



TOWN OF HOMER

HIGHWAY DEPARTMENT PROCUREMENT ADDENDUM

Adopted 2/11/26 in conjunction with the Town of Homer Procurement Policy (GML §104-b)

SECTION I – PURPOSE

This Highway Department Procurement Addendum is intended to supplement the Town of Homer Procurement Policy by addressing procurement practices unique to highway, road maintenance, snow and ice control, fleet operations, materials, and emergency response activities.

This addendum is designed to:

- Maintain operational readiness of the Highway Department.
- Preserve compliance with General Municipal Law §§103 and 104-b;
- Reduce audit findings by clarifying routine and emergency highway procurements; and
- Provide clear documentation standards for Highway Department purchases.

In the event of a conflict, the Town of Homer Procurement Policy shall control.

SECTION II – AUTHORITY

The Highway Superintendent is authorized to make purchases within:

- Adopted Highway Department budget appropriations.
- The monetary thresholds and procedures established by the Town Procurement Policy; and
- This Highway Department Addendum.

Nothing herein shall be construed to expand purchasing authority beyond that granted by law or Town Board resolution. Nothing herein shall limit the Town Board's audit of claims or fiscal oversight responsibilities.

SECTION III – ROUTINE HIGHWAY PURCHASES

The following purchases are deemed routine and recurring for Highway Department operations and may be procured using informal methods in accordance with the Town Procurement Policy thresholds:

- Stone, gravel, sand, and related aggregates
- Cold patch, hot mix asphalt, emulsions, and paving materials
- Fuel, oil, grease, hydraulic fluid, and DEF
- Highway signage, posts, guardrail components, and hardware
- Vehicle and equipment parts and supplies
- Tires, chains, cutting edges, plow shoes, and wear items
- Small tools and shop supplies

Routine purchases shall be aggregated annually by category to determine applicable procurement thresholds.

Work performed by outside contractors involving construction, reconstruction, or repair of Town highways, bridges, drainage systems, or related infrastructure shall be classified as public works and subject to applicable public works bidding thresholds, regardless of whether materials are also supplied.

Where limited vendors exist for highway materials or services, the Highway Superintendent shall document market conditions and vendor availability when fewer quotes are obtained than required by Town policy.

SECTION IV – EMERGENCY HIGHWAY PROCUREMENTS

Pursuant to GML §104, the Highway Superintendent may procure goods and services without prior solicitation of quotes or proposals when an emergency exists and immediate action is required to protect life, safety, or property, including but not limited to:

- Severe weather events (snowstorms, flooding, washouts);
- Road failures, culvert collapses, or bridge damage.
- Traffic safety hazards requiring immediate correction.
- Equipment failures that impair emergency response; and
- Emergency acquisition of fuel, aggregates, or materials necessary to maintain passable roadways.

Emergency Documentation Requirements

As soon as practicable following an emergency purchase, the Highway Superintendent shall prepare written documentation including:

- Description of the emergency condition.
- Date and time the emergency arose.
- Goods or services procured.
- Vendor selected and reason selection was necessary; and

- Estimated or actual cost.

Emergency procurement documentation shall be submitted to the Town Board for review and ratification when appropriate.

SECTION V – SEASONAL AND WEATHER-DEPENDENT PROCUREMENTS

The Highway Superintendent is authorized to anticipate seasonal needs and procure materials in advance of winter or construction seasons when advantageous to the Town, provided such procurements:

- Comply with procurement thresholds.
- Are within budget appropriations; and
- Are documented as seasonal or price-stabilizing purchases.

Bulk purchasing in advance of winter operations or paving seasons is encouraged when it results in cost savings or operational efficiency.

SECTION VI – EQUIPMENT REPAIR AND MAINTENANCE SERVICES

Repairs to Highway Department vehicles and equipment may be procured as follows:

- Routine maintenance and minor repairs may be obtained through informal quotes or state/county contracts.
- Specialized repairs requiring proprietary tools, dealer authorization, or manufacturer certification may be treated as sole source, with written justification.
- Emergency repairs necessary to return critical equipment to service may be treated as emergency procurements.

All repairs shall be documented with invoices, work descriptions, and justification when competitive quotes are not obtained.

SECTION VII – EQUIPMENT ACQUISITION AND LEASE-PURCHASE AGREEMENTS

Lease-purchase agreements, installment purchase agreements, or any agreement that results in Town ownership of highway equipment shall be treated as purchase contracts for purposes of General Municipal Law §103 and the Town of Homer Procurement Policy and shall not be considered exempt as true leases.

The full purchase price of such equipment shall be used to determine applicable procurement thresholds. Capital equipment acquisitions remain subject to Town Board approval and applicable bidding requirements.

SECTION VIII – STATE, COUNTY, AND COOPERATIVE CONTRACTS

The Highway Department is encouraged to utilize:

- New York State Office of General Services contracts.
- County bid contracts; and
- Approved cooperative purchasing contracts authorized under Town policy.

Documentation demonstrating contract eligibility and pricing shall be retained in the procurement file.

SECTION IX – RECORDKEEPING AND AUDIT READINESS

The Highway Superintendent shall maintain procurement records sufficient to demonstrate:

- Compliance with procurement thresholds.
- Good-faith efforts to obtain quotes where required.
- Proper invocation of emergency or sole source exceptions; and
- Budgetary compliance.

Records may include quotes, invoices, delivery tickets, logs, memoranda, photographs, and emergency reports.

SECTION X – COMPLIANCE WITH OTHER LAWS

Nothing in this addendum shall be construed to waive compliance with prevailing wage requirements under New York Labor Law where applicable.

SECTION XI – REVIEW AND EFFECT

This Highway Department Procurement Addendum shall be reviewed annually by the Town Board in conjunction with the Town Procurement Policy and may be amended as operational or statutory needs require.

This addendum shall take effect upon adoption by resolution of the Town Board.