

Stoughton Procurement Department



Employee Handbook

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Introduction

The Town of Stoughton Procurement Department is responsible for the direction and enforcement of the methods and manner in which all Town Departments procure supplies and services needed to carry out their individual missions. It exists as an internal service organization to provide procurement services, assistance, training, guidance and oversight to all Town Departments in order to enhance their effectiveness, efficient operation and prudent use of resources.

On behalf of the Town Departments the Procurement Office establishes purchasing policies and procedures applicable to all departments' outward procurement activities. The Procurement Department is the primary resource to be used by municipal employees for guidance, interpretation and assistance regarding procurements. The Procurement Department is fully versed in the requirements and interpretations of the applicable laws, trained in their application and experienced with all aspects of municipal procurement.

The Procurement Department is responsible for the following general matters regarding procurements:

- Provision of oversight
- Direction and guidance to departments needed to procure items
- Training and education on procurements and purchasing

These procedures are being issued to assure that all departments understand how the Procurement Department handles procurements. Their purpose is to assure that all procurements and purchases are made properly and in compliance with all applicable laws and policies. We apply the rules described herein to all procurements, unless a department can show that there is a compelling reason to do otherwise.

This manual has been developed to serve as a guide and reference for all departments and agencies of the Town of Stoughton. The policies and procedures defined within are in accordance with State Statutes and the Town By-laws. They are intended to cover a broad range of issues and responsibilities pertinent to the buying process. Information in this guide was obtained through the Massachusetts Association of Public Purchasing Officials, the Office of the Inspector General, the Division of Capital Asset Management and Construction and the website MASS.GOV. This document is a work in progress and all Departments will receive updates as they become available. The Procurement Department is committed to providing all Town Departments with the upmost courtesy and respect.

To fully understand the procurement function, it is vital that a number of key objectives of the Procurement Department be stated:

- To procure materials, supplies, equipment and services at the lowest possible cost consistent with the quality necessary for the proper operation of the various departments, thereby attaining the maximum value for each public dollar spent

- To promote and utilize local business by giving them an opportunity to bid on all contracts and by promoting a healthy relationship between the Town and all local vendors. Understanding that the law does not allow for a “local preference”, the Procurement Department in conjunction with all Department Heads must make the extra effort to give all local businesses the chance to bid.
- To maintain the Town’s reputation for fairness and integrity and to promote impartial and equal treatment to all who wish to conduct business with the Town.
- To encourage a mutually cooperative relationship with requesting departments recognizing that successful purchasing is a result of team planning and effort. The Procurement Department is always looking for ways to strengthen the relationship with the many town vendors and town departments. Without this relationship, the process cannot work the way it should.
- All town procurements are based on one foundation principle: the best value, which is the lowest price obtained by a responsive and responsible bidder, is obtained by using open, fair competition. It is for that reason that all procurements (other than the exceptions noted below) are made using sound business practices, solicitation of quotes, invitations for bids (IFB’s), or request for proposals (RFPs).

It is important to note at the outset that two sets of rules apply to the Town’s procurements:

1. Legal requirements, i.e., those based on state or federal statute or regulation and
2. Our own requirements, i.e., those that are based on Town policy.

The following Massachusetts laws govern local government procurement. They are supplemented by the Ordinances and Policies of the Town.

M.G.L. c. 30B Procurement of Supplies & Services Disposal of Supplies, Real Property
 M.G.L. c.30§39M Construction, Renovation & Repair of Public Works
 M.G.L. c. 149§§ 44A-M Construction, Renovation and Repair of Public Buildings
 M.G.L. c7§§, 44-57 – Designer Selection Law

The Town has procurement policies that require a more rigorous process than what is required by statute or regulation. Legal requirements cannot be waived; a Town policy, however, may be waived wholly or in part with the written permission of Chief Procurement Officer or their designee, the Procurement Officer.

Where appropriate, these Procedures indicate whether a requirement is a legal requirement or a policy requirement. Not all procurements are covered by these procedures. Procurements of supplies and services, as well as public works and building construction *are* covered. However, procurements of supplies and services

which are exempt from M.G.L. c. 30B, acquisitions and dispositions of interests in real property, and qualifications-based procurements for Owner's Project Managers and designers are solely handled by the Procurement Department.

References to these statutes are made where it is useful or appropriate.

The forms that are referred to in these procedures are included in the Exhibits.

While we have endeavored to answer the basic questions, anticipating them all would be impossible. Please call the Procurement Department with any and all questions or comments.

For more information on procurement issues generally or for questions not addressed in these Procedures, I recommend two manuals published by the Massachusetts Office of the Inspector General:

- *The Chapter 30B Manual: Legal Requirements, Recommended Practices, and Sources of Advice for Procuring Supplies, Services, and Real Property* (6th Ed.)(5/11)(supplies and services) and
- *Designing and Constructing Public Facilities* (7th Ed.)(10/11)(Construction).

Maureen Doherty, MCPPO
Procurement Officer

MGL C 30B Procurement of Supplies & Services

Chapter 30B Equipment, Supplies and Services

MGL c30B governs the procurement of supplies and services by local governments as well as the disposal of equipment. Purchase orders are required for the procurement of all supplies, equipment and services. The following are all areas of MGL C30B and should follow the laws set forth.

Legal Requirements vs. Policy Requirements

The Town of Stoughton's procurements procedures are derived from two sources: (1) state and federal law and (2) Town policy. The Town must comply with legal requirements, or its procurements are invalid and any resulting contract is **unenforceable**. Town policy, however, consists of self – imposed requirements that the Town has adopted as a matter of sound business practice. Policy requirements will always be stricter than legal requirements. Policy requirements may be waived; legal requirements may not.

