI), which required county leaders to convene meetings with other local government leaders to develop new shared services and consolidation proposals designed to save local tax dollars. The final budget included \$225 million in state matching funds for shared services.



While counties continue to pursue expanded shared services, it remains a challenge to develop plans and meet the requirements to draw down state matching funds for the savings generated from these projects. The CWSSI program has been extended until 2025.

RECOMMENDATIONS

- Adjust property tax cap provisions that work against local shared services and consolidations.
- Allow a portion (up to 25%) of the CWSSI program funding to be used for plan development and implementation.
- Enact S.3554 (Breslin)/A.4412 (Steck) to ease the creation of local government health insurance consortia under Article 47 of the Insurance Law.
- Require the DOS to issue an interim report of the projects that have been completed and have met the criteria for state-matching funds from local savings.
- Provide funding for a dedicated, full-time FOIL Officer in each county to assist with FOIL compliance.
- Provide county boards of elections with more flexibility when identifying and operating early voting polling sites.
- Provide \$20 million in state operating aid and \$15 million in recurring state capital aid to counties to help administer federal, state, and local elections.
- Commit to the long-term funding of endpoint detection and response solutions for local governments.



Human Services

Counties play a critical role in providing residents with human services by funding and/or administering nearly all state and federal health and human service mandates.

RECOMMENDATIONS

- Increase state aid to counties for preventative child protective services by enacting S.5326 (Brisport) / A.2807 (Hevesi).
- Remedy the adoption cost shift to counties contained in SFY 23 State Budget by reimbursing counties a minimum of \$200 million to comply with this expanded mandate.
- Make permanent housing the central focus of state homelessness prevention goals. A key component should target supportive housing overseen by OMH, OASAS, DOH, and OPWDD to prevent homelessness and quickly re-house people who become homeless.
- Fully fund the costs of any services the state continues to make counties provide when the federal government ends its federal financial support.
- Restore county authority to audit individuals applying for Medicaid and other social service programs to ensure program integrity and that clients are not inappropriately made eligible for these programs.
- Restore Safety Net state matching funds to a 50/50 state and local match.
- Restore open-ended child welfare funding to 65% state share.
- Restore the state's participation in child support administration.
- Restore SNAP administration reimbursement.
- Lower county and New York City statutory Medicaid caps to reflect current payments and savings provided by the Affordable Care Act.
- Require NYSDOH to:
 - Implement the Community First Choice Option, (not the local districts),
 - Pursue collection and litigation for spousal refusal versus the LDSS,
 - Pursue the Right of Election, and
 - Take over cases where Medicaid incorrectly paid the provider.
- Enact a 50-50 recovery partnership between counties and the state (through OMIG) to conduct retroactive and prospective reviews of county incarceration files to ensure Medicaid-managed care companies were not inappropriately reimbursed for monthly premiums while an individual was in the county jail.
- Eliminate the issuance of home relief to those who have exhausted their 60-month limit on TANF.



Judiciary

Judicial Funding

In 2021, state leaders created an additional 14 Supreme Court judgeships. The Office of Court Administration (OCA) estimated this would cost counties \$14 million to provide facilities and judicial chambers for these new judges.

In 2022, Governor Hochul signed legislation creating another 14 Supreme Court judgeships and seven more family court judgeships. OCA estimates this will cost counties \$21 million for judicial chamber construction.



RECOMMENDATIONS

Allocate \$50 million to offset the capital costs of increasing the number of Supreme Court judges.

- Fully fund the mandated DA salary increase as part of the 2023-24 State Budget and thereafter, including a one-time appropriation for the retroactive salary increase that has not been funded to date.
- Fully fund parental representation in child welfare proceedings.

Judgement Interest Rates

When appealing a civil case judgment, the appealing party is exposed to paying interest on the lower court settlement ruling while awaiting the higher court determination. Judgment interest rates, set by New York law, are the highest in the nation, currently fixed at nine percent. Appeals can take multiple years to be heard, which costs counties and the State millions of dollars while waiting for a ruling. Most states and the federal government link their judgment interest rates to federal interest rates.

Changing New York’s judgment interest rate to match or reflect the current federal rates is an equitable commonsense approach and will save state taxpayer dollars.

RECOMMENDATIONS

- Lower court judgment interest rates by enacting S.3250 (Sanders) / A.5016 (McDonald) (2021).



Local Finance & Tax Relief

Nearly 10 years ago, New York State mandated that local governments adhere to a property tax cap of two percent or the rate of inflation, whichever is lower. At the time, the state promised a robust package of mandate reforms that would help local governments stay under the tax cap. While state leaders did cap county Medicaid costs and implement a new pension tier to slow the growth in state-mandated costs, dozens of more mandates were not addressed, and others were added.

In recent years, the state has begun to unlearn the lessons of the past and returned to the practice of shifting the costs associated with state mandates onto county governments.



RECOMMENDATIONS

- Require all state legislation to include a statement of fiscal impact affecting local governments as outlined in S.5966 (Harckham) / A.305 (Burdick).
- Grant counties sales tax permanency at their existing rates and authorize all counties to raise sales tax rates to 4% as outlined in Part O of S.4009/A.3009 (2023), Part U of S.8009/A.9009 (2022), and Part L of S.2509/A.3009 (2021).
- Allow counties to set other home rule revenue tax rates up to the most common rate existing in other counties across the state without state legislative approval. This would include, but not be limited to, mortgage recording taxes, occupancy taxes, real estate transfer taxes, etc.
- Authorize gig economy industries, such as VRBO, AirBnB, and other vacation and home rental agencies, to collect sales tax (outside of New York City), by enacting S.885-B / A.4130-A (Fahy).
- Eliminate the use of “dark store theory” as a way to lower property tax assessments and create a task force to identify solutions.
- Grant counties the authority to be included in the state’s debt set-off program for any outstanding debt totaling \$50 or more.
- Enact “No New Unfunded Mandates” legislation.
- Cap current state-mandated costs at a rate that does not exceed the state-imposed property tax cap.
- Allow reserve funds to be used for public health and safety emergencies, and update tax stabilization reserve fund provisions.



