

**RESOLUTIONS OF THE OSWEGO COUNTY LEGISLATURE FOR
MAY 12, 2022**

OSWEGO COUNTY LEGISLATURE

- 109 RESOLUTION SUPPORTING INCLUSION OF UPSTATE NUCLEAR POWER PLANTS IN NEW YORK STATE'S CLIMATE ACTION COUNCIL SCOPING PLAN AND EXTENSION OF THE ZERO EMISSION CREDIT PROGRAM
- 110 RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT – COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)
- 111 A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 5 OF THE YEAR 2022 ESTABLISHING NON-CONSENSUAL TOWING AND STORAGE FEES FOR TOWING SERVICES DISPATCHED BY THE COUNTY
- 112 RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT- RFP 22-YB-001 – CAMP HOLLIS WINTERIZATION
- 113 RESOLUTION AWARDED PROFESSIONAL SERVICES CONTRACT- RFP 22-OFA-001- PERSONAL EMERGENCY RESPONSE SERVICE
- 114 RESOLUTION AUTHORIZING CREATION OF TWO POSITIONS AND DELETION OF ONE POSITION IN THE DEPARTMENT OF SOCIAL SERVICES LEGAL TEAM
- 115 RESOLUTION AUTHORIZING BUDGET MODIFICATION DEPARTMENT OF SOCIAL SERVICES TO TRANSFER FUNDS INTO SERVICES ADDITIONAL HOURS AND OVERTIME
- 116 RESOLUTION AUTHORIZING THE COUNTY OF OSWEGO TO ACCEPT THE DONATION OF MATERIALS AND LABOR FROM OLE- ORGANIZATION OF LATINO EMPLOYEES, JAMES A FITZPATRICK NPP, CONSTELLATION -CAMP HOLLIS CABIN RENOVATIONS
- 117 RESOLUTION DESIGNATING THE CERTIFYING OFFICER AND ENVIRONMENTAL RESPONSIBILITY CERTIFICATIONS FOR ALL OSWEGO COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS SPECIFICALLY 864CVHR34-21, OSWEGO COUNTY LOCAL CDBG PROGRAM INCOME ADMINISTRATION PLAN 2022 AND NYSCDBG CARES FARM WORKER HOUSING PROGRAM
- 118 RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH DEPARTMENT–ROLLOVER OF 2021 GRANT FUNDS
- 119 RESOLUTION AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN THE CITY OF OSWEGO AND THE COUNTY OF OSWEGO FOR LEACHATE TREATMENT AND SLUDGE DISPOSAL

- 120 RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS
- 121 RESOLUTION AUTHORIZING BUDGET MODIFICATION WITH THE HIGHWAY DEPARTMENT TO TRANSFER FUNDS FROM INSURANCE RECOVERY FUND INTO HIGHWAY EXPENSE
- 122 RESOLUTION AUTHORIZING BUDGET MODIFICATION WITH THE HIGHWAY DEPARTMENT TO TRANSFER SALE OF EQUIPMENT INTO HIGHWAY & STREET EQUIPMENT
- 123 RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO. 21 – BUILDINGS RENOVATIONS
- 124 RESOLUTION AMENDING CAPITAL PROJECT NO. 72 -DMV EXPANSION/RENOVATION AND CLOSING CAPITAL PROJECT NO. 89 AIRPORT SITE DEVELOPMENT
- 125 A RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 4 OF 2022, ENTITLED LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF 2015, A LOCAL LAW PERMITTING AND REGULATING ALL - TERRAIN VEHICLE (ATV) OPERATION ON CERTAIN COUNTY ROADS
- 126 RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT- RFP 22-TR-002 – AUCTIONEER SERVICES
- 127 RESOLUTION AUTHORIZING CAPITAL PROJECT CLOSURES AND TRANSFER OF PROJECT BALANCES
- 128 RESOLUTION AUTHORIZING AND RATIFYING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF OSWEGO AND THE OSWEGO COUNTY PROFESSIONALS ASSOCIATION, INC
- 129 RESOLUTION AMENDING OSWEGO COUNTY PURCHASING POLICY

RESOLUTION NO. 109

**RESOLUTION SUPPORTING INCLUSION OF UPSTATE NUCLEAR POWER
PLANTS IN NEW YORK STATE'S CLIMATE ACTION COUNCIL SCOPING
PLAN AND EXTENSION OF THE ZERO EMISSION CREDIT PROGRAM**

By Legislator David Holst:

WHEREAS, the Climate Leadership and Community Protection Act calls for 100% carbon-free electricity in New York State by 2040; and

WHEREAS, New York's four upstate nuclear facilities in Oswego and Wayne counties are instrumental to achieving the state's decarbonization goals, because they operate continuously and currently produce 44% of New York's zero-carbon-emission electricity, representing 3,300 megawatts of reliable and safe power for New York's residents and businesses; and

WHEREAS, these nuclear facilities are among upstate New York's largest employers, providing 25,000 direct and indirect jobs that are vitally important to the upstate economy; and

WHEREAS, upstate nuclear facilities contribute more than \$3 billion to New York's economy, and support our local schools and municipalities with \$144 million in annual state and local taxes; and

WHEREAS, the facilities operate with a 95% capacity factor, the highest in the nation, meet the highest standards of reliability and safety, and are well-positioned to run for decades; and

WHEREAS, the council's draft scoping plan recommends the Public Service Commission (PSC) review the existing Zero-Emissions Credit (ZEC) program for potential extension beyond the current expiration in 2029; and

WHEREAS, the PSC's review must take place prior to the expiration of the existing ZEC program in 2029 to allow for Nuclear Regulatory Commission relicensing of the plants, a process which can take several years; and

WHEREAS, the draft scoping plan also includes NYSERDA's cost benefit analysis for decarbonization implementation, which assumes that the upstate nuclear power stations continue operation with 20-year license extensions; and

WHEREAS, since New York's upstate nuclear plants avoid 16 million tons of carbon emissions annually, NYSERDA's analysis identifies additional consumer costs of \$9.8 billion dollars to achieve the state's decarbonization goals if the upstate nuclear fleet is not relicensed.

NOW, THEREFORE, BE IT

RESOLVED, the Oswego County Legislature determines that maintaining the carbon-free nuclear plants in Oswego and Wayne counties will be essential to meeting New York State's emissions reduction goals at the lowest cost to consumers; and be it further

RESOLVED, the Oswego County Legislature supports the inclusion of upstate nuclear power facilities in New York State's Climate Action Council's draft scoping plan; and be it further

RESOLVED, that the Oswego County Legislature hereby urges the New York State Climate Action Council to continue its recognition of these critical assets to meeting the state's climate goals in its Final Scoping Plan, due January 1, 2023; and be it further

RESOLVED, the Oswego County Legislature supports the draft scoping plan's recommendation to have the Public Service Commission review the existing Zero-Emission Credit program and strongly encourages the program's extension to cover a 20- year license extension at each of the four upstate nuclear plants; and be it further

RESOLVED, that the Clerk of the Legislature provide certified copies of this Resolution to New York State's Climate Action Council prior to June 10, 2022, the NYS Public Service Commission, Governor Kathleen Hochul, and Oswego County's state representatives Senator Patty Ritchie; Minority Leader Assemblyman Will Barclay, and Assemblyman Brian Manktelow.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

RESOLUTION NO. 110

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT –
COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)**

By Legislator Marc Greco:

WHEREAS, Oswego County desires to update the Comprehensive Emergency Management Plan (CEMP); and

WHEREAS, The Emergency Management Office will allocate State Homeland Security Program (SHSP) grant funding to update the Oswego County Comprehensive Emergency Management Plan; and

WHEREAS, There is a need to update this plan, the Emergency Management Office and the Public Safety Committee recommend awarding the professional services contract to BOLDPlanning Inc.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Public Safety Committee, that the County of Oswego award the professional service contract with BOLDPlanning Inc. to update and provide maintenance of this plan for a term of three years.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



OSWEGO COUNTY
EMERGENCY MANAGEMENT OFFICE

Phone (315) 591-9150

Fax (315) 591-9187

COUNTY OFFICE BUILDING – 200 NORTH 2ND STREET, FULTON, NY 13069

Cathee Palmitesso, Director

Email: Cathleen.Palmitesso@OswegoCounty.com

Informational Memorandum

Date: May 12, 2022

To: Members of the Public Safety Committee, Oswego County Legislature

From: Cathee Palmitesso, Director

Subject: Request approval to award Bold Planning, Inc. the contract to update the Comprehensive Emergency Management Plan (CEMP).

Purpose: The Emergency Management Office will allocate State Homeland Security Grant Program (SHSP) grant funding to update the Oswego County Comprehensive Emergency Management Plan (CEMP). A strong CEMP is important for any government organization as it establishes a framework for agencies and community partners. The mission of this plan is to protect people, property, and the environment through increasing the readiness level to mitigate, prepare for, respond to, and recover from major emergencies or disasters that may severely affect our community. The intent is to provide a structure for standardizing countywide plans and to facilitate interoperability among local, state, and federal government agencies.

Summary: Bold Planning has a platform specifically designed for emergency planning purposes. The platform is built upon an efficient-to-use Software as a Service (SaaS) technology. The platform is online, therefore a diverse group of stakeholder input can be gathered and maintained within a single application which makes the planning process easy to understand, efficient to maintain, and acts as a force multiplier. Bold Planning is on GSA contract and the cost of the update is \$43,325.00 and annual renewal for licensing and support is \$4,918.25/year. Oswego County has successfully contracted with Bold Planning to complete an update to the Continuity of Operations Plan (COOP) using the same platform in 2021.

Recommended

Action: The Emergency Management would respectfully request the members of the Public Safety Committee and Oswego County Legislature award this contract accordingly.



480 Duke Drive; Suite 130
Franklin, TN 37067
(615) 469-5558
www.BOLDplanning.com

Quote

February 18, 2022

Oswego County
200 North Second Street
Fulton, NY 13069

Comprehensive Emergency Management Plan GSA# GS-35F-0301Y

Comprehensive Emergency Management Plan (CEMP) with BOLDplanning

Developing and maintaining an CEMP can be cumbersome and time consuming without proper tools and guidance. BOLDplanning offers a dedicated team of experienced planners who are skilled at deploying our proven planning approach. BOLDplanning's experts, coupled with the company's online platform, helps clients create and manage an effective CEMP that satisfies their specific needs. The process also helps ensure compliance. BOLDplanning's CEMP team constantly monitors federal and state guidance and incorporates feedback from real events to best apply FEMA's Comprehensive Preparedness Guidance (CPG 101), the National Response Framework (NRF), and the National Incident Management System (NIMS) to plans.

CEMP Scope of Work

Project Management Package

The BOLDplanning designated Project Manager ("PM") will work with Oswego County to develop an understanding of the Oswego County's organization to make sure goals are met and that the BOLDplanning approach serves your organization and its nuances. The PM will help present the BOLDplanning system to senior officials to solicit buy-in and support. Then, the PM will work with the Oswego County to promote engagement of stakeholders needed to make sure the project is successful. The PM will conduct workshops to engage stakeholders regardless of their level of understanding of emergency planning. Progress reports will be presented on a regular basis in the form Situation Reports (SitReps) and SitRep calls, which will provide a complete update on progress, plans, and gaps. BOLDplanning proposes to develop the plan and update the annexes through a simultaneous process that has proved successful in many comparable environments.

CEMP Plan Development Workshops

CEMP Plan Development Workshops are intended for stakeholders throughout the County whose involvement will be necessary to develop an CEMP that is comprehensive, fully compliant and, most importantly, serves the community well. The workshops are true hands-on sessions. Each participant will work with their actual departmental or division plans and develop a good understanding of their CEMP roles during both plan development and activation. Existing

emergency response capabilities and available resources will be reviewed. Action lists will be created for each department or division, along with their coordinating and supporting departments or divisions. As the workshops end, the plans will have taken form. Plan structures will have been established, and data will have been entered. Clear instructions will have been provided for advancing the plans to the next level.

CEMP Plan Enhancement Workshops

As the CEMP project matures, BOLDplanning will conduct Plan Enhancement Workshops. By this time, some stakeholders from throughout the organization will have progressed nicely with their plan development. The Plan Enhancement Workshops will help them move to finalization. Others will not have progressed as far. They, too, will benefit. Our workshop leaders are trained to understand the pace of each participant and adapt accordingly.

Plan Development Workshops focus on the current state of the plan including analysis of gaps. Then, clear next steps will be determined to move the plan toward its desired result.

CEMP Plan Reviews

As part of the effort to ensure that plans are complete and compliant and, most importantly, that they work well when needed, BOLDplanning subject matter experts will review and grade the County's plan. Each section of a plan will receive a ~~Red/Yellow~~/Green status level along with individualized comments for improvement. Gaps will be identified. Suggestions will be made. The grades and comments will be accessible within the plan developed through the BOLDplanning.com platform.

CEMP Finalization Workshops

CEMP Finalization Workshops represent the home stretch of a CEMP project. Like the other workshops in the series, they are hands-on sessions carefully crafted to adapt to each individual's level of development of their portions of the CEMP. Prior to the Finalization Workshop, a BOLDplanning Subject Matter Expert will have conducted a thorough review of the elements of the County plan. Gaps will have been identified and specific instructions developed for plan completion. As the CEMP Finalization Workshop(s) conclude(s), all elements of the CEMP will have been completed.

CEMP Implementation Plan

BOLDplanning is proposing a seven (7) phase CEMP project plan.

Phase 1: CEMP Subscription Licensing and System Configuration – (Days 1-30)

BOLDplanning will activate the CEMP Planning Module of the OswegoPrepared.com platform customized for the Oswego County. This phase includes:

- One (1) year Enterprise Subscription Licensing for the BOLDplanning.com CEMP Module.
- Technical services related to platform branding and customization.
- Real-time plan access through the internet for project managers, stakeholders, and planners.
- Project management services and administration for the successful completion of all deliverables.

Phase 2: Project Initiation – (Days 1-30)

BOLDplanning will schedule an on-line CEMP Initiation Meeting with the County's project management team. All appropriate stakeholders and staff will be encouraged to attend. The meeting will focus on:

- Review of the CEMP Planning Module.
- Review of existing plans.
- Review of Annex structure.
- Establishment and approval of planning structure.
- Cross check of compliance and other requirements.
- Introductory training for project managers and system administrators.
- Review of strategy for project rollout.
- Identification of appropriate contacts for all participants.
- Solicitation of executive support.

Phase 3: Plan Development Workshops – (Days 31-60)

BOLDplanning will schedule and conduct a one (1) full-day on-site Plan Development Workshop with the members of the project management team and stakeholders. The following deliverables will be included in this phase:

- Review state of plan based on work from earlier phases.
- Development of Annex Action Lists by department including correlation with primary and supporting departments.
- Meet with stakeholders that play a vital role in the CEMP. The agenda will be to discuss their roles and responsibilities in the planning process and during an activation.
- Analysis of existing emergency response capabilities and available resources.
- Facilitate an Executive Briefing with management, the project team, stakeholders, and participating staff to discuss the existing plan data, and plan development requirements.
- Provide all planners with clear next steps for plan completion.

Phase 4: Plan Enhancement Workshops – (Days 61-120)

BOLDplanning will schedule two (2) days of Plan Enhancement Workshops with project management team and stakeholders. During this phase, BOLDplanning will provide on-site CEMP consulting support from the BOLDplanning team for plan research, development, and review. The following deliverables will be included in this phase:

- Perform a gap analysis with the project team and stakeholders between the current state of the plan and the desired final product.
- Complete any remaining workshops for CEMP focus groups.
- Review of each Annex designation by a subject matter expert.
- Clear next steps for completion.

Phase 5: Plan Reviews – (Days 121-150)

BOLDplanning will complete plan review of the County's CEMP. Each section of the plan will be reviewed by a subject matter expert. Using the on-line review tool within the system, the plan will be analyzed, and each section will receive a **Red/Yellow/Green** status level along with comments for improvement. The review levels and comments will be immediately available for planners via the web-based tool and will provide the project managers with a detailed status report. The following deliverables are included in this phase:

- Review of CEMP data.
- Delivery of a **Red/Yellow/Green** status level for each CEMP element.
- Gap analysis and comments for plan improvement.
- Instructions for additional data input as required for plan enhancement and completion.

Phase 6: Plan Finalization Workshop – (Days 151-180)

BOLDplanning will schedule one (1) day of Plan Finalization Workshop with members of the project team and stakeholders. The following deliverables will be included in this phase:

- Completion of CEMP planning data input.
- Stakeholder final review and comment.
- Delivery of final CEMP plan in printed format and in PDF. (Access will also be available through OswegoPrepared.com module.)

Phase 7: Plan Maintenance – (181 through end of Year One)

BOLDplanning will maintain the CEMP Module for the remainder of the initial one (1) year subscription period. The following deliverables will be included in this phase:

- SaaS/Cloud infrastructure with all hosting, maintenance, upgrades, hot-site redundancy, and data backups.
- Real time CEMP plan access through the internet for all Oswego County emergency response stakeholders.
- Telephone and Internet technical support and customer service for all planners.
- Continued CEMP training and support via telephone and webinar.

Annual Software License/Support Renewal (Optional)

This project the initial twelve (12) month subscription licensing for OswegoPrepared.com CEMP module. At the end of the initial twelve (12) month subscription period, the project managers have the option to renew these subscription licenses for the organization. If this project is terminated at the end of this initial period, each planner will be able to download current plans in MS Word and Excel formats. This annual renewal includes the following deliverables:

- All hosting, maintenance, redundancy, data back-up and systems upgrades.
- Continued access to the system for the plan development and maintenance.
- Real time plan access through the internet for all planners and emergency responders.
- Continuing telephone and internet technical support and customer service.

Pricing

CEMP Product Pricing GSA Item #1310	Qty	Each Cost	Discount	Amount
Phase 1 CEMP License/Support - Year One (payable upon execution of contract)	1 Ea.			\$12,900.00
Phase 2a CEMP Project Management Package	1 Ea.			\$3,300.00
Phase 2b CEMP Project Implementation Briefing (On-Line)	1 Ea.			\$0.00
Phase 3 CEMP Plan Development Workshops	1 Day			\$6,375.00
Phase 4 CEMP Plan Enhancement Workshops	2 Ea.	\$6,375.00		\$12,750.00
Phase 5 CEMP Plan Review	1 Ea.			\$3,500.00
Phase 6 CEMP Finalization Workshop	1 Day			\$4,500.00
Phase 7 CEMP Plan Maintenance	1 st Year			\$0.00
Oswego County CEMP Project Total				\$43,325.00
Optional CEMP Product Pricing	Qty	Each Cost	Discount	Amount
CEMP License/Support Renewal - 2+ Years	Annual	\$6,557.50	25.00%	\$4,918.25

IN WITNESS WHEREOF, the parties have executed this Quote as of the Effective Date.

Oswego County, New York

BOLDplanning, Inc.

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

RESOLUTION NO. 111

**A RESOLUTION FIXING TIME AND PLACE FOR PUBLIC HEARING
RELATIVE TO PROPOSED COUNTY OF OSWEGO LOCAL LAW NO. 5 OF THE
YEAR 2022 ESTABLISHING NON-CONSENSUAL TOWING AND STORAGE
FEES FOR TOWING SERVICES DISPATCHED BY THE COUNTY**

By Legislator Marc Greco:

UPON the recommendation of the Public Safety and Emergency Services Committee
of this body, be it

RESOLVED, that the Oswego County Legislature shall hold a Public Hearing on the
proposed County of Oswego Local Law Number 5 of 2022, entitled "LOCAL LAW
NUMBER 5 OF 2022 ESTABLISHING NON-CONSENSUAL TOWING AND STORAGE
FEES FOR TOWING SERVICES DISPATCHED BY THE COUNTY " on the 9th day of
June, 2022, at 7:00 o'clock, in the evening of said day at the Oswego County Legislative
Chambers, County Office Building, 46 E. Bridge Street, Oswego, NY 13126, and be it
further

RESOLVED, that the Clerk of the Oswego County Legislature cause notice of such
Public Hearing to be published in the Official Newspapers of the County and post the same
as required by law.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE



Kevin B. Pooley
Director

OSWEGO COUNTY
E-9-1-1 EMERGENCY COMMUNICATIONS DEPARTMENT

315-349-8215
Fax 315-349-8500

PUBLIC SAFETY CENTER

39 CHURCHILL ROAD

OSWEGO, NY 13126

Informational Memo

Oswego County Tow Law
1/19/2022

The E911 Department maintains and manages a list of available tow trucks that belong to tow companies across Oswego County. This list is referenced whenever law agencies need a vehicle to be towed or assisted back to a roadway. The purpose of the 911 Tow List is to have defined contact information for reputable tow truck operators across the county that can be requested quickly when a traffic hazard is present. The Tow Operator ends up being a very important part of the emergency response and their actions reflect on law enforcement and 911.

