

# TOWN OF WEATHERSFIELD, VERMONT

## PURCHASING POLICY

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### I. POLICY OBJECTIVES

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

1. To promote and effect, in the best interests of Weathersfield, open and intelligent purchasing of supplies, equipment and services, which will result in the maximum value received for each tax dollar spent;
2. 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 recyclability of the purchased product or equipment, and the minimization of waste to be disposed of by the municipality;
3. To assure realization of the principles of competitive purchasing and best buy at least cost;
4. To assist management in reaching responsible, environmentally sound, and cost-effective decisions in the procurement of quality supplies and services for municipal use;
5. To ensure that all qualified vendors will have an equal opportunity to do business with the Town of Weathersfield and to promote good will and clear communication in municipality-vendor relations.

### II. DEFINITIONS

1. **Major Purchases:** those purchases calling for delivery of goods or services in the amount of \$3,000.00 or more;
2. **Regular Purchases:** those purchases calling for delivery of goods or services in the amount of \$500.00 to \$2,999.99;
3. **Incidental Purchases:** those purchases calling for delivery of goods or services in the amount of less than \$500.00.

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### III. PROCEDURES

1. **Major Purchases** require a formal bid process. The Town Manager, or his/her 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 in Weathersfield. The Invitation to Bid shall include the following:

- a. The location, time and place for receiving and opening sealed bids;
- b. Information on how to obtain bid specifications and bid forms, or the request for proposal;
- c. A description of the goods or services for which bids are to be received;
- d. The right of the Town of Weathersfield to reject any or all bids if such action is deemed in the best interests of the municipality;
- e. An outline, where appropriate, of the insurance requirements of the municipality in order to limit the municipality's risk.

Such bids shall be opened publicly not less than seven (7) days following the date of the first advertisement, at the time and place specified in the published notice. Contracts for major purchases shall be awarded by the Board of Selectmen.

2. **Regular purchases** must be accomplished through competitive solicitation, but not necessarily through formal bids.

The Town Manager, or his/her 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 (3) vendors unless a sole source is approved as per Section V, below. Regular purchases shall follow established procedures for requisitions, purchase orders, invoices, verification and payment.

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3. **Incidental purchases** may be accomplished without the solicitation of bids or quotations. However, if practicable, quotations should be solicited. The Town Manager or his/her designee shall act as Purchasing Agent for incidental purchases. As with regular purchases, incidental purchases shall be accomplished in a manner consistent with procedures adopted by the Town Manager.
  
4. All purchases in excess of \$500.00 for a single order shall be documented by use of a purchase order issued by the Town Manager or his/her designee. When, in the best interests of the Town, it is necessary to provide additional documentation to ensure the specificity of the material or service being purchased, a written contract shall be prepared and used to authorize the purchase.

#### IV. 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:

1. The substantial performance of the bidder in meeting the specifications and other terms and conditions of the solicitation;
  
2. 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;
  
3. The character, integrity, reputation, experience, financial resources and performance of the vendor under previous contracts with the municipality and elsewhere;
  
4. The quality, availability and adaptability of the service or goods being purchased, and the ability of the vendor to provide future maintenance if necessary.

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### V. EXCEPTIONS

1. The Board of Selectmen 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. The Town Manager may do likewise for regular purchases. Sole source solicitations should be reviewed to determine that the price offered is fair and reasonable or that there is only one manufacturer/supplier of the goods or services to be purchased.
2. 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/architectural services and some other consulting services) are difficult to compare and that weight must be given to many considerations other than price. In any case, the purchase of professional services whose cost is expected to exceed \$3,000.00 for a project must be approved by the Board of Selectmen.
3. The following items are exempted from both the bid and quotation process:
  - a. Repairs on equipment
  - c. Fire hydrants
  - d. Utilities
  - e. Service contracts.
4. Purchases made subject to existing contracts issued by the State of Vermont shall be deemed in compliance with the provisions of this policy.

### VI. EMERGENCY CLAUSE

The provisions of this policy may be waived in the event of an emergency. An emergency situation shall be defined as one which threatens the lives or health of the people, the property of the municipality or its citizens, or the delivery of necessary services to the citizens of Weathersfield.

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

1. The Town Manager shall approve all requests for emergency purchases. In the event that the Town Manager is unavailable, the Acting Town Manager or the appropriate department head may approve essential purchases.

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2. The Board of Selectmen shall be notified, within twenty-four (24) hours of the transaction, of all purchases of over \$3,000.00 made under this emergency clause. The Town Manager shall be notified immediately of all emergency purchases made without his/her prior approval.

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

### **VII. INCONSISTENT POLICIES REPEALED**

This Policy shall amend and replace any provisions of any Policy of the Town of Weathersfield in effect at the time of enactment of this amended Policy governing any activity included in this amended Policy.

### **VIII. SEVERABILITY**

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Policy, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Policy or any part thereof.

The Board of Selectmen hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

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**IX. EFFECT**

No section of this Policy shall be construed to supersede or replace any Vermont statute.

This amended Policy shall be entered in the minutes of the Board of Selectmen's meeting.

The foregoing amended Policy is hereby adopted by the Selectmen of the Town of Weathersfield, Vermont, this eighteenth day of December, 2000, and is effective as of this date until amended or repealed.

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Richard A. Ballantine, Chairman

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Randy S. Brown

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Frederick W. Crowley

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C. Peter Cole

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Patricia W. Daniels