

Amended Proposed Local Law No. 4 of 2015

County Of Ulster

A Local Law Amending Local Law No. 10 Of 2008 (A Local Law Adopting An Administrative Code For The County Of Ulster, State Of New York), Pertaining To Change Orders And/Or Amendments To Contracts Equal To Or Exceeding \$50,000.00

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1: Section A3-4 (X) of the Administrative Code is amended to read as follows:

Section A3-4: Powers and duties of County Executive.

X. *Execute all contracts and change orders under the sum of \$50,000 and, with the approval of the County Legislature, all contracts and change orders in the amount of \$50,000 or in excess of \$50,000, except that:*

- (1) The Director of Purchasing shall have the authority and discretion to extend existing contracts and execute same, as well as recurring types of services, including, but not limited to: New York Office of General Services contracts, piggyback contracts, mandated/preferred source, sole-source, and utility contracts. The Director of Purchasing shall provide a report to be annexed to an abstract of contracts, for reporting purposes only, setting forth those contracts that he or she has executed, and a copy of which shall be filed with the County Executive ~~and the Clerk of the Legislature~~ ; **AND**
- (2) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, and present an abstract of contracts so reviewed and as being approved for execution to the County Executive for all contracts under the amount of \$50,000. Upon approval of said abstract by the County Executive, the Director of Purchasing shall have the authority to execute the contracts as provided in § C-74B(2) of the County Charter; and
- (3) The Director of Purchasing shall review and approve all contracts as to the content and compliance with requirements for municipal purchasing, ~~and present an abstract of contracts so reviewed and as being approved by the County Legislature~~ for all contracts in the amount of \$50,000 or more. **ALL SAID CONTRACTS SHALL BE PRESENTED TO THE COUNTY LEGISLATURE FOR ITS APPROVAL.** Upon **THE** approval of ~~said abstract~~ **A CONTRACT** by the County Legislature, the Director of Purchasing shall present the ~~abstract~~ **CONTRACT** to the County Executive. Upon approval of ~~said abstract~~ **A CONTRACT** by the County Executive, the Director of Purchasing shall have the authority to execute the ~~contracts~~ **CONTRACT** as provided in § C-74B(2) of the County Charter; **AND**

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- (4) **THE DIRECTOR OF PURCHASING SHALL PRESENT A CHANGE ORDER OR AN AMENDMENT TO A CONTRACT TO THE COUNTY LEGISLATURE FOR APPROVAL WHEN:**
- (A) **THE CHANGE ORDER OR THE AMENDMENT IS FOR A CAPITAL PROJECT AND THE AMOUNT THEREOF IS 20% OR MORE OF THE ~~CONTINGENCY BUDGET~~ CONTRACT TOTAL; OR**
- (B) **THE CHANGE ORDER OR AMENDMENT CAUSES THE AGGREGATE AMOUNT OF THE CHANGES OR AMENDMENTS TO A NON-CAPITAL PROJECT CONTRACT TO BE EQUAL TO OR EXCEED \$50,000.00 DURING THE TERM OF THE CONTRACT. EXCEPT WHERE THE CONTRACT AGENCY OR VENDOR IS THE RECIPIENT OF FUNDS PASSING THROUGH THE COUNTY AND RECEIVED BY THE COUNTY FROM ANOTHER GOVERNMENT OR ENTITY DURING A TWELVE MONTH PERIOD.**
- (5) **ON A MONTHLY BASIS, THE DIRECTOR OF PURCHASING SHALL FILE WITH THE CLERK OF THE LEGISLATURE A LIST OF ALL CONTRACTS, CHANGE ORDERS, AND AMENDMENTS THAT THE COUNTY EXECUTIVE OR DIRECTOR OF PURCHASING HAS EXECUTED THAT MONTH. THE LIST SHALL INCLUDE THE DEPARTMENT NAME, NAME OF THE VENDOR, THE AMOUNT OF THE CONTRACT, CHANGE ORDER, OR AMENDMENT, A BRIEF DESCRIPTION THEREOF, THE FUNDING SOURCE, THE BASIS FOR THE AWARD, AND THE CONTRACT DATES.**

SECTION 2. SEVERABILITY

In the event that any portion of this local law is found to be invalid, such finding will not have any effect on either the remaining portions or applications of this local law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

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SECTION 3. EFFECTIVE DATE

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