



**TOWN OF
BROOKLINE, NEW HAMPSHIRE
SELECTBOARD**

**P.O. BOX 360 – 1 Main Street
BROOKLINE, NH 03033-0360**

Telephone (603) 673-8855, ext. 213
Fax (603) 673-8136

Selectboard@brooklinenh.us

<http://www.brooklinenh.us>

PURCHASING POLICY

1. INTRODUCTION

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

- a) Encourage competition through fair and equal opportunity to 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 Selectboard.

2. DEFINITIONS

- a) **Competitive Bidding:** The documented process of achieving the lowest bid or the bid most advantageous to the town for the goods and services desired by the town.
- b) **Sole Source:** One and only source that possesses a unique product having singular characteristics or performance capability.
- c) **Approved Vendors:** Vendors that have been prescreened and recommended by Department Heads to the Town Administrator or Selectboard for the ability to provide products and/or services sought by a department or the town.
- d) **Most Advantageous to the Town:** A bid chosen on the totality of the requirements of the product or services. It may include, but is not limited to: price, planned use, quality, sustainability, availability, service reputation, referrals, and not necessarily the lowest bid.

3. FOR PURCHASES

- a) **Under \$2,500.00:** Employees are encouraged to do whatever is practical to secure competitive pricing from multiple sources.
- b) **Between \$2,500.00 and \$7,500:** Informal bids from at least three sources must be solicited. Bids should be documented on the “telephone quotation form” or may be supported by written quotations from vendors. This documentation should be attached to the invoice when submitted for payment.
- c) **Between \$7,500.00 and \$20,000:** Informal written bids from at least three sources must be solicited. Purchases must be supported by written quotations from vendors. Direct solicitation is allowed. Documentation of bid solicitation and results shall be provided to the Selectboard with the invoice for payment.
- d) **Over \$20,000.00:** The formal sealed bid is used for major purchases or projects. Formal bids must be received sealed and in writing by a posted deadline. Sealed bids will be opened at the appointed time and place by the Department Head and Town Administrator or his designee.

The Department Head requesting the bid is responsible for establishing the bid specifications, which shall include the following:

- a. Bid name;
- b. Bid Submittal Deadline (specifying “postmarked” or “received”);
- c. Date, location and time of bid opening;
- d. Scope of work for the project or services, including quantity, design and performance features, etc.
- e. Bond and/or insurance requirements, if required;
- f. Any special requirements; and
- g. Desired completion date, performance, inspection and acceptance criteria.

Late bids will not be accepted. The Department Head will be responsible for reviewing the bids and making an award recommendation to the Selectboard. Award of purchase or contract requires the approval of the Selectboard.

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

4. PROFESSIONAL SERVICE CONTRACTS

Either a 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 received and evaluated. The proposal includes a scope of work and a cost proposal. In the RFQ process, Statements of Qualifications (SOQs) are 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.

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 Department Head and Town Administrator, or his designee. The proposals shall be analyzed (based upon the “best overall value” to the town) and documented, including staff recommendation. In the event of a contract over \$20,000, the award shall be made by the Selectboard upon the recommendation of the Department Head.

5. PUBLIC AUCTION

With the approval of the Selectboard, purchases may be made through public auction. The department must provide to the Selectboard, in writing, quotes from like products in order to provide a realistic price comparison. Upon receiving this information, and verifying budget availability, authorization indicating the amount “not to exceed” may be granted by the Board allowing the department head or their designee to attend the auction and bid on that particular product.

6. CASES NOT REQUIRING BIDDING PROCEDURE

The Selectboard may approve a purchase without bid under the following conditions:

- 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 with the invoice if under \$20,000. In the event the price exceeds \$20,000, Selectboard approval of the sole source purchase must be obtained **prior** to purchase.

- 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 with the invoice
- d) An item or service that is required on an emergency basis
- e) An item previously awarded within the past twelve (12) months.

7. EMERGENCY PROCUREMENTS

Emergency procurements may be made when there exists a threat to public health, welfare or safety, 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 Selectboard hereby authorizes the Department Heads to approve such emergency purchase if the situation permits. The Selectboard shall be notified, through the Town Administrator, 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 invoice. As soon as is practical, 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 requirements of this policy. Whether or not a proposed purchase constitutes artificial division shall be determined by the Selectboard.

9. EXCEPTIONS

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

10. 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, when it is in the best interest of the town, at the sole discretion of the town. The reasons shall be made part of the formal bid file.

11. ETHICS IN PUBLIC PURCHASING AND CONTRACTING

It shall be unethical for any town employee 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 Brookline employee, or for any Town of Brookline employee 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 may result in disciplinary action up to, and including, termination.

12. **AUTHORITY**

These policies are adopted by the Selectboard in accordance with RSA 41:8 as it relates to their management of the town's prudential affairs and their authority over expenditures.

Amended by the Selectboard on May 18, 2020.

Brendan Denehy

Eddie Arnold

Ron Olsen

Drew Kellner

Dana Ketchen

Adopted February 13, 2012

Amended August 7, 2012

Amended September 10, 2018

Amended May 18, 2020

BROOKLINE **TELEPHONE QUOTE FORM**

Use this form to document requests for price quotes. Request that all quotes include delivery to destination. Attach completed form to Warrant.

PREPARED BY: _____ DATE PREPARED: _____
DEPARTMENT: _____ DATE QUOTES DUE: _____
PHONE NO: _____ TIME QUOTES DUE: _____

VENDOR 1

VENDOR 2

VENDOR 3

Name _____ Name _____ Name _____
Address _____ Address _____ Address _____

Phone _____ Phone _____ Phone _____
Fax _____ FAX _____ FAX _____
Contact _____ Contact _____ Contact _____
Terms _____ Terms _____ Terms _____
Delivery _____ Delivery _____ Delivery _____

Comments/Specifications: _____

ITEM	DESCRIPTION	QUANTITY	VENDOR 1		VENDOR 2		VENDOR 3	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
TOTALS								