



CITY OF KINGSTON
PURCHASING DEPARTMENT
CITY HALL
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The Purchasing Department has developed this guide to assist businesses that wish to provide goods and services to the City of Kingston. To meet the needs of city government, the Purchasing Department regularly acquires a variety of different commodities. To fulfill these needs in a fair, efficient and cooperative manner, we encourage vendors to be familiar with and follow the guidelines set forth.

Prospective bidders should especially note the procedures for submitting a bid and complying with its specific requirements. These procedures include local policies and those required under New York State General Municipal Law §103 and §104b. Additional general procedural information is also included to assist any prospective vendor in doing business with the City of Kingston.

The city seeks to achieve an effective procedural agreement, which will benefit both parties. To accomplish this we invite all responsible vendors to seek to do business with the City of Kingston.

All questions, however, cannot be answered within this brief handbook. If you have any questions concerning the policies and procedures set forth in this guide, please contact the City of Kingston Purchasing Department.

Brian J. Woltman

Purchasing Agent

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General Policy and Procedures

Supplier Obligations

Suppliers are expected to fulfill basic responsibilities when dealing with the City of Kingston.

- To handle all written and personal communications with the city through the Purchasing Department unless specifically instructed to do otherwise; in which case the Purchasing Department is to receive copies of all correspondence and be kept informed of any oral communications.
- To negotiate all pricing and specifications with the Purchasing Department only, unless instructed otherwise.
- To make available through the Purchasing Department or other representative all technical, engineering, systems, services and other that might improve the city's present or future use of supplier's products or services.
- To inform the Purchasing Department of changes in economic or other conditions that might affect purchasing or operating decisions.

Who Do I Contact?

The Purchasing Department is located within the Comptroller's suite at City Hall. All formal bids and quotes as well as the sourcing of goods and services under the bidding threshold are the responsibility of the Purchasing Agent.

Contact Brian J. Woltman (845) 334-3943 bwoltman@kingston-ny.gov

Demonstration of Products

Vendors are encouraged to show and demonstrate their products to City staff. It is important to relieve any doubt or misunderstanding that could be corrected through a product demonstration. Demonstrations are also valuable to evaluate new products in their working environments. Any proposed viewing or demonstration to a City Department should be coordinated through the Purchasing Department. Any equipment left for trial purposes should be fully documented to allow for ease of removal.

Sales Calls

Vendors are encouraged to visit the Purchasing Department. However, to assure that the necessary participants are available, calling to schedule an appointment is required. If meetings are to include other City departments, arrangements must be made in advance. Vendors are discouraged from contacting City Departments or Divisions directly without consultation with the Purchasing Department.

Supplier Selection

The Selection of a supplier shall be the responsibility of the Purchasing Agent or his designee. Several factors will be considered when making a selection: dependability, and service record of the vendor, price, the nature of the guaranty and warranty of the product, and quality. The Purchasing Department will work closely with ordering departments to obtain or develop adequate and reasonable specifications. Whenever possible, identification of brand names, or other sufficient detail, will be obtained to insure that the correct item is obtained.

Local Preference

The City of Kingston does not have a local preference law enacted. All purchases are open to any responsible vendor so interested. The Purchasing Department follows the guidance of The National Institute of Governmental Purchasing Preference Resolution #106. This resolution states opposition to all types of preference laws and practice, and views it as an impediment to cost effective procurement of goods, services, and construction in a free enterprise system.

Vendor Relations

It is the policy of the City of Kingston Purchasing Office to maintain and practice the highest possible standards of business ethics, professional courtesy, and competence in all dealings. At all times, applicable laws must be scrupulously observed. In this regard, the following guidelines shall be observed by the Purchasing Department Staff:

- Accord prompt and courteous reception to all suppliers and their representatives.
- Provide for and allow fair and equal treatment to all vendors.
- Assure confidentiality of all quotations prior to the public opening or award.
- Remain free from obligation to any supplier or their representative.
- Avoid putting the vendor to unnecessary expense or inconvenience by showing consideration for seller's difficulties whenever possible.

What is a Purchase Order?

The Purchase Order is a formal agreement between the vendor and the City for the acquisition of specific supplies, materials and services as detailed in the description section of the order form. No other form is acceptable as a means of acquisition. The Purchase Order specifies the billing address and the shipping address for the receipt of the merchandise. All prices and costs associated with the acquisition are detailed on the order. No changes or modifications can be made without specific authorization from the Purchasing Department. All instructions should be carefully followed to insure payment.

Delivery from a Purchase Order

Each Purchase Order issued by the City of Kingston Purchasing Department details the address for delivery of the merchandise requested. These instructions should be followed completely as delivery to an improper address does not constitute a receipt and acceptance of the goods and will delay any payment until corrected by the vendor. Deliveries are accepted during the normal business hours unless stated otherwise.