The legal requirements for the procurement of supplies and services are as follows:

0-\$9,999	\$10,000– \$50,000	Over \$50,000+
Sound Business Practice	Solicit at least 3 oral or written quotes	Sealed bid process (IFB or RFP)

The Town's Policy requirements for procurement of supplies are more rigorous:

0-\$2,999	\$3,000 – \$9,999	\$10,000+
Sound Business Practices	Solicit at least 3 oral or written quotes. With Department Head approval	Done by Procurement

All solicitations with a value of \$10,000 or greater are handled by the Procurement Office.

As a matter of law, you may buy supplies and services off a state (OSD) or cooperative contract (e.g. Commbuys) without using a procurement process. Town Policy, however, requires the following even when buying off such contracts you must contact the Procurement Office to verify that the actual item or service being purchased is covered by the referenced contract.

State Contracts, State Department Contracts, Other States Contracts, Cooperative Contracts, MHEC, Houston Galveston, and or GSA Contracts: are contracts the state of Massachusetts, Federal Government or State Agency has already bid out; all departments may visit the state website www.commbuys.com to review all of the state contracts currently available. Keep in mind that although a vendor may have a state contract not all items the vendor sells may be on the particular State Contract. The Procurement Department will investigate and approve all cooperative purchases for appropriateness. Please Contact the Procurement Department if you have any question or if you would like training on this website or how to use cooperative contracts.

All Using Department Contracts: are contracts that the Procurement Department has put in place for the benefit of all departments, examples are office supplies, auto parts, oil, diesel fuel, maintenance contracts, etc.

If your Department feels your purchase falls within one of the above categories please contact the Procurement Office.

Regardless of how you solicit your prices, unless you are using an RFP, the contract is always awarded to the lowest responsible and responsive bidder.

Sound Business Practices

Sound Business Practices are defined as ensuring the receipt of a favorable price by periodically soliciting price lists or quotes. While the law does not require a formal competitive process, it does require local jurisdictions to ensure that they have received the needed quality of supplies and services at a reasonable price.

Departments are required to employ Sound Business Practices as when making acquisitions of items estimated to cost no more than \$2,999. Sound business practices include applying the purchaser's best judgment to item need, utility, availability, value and price. All Departments should make it a practice to obtain quotes whenever possible from a variety of vendors.

When to Use Sound Business Practices:

- When cost is not expected to exceed \$2,999 *per item per year* and then only for one time procurements and occasional and incidental procurements. **Making multiple "one time" purchases is bid splitting and it is illegal. It is subject to possible disciplinary actions and criminal consequences.**

The Massachusetts Office of Inspector General cautions repetitive purchasing within the same calendar year. If Departments know they will be purchasing good or services for more than \$2,999 from the same vendor then Solicitation of Quotes must be used.

Solicitation of Quotes

Quotes are used for smaller purchases of goods: you must solicit at least three written or oral quotes for procurements between \$3,000 - \$9,999. Departments can solicit quotes independently of Procurement and submit a requisition for the amount of the lowest quote received from a responsive and responsible bidder. The requisition must be accompanied by an original or scanned Quote Summary Sheet (Exhibit A). The department determines how quotes are solicited. Quotes for services may require certified payroll and should not be handled with MGL 30B procurement.

One thing to note when preparing quotes: you should follow up on quote requests you make by email or fax. It is always better to try and obtain at least four or five quotes to have at least three to work with. If you solicit a quote but do not get a response, document the fact in writing so Procurement knows you have endeavored to obtain at least three quotes. Follow up is also a good idea since sometimes people are on vacation or out sick.

Document all efforts to get quotes, successful or not.

Invitation for Bids & Requests for Proposals

An Invitation for Bid (IFB's) and Request for Proposals (RFP's) are used for procurements of \$10,000 or more and are administered in their entirety by the Procurement Department. Unlike requests for quotes which can be done relatively quickly, IFBs and RFPs will not take less than a month. Although procurements will differ, the Procurement Department requires that the typical IFB/RFP conform to the following:

An IFB or RFP is initiated when a department manager fills out a standard Procurement Request form. The Procurement Department will assist the department to answer any of the required information. The department manager should not fill in the bottom of the form. This area is for Procurement to insert the procurement number, and Release Date, the Pre-Bid meeting Date (optional) and the Opening Date. This form is Procurement's reference for the advertisement: Account numbers are verified to make sure there are sufficient funds for the procurement. If the account is yet to be funded, please inform the Procurement Department. Incomplete forms may be returned to the department, which may result in a delay in issuing the IFB or RFP.

The Procurement Request Form must be signed by the department head and can be scanned to the Procurement Office. The signed form is reviewed, completed by the Procurement Department and verified with the Town Accountant and Treasurer for verification of funds and validity or purchase.

A procurement file is opened, the advertisement is prepared and the procurement is assigned a bid number. Procurement's deadline to submit ads is 5:00 p. m. on Thursday for the Stoughton Journal (Local Newspaper), 1:00pm on Tuesdays for the Goods & Services Bulletin or Central Register (state publications) for publication the

following week. The ads must appear at least 2 full weeks before the IFB or RFP is opened. Dates for bid release, any prebid meeting and bid opening will then be established. ONLY Procurement sets these dates.

If a pre-bid or mandatory pre-bid meeting is scheduled, the project manager, or someone designated by the project manager, must attend to chair the meeting and respond to questions. A member of Procurement will also be present.

The pre-bid meeting is an opportunity for potential bidders to see a job site and/or to ask specific questions. Generally, the meeting should not be mandatory unless there is a compelling reason to make it so. If you think there is a compelling reason, provide written justification to the Procurement Officer with the Bid Request Form. This is because a mandatory pre-bid meeting has the effect of limiting competition since only those attending are eligible to submit a bid. If you are not sure if a Pre-Bid should be mandatory, contact Procurement.