In 2018 the E911 department replaced the Computer Aided Dispatch system, CAD. The new CAD gave 911 the ability to define the closest tow operator location by drive time. The primary goal for 911 regarding tow requests is to find the closest available resource to the incident so that the response agencies can be made available as soon as possible. The overall current process is that a tow operator submits an application to E911 that details their business info, tow truck size and capabilities, and a copy of their insurance for the location that they are requesting to be used. This process has begun causing some major issues.

The current 911 Tow List program has very few guidelines that define who is eligible to be put on the list and there currently is no way to remove a tow company if there is an issue. There have been complaints about delays in tow truck response, unsafe practices while on roadways, possible price gouging, and general rudeness towards 911 staff as well as agencies at the scene. Some tow operators claim to have tow trucks at locations that do not have tow trucks at them, this causes a delayed response. Some tow operators have also changed their pricing because people didn't have cash readily available. These issues started some conversations on an overhaul to the 911 Tow List program.

In mid-2019 a group of law agency members, 911 staff, and members of the Public Safety Committee began reviewing the current issues and needs. This task ended up becoming very cumbersome and took a lot of time and effort to get to an agreeable end point. With feedback from other counties and the County Attorney, it was decided to request the Legislature create a local law to address all of the items that were defined. A draft local law has been created and shared with multiple tow operators across the county and the group feels like we are at a point where we are asking the Legislature to support and move this forward to law.

The high-level points of the local law being requested are,

- a set price schedule,
- defined guidelines about what a tow location is,
- defined response timelines,
- defined rules for what should be carried on a tow truck,
- a way to confirm the tow operator requested is the one that has responded, and
- a way to remove tow operators who do not follow the items outlined.

The Sheriff and E911 Director support this local law and are requesting the Legislature create the new local law to help protect the people driving on the streets and highways of Oswego County as well as the responders that require these services. Thank you for your time and support of this request.

**COUNTY OF OSWEGO LOCAL LAW 5 OF 2022
ESTABLISHING NON-CONSENSUAL TOWING AND STORAGE FEES
FOR TOWING SERVICES DISPATCHED BY THE COUNTY**

BE IT ENACTED by the County Legislature of the County of Oswego as follows:

Section 1. Legislative Intent

It is the intent of the Legislature of the County of Oswego in enacting this chapter to safeguard the public health, safety and welfare and to protect the general public from unsafe practices by operation of towing services and ensure that consumers are protected from predatory pricing practices by operation of towing motor vehicles less than 6,500 (GVW) pounds in the County regarding non-consensual towing. In addition, the intent of this chapter is to ensure that the towing vehicles used are equipped with the appropriate safety items and carry appropriate insurance to protect the general public and the operator and employees of the towing entity. The rates for towing services as set forth in this local law shall only apply to non-consensual tows and storage in connection therewith as defined herein.

Section 2. Definitions

As used in this local law, the following terms shall have the meanings indicated:

1. **“Automobile Club”** means an entity which, in consideration of dues, assessments or periodic payments of money, promises its members or subscribed to assist them in matters relating to motor travel or the operation, use or maintenance of a motor vehicle including auto dealers and insurance companies, by supplying services which may include but are not limited to towing service, emergency road service and indemnification service.
2. **“County”** - Shall mean the County of Oswego and non-consensual towing dispatched by the Oswego County E-911 Center or the Oswego County Sheriff’s Office or other police agency within the County of Oswego.
3. **“Director”** - The Director of the Oswego County E-911 Center.
4. **“Holiday”** - Public Holidays as defined in the New York State General Construction Law §24 as amended.
5. **“Owner”** means the person or entity to whom a vehicle is registered, or to whom it is leased if the terms of the lease require the lessee to maintain and repair the vehicle. The holder of a contract with a vehicle rental agency shall not be considered the owner of that vehicle.

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

6. **“Towing Business, Towing Service or Towing Company”** means any business entity or operation that exists to tow or otherwise move motor vehicles by means of a tow truck, or the ownership or operation of a towing service storage lot. A towing business, service or company shall not include an automobile club, car dealership or insurance company.
7. **“Person”** - Includes any individual, partnership, corporation or limited-liability company or any other legal entity able to conduct business in New York State.
8. **“Tow Truck Operator”** means a person whom operates a motor vehicle that is equipped to provide any form of towing services.
9. **“Consensual Towing”** means towing a motor vehicle when the owner or operator of the motor vehicle has given permission to tow the vehicle.
10. **“Non-consensual towing”** means the towing of a motor vehicle without permission of the owner or when a law enforcement officer orders the vehicle to be towed in the performance of their official duties, regardless as to whether or not the owner consents.
11. **“Winching”** - Includes when the motor vehicle is unable to be moved or removed in any other manner, including, but not limited to, an unrolling vehicle.
12. **“Permit”** - A tow permit issued to a permit holder in the County of Oswego
13. **“Permit holder”** - A person issued a permit to operate a wrecker or tow truck in the County of Oswego.
14. **“Records”** - Every towing company that performs non-consensual towing shall retain for a minimum period of three (3) years, invoices, job orders, logs, claims for reimbursement from insurance companies and other documentation relating to all non-consensual towing services and rates charged for those services.
15. **“Wrecker or tow truck”** - A motor vehicle owned or operated by a person or by the employees or agents of such person for the purpose of towing, transporting, conveying or removing any motor vehicle not owned by the owner or operator of the wrecker or tow truck.

Section 3. Required notice and authority to tow

1. All commercial towing businesses and service companies dispatched by Oswego County E-911 or the county shall properly secure all towed vehicles and, if stored thereafter, must properly secure all towed vehicles and make all reasonable efforts to prevent further damage to or theft of (or from) all towed vehicles. The goal of the E-911 Department is to have a response

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

to the scene of an incident by a tow truck in not less than a half an hour from dispatch under normal conditions.

2. Within forty-eight (48) hours of the commencement of a non-consensual tow, notice shall be given directly to the owner by registered mail from the towing company. If a vehicle is towed on a holiday or a day with no USPS mail service, the forty-eight (48) hour period will commence on the next day with mail service. No storage charges beyond an initial twenty-four (24) hour charge shall accrue until the notice requirement is met. If the owner has communicated with the towing company in person or by e-mail and a notice has been provided to the owner, the towing company may dispense with the mailing requirement hereunder.

3. Notice to the owner and/or insurer shall contain at a minimum the following information:

- (a) The date and time the vehicle was towed;
- (b) The location from which the vehicle was towed;
- (c) The location and address where the vehicle is located including one-way mileage of the total distance of the tow;
- (d) The location, address and phone number where payment and business transactions take place if different than the business address;
- (e) The name, address and phone number of the tow truck company;
- (f) The name and signature of the tow truck operator;
- (g) A description of the towed vehicle including, but not limited to, the make, model, year and color of the towed vehicle;
- (h) The license plate number and state of registration of the towed vehicle; and
- (i) An itemization of all pending charges, storage rates and fees.

Section 3. Itemized statements and release of vehicles

- 1. Release of the vehicle must occur to the owner, the owner's designated agent, to the owner's insurance company representative, to the lien holder's representative, or when authorized by law enforcement upon payment, in full, of the applicable towing and/or storage charges.
- 2. Acceptable methods of payment for towing, storage and any additional services must include, but are not limited to, cash, insurance check, certified check, money order, credit cards, debit cards which the towing business accepts as forms of payment in the regular course of business. (See: General Business Law§ 399-xx(2))
- 3. An itemized statement for towing costs shall be provided by the towing business to the owner of the vehicle, the owner's agent or the owner's insurance company. Each itemized statement for towing costs shall contain the following information:

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

- (a) The location from which the vehicle was towed;
 - (b) The actual storage location of the vehicle;
 - (c) The name, address and telephone number of the tow truck company;
 - (d) The name of the tow truck operator;
 - (e) A description of the towed vehicle including, but not limited to, the make, model, year and color of the towed vehicle;
 - (f) The license plate number and state of registration of the towed vehicle;
 - (g) The cost of the original tow;
 - (h) The daily storage charge and the number of days the vehicle was stored; and
 - (i) Each additional service must be set forth individually as a single line item with an explanation and the exact charge for the service.
4. A copy of each statement and receipt by a tow truck operator in accordance with the requirements of this section shall be maintained by the towing business for a minimum of three (3) years from the date of issuance.
5. An owner, an owner's agent or the owner's insurance company representative shall have the right to inspect a vehicle before accepting its return.

Section 4. Prohibited Acts

1. It shall be unlawful for any person or entity conducting a towing business or for any person acting on behalf of a towing business involved in a non-consensual tow:
- (a) To falsely represent, either expressly or by implication, that the towing business represents or is approved by any private organization which provides emergency road service for disabled motor vehicles or otherwise falsely represent that it has an affiliation or agreement with the county or any other entity.
 - (b) To require an owner/operator of a motor vehicle involved in an accident or breakdown to sign an agreement pre-authorizing storage charges or repair work performed as a condition to providing towing service for the vehicle.
 - (c) To charge towing, storage or other fees which are excessive or deceptive in nature.
 - (d) To impose fees in addition to the towing fee for services which are customarily performed in conjunction with towing a vehicle.
 - (e) To charge storage fees for time periods when the towing business is not open or when the release of the vehicle cannot be secured by the owner, the owner's agent or the owner's insurance company. The time periods hereunder shall not include weekends, nights or holidays.

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

- (f) To charge storage fees which are not pro-rated for any portion of a twenty-four (24) hour period in which the vehicle is stored if a vehicle is stored for less than a twenty-four (24) hour period.
- (g) To refuse to release a vehicle to the owner, the owner's agent or the owner's insurer upon tender of payment in full and/or refusing to provide an itemized receipt for all lawful charges made in connection with the towing and/or storage of a vehicle unless such release is not permissible pursuant to state law, court order or request of a law enforcement agency or coroner.
- (h) To refuse the right of physical inspection of the towed vehicle by the owner, the owner's agent or the owner's insurer prior to payment of fees and release of a vehicle.
- (i) To offer to give any gratuities or inducements of any kind to any police officer or public servant in order to obtain towing business or recommendations for towing or storage of disabled vehicles.

Section 5. Oswego County E-911 Dispatch Towing Permit Requirements

- A. All commercial tow truck operators dispatched by Oswego County E-911 for both consensual and non-consensual towing must first hold a permit issued by the County of Oswego and must be registered and insured in accordance with NYS Vehicle and Traffic Law §401-b and applicable law.
- B. The name of the permit holder's individual, legal entity and/or trade name must be either painted or permanently affixed on each side of a wrecker or tow truck. Magnetic letters or signs are prohibited. All lettering setting forth the permit holder's legal entity or trade name as required herein shall be at least four inches in height. If the tow truck already has a USDOT number and name permanently affixed in accordance with the Code of Federal Regulations which is the same name as the towing business name that is also sufficient for the purposes of this section.
- C. The County of Oswego shall issue a permit decal to each permit holder for each wrecker or tow truck owned or operated by the permit holder with a unique vehicle identifier, which shall be conspicuously displayed on the driver's side cab rear window on each wrecker or tow truck which is subject to this local law. The decal shall not be displayed on the upper front portion of any window of the wrecker or tow truck in such a way as to impair the driver's vision. Each wrecker or tow truck must be assigned to a tow location. Businesses with multiple tow locations must have a wrecker or tow truck assigned to each.
- D. Upon reasonable notice, each permit holder shall submit each wrecker or tow truck to the

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

Director of E-911 or the Oswego County Sheriff's Office upon the original application for a license for inspection. Inspection shall be done at a location designated by the Director or his/her designee within the County of Oswego. Such inspection shall include an examination of the permit holder's name, as well as a determination whether such wrecker or tow truck carries a fire extinguisher rated for combustible liquid fire by the National Board of Fire Underwriters, six (6) highway flares, a safety chain, at least one dolly (unless it is a flatbed truck), a street broom and shovel, cable in the minimum amount of fifty (50) feet and a minimum strength of 3,700 pounds, at least one (1) Federal Highway Administration high visibility vest and is equipped with flashers and adequate emergency warning lights as set forth in the Vehicle and Traffic Law. The aforesaid items shall be carried at all times on each wrecker or tow truck. (See, generally: NYS Vehicle & Traffic Law §1219(c)).

- E. Upon reasonable prior notice, each permit holder shall allow the Director of Oswego County E-911 or the Oswego County Sheriff to inspect any impound lot(s) listed on the permit application during normal business hours.

Section 6. Application for County Permit

The application for a permit as required by the preceding shall be made to the Oswego County E-911 Department on a prescribed form and shall accurately specify the following information, the truth of which shall be sworn to or affirmed by the applicant:

- A. The year, make, type and NY registration number of the wrecker or tow truck.
- B. The name and address of the applicant and, if a corporation, the name and address of each officer and director thereof, and, if a partnership, the name and address of each partner thereof, and, if a limited-liability company, the name and address of each member thereof. If an individual conducting business under an assumed name, a copy of the filed Certificate of Doing Business under an Assumed name.
- C. The name and address of the owner of the wrecker or tow truck(s), if other than the applicant.
- D. The location or locations of the premises at which the wrecker or tow truck is domiciled or garaged.
- E. The location or locations of the premises to which the motor vehicles are to be towed and the maximum number of vehicles to be stored at such premises.
- F. The location of a storage/impound lot or building owned or used by the applicant. A tow location is defined as a location that has a secured storage area and office. It must have appropriate signage and proof of licensed business address must be provided. A vehicle must be towed to an approved tow location for storage.
- G. A copy of the applicant's New York State Certificate of Authority to collect state sales tax. (N.B.: Towing charges for *disabled vehicles* and storage charges for towed vehicles are taxable - See: NYS Tax Bulletin ST-40)

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

- H.. A complete list of all criminal convictions, except minor traffic violations, of the applicant or, if a corporation, of each officer and director thereof, or, if a partnership, of each partner thereof, or, if a limited-liability company, of each member thereof.

Section 7. Insurance

Each permit application shall be accompanied by certificates of insurance evidencing a current automobile liability policy and a current garage liability policy (if applicable) issued by an insurance company authorized to do business in the State of New York. Policy limits for automobile liability insurance shall be in the minimum amount as set forth in §345(b)(3) of the New York State Vehicle and Traffic Law, as amended. In addition, each applicant and permit holder shall have and keep in effect statutory New York State workers' compensation and disability benefits insurance coverage for all employees or provide a certificate of exemption on an approved. (e.g. Form CE-200, Certificate of Attestation for New York Entities With No Employees; Form C-105.2, Certificate of Workers' Compensation Insurance; Form DB-120.1, Certificate of Disability Benefits Insurance) Policy limits for garage keeper's liability insurance shall be a minimum of \$1,000,000 per occurrence.

Section 8. Registration of employees, agents and permit holders not required

No additional registration of permit holders or of employees or agents of permit holders whom operate a wrecker or tow truck shall be required other than a valid, in class, New York State driver license. If employees or agents or licensees present an out-of-state driver license, it must be valid for operation of a wrecker or tow truck in New York State.

Section 9. Permit fee; copies of license; validity

Each wrecker or tow truck shall be issued a permit and separately numbered decal when an applicant's permit application is approved by the county. The fee for a truck decal is waived for the first tow truck and \$5 thereafter for additional truck decals and/or replacements. Each such permit shall be issued in duplicate. A copy of the permit shall be kept at all times in the wrecker or tow truck, and the second copy shall be kept at all times at the principal place of business of the licensee. Each permit shall be valid for two years from the date of its issuance unless otherwise extended by the county.

Section 10. Permit renewal

Any permit issued hereunder may be renewed for additional periods of two years upon:

- A. Submission to the Director of Oswego County E-911 a renewal application on the form prescribed by the county stating that there have been no changes in the original application or

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

setting forth any changes; presentation of renewal insurance certificates as required hereunder.

B. There is no fee to renew this permit. The Oswego County E-911 Director may, within thirty (30) days after the submission of all items required by this chapter, deny the renewal of any license if it finds that the applicant no longer is in compliance with this local law. Failure to make application for such renewal within ten (10) days prior to the expiration date of the permit may result in the removal of the applicant from the commercial tow list. After the expiration date of the license, the licensee shall be considered no longer permitted by the county unless an extension has been granted by the county to comply with same. It is the intention of the county to have initial permits and renewals occur on a staggered basis to not overburden the E-911 Department at any given time.

Section 11. Transfer of license or registration

Any permit required by this local law shall not be transferred or assigned without the prior written approval of the Oswego County E-911 Department, nor shall the domicile of any wrecker or tow truck licensed hereunder or storage lot/building be changed without prior written notification to that department.

Section 12. Revocation or suspension of permit

In addition to any penalties which may be imposed for the violation of any provision of this local law, the Director of the Oswego County E-911 Department may, in his or her discretion, refuse to issue or renew, or may suspend or revoke, any license required by this chapter, after written notice and opportunity to be heard, for any of the following reasons:

- A. Fraud or willful and knowing misrepresentation or false statements made in an application for a license.
- B. Fraud or willful and knowing misrepresentation or false statements made in the reports or invoices of any wrecking or towing service.
- C. Failure to maintain minimum insurance in the amounts set forth herein and as required by the State of New York for tow trucks.
- D. Knowing or willful violation of any other provision of this local law.
- E. Violation of laws or regulations of the State of New York, pertaining to violations of motor vehicle laws and regulations regarding to commercial towing and business/employer operations in general (e.g. workers compensation, insurance, sales tax) and operations of vehicles upon roadways (i.e. Vehicle and Traffic Law).

Section 13. Removal of towed vehicles outside County

Regarding non-consensual tows, no person shall tow or remove, or cause to be towed or removed, any motor vehicle from a location within Oswego County to a location more than five miles from the border of Oswego County without the express prior consent of the owner thereof. However, if a non-consensually towed vehicle remains unclaimed at the storage yard or premises

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

of the owner or operator of a wrecker or tow truck for more than twenty (20) days, then said motor vehicle may be removed by such owner or operator of a wrecker or tow truck without the owner's consent to a location outside Oswego County. Should that occur, at least five (5) days prior to any such removal outside the county, the owner of such motor vehicle shall be notified by certified mail, return receipt requested, of the intent to remove such motor vehicle to a location outside Oswego County and of the address of such location.

Section 14. Maximum charges for Non-consensual towing

The following charges are the maximum an operator may charge for non-consensual towing and services made at the request of the Oswego County E911 Center or county. No other charges are authorized. Rate schedule will be reviewed and approved annually by the Oswego County Public Safety Committee which shall have the authority to change rates under this section.

A. These rates apply to two (2) axle passenger vehicles, trucks and vans; and motorcycles only. Larger vehicles, specialty vehicles, combination vehicles with trailers and the like which require a "heavy tow", are not restricted to this rate schedule.

