

**LOCAL LAW NO. 1 OF 2022  
TOWN OF GOSHEN**

**A LOCAL LAW AUTHORIZING THE USE OF THE BEST VALUE METHODOLOGY IN THE  
AWARD OF PURCHASE CONTRACTS AND CONTRACTS FOR SERVICES**

**BE IT ENACTED** by the Town Board of the Town of Goshen, Orange County, New York as follows:

**Section 1. Purpose and Intent**

New York General Municipal Law § 103 requires competitive bidding for purchase contracts and contracts for services and has historically required that such bids be awarded to the lowest responsible bidder whose bid meets the requirements of the specifications for the project. This section was amended to provide that, through enactment of a local law so providing, the Town may award purchase contracts and contracts for services on the basis of best value, as defined in New York State Finance Law § 163, to a responsive and responsible bidder or offerer.

The Town Board hereby determines that it is in the best interest of the Town and its residents for the Town Board to have the authority to award purchase contracts and contracts for services on the basis of best value. This "best value" option may be, but is not required to be, used to award an applicable purchase contract to optimize quality, cost, and efficiency among responsive and responsible offers instead of the lowest responsible bidder.

**Section 2. Code Amendments**

The Code of the Town of Goshen is hereby amended, at **Chapter 85 "Fees,"** by the addition of the following language, to be set forth in Article III "Purchase Contracts and Services":

**Section 85-5: Definition**

**Best value:** The basis for awarding purchase contracts and services to the offerer that optimizes quality, cost and efficiency, among responsive and responsible offerers.

**Section 85-6: Standards for Best Value**

Goods and services procured and awarded on the basis of the best value are those that the Town Board determines optimize quality, cost and efficiency, among responsive and responsible bidders or offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. The criteria may include, but shall not be limited to, any or all of the following: cost of maintenance, proximity to the end user if distance or response time is a significant term, durability, availability of replacement parts or maintenance contractors, longer product life, product performance criteria, and quality of craftsmanship.

**Section 85-7: Documentation**

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

**Section 85-8: Authority**

This local law is adopted pursuant to the authority of the Municipal Home Rule Law and General Municipal Law § 103(1).

**Section 6. Severability**

The invalidity of any section, clause, sentence or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part or parts.

**Section 7. Effective Date**

This local law shall take effect upon the filing of certified copies thereof with the Office of the Secretary of State in accordance with the Municipal Home Rule Law.