If for any reason a bid must be cancelled that has already been released or even opened, send a notice to moherty@stoughton-ma.gov and bruttaniti@stoughton-ma.gov. If the bid will be re-bid without changes, you may use the same Bid Request Form. Otherwise, a new Bid Request Form and a new procurement file number are required.

Sole Source Documentation

There is much confusion around sole source procurements.

“Sole source” procurement is a *purchase of supplies or services without advertising or competition. M.G.L. c. 30B §7.* Chapter 30B places strict limitations on sole source procurements. All Sole Source Procurements are approved through the Procurement Office. You may make sole source procurements of a supply or service when a reasonable investigation shows that there is only one practicable source for the required supply or service. **Your determination that only one practicable source exists must be made in writing and submitted to the Procurement Office.**

You may make sole source procurements under \$10,000 for any supply or service when a reasonable investigation shows that there is only one practical source. It is your responsibility to certify to the Procurement Officer that this is the only company that can provide the supply or service you require. The statute states that “the procurement officer determines in writing,” so the Procurement Officer is relying on your representation by personally certifying to what is you have done and what you have concluded. M.G.L. c.30B§7(a).

A reason for sole source procurement is not valid “because I like working with this company” or “because we always buy from them” or “we like this product the best”, “they are a local vendor”.

The Sole Source Request and Declaration Request consist of 3 sections, as follows:

1. **Describe the supply/service, the amount and the start and end date for the procurement.** *For example, if you are purchasing a \$25,000 Bobcat sidewalk plow in November that is the only sidewalk plow small enough to fit many of our sidewalks that are only 20" wide, this would be a one-time purchase in the fiscal year. Your description would be: "Bobcat sidewalk plow this a maximum blade span of 20", your amount would be \$25,000 your start date would be 11/1/15 and your end date 11/30/15.*
2. **Describe your investigation into whether there is another source for this type of sidewalk plow.** *Check the internet, catalogs, plow companies you do business with, etc. Your explanation here would be a summary of the scope of your investigation and your determination that Bobcat is the only company reasonably accessible to the Town of Stoughton that manufactures a sidewalk plow with a maximum blade span of 20". Include any other information (e.g. that you need a modification to an existing asset that cannot be supplied by anyone but the original vendor) that limits the scope of your investigation.*
3. **State the reason(s) for your conclusion that the named vendor is the only practicable source.** *Your conclusion must be supported by a recent (60 days or less) letter from the manufacturer stating that it is the manufacturer and sole distributor of an item, e.g. the Bobcat sidewalk plow. This letter must be dated, signed and attached to the Declaration Request.*

If the **manufacturer** cannot provide this letter because the item is sold through other distributors across the country, it is not a sole source. You would then need to find at least two other vendors and solicit quotes.

Sole source procurements of \$50,000 or more may be made for the following:

- Education materials
- Library books
- Software and software maintenance
- Procurements from regulated industry companies (i.e., any utility companies subject to regulation by the Department of Public Utilities)

Even if you are allowed to go above \$50,000 when making purchases such as these, you must still follow the procedures set forth above.

For supplies/services over \$50,000 that do not fall into the categories listed above, you must go out to bid, even if you have determined there is only one practicable source. Thus if you were purchasing two Bobcat sidewalk plows instead of one, totaling \$50,000 instead of \$25,000, a bid would be required.

If your product description is too specific, you may have a proprietary specification which is subject to certain rules. M.G.L. c.30B, § 14.

Disposal of Surplus Materials

Town property (i.e. vehicles, machinery, equipment, supplies and materials, police dogs) should be declared surplus when the property is of no further use to the department for any of the following reasons:

- It is no longer capable of serving its intended purpose due to wear, outdated technology, lack of replacement parts, or safety concerns.
- The cost of operation and maintenance exceeds the rental of hired cost of readily available like property.
- It is not needed due to replacement, a change in department mission or a scaling back of operation
- Materials considered to be surplus or obsolete must be reported to the Procurement Department. The Procurement Department will determine whether the surplus material can be transferred to another department that may need the item. Notification is made to all Departments of surplus material available, with the wanted goods transferred to the first responding Department. In the event that no response is received, bids will be issued to surplus the items with the award based upon the highest responsive and responsible bid obtained.
- In accordance with the Town's Vehicle Policy vehicles are traded in when purchasing a new vehicle.

The Procurement Office may, with the approval of the Town Manager donate surplus property to local charities, regional charities, and or non-profits for use in serving the population of Stoughton, as long as they are a 501c-designated organization.

Under no circumstances shall any Town owned property be disposed of by any other means. All surplus material must be cleared through the Procurement Department in the manner described above.

Bid Protests

Any bidder wishing to protest must be referred immediately to the Procurement Department. Bidders will be informed to submit their contentions in writing, detailing the reasons for the protest. The Procurement Department along with the Town Counsel will determined the basis for protest and respond in writing.

Bidder protests general involve contention that an award was made which was not based upon the criteria or specification set forth in the Bid/RFP. For such reasons, it is imperative that all bids received be examined objectively and without favoritism.

M.G.L. 44-57 – Designer Selection Law

Construction projects require the services of registered architects, engineers, and other professional consultants to plan the work that will be carried out by construction contractors. The term “designer” is used to refer to the individual or firms hired to do the architectural and engineering work for a project. The Designer Selection Law applies if the design service contract is estimated to cost \$10,000 or more and if the construction cost for any building construction, reconstruction, alteration, remodeling, or repair work is estimated to exceed \$100,000. Both rules must be met for this law to be triggered.

For non-building or public works projects, the selection of designers is not subject to the Designer Selection Law; however, the Procurement Department does recommend soliciting qualifications and price information from at least three (3) design firms.

The Procurement Department maintains a list of engineering firms that are under contract for various public works projects. These firms are under contract and work is performed on a negotiated fee under a task order system.