1. Days (08:00 AM to 05:00 PM) Mon – Fri \$200.00
2. Nights (5:00 PM to 08:00 AM) Saturdays, Sundays & Holidays \$225.00
3. Dolly/Flatbed Rate (if requested or required) \$50.00
4. Dolly/Flatbed Rate (If requested or required) on Nights & Weekends.....\$65.00
5. Winching Rate \$50.00 Minimum up to first 30 minutes/\$25.00 each additional 15 minutes
6. Service Calls: Days (8:00 AM to 05:00 PM, Mon – Fri) \$200.00
7. Service Calls: Nights, Saturdays, Sundays & Holidays \$225.00
8. Extenuating Circumstances, Service Charge/Cleanup (per 30 minutes)..... \$40.00
9. Storage (24 hours after vehicle is towed) \$60.00 per day
10. Fuel Surcharge (Only when approved by E-911 Director).....\$25.00 per invoice
11. Administration fees (Only eligible when owner notification and lien holder notification required)...\$75.00 per invoice

B. No tow truck owner or operator shall charge a fee for services or impose any other charge

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

whatsoever for non-consensual towing dispatched by the county, except those set forth in this chapter, as from time to time amended. No Mileage charges can be charged if the vehicle is towed back to the operators storage facility.

- C. No tow truck owner or operator shall charge a fee for waiting charges by employee-hour, debris cleanup, additional personnel, off-loading, yard charges, towing prep charges or other charges for towing services or any charge or fee of a similar nature unless there is a justifiable extenuating circumstance.

Section 15. Availability of schedule of charges; responsibility for payment of fees

- A. Every owner and operator of a wrecker or tow truck shall maintain a written schedule of all rates and charges, in compliance with the limitations of the foregoing section, and shall make such schedule available to any person requesting the same at any time.
- B. Whenever practicable, the owner or operator of any motor vehicle utilizing towing or wrecker services shall be given a copy of a full schedule of rates at the time the wrecking or towing services are rendered. In any event, a full schedule of rates shall be annexed to each bill for wrecking or towing services and shall be posted at the business address.
- C. Notwithstanding any provision of this chapter to the contrary, the owner and/or operator of any motor vehicle who requests any consensual towing services shall be responsible for payment to the permit holder of any fees and charges.

Section 16. Storage charges

No wrecker or tow truck owner or operator shall charge an outdoor storage charge in excess of those set forth in Section 14 for storage resulting from non-consensual tows. For the purpose of this local law, time shall be calculated not by calendar days but from the time the motor vehicle was originally stored. No storage shall be charged if the place of business of the licensee is not open for retrieval of the vehicle during normal business hours (nights, weekends and holidays excepted).

Section 17. General Provisions

Towing from private property. - No owner or operator of a wrecker or tow truck shall tow a motor vehicle from private property except at the express written request of the owner or lessee of the property or at the express written request of the owner of the vehicle, or the consent of the owner of the motor vehicle and the owner or lessee of the property.

Towing of vehicle without owner's consent. - Every owner and operator of a wrecker or tow truck shall, prior to removal or towing of any motor vehicle without the express consent of the owner or operator thereof, notify the appropriate law enforcement authority of the year, make, model and license number of such motor vehicle, the location from which it is removed and the

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

location to which it is removed.

Section 17. Nonapplicability

The terms and provisions of this chapter shall not apply to the owner or operator of any wrecker or tow truck:

- A. Which tows a disabled vehicle outside the county limits that is not covered by this law on a consensual basis or non-consensual basis to include, but not be limited to, tractor trailers, postal vehicles, large commercial trucks.
- B. The services of which, not being domiciled in Oswego County, are requested by the owner or operator of a motor vehicle only for the purpose of towing outside the County.
- C. Which undertakes the booting, towing and removal by a municipality or law enforcement agency.
- D. Which undertakes the removal of a consensual tow of vehicle with upon request/with consent of the owner. In such cases, the rates set forth in this local law shall not apply.
- E. Tows conducted by, for or billed to an Automobile Club, a manufacturer roadside assistance plan or other emergency roadside services not involving towing.
- F. Which is merely passing through or delivering a vehicle to Oswego County.

Section 18. Severability

If any clause, sentence, paragraph, section, subdivision, or other part of this local law, as written or in its application, shall be inconsistent with any federal or state statute, law, regulation or rule then the federal or state statute, law, regulation, or rule shall prevail. If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order, judgment or legislation shall not affect, impair, or invalidate the remainder thereof which shall remain in full force and effect except as limited such order or judgment.

Section 19. Effective Date

This local law shall take effect on the ninetieth day after its adoption.

DRAFT - FOR DISCUSSION ONLY - Rev 3/16

RESOLUTION NO. 112

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT –
RFP 22-YB-001 – CAMP HOLLIS WINTERIZATION**

By Legislator Roy Reehil

WHEREAS, the County issued a request for proposal for a vendor to provide Architectural and Engineering Services for Camp Hollis Winterization; and

WHEREAS, in accordance with Oswego County Purchasing Policy, the Oswego County Purchasing Department solicited Requests for Proposals (RFP 22-YB-001) from multiple qualified firms to provide Architectural and Engineering Services for Camp Hollis Winterization and

WHEREAS, the Oswego County Youth Bureau and Oswego County Purchasing Department have reviewed the proposals received and determined the proposal from Tetra Tech Architects and Engineers, 10 Brown Rd, Ithaca, NY 14850, meets the County's needs;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Human Service Committee that the County of Oswego awards the professional service contract for providing Architectural and Engineering Services for Camp Hollis Winterization, to Tetra Tech, 9423 10 Brown Rd, Ithaca, NY 14850, to not exceed the cost of \$39,800 and be it further

RESOLVED that a certified copy of this resolution delivered to the Treasurer and Purchasing Director shall be their authority to affect the procurement of services.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



OSWEGO COUNTY PURCHASING

46 E Bridge Steet, Oswego NY 13126
 Phone (315)326-6050 Fax (315)349-8237
 Email: Holly.Carpenter@OswegoCounty.Com

RFP 22-YB-001 – Camp Hollis Winterization

Name of Company	Location	Evaluation Rating	Proposed Price	Required Documentation PRCS/PIS/SHC/NCC/RFC				
Tetra Tech Architects & Engineers	10 Brown Rd Ithica, NY 14850	92.6	\$39,800	X	X	X	X	X

SHC=Sexual Harassment Certification; PRCS=Proposer Reply Cover Sheet; PIS=Proposer Information Sheet; NCC=Non-Collusion Certification; RFC= Resolution for Corporations

Solicitation Process: RFP 22-YB-001 was publicly advertised in the official newspaper, on Bidnet, and on the Oswego County website on March 11, 2022. It was also sent directly to the following vendors:

- Barton & Loguidice
- C & S Engineers
- CHA Consulting
- Foit-Albert Associates
- Keystone Architects
- Shumaker Consulting
- SWBR Architects
- Tetra Tech Architects

Number of Responses: One (1)

<u>Tetra Tech Architects & Engineers</u>	Pros: <ul style="list-style-type: none"> • Informative Proposal • Experience working with Oswego County within the last 5 years. • Timeline Cons: <ul style="list-style-type: none"> • Over budget
--	--

Proposals Reviewed By:

- **Zach Grulich**
- **Brian Chetney**
- **Rick Doten**

Evaluation Summary: The evaluation committee reviewed and rated each proposal according to the criteria listed on the attached schedule. The Committee recommends awarding the contract to Tetra Tech Architects & Engineers.

Recommended Actions: Oswego County Purchasing Department certifies that the solicitation complies with Oswego County Purchasing Policy and New York State General Municipal Law. The Purchasing Department recommends awarding the contract.

RFP 22-YB-001
Camp Hollis Winterization

Total Points	Evaluation Criteria	Tetra Tech Architect & Engineers		
		Brian C	Zach G	Rick D
40	Evaluator Experience & Capabilities	38	40	37
30	Management Outline and Project Approach	28	30	28
10	Business & Organization	9	8	9
20	Cost	18	15	18
100	Total Points	93	93	92
Rating per Evaluation		92.6		

RESOLUTION NO. 113

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT –
RFP 22-OFA-001- PERSONAL EMERGENCY RESPONSE SERVICE**

By Legislator Roy Reehil

WHEREAS, the County issued a request for proposal for a vendor to provide Personal Emergency Response Service; and

WHEREAS, in accordance with Oswego County Purchasing Policy, the Oswego County Purchasing Department solicited Requests for Proposals (RFP 22-OFA-001) from multiple qualified firms to provide Personal Emergency Response Service; and

WHEREAS, the Oswego County Office of the Aging and Oswego County Purchasing Department have reviewed the proposals received and determined the proposal from Response 4 Help meets the County's needs;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Human Service Committee that the County of Oswego awards the professional service contract for providing Personal Emergency Response Service to Response 4 Help, 7758 Maple Road, Baldwinsville, NY 13027, per \$10,839.00 annually and be it further

RESOLVED that a certified copy of this resolution delivered to the Treasurer and Purchasing Director shall be their authority to affect the procurement of services.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



OSWEGO COUNTY PURCHASING

46 E Bridge Steet, Oswego NY 13126
 Phone (315)326-6050 Fax (315)349-8237
 Email: Holly.Carpenter@OswegoCounty.Com

RFP 22-OFA-001 - PERSONAL EMERGENCY RESPONSE SERVICE

Name of Company	Location	Evaluation Rating	Proposed Price	Required Documentation PRCS/PIS/SHC/NCC/RFC					
ATC ALERT	1983 Marcus Ave, Suite E122 Lake Success, NY 11042	76.3	\$10,368.00 Annual	<table border="1"> <tr> <td>X</td><td>X</td><td>X</td><td>X</td><td>X</td> </tr> </table>	X	X	X	X	X
X	X	X	X	X					
Connect America	816 Park Way Broomall PA 19008	93	\$10,620.00 Annual	<table border="1"> <tr> <td>X</td><td>X</td><td>X</td><td>X</td><td>X</td> </tr> </table>	X	X	X	X	X
X	X	X	X	X					
Life Line	111 Lawrence Street Framingham MA 01702	83.3	\$16,740.00 Annual	<table border="1"> <tr> <td>X</td><td>X</td><td>X</td><td>X</td><td>X</td> </tr> </table>	X	X	X	X	X
X	X	X	X	X					
Response 4 Help	7758 Maple Road Baldwinsville NY 13027	93.3	\$10,839.00 Annual	<table border="1"> <tr> <td>X</td><td>X</td><td>X</td><td>X</td><td>X</td> </tr> </table>	X	X	X	X	X
X	X	X	X	X					

SHC=Sexual Harassment Certification; PRCS=Proposer Reply Cover Sheet; PIS=Proposer Information Sheet; NCC=Non-Collusion Certification; RFC= Resolution for Corporations

Solicitation Process: RFP 22-OFA-001 - Personal Emergency Response Service was publicly advertised in the official newspaper, on Bidnet, and on the Oswego County website on February 15, 2022. It was also sent directly to the following vendors:

- Response 4 Help
- Phillips Aging and Caregiving(ACG)
- Stat Communications/Doyle

Number of Responses: Four(4)

ATC Alert	Pro <ul style="list-style-type: none"> • Rapid Response • Established Customer base (1000's) • Pricing lowest estimated annual cost Con <ul style="list-style-type: none"> • Location - Long Island • Less in touch w/Rural areas
-----------	--

RFP 22-OFA-001 - PERSONAL EMERGENCY RESPONSE SERVICE

	<ul style="list-style-type: none"> • No outline to project approach • Been in business for just 5yrs-Opened 2017
Connect America	<p>Pro</p> <ul style="list-style-type: none"> • Aging & At Risk • 800,000+ subscribers • Business since 2004 • Experience across US- including Franklin County • Multiple ways to make referrals <p>Con</p> <ul style="list-style-type: none"> • Extensive Training • Pricing for landline & landline fall detection higher than current provider & that is 50% cliental
Life Line	<p>Pro</p> <ul style="list-style-type: none"> • Extremely Profitable • 48 years in business (1974) • All over US - diverse locations many regional & local employees <p>Con</p> <ul style="list-style-type: none"> • Pricing highest price more than \$6,000 • No cost difference between devices all \$31
Self Direct	<p>Pro</p> <ul style="list-style-type: none"> • Utilized for last 6 years - (current provider, great relationship) • Location local- B'ville • Responsive to calls • Lowest costing for majority of our users. <p>Con</p> <ul style="list-style-type: none"> • Too long for install & pickup • Higher Mobile

RFP 22-OFA-001 - PERSONAL EMERGENCY RESPONSE SERVICE

Proposals Reviewed By:

- Sara Sunday
- Hope Cimilluca
- Elizabeth Weimer

Evaluation Summary: The evaluation committee reviewed and rated each proposal according to the criteria listed on the attached schedule. The Committee recommends awarding the contract to Response 4 Help.

Although Response 4 Help is not the lowest bid, the difference is minimal swapping units out will cost more in staff time and participant hardship. They are also the most local proposer with their main office located in Baldwinsville.

Recommended Actions: Oswego County Purchasing Department certifies that the solicitation complies with Oswego County Purchasing Policy and New York State General Municipal Law. The Purchasing Department recommends awarding the contract.

Total Points	Evaluation Criteria	ATC Alert			Connect America			Life Line			Response 4 Help		
		SS	EW	HC	SS	EW	HC	SS	EW	HC	SS	EW	HC
40	Evaluator												
	Experience & Capabilities	25	30	30	40	30	40	40	30	40	40	35	40
30	Management Outline and Project Approach	20	20	22	30	30	30	30	15	25	25	30	25
10	Business & Organization	7	6	9	10	10	7	10	10	10	10	10	10
20	Cost	20	20	20	15	17	20	10	15	15	20	15	20
100	Total Points	72	76	81	95	87	97	90	70	90	95	90	95
Rating per Evaluation		76.3			93.0			83.3			93.3		

RESOLUTION NO. 114

**RESOLUTION AUTHORIZING CREATION OF TWO POSITIONS AND
DELETION OF ONE POSITION IN THE DEPARTMENT OF SOCIAL SERVICES
LEGAL TEAM**

By Legislator Roy Reehil:

Upon recommendation of the Human Services Committee of this body, with the approval of the Finance and Personnel Committee, be it

RESOLVED, the Social Services Commissioner has identified the need to restructure the DSS Legal Services Team due to difficulties in recruiting a 5th Attorney for the Department and to keep pace with the high volume of time sensitive and critical work in DSS Legal Services, and be it

RESOLVED, that one (1) Senior Paralegal, Grade twelve (12) and one (1) Paralegal, Grade eleven (11) in the CSEA Oswego County Local 838, be created, and be it

RESOLVED, that one (1) Social Services Attorney in Management/Confidential be deleted, and be it

RESOLVED, that a certified copy of this resolution be delivered to the County Treasurer, Budget Officer, and Human Resources Director shall be their authority to make such adjustments.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 22 NO: 2 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

RESOLUTION NO. 115

**RESOLUTION AUTHORIZING BUDGET MODIFICATION DEPARTMENT OF
SOCIAL SERVICES TO TRANSFER FUNDS INTO SERVICES ADDITIONAL
HOURS AND OVERTIME**

By Legislator Roy Reehil:

Upon recommendation of the Human Services Committee of this body, with the approval of the Finance and Personnel Committee, be it

RESOLVED, that the County Treasurer be, and he hereby is, authorized to transfer the funds from and to the accounts as shown on the attached budget modification request, and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfer and make such adjustments.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 115 of 2022

A6070 512000	\$125,000.00
A6070 514300	\$100,000.00
A 159900	(\$85,500.00)
A6070 436090	(\$139,500.00)



COUNTY OF OSWEGO
Department of Social Services

Stacy Alvord, MSW
Commissioner

P.O. Box 1320 • Mexico, New York 13114
phone 315.963.5435 • fax 315.963.5477

INFORMATIONAL MEMORANDUM

TO: Human Services Committee, Oswego County Legislature

FROM: Stacy Alvord, MSW, Commissioner

DATE: April 20, 2022

SUBJECT: Request for Additional Hours and Overtime – Services Division

SUMMARY: The Department of Social Services has amassed fourteen (14) Caseworker vacancies. **Eight (8) of these Caseworker vacancies have been announced in the past 30 days.** There are also four vacancies in other titles within Services as well as 3 full-time staff out on an approved leave of absence.

Leadership in the Services division has been conducting interviews from the current civil service list to expedite hiring refills for these positions as soon as possible. Currently however, there are only seven (7) candidates on the Caseworker list for Oswego County and the test was just given in March 2022. As has been previously reported, one year of training must commence for each new hire as well as at least an additional year of support for a Caseworker to become independent in their role. DSS anticipates another civil service test offering in June 2022 for the Caseworker position, as Human Resources is offering this test every 3 months.

Further support and suggestions from Human Resources are being sought by DSS to help find candidates for the Caseworker position. As historical trends have shown, we anticipate additional vacancies in 2022, and finding eligible candidates for these positions is an issue in Oswego County. In coordination with our Workforce NY career center and Employment/Training staff, DSS continues to attend and support hiring events and career fairs where DSS is represented and positions in public service are promoted.

The attached budget modification requests \$100,000 in additional hours (+5 hours to bring our staff up to 40 hours) for the Services division as well as \$125,000 in overtime for the Services division. This is a 3-month projection based on expressed interest by staff to work the additional hours and overtime. Salary and fringe for Services is reimbursed at 62% by NYS. 38% is local share. This budget modification requests the local share amount for these additional hours and overtime from the County's General Fund.

RECOMMENDED

ACTION:

The Social Services Department recommends the Human Services Committee; the Finance & Personnel Committee and the Oswego County Legislature approve this budget modification.

2022 Budget
4/20/2022

COMMITTEE SIGNATURES DATE

DEPARTMENT HEAD _____ DATE _____

RESOLUTION NO. 116

**RESOLUTION AUTHORIZING THE COUNTY OF OSWEGO TO ACCEPT
THE DONATION OF MATERIALS AND LABOR FROM OLE-ORGANIZATION
OF LATINO EMPLOYEES, JAMES A FITZPATRICK NPP, CONSTELLATION -
CAMP HOLLIS CABIN RENOVATIONS**

By Legislator Roy Reehil:

WHEREAS, the OLE- Organization of Latino Employees, James A Fitzpatrick NPP, Constellation is looking to do a community outreach opportunity at Camp Hollis. The proposal includes adopt-a-garden and cabin updates at Camp Hollis.

NOW, upon recommendation of the Human Services Committee, be it

RESOLVED, that the County accept the donation of materials and labor from OLE-Organization of Latino Employees NPP, Constellation for Camp Hollis renovations.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Oswego City-County Youth Bureau

OSWEGO COUNTY COMPLEX
70 BUNNER STREET
OSWEGO, NY 13126

(315) 349-3451
FAX (315)-349-3231



Brian Chetney Executive Director
brian.chetney@oswegocounty.com

May 12, 2022

Informational Memorandum

Purpose: To accept the donation of materials and labor from OLE-Organization of Latino Employees, James A Fitzpatrick NPP Camp Hollis Renovations

Summary: The OLE- Organization of Latino Employees, James A Fitzpatrick NPP have submitted a proposal which includes adopt-a-garden and cabin renovations at Camp Hollis. 50 volunteers are proposing to do the updates over 4 dates in the month of May and June.

Recommended Action: The department recommends the County accept the donation of material and labor from the OLE-Organization of Latino Employees, James A Fitzpatrick NPP for Camp Hollis renovations.

Camp Hollis – Cabin Renovations proposal

Sponsor: OLE – Organization of Latino Employees, James A.
FitzPatrick NPP



OLE – Organization of Latino Employees

Community Outreach Opportunity



➤ 2nd Annual Adopt-a-garden effort

- Spring clean up
- Mulching
- Watering and light summer maintenance

➤ Cabin Renovations

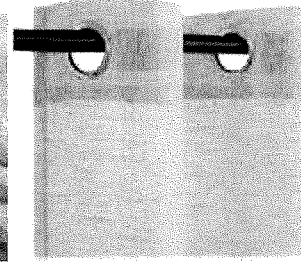
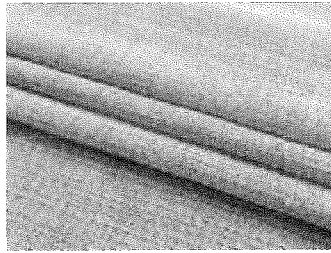
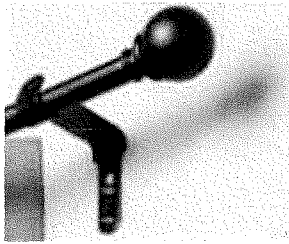
- Painting – inside cabins and outside railings
- Interior update (wall art, shelves, etc.)



