
TOWN OF BRISTOL

SELECT BOARD PURCHASING POLICIES AND PROCEDURES

1. Introduction

This policy is intended to provide the policies and procedures necessary for the conduct of purchasing activities for the Town of Bristol. This policy is designed to:

- a) Encourage maximum competition through fair and equal opportunity to those qualified and interested bidders.
- b) Provide a uniform procedure for the procurement of material, equipment, supplies, and services.
- c) Ensure that the taxpayers are getting the “best overall value” for their dollars.
- d) Apply to all Town Departments under the authority of the Town Administrator and/or Select Board.

2. Purchasing Procedures

- a) All purchases require prior approval by the Department Head.
- b) All purchases and expenditures for service over \$1,000 shall have a purchase order. The only exception is if the Finance Office has a written contract or agreement on file.
- c) Purchase orders shall be issued prior to purchase.
- d) See Grants & Donations Policy and Barter Policy for purchases acquired by these methods.
- e) Some of the factors considered when determining the “best overall value” are:
 - i. Price
 - ii. Quality
 - iii. Warranty
 - iv. Service
 - v. Availability
 - vi. Past Performance with Town of Bristol
 - vii. References

3. For Purchases:

- a) **Under \$1,500.00:** All employees are encouraged to do whatever is practical to secure competitive pricing from **multiple sources**. Telephone pricing may be used but must be documented. Department Heads must approve these purchases.
- b) **Between \$1,501.00 and \$2,999.99:** Written bids and/or quotes from **at least three** sources must be obtained for purchases. Direct solicitation is allowed. Bids/quotes should be documented and supported by written quotations from vendors. The Town Administrator must approve these purchases prior to the issuance of a purchase order. This documentation should be attached to the purchase order.
- c) **Between \$3,000.00 and \$9,999.99:** Written bids and/or quotes from **at least three** sources must be obtained. Faxed quotations are acceptable. Purchases must be supported by written quotations from vendors. Direct solicitation is allowed. Award of purchase requires the approval of the Town Administrator and Select Board prior to issuance of a purchase order. Documentation should be attached to the purchase order.
- d) **Over \$10,000.00:** The formal sealed bid process is used for major purchases. An invitation to bid must be publicly advertised in the legal paper of record at least fourteen (14) days prior to the date set for opening. Bid specifications require the approval of the Town Administrator. Formal bids must be received sealed and in writing by a posted deadline.

All bids shall be opened before the public at a date, time and place designated in the bid request. The Town Administrator or his/her designee shall open all bids. Late bids will not be accepted. Award of purchase or contract requires the approval of the Town Administrator and the Select Board.

If at least three bids are not received the Town Administrator may require a re-bid.

4. Professional Service Contracts

Either the Request for Proposal (RFP) or the Request for Qualifications (RFQ) process (or a combination) may be used. The primary difference between the two processes is that in the RFP process a specific proposal is requested, received and evaluated. The proposal includes a scope of work and a cost proposal. In the RFQ process, Statements of Qualifications (SOQs) are requested, received and selection is made upon those qualifications. In this process, a mutually acceptable scope of work and contract amount is negotiated with the successful bidder.

The RFP/RFQ must be approved by the Town Administrator, must be in writing and must be posted in the town's official posting place, and publicly advertised in the legal paper of record at least fourteen (14) days prior to the date set for opening. Proposals or SOQs must be submitted to the town in a sealed envelope marked with the name of the request as indicated in the instructions.

Proposals shall be opened before the public at a date, time and place designated in the RFP. All proposals shall be opened by the Town Administrator (or his/her designee) and other pertinent Town employees or officials. The proposals shall be analyzed (based upon the "best overall value" to the Town) and documented including staff recommendation. Award, including approval of contracts, shall be made by the Select Board upon review and recommendation by the Town Administrator.