“Design Service” includes the following endeavors as they pertain to public building projects:

- Preparation of Master Plans
- Feasibility and other studies
- Surveys
- Soil Tests
- Cost estimates and programs
- Preparation of drawings
- Plan and specifications (including schematic drawings, and preliminary plans and specification
- Supervision or administration of a construction contract
- Construction management and scheduling

The basic steps for the designer selection process for municipal building projects are as follows:

- Adopt written procedures (these procedures have been adopted by the Board of Selectmen and are available for review in the Procurement Department)
- Develop the RFQ
- Advertise the RFQ
- Evaluate applicants and select at least 3 finalists
- Rank the finalists, interview and negotiate price
- Finalize the contract
- Award and publicize the contract
- Please remember that the Procurement Department handles this process for all departments. This is just information for all of you so that you can understand the process a little better.

Bids Prepared by an Architect or Engineer

Sometimes the Town engages an architect, or engineer, or other design professional to assist with procurement as the design professional often prepares a Scope of Work for our bid document. The Procurement Office is to be notified at the beginning of discussions and involved throughout the process. These procurements are handled on a case by case situation, as they are unique and varied projects. We have established templates of bid documents that have been approved and accepted by our Town Counsel. The Procurement Office will retain a full sized set of bid documents in their office for public viewing and use.

Addenda

In order that all potential bidders receive the same information, once a bid document is released **ALL QUESTIONS** regarding a bid must be directed to Procurement. For construction projects, public works projects and the purchase of goods and services, project managers, architects, engineers and all other employees are not to answer any questions about the bid from either the general public or interested bidders prior to the bid opening date. Questions from contractors and vendors must be made in writing to bids@stoughton-ma.gov or faxed to 781-344-5048. Procurement will collect all questions until the cut-off date specified for questions in the IFB or RFP. At that time, Procurement Office will prepare an addendum and forward it electronically to the project manager and design professional for answers to be inserted in the addendum document. Once answered, the addendum should be sent back to the Procurement Department electronically for release to those on the bid list. Procurements may require more than one addendum.

Construction

The following table shows which procurement laws apply to different types of public construction work.

Type of Work	Value	Applicable Law
Building Construction/Repair	\$1.00 to <\$10,000 \$10,000 to \$50,000 >\$50,000 - \$150,000 >\$150,000	C30B SBP C149 Quotes C30§39M C149
Publics Works Materials w/o Labor	Under \$10,000	C 30B§2 SBP
Public Works Construction/Repair With or w/o Labor	\$10,000 to \$50,000	C30§39M Quotes
Public Works Construction/Repair With or w/o Labor	Over \$50,000	C30§39M

M.G.L. C30§, 39M Construction, Renovation & Repair of Public Works

This section governs all contracts for construction, reconstruction, alteration, remodeling, or a repair estimated to cost more than \$1.00 that does not include work on a building. These contracts generally fall into the category of public works projects, or “horizontal construction” projects. Public works projects include not only the construction and repair of roads, bridges, water mains, sewers, and the like but also work on improvement to public land such as public parks, and parking lots. Although the required procedures are not as complex as with building projects, competition is strong and unsuccessful bidders often challenge awards on procedural grounds. Please keep in mind that all public works procurements require the vendor to pay

prevailing wages and to submit certified payrolls to the Accounting Department with the invoice.

MGL c. 30, § 39M also governs the purchase of construction materials (without charges of labor, the departments would do the installation) estimated to cost less than \$10,000 for either public works or public building projects. Local awarding authorities that are subject to MGL 30B must use MGL c 30B §2 to procure construction materials if the contract entails no labor. If the contract will include labor as well as materials, the bid law that applies to the contract depends upon whether the work involves a public building project or a public works project. Please remember; always include the Procurement Department with these types of procurements.

The bid rules and regulations are different for these types of procurements, they do not follow the rules set forth previously for c30B. If the cost of the project is going to be below \$9,999 you can receive written quotes or contract with a vendor of your choice, however, you must always include a copy of the Prevailing Wage rates when soliciting quotes, it is required by law. These are available through the Procurement Department.

If the construction contract is \$10,000- \$50,0000 the Procurement Department must conduct the procurement and receive bonds. The best thing to remember is to involve the Procurement Department on any project that falls within this category

Change Orders

The Procurement Office is involved in the processing of all change orders. These documents are changes in the contract and are part of the procurement file. Please note that change orders are allowed as long as they are within the current scope of services. IF the scope is outside the original contract, then the new job must be bid. This applies to all contract types.

MGL C. 149§§, 44A-M Construction, Renovation and Repair of Public Buildings

This section governs all contracts for the construction, reconstruction, installation, demolition, maintenance, or repair of a building. If a structure has walls and a roof and enclosed space that is to be used for some purpose, it is a building. If a building is included in the project and if the total contact cost is greater than \$150,000 the contract must be under MGL c149, unless it falls within the following exceptions:

- If a sewer or water supply project includes buildings whose sole function is to house pumps and related equipment, the project is bid under MGL c30. § 39M.
- Modular buildings are procured using a request for proposals process outlined in MGL c149.
- The following will give you a quick overview as to the complexity of C.149. Examples of some areas that fall within C. 149 are:

Building Repair	Electrical Work
Light Fixtures	Plumbing
Windows	Heating and AC work
Painting	Overhead doors

If the job is going to be less than \$10,000 you can use sound business practices. You must pay prevailing wages for all building procurements. Please make sure all vendors are aware of this when you are receiving quotes for jobs needed.

If the job is going to be between \$10,000 and \$50,000 a public notice must be posted on the bulletin board, Commbuys, and in the Central Register for at least two weeks and we must have a written scope of work and solicit written responses, the successful bidder must pay prevailing wages.

If the job is going to be between \$50,000 and \$150,000 the rules of C.30§39M are followed, which means, sealed bids, central register notice, newspaper ad, bulletin board posted, Commbuys, 50% payment bond, 5% bid bond and the bidder must pay prevailing wages.