Detailed list for cabins:

A. Replace all window curtains and rods in all 12 cabins (same style)

a.



- B. Repaint floors with concrete paint in 10 cabins (gray)
- C. Repaint the wooden bunk beds (colors TBD based on donated paint)
- D. Build and install shelving for each camper and in bathrooms (24 60-inch shelves and 48 30-inch shelves)
- E. Build and install foot lockers for each camper (60 footlockers total)
- F. Repaint bathrooms in cabins 11 and 12 (white)
- G. Repaint ½ wall in cabins where needed (white)
- H. Install hooks



Other donations:

- Art work (a few examples below)



- Books
- Other supplies – paper towels, soap dispensers, etc.

Number of volunteers: 50

Selected support dates:

- May 5th, Thursday 4-6 pm
 - Focus: Cleaning and painting of Cabins 7-12
- May 7th, Saturday 11 am – 3pm
 - Focus: Gardens clean up and re-planting flowers; Cabins 7-12 Floor painting; Carpentry (hanging shelves, hooks, etc.)
- May 18th, Wednesday 4-6 pm
 - Focus: Cleaning and painting of Cabins 1-6
- May 21st, Saturday 11 am – 3pm
 - Focus: Gardens clean up and re-planting flowers; Cabins 1-6 Floor painting; Carpentry (hanging shelves, hooks, etc.)

RESOLUTION NO. 117

**RESOLUTION DESIGNATING THE CERTIFYING OFFICER AND
ENVIRONMENTAL RESPONSIBILITY CERTIFICATIONS FOR ALL OSWEGO
COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS
SPECIFICALLY 864CVHR34-21, OSWEGO COUNTY LOCAL CDBG PROGRAM
INCOME ADMINISTRATION PLAN 2022 AND NYSCDBG CARES FARM
WORKER HOUSING PROGRAM**

By Legislator Tim Stahl:

WHEREAS, The County of Oswego desires to apply, implement and administer NYS CDBG funds through the NYS HCR CDBG program, and

WHEREAS, the designation of a Certifying Officer is necessary to be in compliance with the rules and regulations of the NYS Community Development Block Grant program (CDBG), and

WHEREAS, all Oswego County CDBG programs must be reviewed in accordance with NEPA (National Environmental Protection Act) NY SEQR (State Environmental Quality Review Act) requirements, and

WHEREAS, the Oswego County Legislature is required to consider potential environmental impacts when undertaking NYSCDBG activities, then therefore be it and it is hereby

RESOLVED, that Karen Noyes, Associate Planner in the Department of Community Development, Tourism and Planning, is Designated as the Certifying Officer for Oswego County's environmental responsibilities related to the following for all CDBG Programs specifically: Oswego County CDBG 864CVHR34-21, Oswego County Local CDBG Program Income Administration Plan 2022 and NYS CDBG Cares Farm Worker Housing Program (if funded), and be it further

RESOLVED that the Oswego County Legislature authorizes and supports the implementation of the CDGB Local Administrative Plan, and be it further

RESOLVED that the Chairman of the Legislature is hereby authorized to execute any and all documents that may be necessary to apply for and subsequently accept and disburse these funds if awarded.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



**OSWEGO COUNTY DEPARTMENT OF COMMUNITY
DEVELOPMENT, TOURISM AND PLANNING**

COUNTY BUILDING

46 EAST BRIDGE STREET

OSWEGO, NEW YORK 13126

TELEPHONE (315) 349-8292

FAX (315)349-8279

Janet W. Clerkin

*Office of Promotion
And Tourism*

Donna B. Scanlon

*Office of Community
Development Programs*

Scott Smith

Office of Housing Assistance

David R. Turner
Director

INFORMATIONAL MEMORANDUM

DATE: May 2, 2022

SUBJECT: NYS Office of Community Renewal Community Development Block Grant (CDBG) – Covid Cares Act 21 application for Farmworker Safety Housing Grant Program and CDBG Local Housing Program Administration Plan

PURPOSE: Designate a Certifying Officer for the administration of the CDBG programs we have and are applying for. The resolution will also authorize the Chairman to execute documents that may be required to accept and disburse the new funds if they are awarded.

FISCAL IMPACT: Staff time from the Oswego County Office of Community Development, Tourism and Planning will be utilized to administer this grant. There is some administration money available through the CDBG CV CARES housing program to compensate for those activities.

**RECOMMENDED
ACTION:**

The Economic Development & Planning Committee recommends that the legislature approve these actions.

RESOLUTION NO. 118

**RESOLUTION AUTHORIZING BUDGETARY MODIFICATION HEALTH
DEPARTMENT-ROLLOVER OF 2021 GRANT FUNDS**

By Legislator James Karasek:

WHEREAS, to allow rollover of 2021 grant funds; and

WHEREAS, the OCHD Restructure proposal created a new department, Public Health Education & Emergency Planning; and

WHEREAS, the costs related to this department were previously held in the Preventive division; and

WHEREAS, this budget modification is to allow the associated 2021 grant rollovers to be moved from the Preventive division to the Public Health & Emergency Planning Department; and

NOW, on recommendation of the Health Committee of this body, with the approval of the Finance and Personnel Committee, be it

RESOLVED, the Health Department requests the Health Committee and Legislature approve the corresponding modification to rollover 2021 grant funds.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 118 of 2022

A4035 514000	(\$66,826.00)
A4035 545500	(\$30,831.00)
A4035 444890	(\$111,972.00)
A4037 514000	\$66,826.00
A4037 545500	\$30,831.00
A4037 444890	\$111,972.00



INFORMATIONAL MEMORANDUM

Subject: Budget modification to allow rollover of 2021 grant funds.

Summary: The OCHD Restructure proposal created a new department, Public Health Education & Emergency Planning. The costs related to this department were previously held in the Preventive division. This budget modification is to allow the associated 2021 grant rollovers to be moved from the Preventive division to the Public Health & Emergency Planning Department.

Recommended

Action: The Health Committee recommend that the Finance and Personnel Committee approve the corresponding budget modification and send it to the full Legislature for final approval.

COUNTY OF OSWEGO

[illegible]

	HUMAN RESOURCES DIRECTOR	DATE
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		
30.		
31.		
32.		
33.		
34.		
35.		
36.		
37.		
38.		
39.		
40.		
41.		
42.		
43.		
44.		
45.		
46.		
47.		
48.		
49.		
50.		
51.		
52.		
53.		
54.		
55.		
56.		
57.		
58.		
59.		
60.		
61.		
62.		
63.		
64.		
65.		
66.		
67.		
68.		
69.		
70.		
71.		
72.		
73.		
74.		
75.		
76.		
77.		
78.		
79.		
80.		
81.		
82.		
83.		
84.		
85.		
86.		
87.		
88.		
89.		
90.		
91.		
92.		
93.		
94.		
95.		
96.		
97.		
98.		
99.		
100.		

DEPARTMENT HEAD DATE

RESOLUTION NO. 119

**RESOLUTION AUTHORIZING EXECUTION OF AN INTERMUNICIPAL
AGREEMENT BETWEEN THE CITY OF OSWEGO AND THE COUNTY OF
OSWEGO FOR LEACHATE TREATMENT AND SLUDGE DISPOSAL**

By Legislator Stephen Walpole:

WHEREAS, the County of Oswego and the City of Oswego had entered into an Intermunicipal Agreement for Leachate Treatment and Sludge Disposal dated January 1, 2017 for a term of five (5) years that has now expired; and

WHEREAS, the County and City desire to renew the Intermunicipal Agreement for an additional five (5) years pursuant to the existing terms and conditions found in the 2017 Agreement; and

WHEREAS, the renewal of this Agreement is authorized pursuant to Article 5-G, Section 119-o of the General Municipal Law of the State of New York upon approval by majority votes of the Oswego County Legislature and the City of Oswego Common Council; and

WHEREAS, under the Agreement, the County will pay the City at a rate of \$0.02 per gallon delivered for treatment over the initial 12,500,000 gallons of leachate delivered per year, and the City will pay the County's tipping fee of \$75.00 per ton after exceeding 2,900 tons delivered per year; and

WHEREAS, said arrangement promotes intermunicipal cooperation and efficiency; now,

Upon recommendation of the Infrastructure, Facilities and Technology Committee of this body, be it

RESOLVED, that an extension of the Intermunicipal Agreement by and between the County of Oswego and the City of Oswego for the treatment of leachate and the disposal of sludge is hereby authorized and approved in accordance with the terms and conditions contained in the original Agreement between the parties; and it is further

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an extension of the Intermunicipal Agreement, for a period of five (5) years.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 23 NO: 1 ABSENT: 1 ABSTAIN: 0



Oswego County Department of Solid Waste

TO: Legislator Stephen Walpole, Chairman
Infrastructure, Facilities and Technology Committee

FROM: Carl Schmidt, Acting Director of Solid Waste Programs

RE: Extension of Intermunicipal Agreement with City of Oswego

DATE: April 15, 2022

The Department of Solid Waste is requesting approval to contract for an extension of an Intermunicipal Agreement by and between the County of Oswego and the City of Oswego for the treatment of leachate and the disposal of sludge. The original agreement in this regard was executed January 1, 2017, for a term of five (5) years, which has now expired.

The agreement allows for the Department of Solid Waste to dispose of 12,500,00 gallons of leachate per year at no charge in exchange for allowing the City of Oswego to dispose of up to 2,900 tons of wastewater treatment sludge per year at no charge. Deliveries exceeding these agreed upon quantities are charged at \$0.02 per gallon and \$75.00 per ton respectively.

The department's leachate has traditionally been difficult to dispose of due to certain chemical constituencies, rising treatment costs and treatment plant quantity limits. The original intermunicipal agreement coincided with the Department of Solid Waste obtaining a new permit to deliver leachate to the City of Oswego. During the ensuing five-year period, the department and City have developed a good working relationship which we seek to continue by an extension of this agreement.

This arrangement has allowed our department to dispose of leachate without extensive pre-treatment. The agreement has likewise minimized the department's direct disposal and transportation costs while also allowing flexibility to deliver large quantities of leachate when necessary.

Accordingly, the department is requesting the corresponding resolution be approved to permit the execution of a contract extension pursuant to the same terms and conditions as the prior agreement.

**INTERMUNICIPAL AGREEMENT BY AND BETWEEN
THE COUNTY OF OSWEGO AND
THE CITY OF OSWEGO
(Leachate Treatment & Sludge Disposal)**

THIS AGREEMENT entered into the ____ day of _____ by and between the **COUNTY OF OSWEGO**, a municipal corporation by and of the State of New York, with its principal offices for business located at 46 East Bridge Street, Oswego, New York and the **CITY OF OSWEGO**, a municipal corporation by and of the State of New York with its principal offices for business located at City Hall, 13 West Oneida Street, Oswego, New York,

WITNESSETH:

WHEREAS, the County of Oswego Department of Solid Waste presently has between 10,000,000 to 12,000,000 gallons of leachate treated from its landfill; and,

WHEREAS, the City of Oswego generates sludge at its Wastewater Treatment Plant and needs to dispose of same; and,

WHEREAS, the County of Oswego has explored innovative leachate pre-treatment options but at present they do not make economic sense; and,

WHEREAS, the City of Oswego Wastewater Treatment Plant is willing to accept and treat an amount of leachate from the county on an annual basis and, the County of Oswego, in turn, is willing to accept and dispose of an amount of sludge from the city; and,

WHEREAS, said arrangement promotes intermunicipal cooperation and efficiency; and,

WHEREAS, a written agreement is both necessary and desirable,

NOW, THEREFORE, it is mutually agreed as follows:

1. The County of Oswego Department of Solid Waste will accept up to 2,900 tons of wastewater treatment sludge for disposal from City of Oswego without fee on an annual basis for duration of this agreement.
2. The City of Oswego Wastewater Treatment Plant will accept up to 12,500,000 gallons of landfill leachate from the County of Oswego without a fee for treatment.
3. Sludge received in excess of the 2,900 tons per year will be charged at the County of Oswego's industrial tipping fee rate per ton in force at the time it is delivered (i.e. \$75.00 per ton in 2022) and leachate treated above the 12,500,000 gallons per year will be charged at the rate of \$0.02 per gallon in 2022 and the applicable leachate per gallon rate set by the City of Oswego each year thereafter.
4. Governing Law. The Agreement shall be governed by and construed in accordance with the laws of the State without giving effect to the conflict of laws principles thereof. All disputes arising out of or in connection with this Agreement shall be decided in the first instance by the New York State Supreme Court, Oswego County, to the exclusion of all other courts, except that the parties shall have all appeals rights allowed by State law. The Parties hereby submit to the jurisdiction of the New York State Supreme Court, Oswego County, for purposes of all such suits.

5. Severability. In the event that any provision of this Agreement is held to be unenforceable or invalid by any court or regulatory authority of competent jurisdiction, the validity and enforceability of the remaining provisions shall not be affected so long as the Parties renegotiate the unenforceable or invalid provision(s) in order to accomplish the goals and intent of this Agreement.
6. Entire Agreement; Amendment. This Agreement constitutes the entire agreement and understanding of the Parties with respect to its subject matter and it supersedes all prior agreements and understandings, written or oral, between the Parties regarding the acceptance of landfill leachate by the City of Oswego and Wastewater Treatment Plant sludge by the County of Oswego. This Agreement may not be amended except by an instrument in writing signed by the Parties.
7. Effective Date. This Agreement shall be effective January 1, 2022.
8. Term. The term of this Agreement shall be for five (5) years from the effective date.

WHEREFORE, we have set our hands and seals on the date and year first above written.

CITY OF OSWEGO

William Barlow, Mayor

COUNTY OF OSWEGO

James Weatherup, Chairman of the Legislature

RESOLUTION NO. 120

**RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF
100% OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE
ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT
FROM BRIDGE NY FUNDS**

By Legislator Stephen Walpole:

WHEREAS, a Project for Maple Ave over Little Sandy Creek bridge replacement, PIN 375698, (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, Oswego County will design, let and construct the Project; and

WHEREAS, the County of Oswego desires to advance the Project by making a commitment of 100% of the costs of the Scoping, Design, ROW Incidentals and Acquisition Construction and Inspection work for the Project or portions thereof.

NOW, THEREFORE, on recommendation of the Oswego County Infrastructure, Facilities and Technology Committee, with the approval of the Finance and Personnel Committee, the Oswego County Legislature, duly convened does hereby

RESOLVE, that the Oswego County Legislature hereby approves the above subject Project; and it is hereby further

RESOLVED, that the Oswego County Legislature hereby authorizes the Chairman of the Legislature to pay 100% of the cost of the Scoping, Design, ROW Incidentals and Acquisition, Construction and Inspection work or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that Capital Project #B0422 is hereby established for the Maple Ave over Little Salmon Creek, PIN 375698 bridge replacement Project with an authorization level of \$1,994,737 and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that the Oswego County Legislature hereby agrees that the County of Oswego shall be responsible for all costs of the project which exceed the amount of federal-aid, state-aid, or Bridge NY funding awarded to the County of Oswego; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or Bridge NY funding exceed the amount appropriated above, the County of Oswego shall convene as soon as possible to appropriate said excess amount immediately upon the

notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, that Oswego County hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Chairman of the Legislature of the County of Oswego be and is hereby authorized to execute on behalf of the County of Oswego all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Oswego's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreements in connection with the Project; and it is further

RESOLVED, this resolution shall take effect immediately.

Capital Project #B0422

Total Authorization

Bridge Replacement
Maple Ave over
Little Sandy Creek

\$1,994,737

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 120 of 2022

H 450310 B0422	(\$99,737.00)
H 435010 B0422	(\$1,895,000)
H 529000 B0422	\$1,994,737.00
A 159900	(\$99,737.00)
A 599014 16	\$99,737.00



**COUNTY OF OSWEGO
HIGHWAY DEPARTMENT**

31 Schaad Drive
Oswego NY 13126
(315) 349-8331 Fax (315) 349-8256

INFORMATIONAL MEMORANDUM

SUBJECT: To establish a capital project for the purpose of replacing the Maple Ave bridge over Little Sandy Creek, PIN 375698.

SUMMARY: To recommend that the Infrastructure, Facilities and Technology Committee, the Finance & Personnel Committee and the Oswego County Legislature authorize to establish Capital Project # B0422 with an authorization level of \$1,994,737 for the replacement of the Maple Ave bridge over Little Sandy Creek, BIN 3366930, Village of Lacona, Town of Sandy Creek.

SUMMARY: This project is necessary to begin the Scoping, Design, ROW Incidentals and Acquisition, Construction, and Inspection work for the bridge replacement. This project will be 95% funded through the Bridge New York program with the remaining 5% being Local Share.

RECOMMENDED ACTION: The Infrastructure, Facilities and Technology Committee, the Finance & Personnel Committee and the Oswego County Legislature authorize the establishment of Capital Project # B0422.

Christopher N. Baldwin, PE
Interim Highway Superintendent

Date

RESOLUTION NO. 121

**RESOLUTION AUTHORIZING BUDGET MODIFICATION WITH THE
HIGHWAY DEPARTMENT TO TRANSFER FUNDS FROM INSURANCE
RECOVERY FUND INTO HIGHWAY EXPENSE**

By Legislator Stephen Walpole:

WHEREAS, In March of 2022 a check for the amount of \$2,578.36 was deposited in account A1325.426800 (Insurance Recovery Fund). It was for repairs to a Highway pickup truck that was struck by a deer on February 17, 2022.

NOW, on recommendation of the Infrastructure, Facilities and Technology Committee of this Legislature, with the approval of the Finance and Personnel Committee, be it

RESOLVED, that the Treasurer is hereby authorized to transfer \$2,578.36 from account A1325.426800 (Insurance Recovery Fund) into account DM5130.545400 (Highway Expense).

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 121 of 2022

DM5130 545400
A1325 426800 0

\$2,578.36
(\$2,578.36)



COUNTY OF OSWEGO
HIGHWAY DEPARTMENT

31 Schaad Drive
Oswego NY 13126
(315) 349-8331 Fax (315) 349-8256

INFORMATIONAL MEMORANDUM

SUBJECT: Budget modification to transfer \$2,578.36 from account A1325.426800 (Insurance Recovery Fund) into account DM5130.545400 (Highway Expense)

PURPOSE: To recommend that the Infrastructure, Facilities and Technology Committee, the Finance and Personnel Committee and the Oswego County Legislature approve a budget modification to transfer these funds.

SUMMARY: The check was for repairs to a Highway pickup truck that was struck by a deer on 2/17/2022.

RECOMMENDED ACTION: The Infrastructure, Facilities and Technology Committee, the Finance and Personnel Committee recommends the Oswego County Legislature authorize that \$2,578.36 be transferred from account A1325.426800 (Insurance Recovery Fund) into account DM5130.545400 (Highway Expense).

Date

Chris Baldwin
Interim Highway Superintendent

RESOLUTION NO. 122

**RESOLUTION AUTHORIZING BUDGET MODIFICATION WITH THE
HIGHWAY DEPARTMENT TO TRANSFER SALE OF EQUIPMENT INTO
HIGHWAY & STREET EQUIPMENT**

By Legislator Stephen Walpole:

WHEREAS, In March of 2022 a check in the amount of \$30,000.00 was deposited in account DM5130.426650 (Sale of Equipment). It was for the sale of a tree truck to the Town of Constantia

NOW, on recommendation of the Infrastructure, Facilities and Technology Committee of this Legislature, with the approval of the Finance and Personnel Committee, be it

RESOLVED, that the Treasurer is hereby authorized to transfer \$30,000.00 from account DM5130.426650 (Sale of Equipment) into account DM5130.524000 (Highway and Street Equipment).

