

**PURCHASE POLICY  
TOWN OF BROOKLINE**

**I PURPOSE**

- A. The purpose of this policy is to create a process for purchasing goods and services that will increase efficiency, promote fairness, accountability and confidence, and provide necessary supplies and services in a timely and cost-effective manner. This policy serves to require an open and transparent process designed to meet the criteria of public scrutiny.
- B. The Town of Brookline in adherence to this Purchase Policy shall adhere to the debt limits and processes as put forth in V.S.A. Title 24 Section 53.

**II APPLICATION**

This policy shall apply to all purchases of goods and services by the Town of Brookline except where conditions of state or federal funds, or conditions of a grant, gift or bequest mandate otherwise.

**III PURCHASE DEFINITIONS**

- A. *Major purchases* are those purchases of goods or services in an amount of \$7,500 or more.
- B. *Regular purchases* are those purchases of goods or services in an amount of at least \$1,000 but less than \$7,500.
- C. *Incidental purchases* are those purchases of goods and services in an amount less than \$1,000.
- D. *Sole source vendor* is a vendor approved by the legislative body to provide certain goods and services for the Town.
- E. *Emergency purchases* are those urgent purchases of goods and services which are required to protect the public health, safety and welfare.

**IV PURCHASE PROCEDURES**

**A. Major Purchases:**

- 1. Require a formal bid process which shall include:
  - a. Advertisement of the invitation to bid or request for proposal (RFP) for at least one week in a newspaper of general circulation in the Town of Brookline; or advertisement of the invitation to bid or RFP in other newspapers at the discretion of the Selectboard; or direct notice of the bid or RFP to specific providers at the discretion of the Selectboard;
  - b. Notice of the place and deadline for receipt of the sealed bids or RFPs;
  - c. A description of the supplies, materials, equipment or services required and information on how and where to obtain more detailed specifications and bid or RFP forms; any special requirements unique to the purchase; and delivery or completion date;

- d. Information on insurance requirements for the bidder or proposer;
- e. A statement of the right of the Town of Brookline to reject any and all bids or RFPs if doing so is deemed by the legislative body to be in the best interests of the Town; and
- f. Public opening of the bids or RFPs by the legislative body at a time not less than 10 business days after the deadline for receipt.

**B. Regular Purchases:**

1. Require competitive solicitation of bids or RFPs but *may be done* by the formal bid process. Competitive solicitation includes:
  - a. Soliciting bids or quotations from at least two (preferably three) vendors unless a sole source vendor has been approved by the legislative body; and
  - b. Selection of vendor based on quality of the goods and services offered, cost, ability of the vendor to provide future maintenance, and the ability, capacity and skill of the vendor demonstrated under prior contracts with the Municipality.

**C. Incidental Purchases:**

May be made without a formal bid or competitive solicitation. Such purchases may be made by the Selectboard, Town Clerk, Road Commissioner, or other designee of the legislative body. Incidental purchasing choices shall be made based on cost, quality of goods and services, and the best interests of the Municipality.

**D. Sole Source Vendor:**

The legislative body may approve a sole source vendor for regular or incidental purchases. Approval shall be made annually at the first regular meeting of the legislative body held in the Town's fiscal year. The legislative body reserves the right to change Sole Source Vendor(s) by subsequent board vote. Selection of a Sole Source Vendor shall take into account general availability of the goods or services, quality and cost of the goods and services, and the ability, capacity and skill of the vendor demonstrated under prior contracts with the Municipality.

**V BID PROCEDURES**

**A. Bid Specifications:**

1. Bid Name.
2. Bid submission deadline.

3. Date, location and time of bid opening.
4. Specifications for the project or services including materials, size, quantity, design, performance features and any other characteristics the municipality desires/needs.
5. Bond and/or insurance requirements.
6. Any special requirements unique to the purchase.
7. Date of delivery and/or completion.

**B. Bid Specifications:**

All bids must be submitted in sealed envelopes, addressed to the Town in care of the appropriate governing body or official, and plainly marked with the name of the bid. Bid proposals will be date stamped on the outside of the envelope immediately upon receipt. Any bid may be withdrawn in writing prior to the scheduled time for the opening of bids. Any bids received after the time and date specified shall not be considered and shall be returned to the bidder unopened. Bidders shall bid to specifications and any exceptions must be noted. A bidder submitting a bid thereby certifies that the bid is made in good faith without fraud, collusion, or connection of any kind with any other bidder for the same work, and that the bidder is competing solely on his/her behalf without connection with or obligation to any undisclosed person or firm.

**C. Bid Opening:**

Every bid received prior to the bid submission deadline will be publicly opened and read aloud by the Selectboard or appropriate official. The bid opening will include the name and address of bidder; for lump sum contracts, the lump sum base bid and the bid for each alternate; for unit price contracts, the unit price for each item and the total, if stated; and the nature and the amount of security furnished with the bid if required.