If the job is \$150,000 or more, everything noted above applies except bidders must submit a 100% performance and payment bond, and must have DCAMM certification for both general and filed subs.

Change Orders

The Procurement Office is involved in the processing of all change orders. These documents are changes in the contract and are part of the procurement file. Please note that change orders are allowed as long as they are within the current scope of services. IF the scope is outside the original contract, then the new job must be bid. This applies to all contract types.

Emergencies

Procurement during Emergencies:

Occasionally, a situation occurs where a threat to health or safety of persons or property necessitates the immediate purchase of a required commodity or service. In these instances, provisions are set forth to allow purchases directly from vendors without using formal purchasing procedures. There are three different definitions of what an emergency is according to the MGL's, so please read the following carefully.

Most procurement requirements remain in effect during emergencies to the extent that they do not impede efforts to protect persons and property.

When a Department Head/Supervisor determines that any given situation is in fact an emergency, certain procedures must be followed. The situation may warrant bypassing normal procurement procedures and formal advertising may be waived after consideration from the Procurement Department. Written documentation of the circumstances and employee actions must be submitted to the Procurement Department immediately. The state office of the Inspector General and DCAM must be notified of the emergency. The Procurement Department will prepare the documentation to request a waiver. All emergency procurements must be approved by the Procurement Officer.

True emergencies are **RARE** and Departments must take responsibility to anticipate situations before they develop into emergencies. In addition, emergency measures allow only for the procurement of supplies or services necessary to meet the immediate needs or temporary resolution of a problem situation.

C149 Emergencies (Building):

You may dispense with normal bidding procedures for work needed to preserve the health or safety of people or property, or to alleviate an imminent security threat. **Prior approval from DCAM is necessary.** You may not artificially create an emergency simply by **putting off normal maintenance or repair work to buildings.**

C30§39M Emergencies (Public Works)

You may dispense with normal bidding procedures only in cases of “extreme emergency caused by enemy attack, sabotage, other such hostile actions or resulting from an imminent security threat, explosion, fire, flood, earthquake, hurricane, tornado or other such catastrophe”. Only work necessary for the temporary repair and restoration to service of any and all public work in order to preserve health and safety of persons and property may be performed. Approval from DCAM is necessary. You may not artificially create an emergency simply by **putting off normal maintenance or repair work to public works.**

C30B Emergencies (General Supplies/Services):

If the time required to comply fully with Chapter 30B requirements would endanger the health or safety of people or their property due to an unforeseen emergency, you may procure the needed item or service. You must, however, comply with c30B to the extent possible.

The Procurement Officer **must** be contacted at any time during emergencies and will assist in whatever way needed to expedite procurement efforts. If the Procurement Officer cannot be reached then the needed authority rests with the Department Head.

Purchasing and Accounts Payable

Making Purchases

Please remember that no department has the authority to obtain goods and or services without an authorized Town of Stoughton Purchase Order or contract in place.

The purchasing process is detailed in content, yet simple in principle. It is performed in part using the MUNIS system. All departments should utilize the procurement process as stated in this manual to insure that every purchase meets MGL and conforms to the ordinances set forth by the Town of Stoughton. Please keep in mind this manual is not a MUNIS training tool. This manual is to help departments with the purchasing function.

Purchasing Procedures

A departmental staff person enters a requisition with a suggested vendor and an approximate cost into MUNIS

- The Department head reviews and approves the requisition and forwards the request to the Town Accountant
- The Town Accountant verifies proper use of account numbers and funding and either rejects the requisition or forwards it to the Procurement Office.
- Procurement receives the requisition and does one of two things:
- Approves requisition with vendor, description and price
- Rejects requisition for needed information, including quotes, wrong codes or lack or pertinent information
- If the Procurement Officer or his/her designee approves the requisition it is then converted to a purchase order and the signed copy is mailed to the vendor.

Accounts Payable Procedures

- The departments receive goods with the packing slip; departments should sign the packing slip and attach to the invoice.
- The invoices for all goods and services are sent to the appropriate department.
- Invoices are reviewed for accuracy and are then processed through their departmental procedure.
- Department staff input the invoices in MUNIS for payment in accordance with the procedures established by the Town Accountants office. When the batch is complete it is released and forwarded to the Department head to be reviewed and approved.
- The Department Head releases the batch and it is forwarded to the Town Accountant to be processed for payment.
- Accounting checks all invoices. If there is any question, invoices will be rejected and sent back to the departments. Please try to check your invoices against your contracts it is your responsibility to make sure you are getting a charged correctly. Checks are cut and mailed to the vendors by the Treasurer's Office.

Record Keeping

All written records required by MGL 30B, MGL 149, C30 §M, C7§§ 44-57 must be maintained for a period of six years from the date of final payment under the contract. All of these records must be available for public inspection, except that proposals submitted in response to a request for proposals (RFP) issued under MGL 30B § 6, remain confidential until the completion of evaluation.

Contract Execution & Funding

Once a bid is opened by the Procurement Department, the typical process includes a review of the documents, and a reference check. The department requesting the procurement is notified of the responsive and responsible bidder, which will initiate the process of generating a requisition. Before the contract is signed, a requisition must be generated from the specific department involved with the bid. The requisition should reference a MUNIS contract number (which will be supplied by the Procurement Department) or have the price form and contract attached to the requisition.

Departments failing to enter a requisition will delay the execution of the contract. Once the purchase order is generated, the Procurement Officer or Town Manager will sign the contract. An award letter is then generated referencing a contract manager, purchase order number, and sent to the awarded contractor. The Procurement Department will file the original contract with the Accounting Department and send the Contract Manager a copy of the signed contract and documents.