Pricing

All bid or quote prices must be firm for the duration of the contract term – no price adjustments are allowed unless expressly permitted in either the bid or quote requirements.

All bid or quote prices must be F.O.B. Destination, Freight Prepaid, and Allowed. This means that the City takes legal title to the goods when we receive them at the designated delivery point.

All bid or quote prices must include, without limitation, delivery charges, demurrage, insurance, packing, container charges, and any other expenses associated with the bid or quote requirements.

The City's standard payment terms are Net 30 days from receipt of a proper invoice.

The New York State Tax Law exempts NYS governmental entities such as the City of Kingston, from the payment of NYS sales and use taxes on our purchases.

Bid Policy and Procedures

Bidder Responsibilities

It is the responsibility of the bidder to carefully read all documents contained in the bid specifications, and follow the directions in the bid packet. Bidders are responsible for the timely submission of their proposals.

Bidders are required to read fully and comprehend all submission requirements detailed in the bid package and adhere to any time line stated in the bid.

Bidders are responsible for reporting any errors or omissions, in writing, to the City of Kingston Purchasing Department.

Contents of Bid Document

Each bid packet contains:

- The title and number of the bid.
- Instructions to Bidders and Information for Bidders.
- The time and date on which the bid is due in the Purchasing Department
- Technical Specifications
- Bid proposal form and bid price page.
- Non-collusion Affidavit

Bidding Requirements

The City of Kingston is required, under General Municipal Law §103 & §104B, and specific local laws to obtain public bids for products and services that meet or exceed predetermined cost thresholds. A formal, publicly advertised bid is required when the acquisition of goods or services can reasonably be anticipated to meet or exceed \$10,000.00. Formal bids may also be requested for lesser amounts at the discretion of the Purchasing Agent.

Contracts and services for public works, which include material and labor components, are required to be put out to bid if the cost can be reasonably anticipated to exceed \$20,000.00.

The city is further required to obtain written quotes for any product and material purchases in excess of \$3,000.00.

Receipt and Opening of Bids

The time and date of all public bid openings is on the Bid Opening Information page in the bid package and is published in the city's official newspaper.

All bids will be sealed and distinctly marked Proposal for Bid #_____. All sealed bids will be received in the office of the Purchasing Department, City Hall, 420 Broadway, Kingston, New York, on or before the date and time specified in the bid documents.

Bid Opening Procedures

Each bid document contains detailed specifications of the item/service required. The package includes a boilerplate containing INSTRUCTIONS and INFORMATION for bidders; the time, date, and place of the opening; bid proposal form(s); vendor name, address, and incorporation/partnership forms; and non-collusion forms. Each part of the package is vital to the correct and complete submission of the bid and should be regarded as such.

Selection of Winning Bid

The bid will be awarded to the responsible bidder offering the best price. A responsible bidder is a manufacturer, producer, dealer, vendor, or bona fide manufacturer's agent who has demonstrated judgment and integrity, is of good reputation, is experienced, and has a record of satisfactory performance and financial security.

The Purchasing Department may use a reference from the ordering department or bidder reference sheet (included in the bid submission package) to determine the successful bidder.

Rejection of a Bid

The Purchasing Agent reserves the sole right to reject all bids, or all bids for any one or more supplies or services included in the proposal when such rejection is in the best interest of the taxpayers of the City of Kingston.

Causes for rejection can be, but are not limited to; poor performance, non-compliance with any portion of the specifications. A late submission is always cause for the rejection of a bid. Bid proposals received late are returned unopened.

Notification of Award

The Purchasing department will tabulate all bids received and accepted and shall determine the lowest responsible bidder(s). In an instance where two or more vendors submit the same price for the same item, the award shall be determined by lot.

A letter of award shall be mailed to all successful bidders; along with a purchase order for those items they have been awarded. Where there is a formal contract required the department who requested the goods/services will initiate that process.

References

Bids and projects that involve a service require at least three (3) current references. Completion of a bidder qualification form as part of the bid package is also required.

A Bid bond and/or performance bond may also be required. A bid bond is a guarantee that the vendor can provide a performance bond in 100% of the dollar amount of the bid. If the vendor cannot provide the performance bond, the bid bond is forfeited and the next lower bidder is awarded the contract. This bid bond requirement may be waived if it is in the best interest of the City of Kingston to do so.

The performance bond is used as a guarantee that the work will be performed satisfactorily. If the vendor does not perform, the bond is used as liquidated damages in the amount of the difference between the vendor's price and the next lowest bidder's price.

Bidder Default-Consequences

If a bidder fails to fulfill the term and conditions of the bid, they may forfeit their bid/performance bond and may be removed from the bidders list for future bid solicitation. In addition, penalties may be incurred for late deliveries or frequent back orders. With documentation, a vendor may have the contract revoked and be subject to liquidated damages for the remainder of the contract term.

