

LOCAL LAW PERMANENT 2 OF 2013
(LOCAL LAW INTRO 12 OF 2012)

**A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND
CODE TO CREATE A DEPARTMENT OF PURCHASING**

Section 1. Sections C308 and A306 of the Charter and Code are hereby repealed.
Section 2. There shall be a new Article III-A of the Broome County Charter to read as follows:

Article III-A

Department of Purchasing

C301-A Department of Purchasing; Director; appointment.

There shall be a Department of Purchasing headed by a Director of Purchasing who shall be appointed by the County Executive, and confirmed by the County Legislature.

The Director of Purchasing shall:

- (A) In accordance with the requirements for advertising and competitive bidding, authorize all purchases and sales of materials, supplies and equipment and contracts for the rental or servicing of equipment for the County.
- (B) Approve and execute certain contracts as shall be prescribed by the Administrative Code.
- (C) Establish and enforce suitable specifications and standards for all supplies, materials and equipment to be purchased for the County.
- (D) Perform such other and related duties as shall be required and delegated by the County Executive or County Legislature.

Section 3. There shall be a new Article III-A of the Broome County Administrative Code to read as follows:

Article III-A

Department of Purchasing

A301-A Director; appointment; qualifications.

(1) The Department of Purchasing shall be headed by a Director of Purchasing. The method of choosing a Director shall be as prescribed in § C301-A of the Charter. The qualifications of the Director shall be:

A) Graduation from a regionally accredited or New York State registered college or university with a Bachelor's Degree and one year of experience in either:

- 1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or
- 2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;

OR

B) Graduation from a regionally accredited or New York State registered college or university with an Associate's Degree and three years of experience in either:

- 1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or
- 2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;

OR

C) Graduation from high school or possession of an equivalency diploma and five years of experience in either:

1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or

2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;

OR

D) An equivalent combination of training and experience as defined by the limits of A), B) and C) above.

(2) Powers and duties of Director of Purchasing.

(A) The Director of Purchasing shall:

(1) Establish and maintain a central purchasing system.

(2) Establish and enforce standard specifications with respect to supplies, materials and equipment.

(3) Inspect and supervise and otherwise provide for the inspection of all deliveries of supplies, materials and equipment and determine their quality, quantity and conformity to contract.

(4) Sell or lease any surplus, obsolete or unused supplies, materials and equipment under the rules and regulations as may be established by resolution of the County Legislature.

(5) Upon request of any city, town, village, school district or any other unit of local government, act as purchasing agent for the same, either for all or any part of its purchases, upon such conditions as may be prescribed by the County Legislature.

(6) In accordance with Article III, § A302(O), of this Code, the County Executive is empowered to delegate to the Director of Purchasing the power to execute all contracts on behalf of the County with respect to the buying, selling or leasing of any supplies, materials and equipment, for an amount not to exceed the sum fixed by the General Municipal Law of the State of New York as the mandatory limit above which the competitive bidding process must be employed.

(7) Perform under the discretion of the County Executive all other duties of a County Purchasing Agent under the Laws of the State of New York not inconsistent with the provisions of this Code.

(8) Arrange for the purchase of supplies, materials and equipment for the County in accordance with any applicable provisions of state, federal or local law.

(9) Perform such other and related duties as the County Executive or County Legislature may direct.

(10) Appoint such deputies, when such positions are authorized by the County Legislature within budgetary appropriations provided therefore, as he or she may deem necessary for the performance of his duties.

(B) The Director of Purchasing shall give a surety bond to the County. The bond shall be approved as to form by the County Attorney and as to the sufficiency of the surety by the County Executive and filed with the Department of Records.

Section 4. This Local Law shall take effect upon filing with the Secretary of State.