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 122 of 2022

**DM5130 524000
DM5130 426650**

**\$30,000.00
(\$30,000.00)**



COUNTY OF OSWEGO
HIGHWAY DEPARTMENT

31 Schaad Drive
Oswego NY 13126
(315) 349-8331 Fax (315) 349-8256

INFORMATIONAL MEMORANDUM

SUBJECT: Budget modification to transfer \$30,000.00 from account DM5130.426650 (Sale of Equipment) into account DM5130.524000 (Highway and Street Equipment)

PURPOSE: To recommend that the Infrastructure, Facilities and Technology Committee, the Finance and Personnel Committee and the Oswego County Legislature approve a budget modification to transfer these funds.

SUMMARY: A county tree truck was sold to the Town of Constantia for \$30,000. The check was received from the Town of Constantia and deposited in account DM5130.426650 (Sale of Equipment) on March 22, 2022.

**RECOMMENDED
ACTION:**

The Infrastructure, Facilities and Technology Committee, the Finance and Personnel Committee recommends the Oswego County Legislature authorize that \$30,000.00 be transferred from account DM5130.426650 (Sale of Equipment) into account DM5130.524000 (Highway and Street Equipment).

Date

Chris Baldwin
Interim Highway Superintendent

RESOLUTION NO. 123

**RESOLUTION AUTHORIZING EXPENDITURE FROM CAPITAL RESERVE NO.
21 – BUILDINGS RENOVATIONS**

By Legislator Stephen Walpole:

Upon recommendation of the Infrastructure and Facilities Committee of this body,
with the approval of the Finance and Personnel Committee, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$ 10,500
from Capital Reserve No. 21 – Buildings Renovations to Capital Project No. CO222 –
Oswego Court House Building Assessment that the following project is hereby authorized
for the maximum expenditure as indicated.

RESOLVED, that a certified copy of this resolution delivered to the County
Treasurer shall be his authority to affect such transfer and make such adjustments.

Capital Project # CO222

Total Authorization

OCH Bldg. Assessment

\$ 10,500

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification

Res. 123 of 2022

CO222 529000
21 450300
21 595000
21 159900

\$10,500.00
(\$10,500.00)
\$10,500.00
(\$10,500.00)



Rick Doten
Acting Superintendent

COUNTY OF OSWEGO
BUILDINGS AND GROUNDS DEPARTMENT

111 East Eleventh Street
Oswego, New York 13126

Phone: (315) 349-8233
Fax: (315) 342-2481

INFORMATIONAL MEMORANDUM

SUBJECT: To establish a capital project to assess the Oswego Court House building.

PURPOSE: This project will be a visual assessment of the building envelope (walls, doors, window, etc.,) for the Oswego Court House located at 25 East Oneida Street, Oswego New York.

SUMMARY: This assessment will focus on deficiencies, rehabilitative scopes of work and project estimates associated with the building and the repairs needed.

RECOMMENDED: I respectfully request \$ 10,500 be transferred from the Building Renovations reserves to Capital Project # CO222 Oswego Court House Building Assessment.

ACTION: To transfer \$ 10,500 from the Building Renovations Reserve fund to Capital Project No. CO222 – OCH Building Assessment.

RESOLUTION NO. 124

**RESOLUTION AMENDING CAPITAL PROJECT NO. 72 -DMV
EXPANSION/RENOVATION AND CLOSING CAPITAL PROJECT NO. 89
AIRPORT SITE DEVELOPMENT**

By Legislator Stephen Walpole:

WHEREAS, the Oswego County Legislature previously established Capital Project No. 72 – DMV Expansion/Renovation and Capital Project No. 89 Airport Site Development using OTASC funds; and

WHEREAS, OTASC funds must be expended on eligible projects; and

WHEREAS, an underground pipe at the DMV/Records Center facility has failed and needs replacement and necessitates concrete and flooring repair, which is an eligible OTASC project.

NOW, on recommendation of the Infrastructure, Facilities and Technology Committee of this Legislature, with the approval of the Finance and Personnel Committee, be it

RESOLVED, that the Treasurer is hereby authorized to close Capital Project No. 89 – Airport Site Development and transfer the remaining balance of \$5.83 to Capital Reserve No. 72 – DMV Expansion/Renovation, thereby amending the authorization of Capital Reserve No. 72 – DMV Expansion/Renovation to \$3,280,005.83; and be it further

RESOLVED, that Capital Reserve No. 72 – DMV Expansion/Renovation is hereby amended to include underground pipe replacement and associated renovation and repairs.

Capital Project No. 72

Total Authorization

DMV Expansion/Renovation

\$3,280,005.83

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

Authorized Budget Modification

Res. 124 of 2022

H 52900 89

\$5.83

H 529000 72

(\$5.83)

LEGISLATURE

OSWEGO COUNTY



Rick Doten
Superintendent

COUNTY OF OSWEGO
BUILDINGS & GROUNDS DEPARTMENT

111 East Eleventh Street
Oswego, New York 13126

Phone: (315) 349-8233
Fax: (315) 342-2481

INFORMATIONAL MEMORANDUM

SUBJECT: To amend and increase the authorization level of Capital Project # 72 DMV Expansion/Renovation.

PURPOSE: To amend and increase the authorization level of Capital Project # 72 – DMV Expansion/Renovation by \$ 5.83 using funding from Capital Project # 89 -Airport Site Development. Both CP72 and CP 89 are OTASC funded capital projects, which must be expended on eligible projects. A need has arisen to replace an underground pipe at the DMV/Records Center site. The sewer line has settled causing a pipe to clog. Material is settling in the low spot causing the drains to back up into the restrooms. The pipe will need to be replaced, which includes concrete work inside the building, new piping and replacing flooring. OTASC funds remaining are \$17,905.65, which is sufficient to complete this work.

RECOMMENDED: I respectfully request transferring \$ 5.83 from Capital Project # 89 Airport Site Development to Capital Project # 72 DMV Expansion/Renovation and that Capital project # 72 be amended to include the work described above.

ACTION: To transfer \$ 5.83 from Capital Project # 89 Airport Site Development to Capital Project # 72 – DMV Expansion/Renovation, which will increase the authorization level to \$ 3,280,005.83.

RESOLUTION NO. 125

**A RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 4
OF 2022, ENTITLED LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF
2015, A LOCAL LAW PERMITTING AND REGULATING ALL - TERRAIN
VEHICLE (ATV) OPERATION ON CERTAIN COUNTY ROADS**

By Legislator Stephen Walpole:

WHEREAS, a public hearing was held on May 12th, 2022 and all interested parties having had an opportunity to be heard,

NOW, upon the recommendation of the Infrastructure, Facilities and Technology Committee of this body, be it

RESOLVED, that Local Law Number 4 of the year 2022 entitled "LOCAL LAW NUMBER 4 OF 2022, ENTITLED LOCAL LAW AMENDING LOCAL LAW NUMBER 4 OF 2015, A LOCAL LAW PERMITTING AND REGULATING ALL - TERRAIN VEHICLE (ATV) OPERATION ON CERTAIN COUNTY ROADS" be and is hereby adopted and enacted in its entirety.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

COUNTY OF OSWEGO
LOCAL LAW 4 OF 2022 AMENDING LOCAL LAW NUMBER 4 OF 2015,
A LOCAL LAW PERMITTING AND
REGULATING ALL - TERRAIN VEHICLE (ATV)
OPERATION ON CERTAIN COUNTY ROADS

BE IT ENACTED by the County Legislature of the County of Oswego as follows: Local Law Number 4 of 2015 be and is hereby AMENDED IN ITS ENTIRETY to read as follows:

Section 1. This local law shall be known as the "County Road ATV Use Law."

Section 2. Purpose and Findings

The purpose of this Local Law is to open for travel by all-terrain vehicles certain portions of the County Road System pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York. This Legislature hereby finds and determines that the opening of certain County Roads to ATV use is necessary in order for ATVs to access trails adjacent thereto. This Legislature further finds that promoting opportunities for recreational use of all-terrain vehicles will stimulate the local economy and offer enjoyment to the citizens of the County and those tourists traveling in the area.

Section 3. Definitions

ATV: An all-terrain vehicle, as defined in Section 2228(1) of the New York State Vehicle and Traffic Law.

County: County of Oswego

County Bridge/Culvert: A County owned bridge or culvert on a town road designated for ATV operation.

County Road: A highway designated as a County Road on the Official County Highway Map as provided by Section 115 of the Highway Law of the State of New York.

Designated Road: A County Road, or portion thereof, designated for use by ATVs by this Local Law.

Owner: "Owner" as defined by Section 2401(3) of the Vehicle and Traffic Law.

Operator: "Operator" as defined by Section 2401(4) of the Vehicle and Traffic Law.

ATV Trail System: A system of trails suitable for use by ATVs operated by clubs and/or Oswego County that includes developed trails on certain municipal, state, and privately owned lands and designated connecting highways.

Vehicle and Traffic Law: The Vehicle and Traffic Law of the State of New York.

Section 4. Designated Roads

The following County Roads, or the indicated portions thereof, are hereby designated as open to travel by ATVs:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF

Section 5. Rules, Conditions, and Restrictions

The following rules, conditions and restrictions shall be applicable to all County Roads opened to ATV use pursuant to this Local Law.

- a) The utilization of County Roads by ATVs shall be only and solely for the purpose of traveling directly from one ATV trail head to another.
- b) No Person shall operate an ATV on a Designated Road, between the hours of 10:00 p.m. and 7:00 a.m.
- c) No person shall operate an ATV on a Designated Road, while within the corporate limits of a village, at a speed exceeding twenty miles per hour.
- d) An operator of an ATV shall operate the ATV as far to the right upon a designated roadway as conditions allow.
- e) No sleigh, sled, toboggan or trailer shall be towed on a designated roadway by an ATV.
- f) No person shall operate an ATV on any part or portion of a Designated Road, other than on the traveled 'roadway,' unless the person is bringing the ATV to a stop or has stopped the ATV.
- g) No person shall operate an ATV more than one abreast in a single lane on a Designated Road.
- h) No person shall operate an ATV in excess of twenty-five (25) miles per hour or the posted speed limit whichever is less.
- i) All ATV use shall be in compliance with the applicable provisions of the Vehicle and Traffic Law and all ATVs shall comply with NYS DMV registration, insurance, lighting and equipment requirements.

Section 6. Penalties

Any person who violates any provisions of this Local Law shall be guilty of an offense as defined by Section 10.00 of the Penal Law of the State of New York, and the violator or offender shall be liable for a fine of not less than \$25.00 and not more than \$150.00 for the first offense; for a fine not less than \$50.00 and not more than \$200.00 for a second offense committed within two years from a previous conviction under this Local Law; and a fine of not less than \$100.00 and no more than \$500.00 for a third or subsequent offense all committed within three years.

Section 7. Severability

If any part of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision in application directly involved in the controversy in which such judgment shall have been rendered; and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the County Legislature of the County of Oswego hereby declares that it would have passed this Local Law or the remainder of it had such invalid application or provision been apparent.

Section 8. Posting of Designations and Regulations

In accordance with the requirements of 2405 of the Vehicle and Traffic Law, the Superintendent shall install signs and markers identifying the Designated Roads. Said Superintendent shall also post signs on which shall appear the regulations, conditions and restrictions set forth in this Local Law, to the extent that such regulations, conditions and restrictions exceed those set forth in the Vehicle and Traffic Law.

Section 9. Prior Local Laws Superseded

All other Oswego County ATV local laws be and are hereby SUPERSEDED by this enactment (LL. 1 of 2005; LL. 1 of 2006; LL 3 of 2018

Section 10. Effective Date & Filing

This Local Law shall take effect upon filing with the Secretary of State. A certified copy of this local law shall also be filed with the Commissioner of Motor Vehicles pursuant to Vehicle and Traffic Law Section 2405.

SCHEDULE A

- Town of Albion:** County Route 52 from its intersection with the Richards Trail, Town of Orwell, a distance of 3560 feet to its intersection with the Potters Trail, Town of Albion.
- Village of Altmar:** County Route 22 from its intersection with Smokey Road to the intersection of River Street. Distance 1,460 feet;
- County Route 52 from its intersection with Tar Hill Road to the intersection of Cemetery Street. Distance 3,700 feet.
- Town of Orwell:** County Route 2 from its intersection with Dam Road to the intersection with Jackson Road. Distance 4,075 feet;
- County Route 30 from its intersection with the North Hill Trail a distance of 1,650 feet to its intersection with the South Hill Trail;
- County Route 22 from its intersection with the South Hill Trail a distance of 1,550 feet to its intersection with the Bennett's Bridge Trail.
- County Route 2 from its intersection with the Drakes Trail a distance of 3,000 feet to the intersection with the Diner Trail;
- Commencing at a trail head 100 +/- feet easterly from the intersection of CR 2 from the intersection of Jackson Road, Town of Orwell, thence proceeding easterly approximately 4.988 miles (26,337 feet) to the intersection of CR 17, Town of Redfield; and, continuing thence.
- Town of Parish:** County Route 26 from its intersection with Bars Trail proceeding easterly a distance of 3,500 feet to its intersection with Walter Trail; AND
- CR 26 beginning at a point 1.26 mile easterly from the intersection of CR 26 with CR 22 and then running westerly along CR 26, in the Town of Parish, approximately 4.42 miles to the intersection of SR 69 in the Town of Parish.

Town of Redfield: CR 17 from the intersection of CR 2, Town of Redfield, southerly approximately 0.522 miles (2,756 feet) to the intersection of CR 47, Town of Redfield; and, continuing thence; AND

CR 47 from the intersection of CR 17, Town of Redfield, northeasterly approximately 3.849 miles (20,323 feet) to a trail head located approximately 2,640 +/- feet westerly along CR 47 as measured from the intersection of CR 47 with the Lewis County Line.

Town of Richland: County Route 2A from its intersection with the Portly Angler Trail a distance of 2,750 feet to its intersection with the Oswego County ATV Trail.

Town of Williamstown:

County Route 30 beginning at a point approximately 0.17 miles (885 feet) north from the intersection of CR 30A and running south along County Route 30, in the Town of Williamstown, approximately 1.52 miles (8,010) feet to the intersection of County Route 30 and the abandoned railroad tracks in the Town of Williamstown.

RESOLUTION NO. 126

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT –
RFP 22-TR-002 – AUCTIONEER SERVICES**

By Legislator John Martino

WHEREAS, the County issued a request for proposal for a vendor to provide Auctioneer Services; and

WHEREAS, in accordance with Oswego County Purchasing Policy, the Oswego County Purchasing Department solicited Requests for Proposals (RFP 22-TR-002) from multiple qualified firms to provide Auctioneer Services and

WHEREAS, the Oswego County Treasure Department and Oswego County Purchasing Department have reviewed the proposals received and determined the proposal from Collar City Auctions Realty, 9423 Western Turnpike, Delanson NY, 12053, meets the County's needs;

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Finance and Personnel Committee that the County of Oswego awards the professional service contract for providing Auctioneer Services, to Collar City Auctions Realty, 9423 Western Turnpike, Delanson NY, 12053, at no cost to Oswego County and be it further.

RESOLVED that a certified copy of this resolution delivered to the Treasurer and Purchasing Director shall be their authority to affect the procurement of services.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE



OSWEGO COUNTY PURCHASING

46 E Bridge Steet, Oswego NY 13126
 Phone (315)326-6050 Fax (315)349-8237
 Email: Holly.Carpenter@OswegoCounty.Com

RFP 22-TR-002 – AUCTIONEER SERVICES

Name of Company	Location	Evaluation Rating	Required Documentation PRCS/PIS/SHC/NCC/RFC
Absolute Auctions and Realty	Po Box 1739 Pleasant Valley, NY 12569	86.3	X X X X X
Auctions International	11167 Big Tree Road East Aurora, NY 14052	84.3	X X X X X
Brzosteks	80 Smokey Hollow Road Baldwinsville, NY 13027	90.3	X X X X X
Collar City Auctions Realty	9423 Western Turnpike Delanson, NY 12053	93	X X X X X
Real Auctions	861 SW 78 Ave #102 Plantation, FL 33324	85.7	X X X X X

SHC=Sexual Harassment Certification; PRCS=Proposer Reply Cover Sheet; PIS=Proposer Information Sheet; NCC=Non-Collusion Certification; RFC= Resolution for Corporations

Solicitation Process: RFP 22-TR-002 was publicly advertised in the official newspaper, on Bidnet, and on the Oswego County website on February 4, 2022. It was also sent directly to the following vendors:

- Auction Services.com,Inc
- Sivers Auction Servie, Inc.
- Brzostek's Auction Service, Inc.
- McEwen Auction Company
- Auctions International Inc.
- Haroff Auction & Realty
- David R Maltz & Co., Inc
- Collar City Auctions Realty
- Cash Realty & Auctions
- Alex Lyon & Son

Number of Responses: Five (5)

Absolute Auctions and Realty	<p>Pro</p> <ul style="list-style-type: none"> • Option for online auction • Capabilities& plenty experience in auctioning • Similar online services to previously used • Handles several NY municipalities <p>Con</p> <ul style="list-style-type: none"> • Pricing to bidders • No Oswego County property • 10% fee for buybacks • Questionable fee structure
Auctions International	<p>Pro</p> <ul style="list-style-type: none"> • Provides Auction services to other municipalities <p>Con</p> <ul style="list-style-type: none"> • NYS terminated contract
Brzostek's Auction Service, Inc.	<p>Pro</p> <ul style="list-style-type: none"> • Women owned company • Locally Owned • 7.5% bidder's premium <p>Con</p> <ul style="list-style-type: none"> • Unclear bidding procedure • Questions capabilities to handle Online auctions • Handles few NY municipalities
Collar City Auctions Realty	<p>Pro</p> <ul style="list-style-type: none"> • Auctions a plethora of towns and villages • Handles the paperwork from start to finish • Owns land in Oswego County <p>Con</p> <ul style="list-style-type: none"> • Located in Schenectady
Real Auctions	<p>Pro</p> <ul style="list-style-type: none"> • Completely online auctions • Similar to auctions we've used <p>Con</p> <ul style="list-style-type: none"> • Located in Florida • Insufficient problem solving from Florida • Undecipherable posting procedure

Proposals Reviewed By:

- John Martino
- Kevin Gardner
- Brian Twiss

Evaluation Summary: The evaluation committee reviewed and rated each proposal according to the criteria listed on the attached schedule. The Committee recommends awarding the contract to Collar City Auctions Reality.

Recommended Actions: Oswego County Purchasing Department certifies that the solicitation complies with Oswego County Purchasing Policy and New York State General Municipal Law. The Purchasing Department recommends awarding the contract.

