

TOWN OF BRIDGEWATER PURCHASING POLICY

1. POLICY OBJECTIVES:

The primary objectives of the Town of Bridgewater's purchasing policy are as follows:

To promote and effect, in the best interests of Bridgewater, open and intelligent purchasing of supplies, equipment and services, which will result in the maximum value received for each tax dollar spent;

To promote waste reduction and recycling through purchases that take into consideration the use of recycled material in the manufacture of purchased products or equipment, the ability to recycle the purchased product or equipment, and the minimization of waste to be disposed of by the municipality;

To assure realization of the principles of competitive purchasing and best buy at least cost;

To assist management in reaching responsible, environmentally sound, and cost-effective decisions in the procurement of quality supplies and services for municipal use;

To ensure that all qualified vendors will have an equal opportunity to do business with the Town of Bridgewater and to promote good will and clear communication in municipality-vendor relations.

2. AFFIRMATIVE ACTION AND LOCAL PREFERENCE:

Whenever possible, qualified small, minority and women-owned businesses shall be included in the solicitation lists for bids or non-bid purchases. If the purchase is federally funded in whole or in part, minority and women owned businesses must be included in the solicitation lists and all other affirmative action requirements outlined in the grant provisions must be followed. The Town may exercise a preference for local businesses for purchases funded exclusively by the Town but only if such a preference does not result in unreasonable prices or rates due to a lack of competition. For purchases funded in whole or in part with federal funding, the Town may not exercise a preference for local businesses.

3. CODE OF CONDUCT:

Employees, officers and agents of the Town who are involved in the procurement and selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest. No Employee, officer or agent of the Town shall participate in selection, award or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

An employee, officer or agent of the Town who is involved in the procurement and selection of a bid or purchase and who has a real or apparent conflict of interest must disclose that conflict of interest within the context of a duly warned Selectboard meeting that occurs before the bid selection or purchase takes place. Such disclosure must be documented in the minutes for that meeting which shall be retained as part of the official record surrounding the bid or purchase. Officers, employees and agents of the Town will not solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements. Officers, employees and agents who fail to follow the above Code of Conduct may be sanctioned or disciplined to the extent permitted by law, for violations of the above standards.

4. DOCUMENTATION:

Federal regulations require that for construction projects over \$2,000 and for all other purchases over 10,000, the municipality must maintain written documentation of the entire bidding and selection process. This includes documentation of efforts to comply with Federal affirmative action requirements including solicitation lists and copies of advertisements; copies of the Request for Bids, Bids and related documentation, copies of meeting minutes where decisions were made, and any other applicable documents.

5. DEFINITIONS

1. **Major Purchases**: those purchases calling for delivery of goods or services in the amount that exceeds **\$15,000.00**;
2. **Regular Purchases**: those purchases calling for delivery of goods or services in the amount of **\$1,501.00 to \$14,999.99**;
3. **Incidental Purchases**: those purchases calling for delivery of goods services in the amount of less than **\$1,500.00**.
4. **Purchases with Federal Funds**: those purchases or acquisitions using Federal Grant Funds