Purchases that are made in accordance with Operational Services Division (OSD), Mass Higher Education Consortium (MHEC), SERSG, or other Collaborative purchasing group must have either the User Guide or other Contract Record attached to the requisition.

Contract Management

“Contract Management” as a responsibility, is the process of managing contracts, deliverables, deadlines, and contract terms/conditions while ensuring needs of the department are met. The purchasing process does not end when the contract is awarded. Contract management impacts many areas within an organization and significantly influence its budget, operation, services, and public image.

Each department should develop a plan to implement contract management with their contracts to ensure contractors are complying with the terms and specifications. Suggested best practice steps should include:

1. Confirmation that the goods/services being ordered are the goods/services received based on the contract specification. Packing slips and signed work orders should be attached to invoices.
2. Monitor transaction compliance (milestones, deliverables, invoicing etc.)
3. Verify certifications and licences listed on the contract are current at the time of service.
4. If a problem arises make sure the emails/letters/conversations are documented and filed. List in the documentation the name of the person contacted along with their title, date of conversation, description of issue, and the plan of action to resolve the contract issue. Contact the Procurement Department if the issue continues with supporting documents of problems and conversations. Goals of contract management are to maintain value and quality from vendors/contractors.
5. Completion of a Contract Closeout Form for Procurement file.

Procurement Procedures for the Town's Boards and Committees

The Town not only has procedures for its own procurements but also has procedures applicable to the Town's Boards and Committees who receive public funds administered or awarded by the Town. Projects financed with Community Preservation Act (CPS) grants and other sources must comply with all applicable state and municipal requirements, including the state procurement law, which requires special procedures for the selection of products, vendors, services, and consultants.

Purchases in excess of \$10,000 must go through the bid process and comply with MGL Chapter 30B, the Uniform Procurement Act or other applicable statutes. For more information contact the Procurement Officer.

The Inspector General's Office is in the process of creating a reference manual for Boards and Committee members.

Request for Quotes (RFQ) Summary Sheet

This RFQ was issued on _____ with a required response time of _____ for the Procurement of _____ by the _____ Department as requested by _____.

1. Supplies to be Procured:

2. Is this an emergency procurement? **NO (only issued through Procurement Dept)**
3. Is this a sole source procurement? **NO (only issued through Procurement Dept)**
4. Quotes Solicited from the following:
 - a. **INSERT NAME OF COMPANY**
 - i. Phone:
 - ii. Date:
 - iii. Amount: \$ _____
 - b. **INSERT NAME OF COMPANY**
 - i. Phone:
 - ii. Date:
 - iii. Amount: \$ _____
 - c. **INSERT NAME OF COMPANY**
 - i. Phone:
 - ii. Date:
 - iii. Amount: \$ _____

5. **Responses were reviewed by _____ (Name of Dept Head) and it was recommended to go with _____**

Department Head _____
Signature

Procurement Officer _____
Maureen R. Doherty, MCPPO

PROCUREMENT REQUEST FORM

Department/Board or Committee: _____

Contact Name for Documents: _____

Division Head Signature _____ Date _____

Please check one:

- MGL Ch30B supplies and services
- MGL Ch30B Request for Proposals
- MGL Ch149 building projects
- MGL Ch7 Designer Selection
- MGL Ch30, 39M construction materials
- MGL Ch30, 39M construction projects

*Brief Scope of Services:

Estimated Start Date: _____ Estimated Cost: _____

Contract Period: Initial Contract From _____ To _____

Options to Renew: Yes _____ No _____ One Time Contract: Yes _____ No _____

Funding Source(s)			
Funding Category	Account Number & Funding Source (article #, grant name, Ch. 90, etc.)	Amount	Amount
Town Meeting Article			
Operating Budget			
Grant			
Revolving Fund			
Other			

PROCUREMENT OFFICE USE:

Town Accountant Review of Funding/Account Number: _____ Date: _____

Treasurer Review of Funding/Borrowing: _____ Date: _____

ACTIVITY/BID NUMBER:	DATE
Contract Number	
Bid Advertised – , Goods & Services, Central Register, Town Hall, Newspaper,	
Documents Available	
Site visit	
Questions due by:	
Questions answered estimate	
Bids Due	
Contract start date	

CONTRACT EXECUTION: Contract Amount: \$ _____

Awarded Contractor: _____

Purchase Order # _____

Town of Stoughton, Procurement Department

Sole Source Request and Declaration

Department: _____

Vendor Name: _____

Address: _____

Telephone No & Email Address _____

1. Please describe the supply/service and the amount of purchase. (The sole source procurement must be for an amount less than \$50,000 unless it is for library books and school textbooks, educational programs, educational courses, educational curricula in any media including software, newspapers, serials, periodicals, audiovisual materials or software maintenance.)

Amount: _____

Start Date: _____ End Date: _____

2. Please describe your investigation to determine into whether there is another practicable source for this supply/service (A signed affidavit must be attached to this form).

3. Please state the reasons(s) for your determination that the above vendor is the only practicable source for the supply or service as described in Section 1. Your determination must be supported by a letter from the Vendor dated no more than 60 days from this date confirming that it is the sole for the supply or service as described in Section 1.