Schedule A

Total Points	Evaluation Criteria	Absolute Auctions			Auctions Int.			Brzostek's Auction			Collar City			Real Auctions		
		J.M	B.T	K.G	J.M	B.T	K.G	J.M	B.T	K.G	J.M	B.T	K.G	J.M	B.T	K.G
40	Evaluator Experience & Capabilities	38	35	36	34	37	37	37	38	39	40	40	40	38	38	38
30	Management Outline and Project Approach	25	25	25	25	25	25	28	25	28	25	25	27	25	25	25
30	Business & Organization	24	26	25	25	23	22	25	23	28	26	28	28	22	22	24
100	Total Points	87	86	86	84	85	84	90	86	95	91	93	95	85	85	87
Rating per Evaluation		86.3			84.3			90.3			93.0			85.7		

RESOLUTION NO. 127

**RESOLUTION AUTHORIZING CAPITAL PROJECT CLOSURES AND
TRANSFER OF PROJECT BALANCES**

By Legislator John Martino:

WHEREAS, this body has heretofore established the following Capital Projects which are complete and contain the balances shown, totaling \$288,727.89

CP 59 Router Replacement Bunner St \$124.51
CP 65 Culvert Replacement CR 16 over Black Creek -\$17,978.11
CP 70 Update Airport Master Plan Study \$6,500.00
CP 86 DSS IT Upgrades \$-0-
CP 87 Upgrade Fuel Management Systems - \$154,405.00
CP 98 Paving 2019 - \$56,076.00
CP 100 PSC Improvements \$881.68
CP 124 E-911 Telephone Upgrades \$1054.19
CP 158 Intelligent Transportation Systems \$16,827.20
CP 163 System & Facility Improvement Rural Transportation \$20,445.20
CP B0120 CR 6 Bridge Over Catfish Creek - \$-0-
CP B0220 Grannis Road Bridge Over Scriba Creek - \$-0-
CP B0420 Cemetary Road Bridge Town of Constantia - \$-0-
CP B0121 Henderson Road Bridge Over Lindsley Creek - \$-0-
CP B0221 Halliday Road Bridge Over Little Salmon River - \$-0-
CP B0921 CR 17 Cotrell Creek Culvert - \$-0-
CP E0120 F & T Equipment \$11,936
CP C0520 ERTC Fire Pump Replacement \$2,500

NOW, upon recommendation of the Finance and Personnel Committee, be it

RESOLVED, that the Treasurer is hereby authorized to appropriate and close Capital Project No. 59 and 86 and transfer remaining balances totaling \$124.51 to Capital Reserve No. 145 - Technology as shown on the attached budget modification request, and be it further

RESOLVED, that the Treasurer is hereby authorized to appropriate and close Capital Project No.70 and transfer remaining balance totaling \$6500 to Capital Reserve No. 175 - Airport as shown on the attached budget modification request, and be it further

RESOLVED, that the Treasurer is hereby authorized to appropriate and close Capital Projects No. 65, 87, 98, 100, 124, 158 and 163 and transfer remaining balances totaling \$267,667.38 to Unappropriated Fund Balance - General as shown on the attached budget modification request, and be it further

RESOLVED, that the Treasurer is hereby authorized to appropriate and close Capital Projects No. B0120, B0220, B0420, B0121, B0221, and B0921 with remaining balances of \$-0, and be it further

RESOLVED, that the Treasurer is hereby authorized to appropriate and close Capital Project No. E0120 and transfer remaining balance totaling \$11,936 to Capital Reserve No. 146 Highway and Automotive Equipment as shown on the attached budget modification request, and be it further

RESOLVED, that the Treasurer is hereby authorized to appropriate and close Capital Project No. C0520 and transfer remaining balance totaling \$2500 to Capital Reserve No. 21 Building Renovations as shown on the attached budget modification request, and be it further

RESOLVED, that a certified copy of this resolution delivered to the County Treasurer shall be his authority to affect such transfers and make such adjustments.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO COUNTY LEGISLATURE

Authorized Budget Modification	Res. 127 of 2022
H 599014 59	\$124.51
H 599014 86	\$0
A 450310	(\$124.51)
H 599014 70	\$6,500.00
A 450310	(6,500.00)
H 599014 E0120	\$11,936.00
A 450310	(\$11,936.00)
H 599014 c0520	\$2,500.00
A 450310	(\$2,500.00)
H 599014 65	\$17,978.11
H 599014 87	\$154,405.00
H 599014 98	\$56,076.00
H 599014 100	\$881.68
H 599014 124	\$1,054.19
H 599014 158	\$16,827.20
H 599014 163	(\$267,667.38)
H 599014 B0120	\$0
H 599014 B0220	\$0
H 599014 B0420	\$0
H 599014 B0121	\$0
H 599014 B0221	\$0
H 599014 B0921	\$0



COUNTY OF OSWEGO OFFICE OF THE COUNTY ADMINISTRATOR

County Office Building • 46 East Bridge Street • Oswego, NY 13126
Phone 315-349-8235 Fax 315-349-8237
Philip R. Church, County Administrator

INFORMATIONAL MEMORANDUM

TO: Oswego County Legislature
FROM: Phil Church
DATE: May 12, 2022
RE: Closure of Capital Projects

As part of the capital planning for 2022, several established projects were identified that have been completed under budget. These projects can be closed with the unexpended balances transferred to Reserve accounts or Unappropriated Fund Balance for future needs, as determined by the Legislature.

This month I am recommending the closure of the capital projects listed on the attached Resolution and Budget Modification, totaling \$288,727.89, and disbursing them to Reserve accounts and Unappropriated Fund Balance as follows: \$267,667.38 to Unappropriated Fund Balance-General, \$124.51 to CR145 Capital Reserve-Technology, \$11,936 to CR146 Capital Reserve-Highway and Automotive Equipment, \$2,500 to CP21 Capital Reserve-Building Renovations, and \$6,500 to CR175 Capital Reserve-Airport.

**COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST**

ACCOUNT NUMBER		ACCOUNT NUMBER		DESCRIPTION	DOLLAR AMOUNT
ORG	OBJECT PROJECT	ORG	OBJECT PROJECT		
H	599014 59			Router Replacement Bunner Street	124.51
H	599014 86			DSS IT Upgrade	0
		A	450310	Reserve-Technology (CR145)	(124.51)
H	599014 70			Update Airport Master Plan Study	6,500.00
		A	450310	Reserve-Airport (CR175)	(6,500.00)
H	599014 E0120			F & T Equipment	11,936.00
		A	450310	Reserve - Highway & Automotive Equipment (CR146)	(11,936.00)
H	599014 C0520			ERTC Fire Pump Replacement	2,500.00
		A	450310	Reserve- Building Renovations	(2,500.00)
TOTAL AMOUNT					-

COMMITTEE SIGNATURES DATE

[Signature] 5.3.22
[Signature] 5/3/22
[Signature] 5/3/22
[Signature] 5-3-22
[Signature] 5/14/22

COUNTY TREASURER

DATE

PERSONNEL DIRECTOR

DATE

COUNTY ADMINISTRATOR

DATE

DEPARTMENT HEAD

DATE

COUNTY OF OSWEGO

BUDGET MODIFICATION REQUEST

ACCOUNT NUMBER			ACCOUNT NUMBER			DESCRIPTION	DOLLAR AMOUNT
ORG	OBJECT	PROJECT	ORG	OBJECT	PROJECT		
H	599014	65				Culvert Replacement CR16 over Black Creek	17,978.11
H	599014	87				Upgrade Fuel Management Systems	154,405.00
H	599014	98				Paving 2019	56,076.00
H	599014	100				PSC Improvements	881.68
H	599014	124				E-911 Telephone Upgrades	1,054.19
H	599014	158				Intelligent Transportation Systems	16,827.20
H	599014	163				System & Facility Improvement Rural Transportation	20,445.20
			A	159900		Unappropriated Fund Balance - General	(267,667.38)
TOTAL AMOUNT							-

COMMITTEE SIGNATURES

DATE

COUNTY TREASURER	DATE
------------------	------

PERSONNEL DIRECTOR	DATE
--------------------	------

COUNTY ADMINISTRATOR

DATE

DEPARTMENT HEAD DATE

**COUNTY OF OSWEGO
BUDGET MODIFICATION REQUEST**

ACCOUNT NUMBER		ACCOUNT NUMBER		DESCRIPTION	DOLLAR AMOUNT
ORG	OBJECT PROJECT	ORG	OBJECT PROJECT		
H	599014 B0120			Bridge- CR6 Bridge over Catfish Creek	0.00
H	599014 B0220			Bridge- Grannis Rd Bridge over Scriba Creek Town of Constantia	0.00
H	599014 B0420			Bridge- Cemetery Rd Bridge over Scriba Creek Town of Constantia	0.00
H	599014 B0121			Bridge - Henderson Rd Bridge over Lindsey Creek, Town of Sandy Cree	0.00
H	599014 B0221			Bridge - Halladay Rd Bridge over Little Salmon River, Town of Mexico	0.00
H	599014 B0921			Bridge - CR17 Concrete Culvert over Cotrell Creek, Town of Redfield	0.00
TOTAL AMOUNT					-

COMMITTEE SIGNATURES DATE

COUNTY TREASURER DATE

PERSONNEL DIRECTOR DATE

COUNTY ADMINISTRATOR DATE

DEPARTMENT HEAD DATE

RESOLUTION NO. 128

**RESOLUTION AUTHORIZING AND RATIFYING A MEMORANDUM OF
UNDERSTANDING BY AND BETWEEN THE COUNTY OF OSWEGO AND THE
OSWEGO COUNTY PROFESSIONALS ASSOCIATION, INC**

By Legislator John Martino:

WHEREAS, the COVID-19 pandemic has continued to place considerable demands upon the Oswego County Health Department and its workforce; and

WHEREAS, extending on-call premium on a temporary basis is necessary to meet operational demands for testing, clinics and other operations; and

WHEREAS, certain approvals have heretofore been granted pursuant to the county's state of emergency and emergency orders; and

WHEREAS, a resolution is both necessary and desirable,

NOW, THEREFORE, upon recommendation of the Finance & Personnel Committee of this body, it is hereby,

RESOLVED, that the annexed Memorandum of Understanding be and is hereby approved and ratified.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0

OSWEGO
COUNTY
LEGISLATURE

INFORMATIONAL MEMORANDUM

Subject: Request Approval of a Resolution Authorizing and Ratifying a Memorandum of Understanding (MOU) with the Oswego County Professional Association (OCPA) – On-Call Premium.

Purpose: The COVID-19 pandemic has continued to place considerable demands upon the Oswego County Health Department and its staff. Extending a temporary on-call premium is necessary to meet the operational demands of the department.

As any change to the terms or method of compensation must be ratified by both the Union and the County Legislature, a tentative Memorandum of Understanding was reached by the Union and County (attached) pending approval by both parties. This is to request approval by the Oswego County Legislature to authorize execution of the agreement.

Summary: The Resolution for approval refers to the “attached” MOU agreement. That document will be part of the official public document.

Recommended Action: To authorize execution and extend the temporary Memorandum of Understanding with the Oswego County Professional Association (OCPA) until December 31, 2022.

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN THE COUNTY OF OSWEGO AND
THE OSWEGO COUNTY PROFESSIONAL ASSOCIATION (OCPA)**

On Call Premium

The collective bargaining agreement (CBA) by and between the County of Oswego and the Oswego County Professional Association (OCPA) includes language in Article 21.4 regarding the payment of an on-call premium and identifies the Supervising Public Health Nurse (SPHN) title as eligible for this compensation. The provision of an on call premium to the titles of Director of Environmental Health (DEH), Director of Preventive Services (DPRS), and Director of Patient Services (DPS) was not agreed upon as part of the OCPA bargaining agreement.

This Memorandum of Understanding is made to extend the provision of the on-call premium to the current DEH, DPRS, and DPS on a temporary, short term basis due to COVID-19 response, current staffing levels and departmental operational needs.

The DEH, DPRS, and DPS shall only be paid the on-call premium when on call duty is mandated by the Public Health Director and the DEH, DPRS, and DPS are required to serve in the on call rotation with other Environmental, Preventive or Nursing Health Division employees to satisfy operation needs of the Divisions. The premium shall be paid only when the DEH, DPRS, and DPS are scheduled and approved for, and has worked on-call hours, with the actual pay rates and call out pay being the same as the rates in Article 21.4, applying to SPHNs.

The Director of Environmental Health, Director of Preventive Services, and Director of Patient Services are not obligated under this MOU to cover the on call scheduled for other Environmental, Preventive or Nursing Health Division employees unless mandated by the Public Health Director. The Director of Public Health retains the right to assign the on call hours to Environmental, Preventive or Nursing Health Division employees as dictated by operational needs.


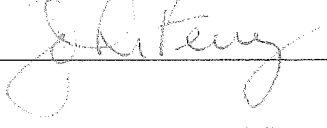
This MOU extends the MOU dated January 13, 2022, is effective immediately and will terminate December 31, 2022.

Further, this MOU is limited to the specific employees in the titles above at the present time and for the operational reasons as stated, including the COVID-19 response and does not set precedent regarding these titles, Article 21.4, on call premiums, and shall in no way bind the County or OCPA in any future matters. Even should identical factors occur in the future, no similar result may occur and no agreement may be reached.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be signed by their respective representatives on April 19, 2022.

County of Oswego
State of New York

Oswego County Professional Association

RESOLUTION NO. 129

RESOLUTION AMENDING OSWEGO COUNTY PURCHASING POLICY

By Legislator John Martino

WHEREAS New York State General Municipal Law 104-b requires the governing board of each municipality to develop, review and adopt a purchasing policy annually; and

WHEREAS, the Oswego County Purchasing Director has reviewed and updated the current Purchasing Policy and has submitted it to the Legislature and has recommended the adoption of said amended policy.

Now, on recommendation of the Finance and Personnel Committee of this body, be it

RESOLVED, that the Oswego County Legislature hereby adopts the Oswego County Purchasing Policy, a copy of which is attached hereto and made a part hereof.

ADOPTED BY VOICE VOTE ON MAY 12, 2022:

YES: 24 NO: 0 ABSENT: 1 ABSTAIN: 0



OSWEGO COUNTY PURCHASING DEPARTMENT

County Office Building • 46 East Bridge Street • Oswego, NY 13126

Phone (315) 326-6050 Fax (315) 349-8237

Email: Holly.Carpenter@oswegocounty.com

Holly F. Carpenter
Purchasing Director

Cheyenne Kurtz
Purchasing Clerk

Karla Roberts
Senior Purchasing Clerk

TO: Oswego County Finance & Personnel Committee
FROM: Holly F. Carpenter
DATE: May 12, 2022
RE: Proposed Change to the Purchasing Policy

PROPOSED CHANGES IN THE ATTACHED POLICY ARE IN RED.

POLICY: PRP2021-19 PURCHASING POLICY

1. The following definitions have been added to the policy:
 - Blanket Purchase Order Page 2
 - Purchase Card Page 3
 - Single Source Page 3
 - Sole Source Page 3
2. Change the signatory authorities on all professional service and public works contracts from \$3,000 to \$5,000 for the following (Page 4):
 - Legislature Chairman
 - County Administrator
3. Change the Department Heads' signatory responsibility on all purchase requisitions from their departments and on contracts from \$3,000 to \$5,000 (Page 4):
4. Change the approval authority on all equipment purchases of \$500 to \$5,000 for the following (Page 4):
 - Legislature Chairperson
 - County Administrator
5. Change the RFP threshold amount from \$5,000 to \$25,000 (Page 11).
6. Change the Pre-qualification amount from \$20,000 to \$25,000 (Page 13).
7. Any type of professional service and public work must have a contract agreement. Currently, all contracts for \$3,000 or more shall be signed by the Chairman of the Legislature, County Attorney, County Administrator and Purchasing Director. The amount will change from \$3,000 to \$5,000 (Page 17).
8. Change the Contract Sign-off Sheet, Schedule A, and Schedule B to match the above changes (Pages 22, 23, and 24).

OSWEGO COUNTY OPERATING POLICIES, REGULATIONS & PROCEDURES

SUBJECT: Purchasing Policy

NUMBER: PRP 2022-19

TYPE: Legislative

EFFECTIVE: June 1, 2022

HISTORY: This PRP replaces ADMs 81-8, 91-1, 80-3, 82-4, 91-2, 87-1, 80-5, PRP 2009-19, PRP 2010-19, PRP 2013-19, PRP 2014-19 and PRP 2021-19, which are hereby rescinded.

SCOPE:
Oswego County Legislature and all County departments.

CONTENTS:

Definitions	1
Policy	4
Authorities	4
Procurement Integrity	5
Limits and Controls	6
Purchasing System	6
Competitive Bidding	9
Professional Services	11
Bid Protests	13
Communications During Bid/	15
RFP Process	
Contractual Obligations	16
Exemptions	18
Piggybacking	20
Violations	21
Forms & Schedules	22

DEFINITIONS

Best Value. The basis for awarding contracts for services to the offeror which optimizes quality, cost, and efficiency, among responsive and responsible offerors. Such basis shall reflect, wherever possible, objective, and quantifiable analysis. Such basis may also identify a quantitative factor for offerors that are small businesses or certified minority-owned business enterprises, or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

Blanket Purchase Order. A purchase order which is issued to one vendor for a specific period for items frequently purchased, i.e., office supplies.

Bidding A public competitive process for choosing a vendor from which to purchase materials, supplies and services.

Collusion Actions, contrary to law, of two or more persons to determine in advance the winning bidder or proposer of a contract let, or to be let, for competitive bidding or proposals by the County or any other such acts prohibited by law.

Environmentally Preferable Products. Products that have a lesser impact on human health and the environment when compared with competing products. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, and/or disposal of the product.

General Municipal Law Generally refers to GML 100 through 109 of State Law governing bidding procedures for local governments such as the County.

Lowest Responsive/Responsible Bidder: The lowest-priced bidder that is determined to have skill, judgment, and integrity, and that is found to be competent, reliable, experienced and qualified financially, and whose offer meets the specifications or requirements prescribed in the bid document or solicitation, as determined by the Purchasing Director. A “responsive” bid is one which is in conformance with the published specifications and requirements, essentially void of contravening terms, gratuitous additions, and unilateral mistakes or obvious errors made in calculating or presenting figures, and reasonable in price.

Professional or Technical Services. Services that involve specialized expertise, use of professional judgment, and/or a high degree of creativity. They are not purchase contracts or contracts for public work. The individual or company may be chosen based on qualifications to include, but not limited to, reliability, skill, education and training, experience, demonstrated effectiveness, judgement and integrity. These qualifications are not necessarily found in the individual or company that offers the lowest price.

Professional or technical services shall include but not be limited to the following:

Accounting (CPA)	Investment Management Services
Advertising Agency Promotion	Laboratory Testing
Architectural	Legal
Computer Customized Software	Management of Municipally Owned Property
Programming Services	Medical/Dental Services
Consultants	Public Relations
Design Services	Records Indexing
Engineering	Writing, Editing or Artwork
Instructors/Teachers/Training	Investment Management Services
Insurance Coverage and/or Insurance Broker	

Public Works Contract. Includes, but is not limited to, contracts for material and work on roads, highways, buildings, structures and improvements of all types, the construction, reconstruction, major renovation or painting of which is performed or contracted for by the County to serve the public interest.

Purchase Card. A purchase card is a form of a company charge card that allows goods and services to be procured without using a traditional purchasing process.

Purchase Contract. The purchase, lease, rental or other acquisition by the County of personal property and services, including ordinary repair or maintenance, in support of the departments day-to-day activities and service provision.

Purchasing Director. The Purchasing Agent designated by the Oswego County Legislature, under County Law 625.

Purchase Order. Document containing product description, standard terms and conditions, control numbers, and other instructions used by the Purchasing Department to purchase a product or service from an external vendor.

Purchase Requisition. The form used by departments to begin the procurement process that documents and describes the service/commodity they are seeking.

Quote. Documentation from a vendor, preferably written, stating items, source, quantity, price, discounts, shipping, delivery time and contact information.

Receiving/ Inspection. The purchase order requires that reception of an item be documented. Prior to payment being authorized, reception and inspection of an item must be documented.

Request for Information (RFI): A Request For Information (RFI) provides a preliminary description of the program objectives and specifications and solicits input from potential offerers as to the availability of products and services to meet the agency's needs.

Request for Proposals (RFP) A competitive process for choosing a firm for professional services. The contract is awarded based on factors such as cost, qualifications, experience, and demonstrated ability, and not necessarily to the proposer with the lowest price. Not to be confused with bidding.

Request for Quotation (RFQ). A Request for Quotation (RFQ) is a type of bid document which can be used when a formal bid opening is not required (e.g., discretionary, sole source , single source or emergency purchases).

Single Source: A procurement in which two or more vendors can supply the required commodity, technology and/or perform the services required by an agency, but the agency selects one vendor over the others with proper justification such as a sole source for a particular brand, expertise, or previous experience with similar contracts.

Sole Source: A procurement in which only one supplier can supply the required commodities or services.

POLICY

Statement of Policy The County of Oswego shall purchase materials, supplies, equipment and services as needed, at the best possible prices and value, and maintain appropriate documentation. The County of Oswego hereby states that the purchase of environmentally preferable products or services is the policy of the county whenever practicable. The county shall, at its option, establish purchasing regulations that do not conflict with federal, state and local laws..

AUTHORITIES

Oswego County Legislature – The Legislature has approval authority, by majority vote, over all professional service contracts of \$5,000 or more, over all professional service pre-qualification lists, and over budget actions necessary to begin the purchasing process for materials, supplies, equipment and services. The Legislature may award bids as necessary.

