

Town of Sweden  
LEGAL NOTICE  
Local Law

LEGAL NOTICE IS HEREBY GIVEN that the Town Board of the Town of Sweden will hold a Public Hearing at the Town Hall, 18 State Street, Brockport, New York, in said Town on **Tuesday, July 24, 2018, at 7:00 p.m.** to hear all persons for or against the adoption of a Local Law – Addition of Chapter 58 “Best Value Contract Award” to the Sweden Town Code. The local law allows the Town of Sweden to award purchase contracts, otherwise subject to the “lowest bidder” rule, on the basis of “best value” as defined in New York State Finance Law Section 163, to a responsive and responsible bidder. Complete text of the local law is available for review at the Town Clerk’s Office and on the Town’s website [www.townofsweden.org](http://www.townofsweden.org) .

BY ORDER OF THE TOWN BOARD  
TOWN OF SWEDEN  
MONROE COUNTY,  
Karen M. Sweeting, Town Clerk

## Chapter 58

## Best Value Contract Award

### Legislative Intent

General Municipal Law § 103 requires competitive bidding for purchase contracts and public works contracts and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project. Section 103 was amended to allow Towns and other municipalities, upon the passage of a local law so providing, to award purchase contracts, otherwise subject to the “lowest bidder” rule, on the basis of “best value” as defined in New York State Finance Law § 163, to a responsive and responsible bidder. The Town Board of the Town of Sweden hereby determines that it is in the best interest of the Town of Sweden and its residents for the Town Board to have the authority to award purchase contracts on the basis of best value.

### Authorization to Accept the Best Value

On and after the effective date of this law, the Town of Sweden may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8, on the basis of best value as defined in New York State Finance Law § 163 to a responsive and responsible bidder.

- a. Where the basis for award is the best value offer, the Town Board shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- b. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Town Board in its determination of best value.
- c. The election to award any such contract on the basis of best value shall be made by the Town Board. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing any required security.

### Severability

If any provision of this Local Law is determined to be unconstitutional or invalid, the validity and enforceability of the remainder shall not be affected.

### Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.