6. PROCEDURES

1. **Major Purchases** require a formal bid process. The Bridgewater Selectboard, or their designee, shall act as Purchasing Agent for major purchases. The Purchasing Agent shall prepare or cause to be prepared, specifications or a request for proposal for the goods or services required, and shall advertise an Invitation to Bid as widely as possible, including publication at least once in a newspaper of general circulation. The Invitation to Bid shall include the following:
 - a. Bid name
 - b. Bid submission deadline
 - c. Date, location, and time of bid opening
 - d. Specifications for the project or services, including quantity, design, and performance features
 - e. Bond and/or insurance requirements
 - f. Any special requirements unique to the purchase
 - g. Delivery and completion date
 - h. All bids must be submitted in sealed envelopes, addressed to the Town in care of the Selectboard, and plainly marked with the name of the bid. Bid proposals will be date stamped on the outside of the envelope immediately upon receipt
 - i. An outline, where appropriate, of the insurance requirements of the municipality in order to limit the municipality's risk
 - j. The right of the Town of Bridgewater to reject any or all bids if such action is deemed in the best interests of the municipality
 - k. Every bid received prior to the bid submission deadline will be publicly opened by the Selectboard at a duly warned meeting.
2. **Regular purchases** must be accomplished through competitive solicitation, but not necessarily through formal bids. The Selectboard, or their designee, shall act as Purchasing Agent for regular purchases. Regular purchases may be made through formal bid or written or oral quotation at the discretion of the Purchasing Agent in consultation with the department head for whose department the purchase is being made. Bids or quotations should be sought from at least three vendors unless a sole source is approved as per Section 8 below. Regular purchases shall follow established procedures for requisitions, purchase orders, invoices, verification and payment.
3. **Incidental purchases** may be accomplished without the solicitation of bids or quotations. However, if practicable, quotations should be solicited. The Selectboard or their designee shall act as Purchasing Agent for incidental purchases.
4. When purchasing with **Federal Funds**, no employee, officer or agent of the grantee or subgrantee shall participate in the selection, or in the award or administration of a contract, equipment or services supported by Federal Funds if a conflict of interest, real or apparent would be involved.

Such a conflict of interest would arise when the employee, officer or agent; any member of his/her immediate family, his/her partner or an organization which employs or is about to employ any of the above, has a financial interest or other interest in the firm selected for award. The grantee's or subgrantee's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub agreements.

7. VENDOR SELECTION

Vendors will be selected on a competitive basis. Purchases will be awarded to the least costly, best qualified and most responsible vendor. Any or all bids, quotations or proposals may be rejected if such action is deemed to be in the best interests of the municipality. In determining the "least costly, best qualified and most responsible vendor," in addition to price, the following may be considered:

The substantial performance of the bidder in meeting the specifications and other terms and conditions of the solicitation;

The ability, capacity and skill of the vendor to perform the contract or provide the goods or services required, and to do so promptly or within the time specified;

The character, integrity, reputation, experience, financial resources and performance of the vendor under previous contracts with the municipality and elsewhere;

The quality, availability and adaptability of the service or goods being purchased and the ability of the vendor to provide future maintenance if necessary.

8. EXCEPTIONS

The Selectboard may waive the bid process or approve a sole source solicitation for major purchases when they deem it to be in the best interests of the municipality. Sole source solicitations should be reviewed to determine that the price offered is fair and reasonable or that there is only one manufacturer or supplier of the goods or services to be purchased.

The purchase of professional services shall normally be exempt from the formal bid process. It is recognized that proposals for professional services (including, but not limited to, legal counsel, insurance, engineering and architectural services and some other consulting services) are difficult to compare and that weight must be given considerations other than price. In any case, the purchase of professional services whose cost is expected to exceed **\$5,000.00** for a project must be approved by the Selectboard.

1. The following items are exempted from both the bid and quotation process:

- a. Road salt and sand
- b. Repairs on equipment
- c. Fire hydrants
- d. Utilities
- e. Service contracts
- f. Chemicals used in water and wastewater treatment
- g. Items purchased using State of Vermont Bid Program

9. EMERGENCY CLAUSE

The provisions of this policy may be waived in the event of an emergency. Emergency expenditures may include immediate repair or maintenance to town property, vehicles, or equipment if the delay of such repair or maintenance would endanger persons or property or result in substantial impairment of the delivery of important town services

During emergency situations, when normal procurement procedures would be impracticable, the following procedures shall be followed:

The Selectboard shall approve all requests for emergency purchases. In the event that the Selectboard members are unavailable, the appropriate department head may approve essential purchases.

Emergency purchases can be costly. They are made hurriedly, usually without competitive bidding, and often not at the best price. Consequently, every effort shall be made to avoid them.

10. EFFECTIVE DATE

This policy shall become effective immediately upon its adoption by the Town of Bridgewater Select Board.

TOWN OF BRIDGEWATER:
SELECT BOARD NOVEMBER 5, 2019


Lynne Bertram, Chair


Norman Martin II


Brian Bontrager