

**Chapter106
PURCHASING**

**ARTICLE I
Purchasing Procedures**

§ 106-1. Purpose.¹

The purpose of this article is to establish uniform purchasing procedures in accordance with Chapter VII, Sections 10 and 11, of the Charter of the Town of Plainville and any other applicable provisions thereof.

§ 106-2. Purchasing Agent.

The Town Manager or his or her designee shall be the Purchasing Agent for the Town of Plainville and shall have the rights and responsibilities set forth in Chapter VII of the Charter.

§ 106-3. Requisitions.

A. All requests for supplies, material and equipment required by any department, office, board, commission or agency of the Town shall be made on requisition forms. The following information shall be recorded on all requisitions:

- (1) Name of agency requesting goods or services.
- (2) Name of suggested vendor.
- (3) Description of kind and quantity of goods or services required, indicating part number, unit price, and total price per item. If prices are unavailable, estimated dollar value shall be required.
- (4) Location to which goods are to be shipped.
- (5) The purpose of expenditure shall be required and the budget account number to be charged shall be shown.
- (6) All requisitions shall be signed by the department head or chairperson of the board, commission or agency requesting goods or services.

B. Requisitions shall be submitted to the Director of Finance for approval.

§ 106-4. Exceptions.

A. The following purchases shall be exempt from § 106-3 of this article:

- (1) Subscriptions for magazines, periodicals, or professional publications.
- (2) Maintenance on office equipment.
- (3) Vehicles and building maintenance, not exceeding \$10,000 in value.²
- (4) Established monthly billings, such as business machine charges, communications equipment service charges, utilities, and like items.

B. Receipts for items purchased under Subsection A shall be turned into the Department of Finance on the next normal workday following the purchase.³

§ 106-5. Thresholds for general purchasing and competitive procurement.

- A. For purchases between the amount of \$0 to \$14,999.99, the Purchasing Agent may require one written or verbal quote.
- B. For purchases between the amount of \$15,000 and \$24,999.99, the Purchasing Agent may require three written quotes.
- C. Purchases of \$25,000 or more require a competitive procurement process (e.g., sealed bid, request for proposal, and request for qualification).

§ 106-6. Competitive procurement requirements.

If any purchase or contract for services, including a continuing contract for the same service over a period of time, involves the expenditure of \$25,000 or more, either the Town Council or the Town Manager shall invite sealed bids or proposals, giving at least 10 days' public notice thereof by at least one publication in a newspaper having circulation in the Town, unless the Council determines that it is against the best interests of the Town to require competitive procurement with respect to a particular purchase or contract for service (for example, sole source purchases, etc.). No transaction that is essentially a unit shall be divided for the purpose of evading the provisions of this section.

A. Procurement by sealed bid.

- (1) Purchases to be made on a bid basis shall be the responsibility of the Purchasing Agent. He or she shall have the cooperation of any and all agencies requesting purchases on bids. This shall include preparation and publication of bid specifications and other necessary information.
- (2) If a purchase is put to bid, the Council shall either award the contract to the lowest responsive, responsible bidder thereon or shall reject for any reason all such bids.
- (3) Whenever there is a desire to award the bid to a vendor other than the lowest responsive, responsible bidder, the Purchasing Agent shall submit the file concerning such matter to the Council, together with his or her recommendations and a report from the interested department head. The Council may award the contract to a vendor other than the lowest bidder. The Council minutes shall specify the reasons for awarding the bid to a vendor other than the lowest responsive, responsible bidder.
- (4) All such sealed bids shall be opened publicly.

B. Procurement by request for proposals or qualifications.

- (1) Purchases to be made on a proposals/qualifications basis shall be the responsibility of the Purchasing Agent. He or she shall have the cooperation of any and all agencies requesting purchases on proposals/qualifications. This shall include preparation and publication of proposal/qualifications specifications and other necessary information.
- (2) The proposal shall be awarded to the vendor who will provide the best value to the Town. The principal consideration shall be the vendor's experience and competence and its ability to provide the highest level of service at a reasonable, negotiated price.
- (3) If a purchase utilizes a proposal/qualifications process, the Council shall award the vendor that meets the aforementioned criteria or shall reject for any reason all such submissions of proposals/qualifications.