The undersigned, in reliance on the above representations and supporting documentation, finds that the above Vendor is the only practicable source for the above suppliers or services, and so hereby authorizes the above described sole source procurement under M.G.L. c 30B §7(a)

Department Head _____

Procurement Officer _____

Maureen R. Doherty, MCPPO

REQUISITION ENTRY

Requisition Entry - Munis [TRAIN DATABASE May 28 2015]

“CAPS” ALL INFORMATION MUST BE ENTERED IN CAPS

- Login to Munis Live - (<https://munisdashboard.stoughton.net>) using Internet Explorer
- Click Tyler Menu
- Click Financials
- Click Purchasing
- Click Purchase Order Processing
- Click Requisition Entry (If Requisition Entry is in your Favorites Menu Click Req Entry)
- To begin a new Requisition Click + Add Key (on the ribbon)
- Dept and Fiscal year automatically is generated
- “Tab” through until General Description – If you just click on General Description a requisition # will not automatically generate
- Tab through or click on Vendor
- Enter vendor # and click accept key on ribbon. If you do not know the vendor ID then click the ... symbol to find vendor. Highlight vendor then click accept key. Notice the “Remit to” section – make sure the correct remit to address is selected
- Tab to “Shipping Info” or click on the “Ship to” – Enter “Ship to” number. If you do not know the Ship To id # then use the ... key. Highlight the Ship to address needed and click accept key. (When I use the return key to move to the next screen instead of the tab key, the screen jumps to the Line Detail screen. When the tab key is used, the screen goes to the “Terms/Misc” screen as seen in the next step.)

Requisition Entry - Munis [TRAIN DATABASE May 28 2015]

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Accept Cancel Search Advanced Query Builder Add Update Duplicate Global Print PDF Preview Excel Email Attachments Notify Maplink Alerts Release More... Return

Requisition Entry - Munis [TRAIN DATABASE May 28 2015]

Main Terms/Miscellaneous

Terms		Miscellaneous	
Discount %	.000	Allocation	
Freight %	.000	Buyer	
Freight meth/terms		Review	
Bill to		Type	N - NORMAL
Bill to email		Purchase order	
Special handling	N - NONE	<input type="checkbox"/> Notify originator when converted to PO/Contract.	
		<input type="checkbox"/> Notify originator of overages.	

Contract

Number 16138WBMAS
Description FY16 SERSG CONTRACT OFFICE SUP

Line	Commodity	Inv item	Inv item loc	Inv tran type	Description	Qty	Unit Price	Freight	Disc %	Credit	Line Total
1					BLUE PENS	1.00	35.00000	0.00	0.00		0.00

Total Amount 35.00

Workflow: My Approvals Approve Reject Forward Hold Approvers Conversion: Convert

1 of 1 Attachments (0)

Record(s) added.

- Tab through or click the “Terms/Misc” tab – this screen is where you would enter the “Bill to” and “Contract number” and “Buyer”
- Tab to or Click the Bill to and enter id# (This info is in the Terms Box) If the id# is already in the Bill To then you do not have to re-enter
- Tab or Click the Buyer and add your name (This info is in the Misc Box)
- If you would like to be notified when converted to a PO click the box (this box is in the Misc field 4 rows under the Buyer field)
- If a contract is being used enter contract # in the Contract Field. If you do not know the contract number use the ... key. If a contract is not being used just leave blank. You could also attach forms to the requisition ie approved quote forms
- Tab through to line detail (line detail is a new screen)

Requisition Entry - Munis [TRAIN DATABASE May 28 2015] > Line Detail

Requisition
 Fiscal year 2016 Number 305 Line 1

Detail

Quantity 1.00 Unit price 35.00000
 Commodity UOM Each
 Inventory Item Freight .00
 Location Discount percent .00
 Type Pick ticket Purchase Credit .00
 Line item total 35.00
 Description BLUE PENS Amount justification: Not Needed

Miscellaneous

Manufacturer Required by 15
 Manufacturer item no. Requested by
 Vendor 23000 WB MASON Receipt notification to
 Vendor item no. Fixed asset N
 1099 box Notify buyer
 Bid
 Dept/Loc 153 PROCUREMENT

Seq	Org	Obj	Project	Description	Amount	GL Bud
01	0113802	542000		OFFICE SUPPLIES	35.00	U

- Tab through to line detail (line detail is a new screen)
- Add Qty, Line Description and Unit Price *See notes about changes MUNIS 11.1
- Tab through or Click on Org and Obj – enter Org and Obj codes or do a search using ...
- Click Accept key to save line detail
- To add another line item click the + Add sign on ribbon – (notice line # changes to 2, 3, 4 etc) Enter information: Qty, Line Description and Unit Price, Org and Obj. Must click ✓ accept key to save each new line
- If Requisition is complete Click Return Key on ribbon to review Req – You will be in the Req Entry Screen (top right hand corner of the screen will tell you where you are – notice the tab you are in on this screen. To view Requisition info you must be in the “main” tab, to view contract information you must be in (“terms/misc” tab)
 - If you need to enter another line item you must return to the Line Detail Screen – Click Line Detail on the Ribbon to get to the Line Detail Screen. If you are not in the Line Detail Screen and click the Add button you will create another requisition.

Requisition Entry - Munis [TRAIN DATABASE May 28 2015]

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Requisition Entry - Munis [TRAIN DATABASE May 28 2015]

Main Terms/Miscellaneous

Main Information

Dept/Loc: 153 PROCUREMENT Status: 6 Released

Fiscal year: 2016 Current Next

Requisition number: 305

General commodity: []

General description: ENTER A DESCRIPTION HERE : IE OFFICE SUPPLIES

General Notes: []

Needed by: []

Entered: 06/30/2015 By: fbruttaniti

Convert to: Purchase Order

Project accounts applied

Vendor Information

Vendor: 23000 Committed

Name: WB MASON

PO mailing: 0

P.O. BOX 55840

BOSTON MA 02205-5840

Delivery Method: Print Fax E-Mail

Remit: 1 WB MASON

Vendor/Sourcing Notes: [] Vendor Quotes (0): []

Shipping Information

Ship to: 1

232 Pearl St.

Stoughton MA 02072

Email: []

Reference: []

Deliver To: []

Line Items

Line	Commodity	Inv item	Inv item loc	Inv tran type	Description	Qty	Unit Price	Freight	Disc %	Credit	Line 1
1					BLUE PENS	1.00	35.00000	0.00	0.00	0.00	