Finance and Personnel Committee - In consultation with the County Administrator and Purchasing Director, the committee recommends, by majority vote, purchasing policies and amendments to the County Legislature.

Standing Committees – Standing Committees have review and recommendation authority, by majority vote, over all professional service contracts of \$5,000 or more, over purchase contract pre-qualification lists, and over budget actions necessary to begin the purchasing process for materials, supplies, equipment, and services. Committee recommendations are sent to the County Legislature. Standing committees may approve contract renewals that contain significant amendments.

Legislature Chairperson – The Chairperson has signatory authority on all professional service and public works contracts of \$5,000 or more. The Chairperson has contract review authority, in conjunction with the County Administrator, County Attorney and Purchasing Director on all professional service contracts of \$5,000 or more. The County Administrator, in conjunction with the Legislature Chairperson, has approval authority on all equipment purchases of \$5,000 or more.

County Administrator – The County Administrator has contract review authority, in conjunction with the Legislature Chairperson, County Attorney and Purchasing Director on all professional service contracts of \$5,000 or more. The County Administrator, in conjunction with the Legislature Chairperson, has approval authority on all equipment purchases of \$5,000 or more. The County Administrator, in consultation with the County Attorney, shall resolve any matters in which the Purchasing Director and Department Heads disagree.

County Attorney - The County Attorney has contract review authority, in conjunction with the County Administrator, Legislature Chairperson and Purchasing Director on all professional service contracts and public work contracts over \$5,000. Contracts under \$5,000 must use the County's contract template or other standardized contract previously approved by the County Attorney's Office. Any deviation to such contract templates requested by vendor needs prior review and approval by the County Attorney's office.

Department Heads - Department Heads have signatory responsibility on all purchase requisitions from their departments, and on contracts less than \$5,000 per year.

Purchasing Director - The Purchasing Director shall be responsible for developing and administering a modified central purchasing system to make provisions for all purchases, servicing, sale, lease, and rental, of materials, supplies, equipment and services for all departments and agencies of County government pursuant to and in compliance with the applicable provisions of laws and regulations and County policy. The Purchasing Director has signatory authority on all purchase requisitions and purchase orders. The Purchasing Director reviews the procurement activities of all County departments, as necessary, to ensure compliance with General Municipal Law and County policy and may require written explanations and documentation from departments when purchasing policies are not followed and may withhold authorization until such documentation is received. The Purchasing Director shall report any necessary corrective actions to the County Administrator. The Purchasing Director, in consultation with the County Attorney and department heads, determines if a transaction is a purchase contract, public work contract, or professional service. The Purchasing Director or designee shall be responsible for all required public advertising and competitive bidding; shall conduct all bid solicitations and openings and secure the recommendations for awarding contracts from the appropriate official(s). In consultation with the County Administrator, the Purchasing Director shall annually set a cut-off date for initiating procurement and bid/RFP processes that is no earlier than November 1.

PROCUREMENT INTEGRITY

REGULATION

1. Oswego County's procurement activities will comply with General Municipal, County, Executive, Finance, Public Officer, Labor, Education, and all other applicable New York State Laws and federal and local laws.
2. No official or employee of the County shall have financial interests in any purchase or contract secured by the County, without disclosure to the Clerk of the Legislature and County Board of Ethics and authorization from the originating department's standing committee. No official or employee of the County shall participate in collusive activity. This precludes:
 - a. acceptance of gratuities, financial or otherwise, by the above persons, from any supplier of materials, supplies, equipment, or services to the County; and/or
 - b. the sharing of bids, RFPs, or specifications with potential bidders prior to the competitive process,
 - c. assisting a supplier or firm to win a contract award prior to or during the competitive process, and/or
 - d. all other activities prohibited by federal, state, or local law.
3. The Purchasing Director shall develop a procedure for the review of purchasing practices or activities upon receipt of any inquiry or allegation of violation of this policy following its adoption.

4. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner should consult with the Purchasing Director before contacting a potential vendor.
5. During the bid or RFP procurement period, unless otherwise noted in the bid or RFP documents, all communications between the County and potential vendors regarding the procurement shall be through the Purchasing Director. Communications between vendors and other County officials or employees, without the prior permission of the Purchasing Director, may disqualify the vendor(s). (See "Communication During RFP/Bid Process")
6. County officials serving in the employ of, or on the board of directors of, an entity seeking a bid award or contract with the County, must disclose the conflict to the Legislature Chairman and Purchasing Director, refrain from influencing the procurement, and, if a legislator, abstain from voting on the bid award or contract.

LIMITS AND CONTROLS

REGULATION

Authorization limits and controls shall conform to General Municipal Law Section 103. The County may establish additional authorization limits and controls that do not conflict with General Municipal Law Section 103.

PROCEDURE

1. The authorized limits for purchasing transactions shall be reviewed annually by the Purchasing Director and, if necessary, adjusted by the Finance and Personnel Committee, to more accurately reflect the market pricing, inflation, processing expenses, and the County's utilization experience.
2. Prior to submitting a purchase requisition to the Purchasing Department, County staff are to refer to and follow:
 - a. Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts, and
 - b. Schedule B: Authorization Levels & Procedures: Professional Services.

PURCHASING SYSTEM

REGULATIONS

1. The Purchasing Director shall authorize and administer all purchase agreements of the County for the acquisition of materials, supplies, equipment, and services in accordance with established procedures. The procedures contained herein are applicable for all purchases.
2. The County shall purchase materials, supplies, equipment, and services as required, at the best possible prices, or best value, and maintain appropriate documentation. Depending on the type and amount of the purchase, purchases will be secured by use of written requests for proposals, competitive public bids, or written quotations to ensure that goods will be purchased at the lowest price and value, and that favoritism will be avoided.

3. Purchases shall be made to the extent practicable, through available state contracts of the Office of General Services, Division of Standards and Purchase, Department of Correctional Services, New York State Industries for the Disabled, national procurement cooperatives as approved by the County Attorney, Industries for the Blind of New York State, surplus and second-hand purchases from another governmental entity, and competitive purchase contracts from contiguous counties and municipal cooperatives, whenever such purchases are in the best interest of the County.
4. Opportunity shall be provided to all responsible suppliers to do business with the County. To this end, the Purchasing Director shall develop and maintain lists of potential suppliers for various types of materials, supplies, equipment, and services. Such lists shall be used to develop notification lists of potential suppliers and for distribution of specifications, invitations to bid, RFPs and RFQs. Any supplier may be included in the list upon request. Exceptions include vendors named ineligible by the NY State Office of General Services, or those whose past business practices have disqualified them from doing business with the County.
5. When soliciting bids, a statement of "General Conditions" shall be included with all specifications submitted to suppliers. These general conditions shall be incorporated in all contracts awarded for the purchase of materials, supplies, equipment, and services.
6. The Purchasing Director shall only authorize purchase orders after first determining that unencumbered balances of budgetary appropriations are adequate to cover such obligations. If unencumbered balances are insufficient, a budget amendment must be approved by the proper authority prior to the Purchasing Director's authorization of the purchase order. Associated bills shall include a copy of the purchase order upon payment.
7. Oswego County shall not pay for materials, supplies, equipment, and services in advance. Partial payments to initiate contracts may be allowed upon consultation with the County Attorney and Purchasing Director.
8. **Records.** Purchase requisitions and purchase orders are uniquely numbered. Bid, quote, and RFP files are maintained to document the procurement process and must include, at a minimum: initiating documents, solicitation documents and any amendments, advertising and notification records, tabulations, responses, award and declination notices, evaluation records, protests and challenges, and communications log.

PROCEDURES

1. **Determining and Documenting Type.** Every purchase must be initially reviewed to determine whether it is a purchase contract, a public works contract, or a professional service. Departments are to consult with the Purchasing Director if the determination is not readily apparent. A good faith effort will be made to determine if the aggregate amount to be spent on the item of supply or service is subject to competitive bidding or competitive proposal, considering past purchases and the aggregate amount to be spent in a year.

- a. An opinion that a purchase is not subject to competitive bidding will be documented in writing by the individual requesting the purchase and provided to the Purchasing Director with the Purchase Requisition. This documentation may include written quotes from vendors, a memo from the purchaser indicating how the opinion was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate. The Purchasing Director must prepare a memo for the requisitioner concurring with or overriding the department's opinion. A copy will be attached to the requisition.
 - b. If the purchase is subject to competitive bidding or is a professional service, the department shall refer to the COMPETITIVE BIDDING or PROFESSIONAL SERVICES sections of this policy for procurement procedures.
2. **Purchase Requisition.** Purchase Requisition must be completed by the department requesting the product and forwarded to the Purchasing Department before a Purchase Order can be issued. Departments shall complete a Purchase Requisition specifying the item(s) requested in as much detail as possible, including details concerning quality and grade, specifications, samples from vendor catalogs. Requisitions must include department head or designee approval. An electronic signature will be used and is an accepted form. The electronic system will save a copy of a dated request.
3. In the event that the electronic system is not available, a paper requisition with original signatures (not signature stamp) can be substituted.

Authorizations are required for the following items prior to sending the requisition to the Purchasing Department:

- a. Purchase Requisitions for computers require the review and signature of the Director of Central Services.
 - b. Purchase Requisitions for cellular telephones require the review and authorization of the Infrastructure and Facilities Committee.
 - c. Purchase Requisitions for emergency communication radios require the review and signature of the Director of E-911.
4. **Authorization.** The Purchasing Director ensures compliance with the authorization limits and controls outlined in "Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts," and "Schedule B: Authorization Levels & Procedures: Professional Services," which are programed into the County's financial software workflow. The Purchasing Director approves the vendor and authorizes Purchase Order.
5. **Encumbrances.** After a purchase requisition is entered by the department the funds then become encumbered.
6. **Procurement.** The department creates and enters a purchase requisition, attaching any necessary documentation, scope, or specifications. Once the purchase requisition has gone through the appropriate authorization workflow and competitive solicitation (if required) and

has been approved, the Purchasing Department creates the purchase order and dispatches the purchase order to the vendor.

7. **Confirmation/Inspection.** Upon receipt of goods, the receiving department shall conduct a visual inspection and cross reference the item(s) against the specifications as negotiated and agreed upon through the purchasing process. The receiving department creates the receiving record for the purchase order in the electronic system. The receiving department scans a copy of the packing slip and saves it to the receiving record. Should goods be received which were not ordered, or damaged, or in any way do not meet the terms of the purchase order DO NOT ACCEPT DELIVERY- contact the Purchasing Department. Failure to complete and document inspection may result in the delay of payment.
8. **Payment.** The department receiving the goods scans and enters the invoice in the electronic system for payment.

COMPETITIVE BIDDING

REGULATIONS

1. Purchase contracts for materials, supplies and equipment involving an estimated expenditure in excess of \$20,000, and public works contracts in excess of \$35,000, shall be awarded only after public advertising soliciting formal bids pursuant to Section 103 of the General Municipal Law.
2. The Purchasing Director or designee shall be responsible for all required public advertising and competitive bidding, shall conduct all bid solicitations and openings, and shall provide recommendations for awarding contracts.
3. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner should consult with the Purchasing Director before contacting a potential vendor.
4. Written documentation (acceptable to the Purchasing Director) from the requisitioning department will be required whenever a purchase is awarded to other than the lowest responsive, responsible vendor. This documentation will include an explanation of cost savings, best value, or other justification for disallowing the low bidder.

PROCEDURES

1. **Specifications.** If a purchase is deemed subject to competitive bidding, the requisitioner will assist the Purchasing Director in the preparation of specifications. It is the responsibility of the Purchasing Director to make alternative suggestions to the requisitioner if, in the judgment of the Purchasing Director, the specifications would restrict competition or otherwise preclude the most economical purchase of the required items. In case of disagreement as to the content of the specifications, the County Attorney, after reviewing all available data, will make the final determination. The finalized specifications will be

initialed by the requisitioner and Purchasing Director and a copy maintained in the bid solicitation file to be maintained in the Purchasing Department.

2. **Advertisement and Bidders Lists.** The advertisement for bids shall be in accordance with the provisions of the General Municipal Law. The Purchasing Director shall publish the advertisement in the official newspapers designated by the County Legislature and any other print or electronic publications that will ensure receipt of responsible and competitive bids, including the County's web site. The requisitioner may recommend additional sources for publication. When the Purchasing Department solicits bids directly from a bidders list, a copy of said bidders list shall be placed in the bid solicitation file. Copies of the public notice, list of all publications, and publication dates shall be maintained in the bid solicitation file. During the period a bid is let, if the Purchasing Director determines an amendment is warranted, all known bidders will be notified of the amendment, and the amendment shall be published on the County's web site.
3. **Receipt of Bids.** Bids will be received only at the office location stated in the bid documents. Bids must be received before the date and time stated in the bid documents to be considered, Bids delivered to the wrong location, or received after the published time will not be accepted and will be returned unopened. Upon receipt of a bid, the Purchasing Department shall stamp the envelop received with the date and time.
4. **Bid Openings.** Bids shall be opened by the Purchasing Director, or designee, and will be publicly opened and read at a time and place published in the bid documents. The Purchasing Director, or designee, and at least one other County employee, must be present for the bid opening. No bids are to be opened by a County representative alone. The public and interested parties may attend the bid opening. At the bid opening, the Purchasing Director or designee shall prepare a bid tabulation sheet indicating the date, time and location of the bid opening, signature and affiliation of attendees, a listing of the bidders, item being bid, and bid price. This tabulation shall be maintained in the bid solicitation file.
5. **Bid Evaluation.** Following the opening of bids, the Purchasing Director shall prepare a bid evaluation to determine the lowest responsible and responsive bid.
 - a. The County must have assurance that the successful bidder will be able to perform satisfactorily under the contract. "Responsibility" of bidders shall be determined based upon financial stability, production capability, ability to deliver on time, ability to provide service if required and past performance. A "responsive" bid is one which is in conformance with the published specifications and requirements, essentially void of contravening terms, gratuitous additions, and unilateral mistakes or obvious errors made in calculating or presenting figures, and reasonable in price.
 - b. A bid which is not responsive to the specifications, terms and conditions of the bid shall be rejected by the Purchasing Director. Should a bidder be deemed to lack responsibility, the bid shall be rejected by the Purchasing Director. In all instances where bids are rejected, the Purchasing Director shall document in writing the specific reasons to substantiate the determination. This documentation shall be maintained in the bid solicitation file.

- c. Upon completion of the bid evaluation, the Purchasing Director shall submit to the requisitioner a written summary of the bid process and evaluation. This summary shall contain a ranked listing of all qualified bidders and the recommendation of the Purchasing Director for awarding the bid. Upon request of the requisitioner, the complete bid solicitation file will be made available.
 - d. In the event the requisitioner does not concur with the recommendations of the Purchasing Director, the requisitioner shall document in writing the nature of the determination and the specific reasons to refute the determination. This documentation shall be maintained in the bid solicitation file.
6. **Award.** The Purchasing Director shall award the bid based on the summary and evaluation. In the event the requisitioner does not concur with the Purchasing Director, the award shall be determined by majority vote of the department's standing committee. The announcement of bid award shall be made in a public meeting of the department's standing committee.
 7. **Notification.** The Purchasing Director shall notify all bidders of the determination and award. The preparation of the purchase order or contract will proceed consistent with purchasing procedures.
 8. **Audit.** Annually, the County Auditor will conduct an audit of all competitive bid solicitations to ensure compliance with this policy. A written report of findings with recommendations for corrective action, if warranted, shall be submitted to the County Administrator and Chairperson of the Legislature. Said audit and recommendations shall be a public document available for public access.
 9. **Challenges.** In the event a bidder challenges the County's bid award, the Purchasing Director shall notify the County Attorney and County Administrator and provide all relevant documentation.
 10. **Reservation of Rights.** The County of Oswego reserves the right to reject any and all bids.

PROFESSIONAL SERVICES

REGULATIONS

1. All professional service contracts and agreements between Oswego County and any other entity are subject to competitive purchasing procedures and must be approved and reviewed according to County policy, County Law, General Municipal Law 104b and New York State Law, unless exempted (See EXEMPTIONS).
2. County officials and employees are prohibited from engaging in collusive activities with potential vendors. In cases where information is needed from an industry source to help prepare specifications, the requisitioner should consult with the Purchasing Director before contacting a potential vendor.
3. Competitive procedures for professional services may include Requests for Quotations (RFQ), Requests for Proposals (RFP), and pre-qualification for engineering, architectural,

and computer science services. An RFP is required for a service that can be reasonably expected to cost \$25,000 or more. Written quotations or RFPs are acceptable for lesser expenses.

4. Contracts for professional services must be made in the best interest of the County. RFQs, RFPs, and pre-qualification surveys may consider inclusive factors such as price, staffing and suitability for needs, reliability, skill, education and training, experience, demonstrated effectiveness, judgement, and integrity. Any necessary negotiations must occur on a fair and equal basis.
5. Under special circumstances, certain professional services are needed quickly, and following the standard solicitation and award process forces the County to miss deadlines or other opportunities. Examples include consulting services for grant preparation, or project management services for unexpected projects such as building repairs. The Purchasing Director may use a public competitive process to annually pre-qualify lists of engineering, architectural, and computer science services, which can reasonably be estimated to cost less than \$25,000 per project, or less than \$35,000 per public work project. The County may also utilize pre-qualification programs conducted by New York State or state professional associations. The pre-qualification lists are subject to the approval of the County Legislature.
6. A good faith effort shall be made to obtain the required number of quotations or proposals. Appropriate documentation shall be maintained if the requesting department or Purchasing Department is unable to obtain the required number of quotations or proposals. In no event shall the inability to obtain the quotations or proposals be a barrier to procurement of services.
7. The County of Oswego reserves the right to reject any and all proposals.

PROCEDURES

1. **Determination.** Inquiries to determine whether a proposed service qualifies as professional shall be made to the Purchasing Director, who in turn may consult with the Department Head, and/or the County Attorney, taking into consideration the following guidelines:
 - a. Whether the services are subject to State licensing or testing requirements;
 - b. Whether substantial formal education or training is a necessary prerequisite to the performance of the services;
 - c. Whether the services require an enduring professional and/or confidential relationship between the County and a vendor of proven ability.
2. **Solicitation.**
 - a. The Purchasing Director shall use "Schedule B: Authorization Levels & Procedures: Professional Services" to determine the solicitation procedure.
 - b. RFQs, RFPs, and pre-qualification surveys, at minimum, should include:
 - i. Solicitation of a sufficient number of qualified firms. While this number will vary depending upon the situation, a minimum of three (3) firms should be contacted, if possible.

- ii. The needs of the County and the desired format of the vendor's response must be shown as clearly and as specifically as possible. Vagueness in the requests will hamper the award process.
 - c. In consultation with the department head, the Purchasing Director will develop a list of potential vendors and may choose to advertise the RFQ or RFP.
 - d. During the period a bid is let, if the Purchasing Director determines an amendment is warranted, all known bidders will be notified of the amendment.
 - e. A public proposal opening is not required, and proposals may require additional negotiation with the vendor; however, the due date and time for proposals must be the same for all vendors.
3. **Evaluation.** Evaluation of proposals shall be conducted by a committee formed or designated for such purpose, which must include, at a minimum, the department head and Purchasing Director. The members of the committee should evaluate and rank proposals in accordance with pre-determined factors such as price, staffing and suitability for needs, reliability, skill, education and training, experience, demonstrated effectiveness, judgment, and integrity. This process should culminate in a report summarizing all proposals and recommending an award. The review committee may include non-county officials if outside expertise is needed, however they can serve in an advisory capacity only, and a majority of the review committee must be in the County's employ.
4. **Award.** Awards for professional services shall follow the procedures outlined in the CONTRACTUAL OBLIGATIONS section of this policy.
5. **Pre-qualification.** The Purchasing Director shall develop and conduct a public competitive process to pre-qualify lists of engineering, architectural, and computer science services, which can reasonably be estimated to cost less than \$25,000 per project or \$35,000 per public work project.
- a. The pre-qualification process shall be conducted annually by the Purchasing Director, in consultation with appropriate department heads.
 - b. The pre-qualification process shall not obligate the County to the expenditure of monies to any firm.
 - c. Firms contracted to write grants shall not obligate the County in the grant application to any further contracts with the firm.
 - d. Pre-qualification programs conducted by New York State or New York State professional associations may be accepted.
 - e. The pre-qualification lists are subject to the approval of the Finance and Personnel Committee and the County Legislature.

