



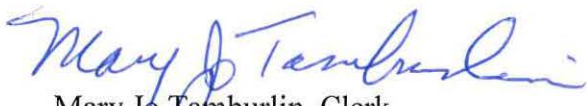
AGENDA
NIAGARA COUNTY LEGISLATURE
December 12, 2017 – 7:00 P.M.

Resolutions not on previous agenda:

- CS-044-17** Administration, re Budget Modification Acceptance of Grant Office of Niagara County Clerk on behalf of Niagara County Veterans Service Agency – County Clerk
- IL-105-17** Legislator Clyde L. Burmaster and Economic Development, re Resolution in Support of Initiatives at the O. Leo Curtiss American Legion Post 830 through the use of Economic Development

Regular Meeting – December 12, 2017

- *AD-034-17** Administration, re Revision of Niagara County Purchasing Guidelines
- *AD-035-17** Administration, re Budget Amendment for Document Management/Contract Administration
- IL-106-17** Legislators John Syracuse and Michael A. Hill, re Resolution to Continue the Feasibility Study on the Formation of an Article 47 Healthcare Consortium and Further Directing the County Manager to Release the Necessary Data Request to the Consultant and Further Directing the County Manager to Place this Project as the Highest Priority to the County's State-Wide Request for Shared Services Initiative


Mary Jo Tamburlin, Clerk
Niagara County Legislature

*** Indicates Preferred Agenda items**

Attachments for resolutions may be obtained in the office of the Clerk of the Legislature upon request.

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee

DATE: 12/12/17

RESOLUTION # AD-034-17

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 12/5/17

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

REVISION OF NIAGARA COUNTY PURCHASING GUIDELINES

WHEREAS, Section 104-b of the New York State General Municipal Law requires that the governing board of every political subdivision shall adopt, by resolution, internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of Section 103 of New York State General Municipal Law or of any other general, special or local law, and

WHEREAS, said guidelines will be an addition to existing purchasing rules and regulations as established by Resolution 161-78 and Resolution 399-91, and will supersede Resolution AD-009-11 (the "Purchasing Guidelines"), and

WHEREAS, On December 26, 2013 the United States Office of Management and Budget published final guidance for changes to 2 CFR Chapter I and Chapter II Parts 200, 215, 220, 225 and 230 entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards", and

WHEREAS, 2 CFR Part 200, subparts A through F requires organizations receiving federal awards to establish and maintain effective internal controls over federal grants, such compliance with federal procurement standards is a critical part of federal grants management, and

WHEREAS, Full compliance with the federal procurement standards must be in effect by December 26, 2017, and

WHEREAS, the Office of Management and Budget, Division of Purchasing, proposes that the County's Purchasing Guidelines be amended and include Uniform Guidance for Federal Awards – Procurement, Suspension and Disbarment as shown on the annexed Schedule, now, therefore, be it

RESOLVED, that the Legislature of Niagara County hereby approves the amendments to the Niagara County Purchasing Guidelines and authorizes the Department of Management and Budget, Division of Purchasing to make such amendments to the Purchasing Guidelines and include Uniform Guidance for Federal Awards – Procurement, Suspension and Disbarment as shown on the annexed Schedule, effective immediately.

NIAGARA COUNTY PURCHASING PROCEDURES AND GUIDELINES

New York State law (General Municipal Law, Section 104-b) requires that specific guidelines be established regulating the procurement of goods and services with a value of \$20,000 or less for purchase of commodities, equipment or goods and \$35,000 or less for public works contracts. The following Niagara County guidelines are meant to facilitate the acquisition of goods and services of appropriate quality from the appropriate source at the best possible price.

PROCEDURES AND GUIDELINES FOR THE PURCHASE OF COMMODITIES, EQUIPMENT OR GOODS

<u>Dollar Limits</u>	<u>Guideline</u>
\$0 - \$3,499	At the discretion of the Office of Management and Budget, Purchasing Division, solicit documented telephone and/or written quotations from one or more vendors (if available).
\$3,500 - \$19,999	Solicit written quotations from at least two (2) vendors (if available)
\$20,000 and up	Advertise for sealed bids in conformance with General Municipal Law, Sect. 103.

If low bidder is not selected, proper justification and documentation is required from the user department in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, purchases will be awarded to the lowest responsible and responsive bidder.

GUIDELINES FOR PUBLIC WORKS PROJECTS/CONTRACTS

(Projects/contracts that require the joint procurement of labor, services, and materials for capital projects.)

<u>Dollar Limits</u>	<u>Guideline</u>
\$0 - \$3,499	At the discretion of the Public Works Department, and/or Office of Management and Budget, Purchasing Division.
\$3,500 - \$34,999	Solicit written quotations from at least two (2) vendors (if available).
\$35,000 and up	Advertise for sealed bids in conformance with General Municipal Law, Sect. 103.