Medicaid

The state has long acknowledged that requiring counties and New York City to pay for a share of Medicaid and a wide variety of other state social services programs increases local taxes to levels that far exceed the norm in other states.

At \$7.6 billion, the counties of New York are mandated to pay more for Medicaid than all the remaining counties in the country combined. This places New York State at a dramatic disadvantage to other states in terms of affordability and attractiveness to business.



RECOMMENDATIONS

- Finalize unfinished Medicaid Federal Medicaid Assistance Percentage (eFMAP) Affordable Care Act reconciliations for state fiscal years 2017-2023 and COVID eFMAP reconciliations for 2020-2023.
- Fully fund the foster care rate increases included in the SFY 2023 Budget. Initial estimates of new costs upon full implementation are \$117 million for New York City and \$83 million for the 57 counties.
- Preserve the county Medicaid cap to ensure counties have the resources to provide local health and human services and reduce pressure on property taxes.
- Provide fiscal resources and incentives to address the severe deficit of qualified home healthcare professionals in many areas of New York. These incentives should include:
 - career ladders,
 - assistance with transportation (car loan forgiveness) or bus passes,
 - a traveling per diem staff pool,
 - assistance with childcare,
 - job sharing,
 - career milestone incentives, and
 - standardizing language and communication needs.
- Coordinate a timely transition to supportive housing for the highest need individuals with mental health and substance abuse issues in collaboration with OTDA, other state agencies, and local social services districts, especially those that have been repeatedly homeless and in need of supportive placements overseen by OMH, OASAS, OPWDD and DOCCS.
- Lower county and New York City statutory Medicaid caps to reflect current payments and savings provided by the Affordable Care Act.
- Complete the takeover of the administration of the Medicaid program from local districts as required under state law. Counties have downsized their Medicaid administrative operations as part of the process to date, but the state continues to add more responsibilities to counties for most complex parts of the Medicaid.



Public Employee/Personnel

Scaffold Law/ Wicks Law Reform

Both the “Scaffold Law” (Labor Law §240 and §241) and “Wicks Law” (General Municipal Law §101) are outdated and unnecessarily raise construction costs for municipalities.

RECOMMENDATIONS

- Reform Scaffold Law to include a pure standard of comparative negligence (S.1703 (Gallivan) 2021).
- Reform the NYS Wicks Law by raising current thresholds to at least \$5 million for all entities currently subject to limits to adjust for inflation.

Modernize Civil Service Law

The State Civil Services system needs to be updated and improved to help county governments compete with the private sector for employees. At the very least, we recommend the following changes to NYS Civil Service Law to allow for greater local government flexibility and quicker response times for hiring needed employees.

RECOMMENDATIONS

- Amend Public Officers Law §3 to allow for home rule authority to set employee residency rules.
- Expand the acceptable zone of “band scoring” of civil service examinations, thereby accessing a larger pool of candidates.
- Pass legislation to disqualify applicants from civil services eligible lists who are inappropriate for a role in law enforcement or corrections as evidenced by a failed background check or psychological examination.
- Expand the acceptable zone of “band scoring” of civil service examinations, allowing access to a larger pool of candidates.
- Eliminate the need for applicants to cross-file in adjacent municipalities to have their test scores counted for the same title in multiple jurisdictions.
- Allow all, or as many as may be practicable, tests to be administered locally.
- Change all or certain subsets of exams to pass/fail. Limiting the ‘reachable’ applicants to the top three based on numeric score continues to be a major issue in certain titles, especially those in public safety where additional background and psychological testing is required.
- Construct reforms that follow county models of success, such as Livingston County’s, “GLOW With Your Hands” initiative to introduce students to hands-on jobs and Monroe County’s RETAIN and Mpower initiatives designed to connect students with in-demand jobs in Monroe County.
- Establish a new exempt class of employees for airport positions.



Public Health

Local health departments are New York State’s partners and operational extensions, addressing public health issues and serving as the first line of local defense against all public health crises. Activities led by the 58 local health departments across New York State are paramount to our collective ability to achieve prevention agenda goals, address health disparities, improve health outcomes, and ensure community safety and stability.



RECOMMENDATIONS

- Enact S.1531 (Hoylman) / A.7154 (McDonald) to require healthcare providers to enter adult immunizations into the New York State Immunization Information System (NYSIIS)/Citywide Immunization Registry (CIR).
- Strengthen statutory language prohibiting the sale of flavor additives for nicotine vapor products, as sellers have found a loophole that allows them to sell flavored products that can be added to vapor products.
- Introduce and pass legislation to require a state system or mechanism for vetting volunteers for public health emergency response.
- Amend subdivision 14 of Cannabis Law Section 77 to ensure that sites that receive on-site consumption licenses are not located on the same premises as sites subject to the Clean Indoor Air Act (CIAA).





Mental Health

Mental Health Competency Restoration

When an individual charged with a crime is found by a court not to understand the charges against them or to be unable to aid in their defense, they are deemed to be incompetent to stand trial. Once this occurs, the defendant is usually sent to a state facility to receive “restoration services” geared to restoring a defendant’s competency to stand trial. A criminal defendant must be restored before the legal process can continue. This process is governed by New York’s Criminal Procedure Law Section 730.

The SFY 21 Enacted Budget included an assumption that required counties to reimburse the state for 100 percent of the costs of competency restoration, at a current cost of approximately \$1000 per day. This policy action resulted in tens of millions of dollars of new expenses for county governments. These expenses are not determinable at the time county budgets are passed and the county mental health department has little to no input concerning the type of services rendered nor the length of time the defendant is to receive such services.