5. Public Auction

With the approval of the Town Administrator, purchases may be made through public auction. The Department must provide to the Town Administrator in writing, quotes from like products in order to provide a realistic price comparison. Additional authorizations may apply based on estimated dollar amount (see purchase levels in section 3). Additionally, upon receiving this information, and verifying budget availability, written authorization by the Town Administrator and/or Select Board indicating the amount "not to exceed" may be granted allowing the Department Head or their designee to attend the auction and bid on that particular product.

If a purchase is made through a public auction, all documentation must be retained and submitted to the Finance Department.

6. Cases Not Requiring Bidding Procedure

The Town Administrator may approve a purchase order without bid under the following conditions: (Levels of review cited in Section 3 still apply.)

- a) Item is to be purchased under State or Federal Bid lists;

- b) Only one known source of purchase, and there is no comparable substitute product or service; Written documentation supporting the sole source must be provided;
- c) Specific type or brand of supply or part necessary for acceptable operation of a machine or device, or as required by warranty or contract on the machine or device; written documentation supporting the purchase of a specific brand or part necessary for acceptable operation of a machine or device must be provided;
- d) An item or service that is required on an emergency basis;

7. Emergency Procurements

Emergency Procurements Definition: Emergency procurements may be made when a threat to public health, welfare or safety exists, provided that such emergency procurement shall be made with such competition as is practical under the circumstances.

In case of an emergency requiring immediate purchase of materials, supplies, equipment or services, the Town Administrator hereby authorizes the Department Heads to approve such emergency purchase if the situation permits (up to \$3,000). The Town Administrator shall be notified as soon as possible as to the emergency and the associated purchases. A written determination for the basis of the emergency and for the selection of the particular contractor or vendor shall accompany the purchase order and voucher. As soon as is practicable, standard purchasing procedures will be reinstated.

8. Artificial Division Prohibited

Purchases shall not be artificially divided so as to create lower purchase amounts and therefore avoid some or any requirements of this policy. Whether or not a proposed purchase constitutes artificial division shall be determined by the Town Administrator and/or Select Board.

9. Exceptions

Exceptions to the policy will be determined on a case-by-case basis by the Select Board.

10. Local Advantage

The Town of Bristol will make every effort to purchase from businesses located within the Bristol area if the purchase fits into the category of "best overall value." It must be noted that The Town of Bristol employees and officials have a

responsibility to the taxpayers of the Town to ensure that bids are awarded to vendors offering their products or services at the “best overall value” to the Town.

11. Cancellation and Rejection of Bids

An invitation to bid, request for proposal, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or part, as may be specified in the solicitation when it is in the best interest of the Town. The reasons shall be made part of the formal bid file.

12. Pre-qualifications of Suppliers

Prospective suppliers may be pre-qualified for particular types of supplies and technical and construction services.

A “Request for Qualifications” will be solicited and advertised in order to establish a pre-qualified vendors list. Upon establishment of a pre-qualified vendors list, requests for proposals or requests for quotations may be submitted to individuals or companies on the list.

13. Ethics in Public Purchasing and Contracting

It shall be unethical for any Town employee or official involved in making procurement decisions to have personal investments in any business entity that will create a substantial conflict between their private interests and their public duties.

It shall be unethical for any person to offer, give, or agree to give any Town of Bristol employee, or for any Town of Bristol employee or official to solicit, demand, accept, or agree to accept from any vendor or business, a gift or gratuity in any amount in connection with any decision, approval, disapproval, or recommendation concerning a solicitation.

Inexpensive advertising items, bearing the name of a vendor, such as pens, pencils, paper weights, cups, candy, calendars, etc., are not considered articles of value or gifts in relation to this policy.

Failure to comply with the provisions of this policy will result in disciplinary action.

14. Authority

These policies are adopted by the Select Board in accordance with RSA 31:39 as it relates to their management of the Town's prudential affairs and their authority over expenditures.

This Town of Bristol Purchasing Policies and Procedures has been revised and adopted by the Select Board effective August 5th, 2013.

Don Milbrand, Chairman

Joe Denning, Select Board

Betsy Schneider, Select Board

Janet Cote, Select Board

Shaun Lagueux, Select Board