If low bidder is not selected, proper justification and documentation is required from the Department of Public Works in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, projects/contracts will be awarded to the lowest responsible and responsive bidder.

GUIDELINES FOR LEASING/RENTALS

(All property and equipment with the exception of real property)

The lease or rental agreement must be a true lease or rental and not an arrangement to lease or rent where the effect is a purchase. The Purchasing Department will solicit written quotations from at least two (2) vendors (if available) for all lease or rental agreements.

If the low bidder is not selected, proper justification and documentation is required from the user department in accordance with section 104-b(2)(e) of the General Municipal Law. Otherwise, lease or rental will be awarded to the lowest responsible and responsive bidder.

GUIDELINES FOR PROFESSIONAL SERVICES CONTRACTS

(These guidelines are also used for Contracted Services)

\$0 - \$3,499	Departmental discretion with either Purchase Order or Contract.
\$3,500 - \$19,999	Solicit written quotations from at least two (2) vendors (if available).
\$20,000 and up	Advertise for Request for Proposals.

The Home Committee with subsequent Legislative approval can waive the aforementioned "Purchasing Guideline" regardless of dollar amount for any professional service contract.

The Purchasing Guidelines are not part of a Local Law and because there is no New York State Law on Professional Services no Local Law is necessary. It is within the purview of the Niagara County Legislature to waive the guidelines on any purchase of professional services as deemed necessary by a majority of the Legislature.

AUDIT SERVICES CONTRACTS

For the purpose of entering into a contractual agreement with an outside firm for auditing services, the user departments are required to follow the guidelines set forth in Resolution 165-92 dated May 5, 1992.

If low bidder is not selected, proper justification and documentation is required from the user department in accordance with section 104-b(2)(e) of the General Municipal Law. Such justification and documentation should be kept on file in user department with copy going to Purchasing Department.

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Administration Committee

DATE: 12/12/17

RESOLUTION # AD-035-17

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION
AD - 12/5/17

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes _____

Rejected: Ayes _____ Abs. _____ Noes _____

Referred: _____

BUDGET AMENDMENT FOR DOCUMENT MANAGEMENT/CONTRACT ADMINISTRATION

WHEREAS, the County would like to purchase document management and control software for Niagara County to include Contract Administration, and

WHEREAS, the software is a key component to improve the County's document management process and will be used in departments throughout the County, and

WHEREAS, there is money available in the General Government Support line that can be allocated for the purchase of document management software, now, therefore, be it

RESOLVED, that the following Budget Modification be effectuated:

INCREASE APPROPRIATION:

A.07.9901.000 79010.10 Transfer to Capital Reserves \$120,000

DECREASE APPROPRIATION:

A.08.1991.000 74500.01 General Government Support \$120,000

INCREASE REVENUE:

AH.07.9901.000 45031.00 Interfund Transfer From Operating \$120,000

INCREASE APPROPRIATION:

AH.07.9950.000 79010.00 Transfer to Capital Project \$120,000

INCREASE REVENUE:

H656.16.1680.000 45031.10 Interfund Transfer From Capital Reserve \$120,000

INCREASE APPROPRIATION:

H656.16.1680.000 72100.26 Technology Systems \$120,000

ADMINISTRATION COMMITTEE

NIAGARA COUNTY LEGISLATURE

FROM: Legislators John Syracuse and Michael A. Hill DATE: 12/12/17 RESOLUTION # IL-106-17

APPROVED CO. ATTORNEY	REVIEWED CO. MANAGER	COMMITTEE ACTION	LEGISLATIVE ACTION
			Approved: Ayes _____ Abs. _____ Noes _____
			Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

RESOLUTION TO CONTINUE THE FEASIBILITY STUDY ON THE FORMATION OF AN ARTICLE 47 HEALTHCARE CONSORTIUM AND FURTHER DIRECTING THE COUNTY MANAGER TO RELEASE THE NECESSARY DATA REQUEST TO THE CONSULTANT AND FURTHER DIRECTING THE COUNTY MANAGER TO PLACE THIS PROJECT AS THE HIGHEST PRIORITY TO THE COUNTY'S STATE-WIDE REQUEST FOR SHARED SERVICES INITIATIVE

WHEREAS, Niagara County and the municipal corporations of our region have a fundamental, fiduciary responsibility to provide essential services to the constituents they serve at the lowest possible cost to the taxpayer, and

WHEREAS, this Legislative body continues to strive for and incorporate sound fiscal policy for the benefit of the taxpayers of Niagara County, and

WHEREAS, healthcare costs continue to rise dramatically and steadily over the past several years; and even more so to the smaller municipal governments, and