NYSAC, in partnership with the Conference of Local Mental Hygiene Directors (CLMHD), has developed a series of statutory reforms which will help achieve the recommendations as set forth by the Council of State Governments Justice Center.



RECOMMENDATIONS

- Reform the process of Mental Health Competency Restoration by enacting S.1874 (Brouk) / A.5063 (Gunter). This legislation:
 - Clarifies that competency restoration is not the same as mental health treatment,
 - Establishes specific criteria for 730 examiners, streamlining the process to establish equity across the system (CPL § 730.20),
 - Requires that the psychiatrist or psychologist conducting the psychiatric exam tells the court whether there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment (CPL § 730.20),
 - Adjusts the fee for reimbursing psychiatric examiners (CPL § 730.20),
 - Limits the time of restoration services (CPL § 730.50),
 - Allows individuals to be transferred to Article 9 facilities so they can receive actual mental health treatment (MHL § 9.33), and
 - Requires local government units (counties) to reinvest savings from these reforms into community mental health services (MHL § 43.03).



Public Infrastructure & Transportation

Local Roads and Bridges

Locally owned roads and bridges account for 87 percent of the state’s 110,000 miles of roadways and over 50 percent of the state’s 18,000 bridges. Increases in the state’s local road and bridge funding programs are expected to have a positive impact on the condition and resiliency of our transportation systems. Unfortunately, inflation and fuel costs will offset the historic funding levels for CHIPS, PAVE-NY, BRIDGE-NY, and Extreme Winter Recovery enacted in last year’s budget.



RECOMMENDATIONS

- Provide additional funding in the next state transportation budget (SFY 25) for the 5-Year Transportation Capital Plan to account for recent inflation.
- Enact A.426 (Magnarelli) to increase the CHIPS bidding threshold to \$750,000. An increase in the threshold would give localities the flexibility and option to bid out or perform in-house projects under \$750,000.
- Extend design-build authority to counties, allowing local governments to use this method would reduce costs and speed project completion.



Upstate Airports

Regional airports are critical access points to counties and are vital to economic development. The SFY 23 Enacted Budget included \$100 million for a new “Upstate Airport Economic Development and Revitalization Competition” and another \$12.5 million to be allocated through the Aviation Capital Grant Program.

RECOMMENDATIONS

- Build on SFY 23 investment in upstate airports by maintaining a \$250 million appropriation in the SFY 24 Enacted Budget.
- Enact S.2725 (Skoufis) / A.1341 (Lupardo), authorizing DEC to issue enhanced special airport air strike hazard permits to federal or state government employees and other professionals responsible for wildlife management at an airport.



Public Safety

Counties operate and maintain 9-1-1 functions, county jails, road patrol, and public safety functions through their sheriff departments and/or county police forces. These functions make us responsible for implementing many of New York's substantial justice reform initiatives over the past five years, including raising the age of criminal responsibility, reforms to bail, discovery, and speedy trials, gun law reforms, and enhanced orders of protection.

RECOMMENDATIONS

- Enact A.6452 (Solages) / S.396 (Cleare) to expedite the distribution of state aid for the Supervision and Treatment Services for Juveniles Program (STSJP).
- Enact A.1091 (Kelles) / S.1852 (Hinchey) to create a state aid program for emergency medical services (EMS), modeled after the CHIPS program.
- Grant counties the flexibility to create and authorize county-wide EMS taxing districts for underserved communities and exclude this initiative from the property tax cap calculation by enacting S.4020-A (Mayer) / A.3392-A (Otis).
- Establish a \$50 million, 5-year program for counties to address gun violence through youth development programs and services. These grants should provide maximum discretion to counties.
- Enact legislation providing home rule authority to local governments to ban sex offenders in short-term rentals.
- Grant county probation departments the flexibility to quickly make an application for a temporary order of protection as a part of the adjustment process.
- Eliminate the requirement that there be a sentence of conditional discharge or probation for Leandra's Law cases when a defendant has been sentenced to a term of imprisonment.
- Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs, including but not limited to, probation personnel and evidence-based programming associated with the Raise the Age law.
- Reform the Raise the Age law to require the State to develop alternatives to jails and specialized secure detention facilities to house the growing population of 16- and 17-year-old Adolescent Offenders and Juvenile Delinquents and enact .
- Authorize law enforcement agencies to issue appearance tickets instead of a physical arrest when adolescent offenders (AO's) and junior offenders (JO's) are charged with Class D felonies.
- Authorize court consolidation.
- Enact A.3743 (Simpson) / S.2033 (Stec) to allow any county within the state to conduct electronic court appearances for defendants.



Veterans

New York's county governments provide important services for the 676,000 veterans living in our state.

The SFY 23 Budget included an increase in the minimum annual State funding to Veterans' Service Agencies from \$10,000 to \$25,000, as well as \$7.7 million to expand the Joseph P. Dwyer Peer-to-Peer Veterans' Support Program, which provides peer support and counseling services to veterans transitioning from military service to civilian life. While counties applaud these measures, additional action is needed to create long-term sustainability in veteran programming.



RECOMMENDATIONS

- Increase state funding to county veterans' service agencies to a minimum of \$50,000 to help counties hire a part-time veteran service officer to assist in processing benefit claims, link veterans to peer support services, and develop robust Dwyer programs. This \$1,550,000 state investment would amplify the work of county veterans' service across New York.
- Increase the base aid for Joseph P. Dwyer grants to \$185,000 per county. Right now, Dwyer funds are not allocated equally across the state. Increasing the grant to \$185,000 per county would level that playing field. This would result in approximately \$3,585,000 in additional state resources for the Dwyer program.
- Expand the definition of "veteran" to recognize the service of Reserve or National Guard service members who have completed 20 years of service by enacting S.7683 (Thomas) / A.8113 (Jean-Pierre). Those individuals should be treated as veterans and receive access to the same services as those currently designated as a veteran under state law.
- Expand the Veterans Tuition Awards Program (VTAP) to allow the transfer of unused benefits to a spouse, survivor, or child by enacting S.2119 (Bailey) / A.2154 (Dinowitz).
- Create a veteran green energy jobs program to train and link veterans with sustainable, environmentally friendly jobs to meet the goals of the CLCPA. The NYS DOL, SUNY and DVS should partner to create the guidelines and program requirements for a new Veteran Green Energy Workforce Development program.