§ 106-7. Professional services.

Contracts for professional services may be negotiated for rather than procured through a competitive procurement process and therefore will not be subject to the provisions of § 106-6

of this article.

§ 106-8. Sole source purchases and waivers of the competitive procurement process.

Sole source purchases and waivers of the competitive procurement process may be authorized or ratified by the Council when goods, services, or works are unique, proprietary, compatible with existing systems, required in emergency situations, when specific expertise is essential, or when it is in the best interest of the Town. Competitive procurement procedures set forth in § 106-6 of this article can be waived if it is justified in the Town's best interest.

§ 106-9. Purchase orders.

Any purchase exceeding \$500 and not specified in § 106-4 of this article may require a purchase order by the Director of Finance. The Director of Finance shall approve all purchase orders for goods or services and lease purchases.

§ 106-10. Administrative procedures.⁴

- A. The Department of Finance shall be notified of goods or services received by agencies. This shall be either in the form of a verified packing slip or by verbal notification. When invoices are received for goods or services rendered by the vendor, such invoices shall be distributed to the appropriate agency. The department head or agency chairperson shall be required to approve payment and forward to the Department of Finance.
- B. This purchasing procedure is to maintain control of costs. The Department of Finance shall provide information concerning budget performance and status to each department head or agency chairperson. This shall give the department head or agency chairperson the opportunity to maintain control of the particular departmental expenditures and thus stay within budget appropriations.
- C. Records of bids and proposals/qualifications and of the successful bidder/respondent shall be kept digitally by, or in the office of, the Purchasing Agent for the appropriate retention period.

§ 106-11. Violations.

Violations of the provisions of this article shall be the same as provided in Chapter VII, Section 15, of the Charter of the Town of Plainville, which section is hereby incorporated herein as if fully set forth herein.

§ 106-12. Cooperative purchasing.⁶

The Purchasing Agent may utilize cooperative purchasing services in an effort to maximize cost benefits. Cooperative purchasing services may consist of but may not be limited to competitive procurement solicitations initiated by the State of Connecticut, the federal government, other municipalities in Connecticut, the Plainville Board of Education, or other national/regional purchasing authorities/consortiums. If cooperative purchasing services are utilized, the competitive procurement procedures set forth in § 106-6 of this article are not applicable. The Purchasing Agent shall present cooperative procurement solicitations to the Town Council for approval.

§ 106-13. State and federal funds.

Purchases involving projects approved or anticipated to be eligible for federal or state grants will conform to the specific requirements associated with the type of funding or grant. These requirements may include but are not limited to the Code of Federal Regulations (CFR) Title 2 / Subtitle A / Chapter II / Part 200 / Subpart D / Procurement Standards (200.317-200.327).

§ 106-14. Purpose.

The purpose of the policy below is to limit Town entities from initiating new purchases late in the fiscal year and to prevent the carrying of encumbered funds across fiscal years. For reasons of fiscal and budgetary soundness, this policy below shall apply to all departments, offices and agencies of the Town of Plainville.

§ 106-15. Definition.

- A. An encumbrance is defined as an executed contract for goods or services that will be delivered, provided or performed by the vendor outside of the budget year in which the contract was executed. Personnel costs are not encumbrances.
- B. In order for an encumbrance to be confirmed, a specific purchase order must be placed and/or contract executed with a purchase order issued (i.e. mailed) to the vendor prior to June 30 of each year and subject to the procedure outlined below.

§ 106-16. Procedure for outstanding encumbrances.

- A. A listing of all outstanding encumbrances shall be submitted to the Town Council by July 1 of every fiscal year. The list shall include the vendor name, date of contract or purchase order, a description of the goods or service, the budget account number and a purchase order posting report. Copies of all contracts for goods or services and purchase orders shall be attached.
- B. The Town Council will review all outstanding encumbrances by July 15 of each year. If requested by the Town Council, any Town staff responsible for encumbering Town funds will attend meetings of the Town Council to answer questions and provide additional information regarding the encumbrances. The Town Council will confirm all encumbrances as defined above and make Town funds from the current fiscal year available to pay said encumbrances.
- C. Town funds from the current fiscal year will not be made available to pay outstanding encumbrances after June 30 of each fiscal year unless confirmed by the Town Council.

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