

**Authorizing Legislative Review Of Certain Non-Commodity Draft Bid Documents**

Referred to: The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Criswell, Roberts, and Ronk)

Legislators Joe Maloney and Laura Petit offer the following:

WHEREAS, A Request for Proposal (RFP) is a competitive process for choosing an individual(s) or firm to contract with to provide services based on factors such as cost, qualifications, experience and demonstrated ability, and not necessarily the lowest bidder; and

WHEREAS, a thorough, well-written RFP will clearly explain and include a meaningful clear, unambiguous statement of work for the project, rules for submitting responsive proposals, detailed statement of requirements and goals of the requesting department/administrative unit, instructions on preparation of the proposal and after the responsive proposals are received, the method and criteria for proposed evaluation; and,

WHEREAS, the Purchasing Department promotes the County's best interest by providing a professional purchasing system of quality and integrity whereby all persons involved in public purchasing are treated fairly and equitably, the value of public funds are maximized, and a sufficient supply system is available for all departments/administrative units; and

WHEREAS, the Purchasing Department implements and maintains the purchasing system in full accordance with the requirements set forth in the General Municipal Law ("GML") of the State of New York, with such local laws as passed by the Ulster County Legislature, and/or with such directives as issued by the Ulster County Executive; and

WHEREAS, the Purchasing Department conducts the procurement system for the County in a cost effective and objective manner, devoid of favoritism or special interest influence; and

~~WHEREAS, members of the legislative body have a sworn oath to uphold the law and an ethical obligation to maintain confidentiality of shared County documents and conversation of certain non-foible documents such as Draft RFPs and RFQs that have not been publicly advertised; and~~

~~WHEREAS, Ulster County would benefit from legislative **from time to time a legislator may request to review a draft document on a legislative program/incentive they have sponsored and/or contribute** and input of **on** non-commodity RFPs and RFQs requests to benefit the community as a whole; and~~

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~~WHEREAS, the Ulster County Legislature desires to have representatives for RFP award decision making that include a minority and majority appointment; now, therefore be it~~

~~RESOLVED, that at the request of an Ulster County Legislator, review of any Draft of a non commodity bid document, RFP and/or RFQ shall be granted for the purpose of providing recommendations; and, be it further~~

~~RESOLVED, that a statement of confidentiality shall be made verbally or in writing as required until such time that the bid document is legally advertised and can be publicly circulated; and, be it further~~

~~RESOLVED, the Ulster County Legislature shall have representatives for RFP award decision making that include two appointments by the Chair of the Legislature, one appointment recommended by the Majority Leader and one appointment recommended by the Minority Leader~~

**RESOLVED, that an electronic copy of RFP, RFQ and/or non commodity bid document is forwarded to the Legislative Clerk for timely distribution to Legislators immediately after it is publicly noticed,**

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 21                      NOES: 0  
(Absent: Legislators Heppner and Stewart)

Postponed in Committee: Ways and Means for one week on June 6, 2023

Postponed in Committee: Ways and Means on June 13, 2023

Postponed in Committee: Ways and Means for one month on July 11, 2023

Postponed in Committee: Ways and Means on July 18, 2023

Postponed in Committee: Ways and Means for one week on August 8, 2023

Passed Committee: Ways and Means as amended on August 15, 2023

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FINANCIAL IMPACT:  
NONE

Legislator Petit motioned, seconded by Legislator Ronk, to amend the Resolution as presented.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0  
(Absent: Legislators Heppner and Stewart)

STATE OF NEW YORK  
ss:  
COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 15<sup>th</sup> Day of August in the year Two Thousand Twenty-Three, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18<sup>th</sup> Day of August in the year Two Thousand Twenty-Three.

[s] Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
18<sup>th</sup> Day of August 2023.

Approved by the County Executive this  
24<sup>th</sup> Day of August 2023.

[s] Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

[s] Jen Metzger  
Jen Metzger, County Executive