The United Voice of New York's Counties



New York State Association of Counties



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518-465-1473



SARATOGA COUNTY AGENDA ITEM REQUEST

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
George Conway, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Audra Hedden, County Administrator's Office
Samantha Kupferman, County Attorney's Office

DEPARTMENT: Purchasing

DATE: 1/29/24

COMMITTEE: Legislative & Government Affairs

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

Amending the policies and procedure manual to revise the County's Purchasing Procedures and Regulations for Contracts and Spending

3. Specific Details on what the resolution will authorize:

This resolution will authorize changes to the referenced policy's which on competitive and noncompetitive procurement; update the policy with the proper department name; further define the need for a purchase order for the purchase of certain goods and commodities; to delegate authority for the timely execution of Utility Service Contracts to the County Administrator or the Commissioner of Public Works with approval from the Chair of the Board, the Chair of Law and Finance, and the Chair of the Buildings and Grounds Committee

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
If yes, budget lines and impact must be provided.
Any budget amendments must have equal and offsetting entries.

County Administrator's Office
Consulted **Yes**

Please see attachments for impacted budget lines.
(Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

--

- a. G/L line impacted
- b. Budget year impacted
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted
N/A

7. Does this item require the awarding of a contract: Y N

a. Type of Solicitation

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department? Y N N/A

d. Vendor information (including contact name):

e. Is the vendor/contractor an LLC, PLLC, or partnership:

f. State of vendor/contractor organization:

g. Commencement date of contract term:

h. Termination of contract date:

i. Contract renewal date and term:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Purchasing Office Consulted
Yes

County Administrator's Office
Consulted **NO**

8. Is a grant being accepted: YES or NO
- a. Source of grant funding:
 - b. Agency granting funds:
 - c. Amount of grant:
 - d. Purpose grant will be used for:
 - e. Equipment and/or services being purchased with the grant:
 - f. Time period grant covers:
 - g. Amount of county matching funds:
 - h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Information summary memo
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other Suggested policy changes

10. Remarks:



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION ~~239~~-2020

~~Introduced by Supervisors Pemrick, Kinowski, Kusnierz, Schopf, Tollisen, Winney and Wright~~

AMENDING THE POLICIES AND PROCEDURES MANUAL TO REVISE THE COUNTY’S PURCHASING PROCEDURES, AND REGULATIONS FOR CONTRACTS AND SPENDING

WHEREAS, Resolution 330-82 adopted a manual of Policies and Procedures for the conduct of Saratoga County government; and

WHEREAS, since adoption, the Board of Supervisors has enacted numerous amendments to the Manual; and

WHEREAS, the annual review of the Manual, mandated by General Municipal Law Section 104-b, has disclosed the appropriateness of revisions proposed by the Director of Purchasing, in consultation with the County Administrator, County Attorney and County Auditor, to the County’s Purchasing Procedures and Regulations for Contracts and Spending to provide additional guidance to County Departments: on competitive and noncompetitive procurement; ~~to match current thresholds for the creation of a purchase order; and the use of Federal contracts for certain Information Technology, law enforcement, and disaster recovery purchases~~ update the policy with the proper department name; further define the need for a purchase order for the purchase of certain goods and commodities; to delegate authority for the timely execution of Utility Service Contracts to the County Administrator or the Commissioner of Public Works with approval from the Chair of the Board, the Chair of Law and Finance, and the Chair of the Buildings and Grounds Committee ; and

WHEREAS, copies of the proposed revised Purchasing Procedures and Regulations for Contracts and Spending policies were provided to each member of this Board; and

WHEREAS, the implementation of legislative revisions to the Manual requires the approval of this Board; now, therefore, be it

RESOLVED, that the following sections of the Saratoga County Policies and Procedures Manual are hereby amended as set forth in the policy revisions distributed to this Board:

<u>CHAPTER</u>	<u>SECTION</u>	<u>TITLE</u>	<u>ORIGINALLY ADOPTED</u>	<u>LAST REVISED</u>
2	C	Purchasing Procedures	8/17/82	11/19/2019 05/17/2022
2	H	Regulations for Contracts and Spending	9/20/94	7/16/2019 11/17/2020

and, be it further

RESOLVED, that the Human Resources Department shall distribute copies of these amendments to all County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.



PURCHASING PROCEDURES

Chapter: 2	Title: Purchasing Procedure	
Section: C		Adopted: 08/11/1975
	Resolution: 160-2014	Revised: 07/15/2014
	Resolution: 205-2015	Revised: 10/20/2015
	Resolution: 160-2018	Revised: 06/19/2018
	Resolution: 263-2019	Revised: 11/19/2019
	Resolution: 239-2020	Revised: 11/17/2020
	Resolution: 174-2022	Revised: 05/17/2022
Sponsoring Department: Purchasing		

Section 1. GENERAL PROVISIONS

The Saratoga County Purchasing Department of Central Services, Purchasing Division is charged with the responsibility of purchasing for all County Departments.

If a department requires materials, supplies, or equipment and that department has funds available in the appropriate budget account, a Purchase Requisition shall be submitted to the Purchasing Department Division through the Financial Management Software System along with one valid quote to support the purchase request.

After receipt of an approved requisition the Purchasing Department Division shall solicit remaining price quotations from competent and responsible vendors. The only exception will be "sole source"

items, "Emergencies" (Section 5 of these Procedures) as defined in Subdivision (4) of General Municipal Law §103, items to be procured under State contract, contracts for professional services, purchase subject to competitive bidding, or by "piggy backing" on government contracts awarded in the manner described hereinafter. Any purchase totaling more than \$750.00 shall require a Purchase Order.