**D. Criteria for Bid Selection:**

In evaluating bids, the Selectboard will consider the following criteria:

1. Price
2. Bidder's ability to perform within the specified time limits.
3. Bidder's experience and reputation, including past performance for the Town.
4. Quality of the materials and services specified in the bid.
5. Bidder's ability to meet other terms and conditions, including insurance and bond requirements.
6. Bidder's financial responsibility.
7. Bidder's availability to provide future service, maintenance, and support.
8. Nature and capacity of bidder.
9. Any other factors that the Selectboard determines are relevant and appropriate in connection with a given project or service. The Selectboard reserves the right at its sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, and to make an award which in its sole and absolute judgment will best serve the Town's interest. The Selectboard reserves the right to investigate the financial responsibility of any bidder to determine his or her ability

to assure service throughout the term of the contract. For purposes of transparency, the Selectboard or appropriate official will state the action taken, bid selected, if any, and why that bid was chosen over other bids.

**E. Change Orders:**

If any changes, to include but not be limited to scope of work specifications, etc. are made prior to the close of the bid process, the Request For Proposals will be amended and notice shall be sent to any bidder who already submitted a bid and a new bid process will be initiated. Once a bid has been accepted, if any changes to the scope of work, project, specifications, etc. become necessary, the Selectboard will prepare a change order specifying the scope of the change. Contractor(s)/bidders who amend their initial bid to account for the change order must sign the change order along with an authorized agent of the Town.

**F. Exceptions:**

1. **Sole Source Purchases.** If the Selectboard determines that there is only one possible source for a proposed purchase, it may waive the bid process and authorize the purchase from the sole source.
2. **Recurring Purchases.** If the total value of a recurring purchase of a good or service is anticipated to exceed \$7,500 during any fiscal year, the bid process shall be utilized and shall specify the recurring nature of the purchase. Once a bid has been accepted, all future purchases shall be made from that bidder without necessity of additional bids, until such time as the Selectboard votes to initiate a new bid process.

**VI OTHER PURCHASE OR ACQUISITION TYPES**

**A. Leasing Equipment:**

The Selectboard shall approve all leasing of equipment. The Leasing of equipment shall require the same Purpose, Authorization, Policy and Procedures as those for bidding for purchases subject to the Exceptions, Emergency Purchase and other Purchase Categories in this policy.

**B. Splitting of Purchases:**

Purchase of goods and services will not be divided into small lots to circumvent the dollar amounts/purchase policies listed above. All known requirements for like supplies or services required by the Town, within the same fiscal year, shall be grouped together and purchased in accordance with the policy for that particular category.

**C. Purchase of Professional Services:**

The purchase of professional services for the Town shall take into account the anticipated cost of such services for the purpose(s) intended. The anticipated dollar amount will decide under which Purchase Category the purchase falls and be handled accordingly. This section shall be subject to the Sole Source Provider section of this policy as well as the Emergency Provisions. Such services include, but are not limited to, legal counsel, insurance, engineering/architectural services and consulting services. The legislative body shall purchase such services according to the best interests of the Town and explain the reasons for the selection for the sake of transparency.

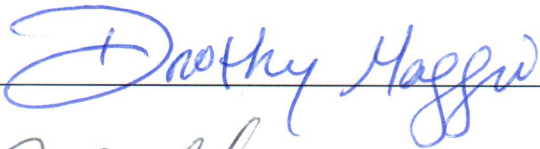
**D. Cooperative Purchasing:**

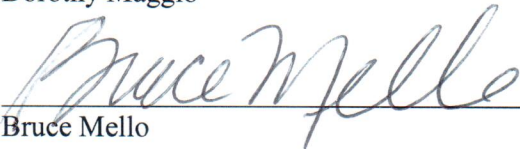
The Town may enter into cooperative lease or purchase agreements with other municipalities, at the discretion of the legislative body. The best interests of the municipality will be foremost in the decision of the Selectboard or appropriate official in utilizing this cooperative approach. The use of bidding and competitive solicitation shall be encouraged and implemented wherever possible in this cooperative process.

**E. Emergency Purchases:**

When an emergency threatens the health, lives or property of the residents of the Town, or threatens the property of the Town or the delivery of necessary services to the residents of the Town, individual members of the Selectboard, Town Health Officer, Road Commissioner, Service Officer, Emergency Management Chairperson, or Fire Warden shall have the authority to purchase emergency supplies and services without complying with the bid process, while acting in the best interests of the Town with a quorum of 3 from the bodies above.

Adopted by the Selectboard, Town of Brookline at its meeting held on the 3rd day of March, 2021.

  
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Dorothy Maggio

  
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Bruce Mello

  
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Gwendolyn Tanza

  
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David Jones

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Shelby Brimmer