WHEREAS, these rising healthcare costs translate into lower wages, reduced benefits and more restricted benefits with the result being increased pressure on municipal budgets and the taxpayers who are forced to cover these expenses, and

WHEREAS, this Niagara County Legislature has gone on record with unanimous support for IL-032-14 "Shared Cooperative Insurance Initiative," which has fostered the continued development of the Niagara County Municipal Health Insurance Consortium (Consortium) consisting of Niagara County, the cities of Niagara Falls and Lockport, along with the municipalities of the towns of Somerset, Pendleton, Newfane, Royalton, Porter, Hartland, Cambria, Wheatfield, Lockport, Niagara, Lewiston, the villages of Barker, Youngstown, Middleport, Lewiston, and the Niagara Falls Water Board, and

WHEREAS, this Niagara County Legislature has overwhelmingly supported IL-039-16 which directed the continuation of the feasibility study and process of determining the benefits of the consortium which includes Niagara County and the others listed previously, and

WHEREAS, the Niagara County Legislature has authorized the use of taxpayer funds to pay for its share of the 10% match from a Local Government Efficiency grant which was administered through the the Town of Somerset as lead agent, and

WHEREAS, the grant project which was resolved to being completed in IL-039-16 in order for Niagara County and the participating entities to fully evaluate the cost and associated benefits has not been completed, and

WHEREAS, Niagara County has an existing Business Associate Agreement along with an executed Confidentiality Agreement between Niagara County and Arthur J. Gallagher, Inc., who is the consultant for the Consortium, and

WHEREAS, Niagara County has provided requested data to the consultant in the past but said data needs to be refreshed in order that feasibility can be more fully determined, and

WHEREAS, the feasibility study as it relates to the continued investigation into forming an established Article 47 Healthcare Consortium has been greatly and significantly enhanced by the State of New York placing this endeavor in the Municipal Restructuring Fund with the potential to reward Niagara County and the members of the Consortium upwards of \$15.8 million dollars, along with the further potential for reimbursement from the State if this Consortium meets the overall state-wide shared services initiative based upon dollar-to-dollar savings, and

WHEREAS, a meeting was held on 10/19/17 in the Somerset town hall wherein Department of State official and the principals of the Consortium, including the Niagara County Manager were present, and

WHEREAS, Niagara County is again going on record to reiterate its strong desire and commitment to fully pursue and participate in this initiative in order to study and weigh the feasibility of and overall cost benefit analysis to Niagara County as it relates to the formation of an Article 47 Healthcare Consortium, now, therefore, be it

RESOLVED, that the Niagara County Legislature hereby directs the County Manager to provide the data and materials listed herein and in the manner in which the data and materials have been listed herein to the Niagara County Consortium Consultant, Arthur J. Gallagher, Inc., so that the consultant can finish the Pricing process to determine cost estimates and feasibility for the participating Consortium members:

- 1) A Proprietary Information Confidentiality Agreement. The analysis process will entail the consultant sharing proprietary carrier discount information that may not be disclosed outside the context of this study.
- 2) Employee census for all benefit-eligible employees and retirees (see attached Excel Template: Census Request)
- 3) Contact Information: Carrier and/or Third Party Administrator
- 4) Summary of Benefit Coverage's (SBC) for each plan offered January 2018
- 5) January, 2018 premiums (premium equivalents for self-funded arrangements) by plan and tier (single, family, etc.)
- 6) Collective Bargaining Agreements (only provide these if medical insurance provisions changed from the previously provided CBA)
- 7) Monthly Summary Medical and Drug Claims, Enrollment, Premium/Premium Equivalent Data for 2015, 2016 and 2017 separated by plan in Excel Format (see Excel template: Claims Summary Request-Summary Tab)
- 8) High Cost Claimant Reports (over \$50,000 individually) for 2015, 2016, 2017 (see Excel template: Claims Summary Request-HCC Tab)
- 9) The most recent 3 years' renewal rate development "renewal packets" (including TPA rates)
- 10) Stop Loss Contracts & Premiums for 2015, 2016, 2017 and 2018
- 11) Claims detail paid during 2017 separately for Physician, Outpatient Facility, Outpatient Non-Facility, Inpatient and Prescriptions in Excel Format (see Excel template: Claims Detail Request 6 Tabs)
- 12) Additional Pharmacy information:
 - a. Current in-force contract with pharmacy terms
 - b. 2016 and 2017 Formulary Rebate Report
 - c. Annual Pricing Guarantee Reconciliation Reports
 - d. Pharmacy plan designs
 - e. List of vendors by plan

and, be it further

RESOLVED, this Legislative body instructs and directs the Niagara County Manager to place this Niagara County Consortium initiative as the highest priority project to the county-wide shared services initiative for implementation in January 2019.

LEGISLATOR JOHN SYRACUSE

LEGISLATOR MICHAEL A. HILL