Saratoga County may award purchase contracts and service contracts that have been procured pursuant to competitive bidding under General Municipal Law §103 by either the lowest responsible bidder or by best value methodology (Local Law 2 of 2014). The determination of the award will be made in cooperation with the requesting department and the Director of Purchasing. The criteria to be used will be determined in advance and clearly stated in the bid solicitation.

Purchases of goods subject to competitive bidding involve expenditures of more than \$20,000.00 and Public Works contracts for services involving an expenditure of more than \$35,000.00, but exclude purchase contracts necessary for the completion of a Public Works contract pursuant to Article 8 of the State Labor Law and excluding any other contract that may in the future be excluded under state law from the best value option. If the dollar thresholds of General Municipal Law §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. Purchases below the threshold for competitive bidding will be completed utilizing the minimum requirements for quotes as follows:

A. Commodity Purchases/Services Contracts (not to include Professional Services):

Commodities are considered to be materials, supplies or equipment, and certain purchases that also include a service secondary to the commodity, for example catering. In determining if a commodity purchase meets the Competitive Bid requirement, the County shall consider the reasonable expected aggregate amount of all purchase of the same commodity to be made within a twelve month period commencing on the date of the purchase. No purchases shall be artificially split in order to avoid quoting, competitive procurement, or the creation of a Purchase Order. For the purpose of obtaining services, other than Professional Services which are an exemption to the Competitive Bid provision of the New York General Municipal Law, the same requirements will be followed.

Purchase Amount	Purchasing / Department Head Discretion - Single Written Quote	3 Written Quotes	Competitive Bid/ Competitive Contract/RFP
Up to \$2,500	X		
\$2,501 to \$19,999		X	
\$20,000 and Up			X

B. Public Works Project/Sewer District/IT Installation Contracts (not to include Professional Services):

A Public Works/Sewer District/IT Installation Project are considered to be services, labor, or construction and must be reviewed and approved by the Department of Public Works. If a contract involves both the purchase of commodities and service, the total character of the project will be used to determine the appropriate purchase method by the Director of Purchasing. A PRC number will be obtained by from the Department of Labor and a copy of the Prevailing Wage Schedule will be provided to the winning vendor.

Purchase Amount	Purchasing / Department Head Discretion - Single Written Quote	3 Written Quotes	Competitive Bid/ Competitive Contract
Up to \$5,000	X		
\$5,001 to \$34,999		X	
\$35,000 and Up			X

Depending on the type of purchase a Purchase Order, Minor Contract, or Major Contract (see Chapter 2, Section H) must be obtained to finalize the purchase. The inability to obtain the necessary number of quotes will not affect the validity of a particular purchase order; however, a written explanation shall be attached to the affected purchase order by the Director of Purchasing.

For purchase contracts and service contracts that must be procured pursuant to competitive bidding under General Municipal Law §103, in the event that no bids/rfps are received the Director of Purchasing should re-advertise for bids in a manner that provides for broader circulation of the advertisement for bids, if possible. If no bids/rfps are received after re-advertisement, the goods and services may then be procured on the open market.

When utilizing a competitive bid/RFP for procurement it will be the responsibility of the requesting department to provide an adequate description/specification of the commodity or service needed for the preparation of a bid/proposal. The description/specification should be written so as not to restrict competition or otherwise preclude the most economical purchase of the required commodity/service.

Section 2. BEST VALUE

Goods and services procured and awarded on the basis of “best value” are those that Saratoga County determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objective, quantifiable, clearly described, and documented criteria, which may include, but shall not be limited to, any or all of the following:

1. cost of maintenance for good(s) or service(s);
2. features of the offered product or services set forth in detailed specification for the product offered;
3. warranties and/or maintenance to be provided with the product or service;
4. product life of good(s) or service(s);
5. references, past performance and reliability or durability of the product offered and current or past experience with the provision of similar goods or services;
6. organization, staffing (both members of the staff and particular abilities and experiences), and ability to undertake the type and complexity of the work;
7. financial capability; or
8. record of compliance with all federal, state, and local laws, rules, licensing requirements, where applicable, and executive orders, including but not limited to compliance with existing labor standards and prevailing wages.

Whenever a contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value and the final calculations used shall be thoroughly and accurately documented and made part of the procurement record.

Section 3. PIGGYBACKING

Saratoga County, at its discretion and following the guidelines set forth in General Municipal Law §103, may procure goods (including apparatus, materials, equipment and supplies) and services by “piggy backing” through contracts let by the United States, or any agency thereof, any state or any political subdivisions or district therein, if such a contract was let in a manner consistent with competitive bidding or “best value” methodology and made available for use by other government agencies. This may include, but not limited to, contracts let by other counties, states, national cooperative contracts, contracts let by the federal government through the General Services Administration (GSA) made available for use to county government, for Example Schedule 70 (IT related purchases), Schedule 84 (Law Enforcement purchase), and other purchases related to Disaster Recovery.

Section 4. SOLE SOURCE PROCUREMENT

Sole source procurement is an exception to the general rules and policies stated herein governing the procurement of goods and/or services. Sole source procurement may only be used in those rare cases where the goods or services sought or required are manufactured, sold or performed by only one entity and/or individual. Generally, this will only apply in the following situations:

1. Only one company makes and sells a certain good or provides a certain service.
2. Only one company can service or maintain the equipment without voiding the warranty. (Note: This only applies during the warranty period. The sole source exemption is not available after the warranty expiration. After warranty expiration, repairs and maintenance must be bid.)
3. The County is leasing equipment like postal machines or copies that have a certain type of consumable component (e.g., ink cartridges) that must be used to avoid breaching a warranty or maintenance provision of a lease.
4. It is a service performed by companies that traditionally have territories (e.g., cable TV or certain types of equipment dealerships).
5. Software, software licensing (if such license was registered through a particular vendor with the manufacturer to facilitate license renewals, software updates, etc.), maintenance, and/or installation contracts specific to the software being purchased, inclusive of upgrades or improvements to existing software systems.

