

LOCAL LAW NO. 4 of 2012

RE: A LOCAL LAW PROVIDING THAT THE TOWN OF MIDDLETOWN MAY AWARD CONTRACTS PURSUANT TO THE "BEST VALUE" STANDARD

WHEREAS, General Municipal Law 103(1) has been amended to permit municipalities to award purchase contracts (including contracts for the purchases of services) using a "best value" standard, rather than "lowest responsible bidder" standard; and

WHEREAS, The Town of Middletown Board has determined that the best value standard is preferable to the lowest responsible bidder standard for awarding purchase contracts,

NOW, BE IT ENACTED by the Town Board of the Town of Middletown, State of New York as follows:

SECTION 1. LEGISLATIVE AUTHORIZATION

This local law is authorized by the Municipal Home Rule Law sections 2(5), 10(1)(ii)(d)(3) and 22(1) and General Municipal Law 103(1).

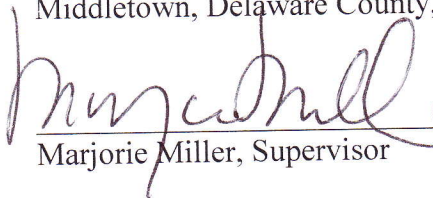
SECTION 2. BEST VALUE PURCHASING

Notwithstanding any other provision of law, and pursuant to General Municipal Law 103(1), the Town of Middletown may award any purchase contract, including contracts for the purchase of services, to a responsive and responsible bidder or offeror on the basis of "best value". A contract shall be of "best value" if in the opinion of the Town Board it optimizes quality, cost and efficiency.

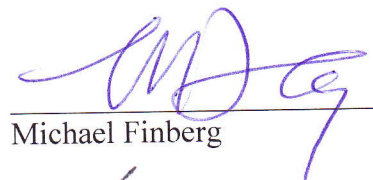
SECTION 3. EFFECTIVE DATE

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

BE IT ENACTED this 10<sup>th</sup> day of July 2012 by the Town Board of the Town of Middletown, Delaware County, New York.

  
\_\_\_\_\_  
Marjorie Miller, Supervisor

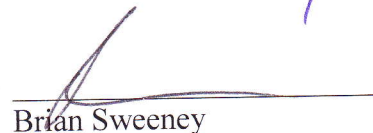
Aye/Nay

  
\_\_\_\_\_  
Michael Finberg

Aye/Nay

John Rocuek was absent  
\_\_\_\_\_  
John Rocuek

Aye/Nay

  
\_\_\_\_\_  
Brian Sweeney

Aye/Nay

  
\_\_\_\_\_  
Jacob Rosa

Aye/Nay

(Seal)

ATTEST:

*Patricia F. Kelly*

Patricia F. Kelly  
Town Clerk

I hereby certify that the local law annexed hereto, designated as Local Law No. 4 of 2012 of the Town of Middletown was duly passed by the Town Board on July 10, 2012, in accordance with the applicable provisions of law.

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 as duly adopted.

Dated: July 10, 2012

*Patricia F. Kelly*

Patricia F. Kelly  
Town Clerk

(Seal)

STATE OF NEW YORK  
COUNTY OF DELAWARE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*Carey Wagner*

Carey Wagner  
Attorney for Town  
Town of Middletown  
July 10, 2012