PROTESTS

1. **Purpose:** Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract may file a protest with the Purchasing Department of Oswego County. The procedures for submitting such protests are set forth herein.

2. **Grounds for Protest:** A bidder may file a protest which alleges that:
 - a. The County failed to follow its prescribed procedures in connection with the procurement which the bidder is protesting; or that
 - b. The County has violated a federal, state, or local law in connection with the procurement which the bidder is protesting; or that
 - c. The County has abused its discretion in making a discretionary determination such as deciding the responsiveness of a bid or the responsibility of a bidder.
3. **Contents of Protest:** A bidder desiring to file a protest may submit a written protest to County's Purchasing Director. The protest must include:
 - a. the name and address of the bidder;
 - b. identification of the contract or bid solicitation being protested;
 - c. a detailed and factual statement of the grounds for protest;
 - d. supporting documentation; and
 - e. the desired relief, action or ruling.
4. **Time for Filing:**
 - a. Protests alleging restrictive specifications or improprieties in the bid solicitation which are or should be apparent prior to the bid due date must be received by the County not later than three working days prior to the bid due date.
 - b. All other protests must be received by the County within five working days after the cause of the protest should have reasonably become known to the protestor.
 - c. Any additional information relevant to the protest requested by the County from the protestor shall be submitted to the County as expeditiously as possible, but in no case later than three working days after receipt of such request by the protestor.
 - d. The time limits set forth in this section must be strictly adhered to. The County will not consider a protest or additional documentation which is not received by the Purchasing Director within the time periods set forth in this section.
5. **Action by the County:**
 - a. Upon receiving a protest, the Purchasing Director shall notify the County Administrator and the County Attorney that a protest has been received.
 - b. If an award of a contract has already been made at the time that a bid protest is received, the County will notify the contractor of the protest, and will delay the issuance of any notice to proceed until the protest has been disposed of.
 - c. If an award of a contract has not already been made, but bids have been opened, the County will notify all bidders who appear to have a substantial and reasonable prospect of receiving an award if the protest is denied.
 - d. A recommendation to the County Legislature will not be made for contract award until a written response to a bid protest has been prepared by the Purchasing Director and such response has been transmitted to the protestor.
 - e. If a bid protest is filed before the due date for receiving bids, the County will notify all bidders from whom bids have been received of the filing of a protest and that bids will not be opened until the protest has been resolved.

- f. The filing of a protest will not alter the date on which bids are due. Bids will not, however, be opened by the County until such time as the protest is resolved.
 - g. If the County determines that the protest has merit and that the contract must be rebid, the County will set a new date for the submission of bids as set forth in paragraph VI (H).
 - h. The County shall make a decision regarding the protest and send notice of that decision to the protestor within ten working days following receipt of the protest by the County. The notice of the decision shall outline the factors upon which the decision is based.
 - i. The Purchasing Director shall notify the County Administrator and County Attorney concerning the decision.
 - j. If the relief, action or ruling requested by the protestor is granted, the County will take appropriate actions to amend the bid solicitation or terminate the procurement process.
6. **Furnishing Information on Protests:** the County shall, upon request, make available to any interested party information bearing on the substance of the protest which has been submitted by the protestor except to the extent that withholding of information is required by law or regulation. Any comments on this material must be received by the County within three working days, but in no event will a decision be delayed because an interested party has not had an opportunity to provide comments.
7. **Conference:** A conference on the merits of the protest with the Purchasing Director may be held if the Purchasing Director deems such a conference to be necessary. Interested parties may request, and in the discretion of the Purchasing Director may be invited to attend the conference.

COMMUNICATIONS DURING BID/RFP PROCESS

1. All Bids/RFP shall include a statement of communications restrictions that reflect the following:
 - a. Communications with the County shall be solely through the Purchasing Director during the Solicitation and Evaluation Period, which is defined as the time of issuance of Bid/RFP documents until the time an award is made. In the absence of the Director, communications may occur with designated purchasing staff.
 - b. There shall be no unauthorized communications among vendors, County officials, employees, and the news media regarding Bids/RFPs during the Solicitation and Evaluation Period, without prior written approval from the Purchasing Director.
 - c. Prior to the issuance of all bids/RFPs, the Purchasing Director, via e-mail, will notify all Legislators and all Department Heads of bid/RFPs number, title, subject and Solicitation and Evaluation Period so that they are aware that communication restrictions are in place.
 - d. Necessary, incidental, or unauthorized communications, whether initiated by a vendor, County official, employee, or news media, **must** be reported to the Purchasing Director immediately, and in writing within two (2) business days, and will become part of the bid/RFP file.
 - e. If a vendor exists under current contract for the materials or services solicited in a bid/RFP and contact between the vendor and requesting department is necessary to maintain operations or perform repairs during the Solicitation and Evaluation Period,

- department heads must report the contact to the Purchasing Director, as required by Section d above. During such necessary contact, the bid/RFP shall not be discussed.
- f. During the Solicitation and Evaluation Period all communications between bidder/proposers and the Purchasing Director must be noted in the bid/RFP file, with a summary of the communication and initialed.
 - g. All responses to vendor questions will be made in writing under the same restrictions. All known bidders/proposers will receive copies of written responses to ensure that all have equal access to information.
 - h. All communications or contacts are limited to the County Office Building during normal operating hours, 9 a.m. to 4 p.m., unless otherwise part of an on-site pre-bid meeting or vendor site visit scheduled by the Purchasing Director.
 - i. All bidders/proposers must include a signed Non-Collusion Statement with their bids/proposals.
 - j. Depending on the nature and circumstances of unauthorized communications, violations of this policy may result in the rejection of the vendor's bid or proposal and/or disciplinary action against the County official or employee.

CONTRACTUAL OBLIGATIONS

REGULATIONS

All professional services and public works contractual agreements committing County government to any obligation of five thousand dollars (\$5,000) per year or more, or establishing revenue schedules, shall require the signature of the Chairman of the Legislature after completing the contract review process described below. Contractual agreements committing County government to any obligation of less than five thousand dollars (\$5,000) per year may be signed by the department head. Contracts under \$5,000 must use the County's contract template or other standardized contract previously approved by the County Attorney's Office. Any deviation to such contract templates requested by vendor needs prior review and approval by the County Attorney's Office.

- 1. In instances where, deemed necessary and appropriate, agreements of a routine or recurring nature may be executed by a designee, authorized in writing by the Chairman of the Legislature. Anyone who executes an agreement in violation of this stated policy shall assume personal liability for any and all obligations, monetary or otherwise.
- 2. Professional services and public works contracts for \$5,000 or more per year must be approved by the County Legislature, on the recommendation of the department head, Purchasing Director, and the Department's Standing Committee.
- 3. Awards made not to the lowest proposer or bidder must be properly documented, including the rationale for selection of the Vendor.
- 4. Multi-year contracts are awarded on an annual basis and cannot exceed four renewals (total of five years).
- 5. Previously approved contracts which contain renewal provisions, may be renewed by the department and Purchasing Director. If the renewal contains amendments not covered by

renewal provisions, which significantly affect financial impact or services, the authority to renew rests with the department's standing committee. In such cases the Legislature Chairperson has signatory authority on contract amendments.

6. Renewal notices will be sent from the Purchasing Department, with signed copies forwarded to the originating department and Audit Department.

PROCEDURES

Contract Review. Any type of professional service and public work must have a contract agreement. All contracts for \$5,000 or more shall be signed by the Chairman of the Legislature and must be approved as to content by the County Attorney, County Administrator and Purchasing Director. This includes any and all contracts, agreements, leases, maintenance agreements, and any other form which creates a legally binding agreement between the County and another entity. Contracts under \$5,000 must use the County's contract template or other standardized contract previously approved by the County Attorney's Office. Any deviation to such contract templates requested by vendor needs prior review and approval by the County Attorney's office. Unless pre-qualified, professional service contracts of \$5,000 or more require the approval of the County Legislature by majority vote.

- a. Contractual agreements shall be submitted to the Chairman's Office no later than ten (10) days prior to the required date of execution.
 - b. Contractual agreements shall be reviewed by the County Attorney, County Administrator, and Purchasing Director who shall provide written recommendations to the Chairman no later than five (5) days prior to the required date of execution. A sign-off sheet will accompany each contract and will be initialed by the Chairman of the Legislature, County Administrator and County Attorney. (See Contract Sign-off Sheet)
1. **Award.** Upon authorization and execution and delivery of approved contracts, and any required documentation, the Purchasing Director will provide a notice to proceed to the selected firm.
 2. **Payment.** Payment terms are to be detailed in each contract. Prior to making any payments, the Audit Department requires a copy of the contract agreement, which has been approved by the County Attorney.
 3. **Documentation.** Upon execution by the Chairman, copies of the agreements shall be returned to the originating department for submission and retention. A record of all transactions shall be maintained by the Chairman's Office. Submission of agreements to the Audit Department for audit and payment shall be in accordance with established practice and procedure.
 4. **Renewal.** All multi-year contracts up for annual renewal must be evaluated by the contracting department prior to the Purchasing Department issuing the renewal.

EXEMPTIONS

REGULATIONS

1. Procedures and regulations exempting certain types of purchases from authorization limits and controls may be established upon review of operational efficiencies and economies but may not violate any law or statute or undermine the County Legislature's intent to maintain fair competition and accountability in County purchasing activities.
2. Purchases may be exempted from competitive bidding and professional service RFP or RFQ by the Purchasing Director when it is clearly determined that there is only one vendor capable of providing a particular material or service.
3. In accordance with Section 103(4) of the General Municipal Law, emergency purchases may be waived from competitive bidding in case of a public emergency 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 require immediate action.
4. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; sole source purchases; goods purchased from agencies for the blind or disabled; goods purchased from correctional institutions; purchases under State contracts or competitive contracts of contiguous counties; and surplus and second-hand purchases from another governmental entity
5. Professional services under State contracts or competitive contracts of contiguous counties and legal services as may be necessary under County Law 501 to represent or protect the interests of the County, its officers, and employees, are not subject to competitive RFP.

PROCEDURES

1. **Sole Source.** Justification for sole source purchases includes: purchase order is made to the original manufacturer or provider; there are no regional distributors, or parts/equipment are not interchangeable with similar parts of another manufacturer, or it is the only known item that will meet the specialized needs of the department or perform the intended function; purchases required by contractual obligations; or standardization approved by the County Legislature.
 - a. Whenever a Department Head believes that materials or services they require are available from a sole source vendor, he/she shall complete a purchase requisition and forward it to the Purchasing Director or designee for approval. Documentation must be attached to the requisition.
 - b. When the Purchasing Department determines a sole source vendor, documentation must be attached to the requisition.
 - c. Following approval, the purchase requisition will be processed in the normal procedure.
2. **Emergency Purchases.** Pursuant to Section 103(4) of the General Municipal Law, and due to the nature of this exception, these goods or services must be purchased immediately and a

delay to seek alternate proposals may threaten the life, health, safety, property or welfare of the residents. This section does not preclude alternate proposals if time permits.

A. During Normal Office Hours

1. The requisitioning department calls the Purchasing Director and gives the following information:
 - a. Reason for emergency purchase.
 - b. Department name and budget code.
 - c. Complete description and cost of services or materials to be purchased.
 - d. Name and address of recommended vendor.
2. The Purchasing Director or designee determines if the purchase is in fact an emergency.
3. If so, a vendor will be selected. Vendors with immediate delivery of materials or services are given preference in the selection.
4. The Audit Department will verify if budgetary appropriations are available. If not, the requisitioning department will obtain approval from the appropriate legislative committee.
5. A purchase order number is assigned and verbally given to the vendor. A confirming purchase order is completed and distributed.
6. The requisitioning department will complete a purchase requisition which will include the information in numbers 1 and 3 above. The requisition shall be forwarded to the Purchasing Department.

B. Outside Normal Office Hours

1. When an emergency need is identified outside of the normal office hours of Purchasing, and immediate action is required to correct the threat to the safety, health, or welfare of the public, the using agency has the authority to procure the goods or services necessary to correct the problem without obtaining prior approval from Purchasing.
 2. The purchase must be reported to Purchasing on the next working day to obtain the required purchase order number.
 3. Process in the same manner as above.
3. **Other Exemptions.** Control involves not only compliance with required purchasing procedures, but also affects the paperwork necessary. "Over-papering" can ruin the effectiveness of the system almost as quickly as non-compliance. The authorized dollar limits, requirements of quotations and competitive proposals, and utilization of purchase

orders may be waived for the following exceptions, established upon a determination of operational efficiencies and economies:

- a. Petty Cash reimbursements
- b. Utility bills from regulated public utilities
- c. Maintenance repairs and parts (up to \$5,000)
- d. Maintenance and service contracts (up to \$5,000)
- e. Interdepartmental charges
- f. Medical expenses associated with public assistance
- g. Legal notices
- h. Postage
- i. Memberships and dues
- j. Mileage, travel, conference reimbursements
- k. Food for prisoners
- l. Extension of software license agreements (requires Purchase Order)
- m. Renewals of previously-approved contracts, which do not contain amendments with significant impacts to services or the budget.
- n. Contracts in which the nature and scope requires contracting with multiple agencies or individuals to provide the same service, or which all vendors are needed to fulfill the demand.
- o. Set Rate Contracts - those contracts which the payment rate is set by local, state, or federal agencies.
- p. Human service contracts in which client-choice is required by state or federal guidelines.
- q. Other expenses determined by the Purchasing Director on an individual basis.

PIGGYBACKING

General Municipal Law 103(16) allows procurement of certain goods (including apparatus, materials, equipment and supplies) and services through contracts let by the United States or any agency thereof, any state or any other political subdivisions or district therein, if such contract was let in a manner consistent with competitive bidding and has been made available for use by other governmental agencies. The County shall take advantage of such contracts when doing so ensures that the County is buying goods at the lowest price.

Pursuant to Subsection 1-b of Section 103 of the General Municipal Law, the County shall have the option of purchasing information technology and telecommunications hardware, software, and professional services through cooperative purchasing permissible pursuant to federal General Services Administration information schedule 70 and any successor schedule, provided the County complies with federal schedule ordering procedures as provided in the applicable federal acquisition regulation(s).

VIOLATIONS

Department heads are responsible for their departments' and employees' compliance with this policy. Deviation from this policy may delay purchasing or payment. Violations of this policy will be reported to the County Administrator for corrective action.

This policy shall go into effect June 1, 2022 and will be reviewed annually as required by General Municipal Law 104-b. If subsequent changes occur in New York State or Federal Law which are inconsistent with this Purchasing Policy, or if any part of this policy as adopted is in violation of state or federal law, state or federal law shall control the purchasing practices of the County of Oswego.

ATTACHMENTS

Contract Sign-Off Sheet, Schedule A, Schedule B,

REFERENCES:

New York State General Municipal Law, County Law, Education Law, Finance Law, Executive Law, Labor Law, and Public Officers' Law and County Local Law No. 2 of 2014.

ISSUED:

Philip R. Church
County Administrator

James Weatherup
Legislature Chairman

CONTRACT SIGN-OFF SHEET

All contractual agreements or addendums committing County government to any obligation in excess of three thousand dollars (\$5,000) per year or establishing revenue schedules potentially at or above that sum, shall be accompanied by this sign-off sheet. **After completing the top section, send this cover sheet to Purchasing with all contract documents attached.**

Project : _____

Between: Oswego County (Department of) _____

And: _____

Addendum? ☐ Yes ☐ No

Local or State Bid/RFP/Contract Number: _____

Dept. and Line No.: _____ Capital Project No. _____

If this vendor is not currently on file with the County, a W-9 form must be completed and returned by the vendor to the County Treasurer prior to any payments.

SIGN-OFF IN ORDER BELOW:

	(initial)	(date)
1. County Purchasing Director Contract acquired in compliance with purchasing policy and meets bid or RFP specifications.	_____	_____
2. County Attorney	_____	_____
3. County Administrator Approved and budgeted.	_____	_____
4. Chairman of the Legislature Authorization.	_____	_____

Renewals: After this contract has been stamped "approved as to form" by the County Attorney, it does not have to be re-approved by the County Attorney if only the signors and payment amounts change. Keep this cover sheet and attach copies to any future contracts for this purpose to be signed by the Chairman of the Legislature or the Department Head and send directly to Audit.

rev: 3/21

Schedule A: Authorization Levels & Procedures: Purchase of Materials, Supplies and Equipment & Public Works Contracts

These limits are applicable per total purchase transaction for related items.

Purchase Contracts: Purchase of Materials, Supplies and Equipment	Public Works Contracts	Authorization & Process *
\$0 - \$1,000	\$0 - \$1,000	Vendor selected by Department and processed for payment on a claims voucher.
\$0 - \$2,000 Public Works & Buildings and Grounds, only.	\$0 - \$2,000 Public Works & Buildings and Grounds, only.	
\$1,001 - \$19,999**	\$1,001 - \$34,999**	<ol style="list-style-type: none"> 1. The department and/or Purchasing obtain written quotes from at least 3 separate vendors (if available). 2. Department completes a purchase requisition and forwards to Purchasing. 3. Low quote is to be accepted and documentation required for any exceptions. 4. **If a professional contract of \$5,000 or more, Purchasing forwards through contract review. 5. Purchasing issues purchase order or contract. Subject to Contract Review.
\$20,000 or more	\$35,000 or more	<ol style="list-style-type: none"> 1. Department completes a purchase requisition with written specifications and forwards to Purchasing. 2. Purchasing advertises for competitive sealed bids. 3. Contract or purchase order issued by Purchasing. Subject to Contract Review.

*Note: Purchase Requisitions for computers require the review and signature of the Director of Central Services.

Purchase Requisitions for cellular telephones require the review and authorization of the Community and Consumer Affairs Committee.

Purchase Requisitions for emergency communication radios require the review and signature of the Director of E-911.

All equipment purchases (200 series) over \$5,000 require the authorization of the County Administrator and Legislature Chairman.

Schedule B: Authorization Levels & Procedures: Professional Services.

Professional Service Contracts	Authorization & Process
Pre-qualification of architectural, engineering and computer science services, only. \$0 - \$24,999 per contract, and \$0 - \$34,999 per public work contract.	<ol style="list-style-type: none"> 1. Purchasing Director conducts pre-qualification program annually. 2. Department, in consultation with Purchasing, solicits quotes from at least three (3) pre-qualified firms, if available. RFQ responses must be written. 3. Vendor selected by Department, and contract sent through Contract Review if over \$5,000. 4. Contract executed by Legislature Chairperson and processed for payment when invoiced.
Non-pre-qualified \$0 – \$24,999	<ol style="list-style-type: none"> 1. Department provides description of services needed, selection criteria, specifications, or other necessary information to Purchasing. 2. Purchasing prepares and solicits Requests for Quotes from at least three (3) vendors, if available. 3. Vendor selected by Department, in consultation with Purchasing or any RFQ review team established for such purpose. 4. Contract prepared by the Department, Purchasing and County Attorney. 5. Contract undergoes Contract Review if over \$5,000 and is processed for payment when invoiced.
Non-pre-qualified \$25,000 or more	<ol style="list-style-type: none"> 1. Department provides description of services needed, selection criteria, specifications, or other necessary information to Purchasing. 2. Purchasing prepares and solicits Request for Proposals from at least three (3) vendors, if available. 3. Department makes vendor recommendation to standing legislative committee, in consultation with Purchasing or any RFP review team established for such purpose. 4. Standing legislative committee approves award and forwards to the County Legislature. 5. County Legislature approves award by resolution. 6. Contract prepared by the Department, Purchasing and County Attorney. 7. Contract undergoes Contract Review and is processed for payment when invoiced.