In determining whether a purchase qualifies for a Sole Source exemption, the procuring department must document, at a minimum:

1. The unique benefits to the County of the product or service as compared to other products or services available in the marketplace;
2. That no other product or service provides substantially equivalent or similar benefits;
3. That considering the benefits received, the cost of the product or service is reasonable in comparison to other products or services in the marketplace; and
4. That there is no possibility of competition from competing dealers or distributors.

No Sole Source purchase will be approved by the Director of Purchasing without written justification from the Requesting Department responding to points (1) through (4) above and supporting documentation on the letterhead of the entity providing the goods, equipment, commodity or service that they are the sole source. For subsequent purchases the requesting department should obtain an updated Sole Source letter from the vendor on an annual basis.

Section 5. EMERGENCY PROCURMENT

General Municipal Law §103 defines a “public emergency” as “arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants” of the County require “immediate action which cannot await competitive bidding. Procurement in emergency situations is exempt from competitive bidding. However, when practicable, a Department Head should make every effort to obtain three (3) written quotes for the required goods or services or, if not practicable, three (3) verbal quotes. If it is not practicable to obtain any written or verbal quotes based upon the conditions and needs created by the emergency, then no quotes are necessary. Nevertheless, procurement in emergency circumstances should be justified in writing by the Department Head.

Section 6. STANDARDIZATION

In accordance with General Municipal Law §103(5), in circumstances where there is a need for reasons of efficiency and economy to standardize a particular kind of equipment, material or supplies, the Board of Supervisors may adopt a resolution declaring the particular equipment, material or supplies as the standard to be used in the County’s purchase contract for reasons of efficiency and economy. Such resolution shall contain a full explanation of the reasons for its adoption. Thereafter, the Director of Purchasing shall award a purchase order for the standard equipment, material or supplies to the lowest responsible bidder.

Section 7. PREFERRED SOURCE

When required pursuant to the provisions of State Finance Law §162, the County shall make purchases of goods and services from preferred sources named in State Finance Law §162, as it may be amended from time to time. Prices may not exceed fifteen percent (15%) above the prevailing market prices among responsive and responsible offers for the same or equivalent commodities or services. This preferred source exception shall not apply to emergency situation or the procurement of professional services.

Section 8. TRUE LEASE

A true lease is defined as a lease of equipment without the option to purchase. As true leases are exempt from competitive bidding requirements the County shall follow the minimum required quotes as listed for a commodity purchase, unless the proposed lease is the result of a State Contract, National Cooperative Contract, or other contract that has been competitively bid. The total annual cost of the lease will be used to determine the award. For the purpose of this provision, leases should be closed-end and mandatory turn-in at the end of the lease.

Section 9. RESPONSIBILITY DETERMINATIONS

The Director of Purchasing must determine that any bidder awarded a contract pursuant to General Municipal Law §103 is responsible and responsive. At the discretion of the Director of Purchasing, responsibility determinations may be made with regard to vendors, consultants or

contractors under all other types of solicitations. Responsible bidders or offerors are those that have the financial ability, legal capacity, integrity and past experience to perform the contract. *See State Finance Law §163(c)*. Responsive bidders or offerors are those that meet the minimum specifications and requirements set forth in the solicitation or procurement. *See State Finance Law §163(d)*. Bidders or offerors who do not meet either or both of these standards may be declared non-responsible. Before declaring a bidder or offeror non-responsible, the Director of Purchasing, in consultation with the County Attorney, must provide the bidder or offeror notice that he or she may be declared non-responsible, and provide the bidder or offeror an opportunity to be heard, which need not be a formal hearing. Department Heads shall regularly review and document vendor performance.

Section 10. PROCUREMENT THROUGH STATE CONTRACT

The procurement of commodities, materials, equipment, technology, food products, supplies and services through the New York State Office of General Services pursuant to General Municipal Law §104 shall be exempt from the competitive bidding requirements set forth in General Municipal Law §103 and these Purchasing Procedures.

Section 11. ACCEPTANCE OF ELECTRONIC BIDS

The County of Saratoga shall allow bidders to submit bids electronically, when appropriate pursuant to General Municipal Law §103, as such may be amended from time to time, and the Rules and Regulations governing electronic bids (including 9 NYCRR §540). Electronic bidders are presumed to understand and comply with the obligations pursuant to applicable state laws and regulations relevant to electronic bidding. Bids and offers submitted in an electronic format shall be transmitted by bidders or offerors to the receiving device designated by the County. Any method used to receive electronic bids and offers shall comply with Article 3 of the State Technology Law, and any rules, regulations, and guidelines developed thereunder and, at a minimum, must (a) document the time and date of receipt of each bid and offer received electronically; (b) authenticate the identity of the sender; (c) ensure the security of the information transmitted; and (d) ensure the confidentiality of the bid or offer until the time and date established for the opening of bids or offers.

The County shall not be held responsible for any problems caused by the receiving device that interrupts, delays, or prevents receipt of such electronic bid in a timely fashion or by a failure of the electronic bidder or offer to meet its obligations under Federal, State or local law.

To ensure receipt of an electronic bid, bidders and offerors are strongly advised to confirm receipt by the Purchasing Department.

For the purposes of electronic bids, the County will accept electronic signatures on submissions.

