

**FILED
STATE RECORDS**

JAN 07 2019

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

___ County ___ City X Town ___ Village of Cohocton

Local Law No. 4 of the Year 2018

A local law to amend the Code of the Town of Cohocton, to add Chapter 25, Purchasing, Article I, Best Value Bidding Procedure.

Be it enacted by the Town Board of the Town of Cohocton as follows:

Section 1. Findings and Purpose.

Pursuant to General Municipal Law, Section 103(1), as amended by L. 2011, c. 608 and L. 2012, c. 2, the Town Board of the Town of Cohocton is authorized to adopt a local law which would permit the Town to use the "best value" standard in awarding contracts or accepting offers for purchase contracts, including contracts for purchase of services. The Town Board of the Town of Cohocton determines that it is in the best interest of the Town that such legislation be enacted, and that such standard be used in the Town for the award of such contracts.

Section 2. Method of award for public contracts resulting from bids and bidding.

Best value shall be utilized in the Town's procurement process as authorized and as limited by General Municipal Law, Section 103, the provisions of which are incorporated by reference herein.

Section 3. Best value defined.

Best value shall mean, as currently defined in Section 163 of the State Finance Law, the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis.

Section 4. Types of contracts covered.

This article shall apply only to purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract, pursuant to Article Eight of the Labor Law, and shall not be applicable to contracts for public work.

Section 5. Severability.

If any clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in said judgment.

Section 7. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local annexed hereto, designated as Local Law No. 4 of 2018 of the Town of Cohocton, was duly passed by the Town Board on December 18, 2018, in accordance with the applicable provisions of law. *(Name of Legislative Body)*

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local annexed hereto, designated as local law No. _____ of 20____ of the (County)(City) (Town)(Village) of _____ was duly passed by the _____ on _____, 20____, and _____ *(Name of Legislative Body)* was (approved)(not approved)(repassed after disapproval) by the _____, and was deemed _____ *(Elective Chief Executive Officer*)* duly adopted on _____, 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local annexed hereto, designated as local law No. _____ of _____ of the Town of Cohocton was duly passed by the _____ on _____, and was approved by the _____ *(Name of Legislative Body)* _____ *(Elective Chief Executive Officer*)* on _____. Such local law was submitted to the people by reason of a mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the general election held on _____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local annexed hereto, designated as local law No. _____ of 20____ of the (County)(City) (Town)(Village) of _____ was duly passed by the _____ on _____, 20____, and _____ *(Name of Legislative Body)* was (approved)(not approved)(repassed after disapproval) by the _____, on _____ *(Elective Chief Executive Officer*)*, 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20____, in accordance with the applicable provisions of law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 20____, became operative.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis, or, if there be none, the chairperson of the county legislative body, the major of a city or village, or the supervisor of the town where such officer is vested with the power to approve or veto local laws or ordinances.

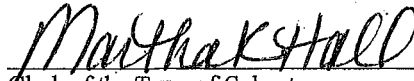
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivision 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

(Seal)



Clerk of the Town of Cohocton
MARTHA R. HALL

Date: December 18, 2018