Section 12. EXCEPTIONS TO THE PURCHASE ORDER REQUIREMENT

The following items do not require a Requisition or Purchase Order; however, one can be completed at the request of the department or vendor. Purchases should not be artificially split to avoid the issuance of a Purchase Order:

- Books, periodicals, postage, utilities, and dues.
- Central Store Office Supplies are ordered through the Financial System Inventory Module.
- Special Order Office Supplies (those items not available through the inventory module requires a Special Order Request Form; see Chapter 2, Section D).
- Travel expenses incurred in accordance with the County's Travel and Discretionary Funds Policy (Chapter 4, Section V).
- Insurance (quotes are processed through the Human Resource and Insurance Committee).
- Repairs, including labor and/or parts, provided such repair was immediate in nature.
- Purchases totaling less than \$750.00 from a single vendor, on a single day, except for the following: office furniture, equipment and furnishings, and IT related equipment, ~~and items found on a Saratoga County bid.~~
- Reproduction Items (all printing jobs will be processed through the Printing Department, see Chapter 2, Section E).
- Service/Rental Agreements (see Chapter 2, Section H).
- Subscriptions, including periodicals, online legal research services.
- Software updates, support, maintenance, and licensing renewals anticipated in the original purchase with approval of the IT Department.

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REGULATIONS FOR CONTRACTS AND SPENDING

I. Purpose and Intent

As a custodian of taxpayers' money, Saratoga County government has an obligation to maintain clear lines of responsibility and accountability in its expenditures. These regulations are intended to ~~ensure that~~ensure accountability without impeding the efficient delivery of municipal services.

II. General Rules

- A. County funds may be expended only in accordance with a clear understanding of the nature and cost of goods or services to be provided to the County. The detail of understanding will be determined by the circumstances of each transaction.
- B. Ceilings for expenditures are established by annual budget appropriations, bonding resolution, or other appropriate legislative actions. Emergency expenditures exceeding appropriated amounts may be authorized by the Chairman of the Board or, in his/her absence, by the Chairman of Law and Finance, the County Administrator, or the County Attorney.

III. Definitions

Building Components: Any equipment or structural improvement which when installed becomes an integral part of the realty.

Cellular Data Card: Is a wireless network adapter for a laptop, tablet, or cell phone that provides cellular data transmission.

Compensation Plan: Schedule of compensation for County employees.

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Contract: A written agreement which commits the County to the expenditure of funds for the receipt of goods or services.

Facilities Maintenance Agreement: A contract used by the Department of Public Works for department specific services that do not meet bidding thresholds.

Lease: A contract for the use of real property, vehicles or equipment where the County does not take ownership.

Minor Contract: A contract not exceeding a total expenditure of \$15,000 per year, which contract has been authorized and executed by the County Administrator.

Personal Services: Work done by employees of the County or, under contract, by self-employed individuals, not-for-profit corporations, or other business entities.

Professional Services: Work done under contract by persons or organizations, the nature of which work makes competence of the provider, beyond minimum acceptable standards, of paramount, rather than incidental, importance.

Public Works: The construction, reconstruction, major repair or improvement to real property, including highways, highway structures, storm water systems, buildings, facilities, equipment, parking lots, airport facilities and sewer infrastructure.

Purchase Order: A document authorizing the purchase of materials or equipment. These orders may include incidental labor charges such as fabrication, delivery, installation or operation.

Rental Agreement: A contract for the use of personal property in which the County acquires no title or interest.

Software License Agreement/End User License Agreement: A contract between the software developer and the purchaser that specifies how the software may be used, reproduced, or modified. Renewals may be required to allow for updates and support.

Subscription: The purchase of a periodic publication.

IV. Specific Rules for Expenditures

- A. Appropriations: Expenditures and contracts for expenditures are limited by the appropriation unit total (Personal Services, Equipment, Contractual Expenses, etc.) - not by the individual expense line. Any material negative balance in an individual expense line should be anticipated and addressed by the Department Head. Equipment purchases will be limited to specific requests approved in the annual budget; provided, however, that the County Administrator shall have the authority to freeze specific purchases.
- B. Personal Service: Expenditures for personal services will be made from "Personal Services" appropriations in accordance with personnel procedures and the Compensation Plan or from "Contractual Expense" appropriations, under contracts authorized in accordance with this Chapter.
- C. Expenditures not requiring a contract or purchase order:
1. Necessary expenditures for commodities of less than the limit set in the Purchasing Procedures (Chapter 2, Sec. C). This limit applies to the total cost of any items purchased from a single vendor on the same day. The County Auditor may reject vouchers for expenditures over the limit that (s)he deems inappropriate, unless such purchases have been approved by the County Administrator;
 2. Specific expenditures directed, not merely authorized by resolution of the Board of Supervisors. Such direction will be given only when the Board has determined that the County has already received value or that the value to be received need not be contractually specified;
 3. Travel expenses incurred in accordance with the County's Travel and Discretionary Funds Policy (Chapter 4, Section V);
 4. Payments to other Saratoga County departments;
 5. Expenditures for repair of equipment, including labor and/or parts, when such repair is of an immediate nature and the collection of quotes could impair department operations. Repair parts must be ordered within 3 business days of equipment failure. This exception does not apply to the routine maintenance of equipment, for which a contract is required;

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6. Expenditures mandated by federal or state law or regulation, or directed by an Order of a Court;
 7. Expenditures by an elected or appointed official having specific legal authority for such expenditures. These expenditures shall be made at rates set by law, Board Resolution or those customary for such services as determined by the County Auditor;
 8. Postage, books, utilities, subscriptions, dues, and conference fees;
 9. Reimbursement of the following employee expenses for full-time employees: attorney registration fees, the New York State portion of notary public fees for notaries public, and engineering license fees for Public Works and Sewer District employees;
 10. Litigation settlements and insurance deductibles;
 11. Emergency expenditures for veterinary services for members of the K-9 Unit of the Sheriffs Department;
 12. Expenditures to acquire title insurance for acquisitions of real property by the County, to include title and tax searches;
 13. Other expenditures which, in the opinion of the County Administrator, do not lend themselves to formal contracting procedures.
- D. Other Expenditures - All other expenditures will be made pursuant to a contract or purchase order executed in accordance herewith.

V. Procedures for Contracts

- A. Guidelines - County purchases of materials, equipment and personal services will be awarded pursuant to Chapter 2, Section C, Purchasing Procedures. However, contracts for professional services will be awarded to those providers best able to render the desired services and need not be the lowest offeror.
- B. Competitive Bidding - shall be required for any proposed expenditures enumerated in General Municipal Law Section 103, as it may be amended from time to time.

C. Purchase Orders -

1. The Purchasing ~~Department~~ Division, in cooperation with the requesting department, shall ensure the appropriate number of valid written, or verbal in the case of a public emergency only, proposals or quotations for proposed purchases over the limits set forth in the Purchasing Procedures (Chapter 2, Sec. C) but less than the threshold amount set by General Municipal Law §103 for the requirement of competitive bidding for purchase contracts.
2. The failure or inability to obtain three quotations or requests shall not affect the validity of the particular Purchase Order. However, a written explanation shall be appended by the Director of Purchasing to his/her retained copy of the affected Purchase Order as soon after its issuance as practicable.

D. Contracts for Service -

1. Requests for contracts for services other than professional services will be prepared by Department Heads and forwarded to the Director of Purchasing for bidding or solicitation of proposals.
2. When a purchase of personal services is awarded by the Director of Purchasing by his/her award letter, a copy will be forwarded to the particular Department. The award letter, together with the specification, the vendor's proposal, and an insurance and indemnity agreement will constitute the contract unless a separate contract is required by the County Attorney.
3. The County Attorney will review the form and insurance requirements of all contracts and ensure consistency and compliance with current Board requirements for insurance coverages. The contents of DSS contracts will be the responsibility of the DSS Commissioner. The contents of all other contracts will be the responsibility of the County Attorney.

E. Other contracts -

1. Insurance - The Board of Supervisors will follow whatever procedures it deems advisable in the procurement of insurance coverages.
2. Leases - The Board of Supervisors will approve proposed leases for real property and the Commissioner of Public Works will administer them. The lease of vehicles will be administered by the requesting department after proper bidding has taken place.
3. Mobile communication devices, including, but not limited to, cell phones, tablets, and cellular data cards - the Department Head shall approve all such expenditures prior to purchase or lease. The County Administrator shall approve requests for additional services or line access. The Department Head making the purchase, or lease, shall execute the agreement.
4. Maintenance, rental and/or license agreements will be executed and administered as follows:
 - a. Information technology hardware or software, to include, but not be limited to, computers, monitors, printers, scanners, servers, network components, large format reproduction equipment, telephones, software license/end user license agreements, and software renewals: Director of Information Technology
 - b. Highway infrastructure, buildings, building components and facilities, to include, but not be limited to, highways, highway structures, storm water systems, buildings, facility equipment, parking lots, airport facilities and related construction services through the use of a Facilities Maintenance Agreement up to the bidding threshold: Commissioner of Public Works
 - c. building components specific to the Sewer District: Executive Director of the Sewer District
 - d. office equipment, to include, but not be limited to, photocopiers, and fax machines: Director of Purchasing

~~e.~~ office equipment, to include, but not be limited to, photocopiers, and fax machines: Director of Purchasing

~~d.~~ specialty equipment needed to perform work when such equipment is not owned by the County: Commissioner of Public Works or, as appropriate, Executive Director of the Sewer District

~~e.~~

~~e.f.~~ emergency and radio communications equipment and infrastructure: the Sheriff for all such equipment operated and maintained by the Sheriff's Department, and the Director of Emergency Management for all such equipment operated and maintained by the Office of Emergency Management

~~f.g.~~ rental of trucks for transporting voting machines: Either Commissioner of Elections

~~g.h.~~ other equipment: County Administrator or designee

~~h.i.~~ Subscription agreements for online legal research services: Department Head of the department subscribing to the service.

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VI. Authority

All contracting authority resides with the Board of Supervisors. The Boards have delegated that authority as follows:

- A. Purchase Orders - Director of Purchasing, or his/her designee, subject to these regulations, and consistent with State and local laws.
- B. Contracts not exceeding \$15,000 - County Administrator by Resolution No. 60 of 1994, as revised by Resolution No. 133 of 1999 and Resolution 204 - 2015. For contracts that continue or renew on an annual basis and involve expenditures of less than \$15,000 per year, authorization in the first year will be deemed renewed unless there are changes in pricing or other material terms of the contract, in which case new authority must be obtained. Multiple minor contracts may be entered into with the same contractor or vendor provided the services or goods purchased are different in each contract.
- C. Maintenance, rental and/or license agreements - persons named in above V.E.4.
- D. Mobile Communications Devices - persons named in V.E.3
- E. Subscription agreements for online legal research services - persons named in V.E.5.
- F. Utility Services/Contracts including electricity and natural gas – the County Administrator and/or the Commissioner of Public Works with the approval of the Chair of the Board, Chair of Law and Finance, and the Chair of the Buildings and Grounds Committee.

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F.G. Other Contracts - Chairman of the Board, in accordance with County Law, as follows:

1. Implementation of Capital Plan by its adoption;
2. Implementation of comprehensive plans for various programs by adoption of the comprehensive plan;
3. Implementation of Departmental operations by approval of Departmental program plans by the Board of Supervisors.
4. Amendments of rates of ongoing contracts by approval of supervising Committee of the Board of Supervisors.
5. Specific resolutions of the Board of Supervisors.

G.H. Public Works Contracts Change Orders - Unless the resolution authorizing a public works contract provides for a change order committee, the Commissioner of Public Works or, in the case of a public works contract for the Sewer District, the Executive Director of the Sewer District, has authority to execute change orders up to an additional 10% of the contract amount authorized by the Resolution.