- If requisition is complete click Release (on the ribbon) to forward to approver. (Notice the status will change to “Released”)
- If requisition is not complete click Update to make changes. Remember to click Accept Key to save changes and last step must always be to Release.
- The requisition must be Released to forward to approver –

What to do if a requisition is rejected:

Requisition Entry - Munis [Town and Schools of Stoughton]

Main Information

Dept/Loc: 153 PROCUREMENT
Fiscal year: 2016 Current: Next
Requisition number: 1365
General commodity: [Blank]
General description: MFAA MEMBERSHIP ANNUAL DUES FRAN BRUTTANITI

Status: 1 Rejected
Entered: 08/11/2015 By: fbruttaniti
Convert to: Purchase Order
 Project accounts applied

Vendor Information

Vendor: 32468 Committed
Name: MASS FACILITIES ADMINISTRATORS ASSOC.
PO mailing: 0
MFAA
P.O. BOX 1027
DEDHAM MA 02027
Delivery Method: Print Fax E-Mail
Remit: 0

Shipping Information

Ship to: 30
Procurement Office
Town of Stoughton
10 Pearl Street
Stoughton MA 02072
Email: mdoherty@stoughton-ma.gov

Line Items

Line	Commodity	Inv item	Inv item loc	Inv tran type	Description	Qty	Unit Price	Freight	Disc %	Credit
1					MFAA MEMBERSHIP ANNUAL DUES FRAN BRUTTANITI	1.00	275.00000	0.00	0.00	0.00

If a requisition is rejected there are times you will be able to make the necessary changes by:

Open the rejected Requisition (same way as looking at a created req) Status will be Rejected (see arrow above) (If you click the Approvers Button at the bottom of the screen you will be able to see the notes section with a reason for rejection)

Click Activate on the Ribbon – this will change the status of the req

Click Update on the Ribbon – this will allow you to make the changes

Make the necessary changes

After changes have been made click the Release button on the ribbon (this will start the approval process again)

MUNIS 11.1 Changes for Requisition Entry

Requisition Entry - Munis [TEST DATABASE Sep 28 2016]

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Confirm Search Actions Output Preview Office Tools Alerts Release Menu More...

Main Terms/Miscellaneous

Main Information

Dept/Loc 138 CENTRALIZED PURCHASING Status 4 Allocated
 Fiscal year 2017 Current Next Needed by
 Requisition number 13067 Entered 10/26/2016 By fbruttaniti
 General commodity
 General description TEST FOR MUNIS 11.1 Convert to Purchase Order
 PO expiration
 Receive by Quantity Amount
 Project accounts applied

Vendor Information

Vendor 32304 Committed
 Name RICOH USA, INC.
 PO mailing 0
 ATTN: CUSTOMER ADMINISTRATION
 70 VALLEY STREAM PARKWAY
 MALVERN PA 19355
 Delivery method Print Fax E-Mail
 Remit 1 RICOH USA, INC.
 Vendor/Sourcing Notes Vendor Quotes (0)

Shipping Information

Ship to 30
 PROCUREMENT OFFICE
 TOWN OF STOUGHTON
 10 PEARL STREET
 STOUGHTON MA 02072
 Email MDOHERTY@STOUGHTON-MA.GOV
 Reference
 Deliver To

Line Items

Line	Commodity	Inv item	Inv item loc	Inv tran type	Description	Vendor
1					TEST FOR MUNIS 11.1	(32304) RICOH USA, INC.

**** NEW for Rev 11.1 ****

- **PO Expiration** – Able to leave blank or type in a PO Expiration Date
- **Receive by: Quantity or Amount** – default is qty

Line Detail Screen – Two different screen shots of Line Detail Screen – This screen shot is viewed when the “Amount” option was checked off in the previous screen,

Requisition Entry - Munis [TEST DATABASE Sep 28 2016] > Line Items

HOME

Accept Cancel Search Browse Add Update Delete Global Duplicate Print PDF Excel Word Email Attach Notes Notify Maplink Alerts Ship To Deliver To Return

Confirm Search Actions Output Preview Office Tools Alerts- Deliver To Menu

Requisition

Fiscal year: 2017 Number: 13067 Line: 1

Detail

Quantity: 1.00 Amount: 300.00000
 Freight: .00
 Discount percent: .00
 Description: TEST FOR MUNIS 11.1
 Credit: .00
 Line item total: 300.00
 Amount justification: Not Needed

Miscellaneous

Manufacturer: Bid
 Manufacturer item no.: 32304 RICOH USA, INC. Dept/Loc: 138 CENTRALIZED PURCHASING
 Vendor: 32304 RICOH USA, INC. Required by:
 PO mailing: 0 ATTN: CUSTOMER ADMINISTRATION
 Delivery Method: Print 70 VALLEY STREAM PARKWAY
 Fax MALVERN
 E-Mail PA 19355
 E-Procurement
 Remit: 1 RICOH USA, INC. Fixed asset: N Notify buyer
 Vendor item no.:
 1099 box:

Seq	Org	Obj	Project	Description	Amount	GL Bud
01	0113802	542000		OFFICE SUPPLIES	300.00	U

K < 1 of 1 > Record(s) added.

For this screen – the “Amount” option was checked off in the “Received by” tab in the 1st Req Entry Screen



Vendor Tab, PO mailing and Delivery Method are new. Delivery Method should always be Print.

Line Detail Screen - The below screen shot is viewed when "Quantity" was checked off is the 1st Requisition Screen

Requisition Entry - Munis [TEST DATABASE Sep 28 2016] > Line Items

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Accept Cancel Search Query Builder Add Update Delete Global- Duplicate Print PDF Excel Word Email Attach Notify Maplink- Alerts- Return

Confirm Search Actions Output Preview Schedule Office Tools

Requisition

Fiscal year 2017 Number 13067 Line 1

Detail

Quantity 5.00 Unit Price 1.00000

Commodity Inventory Item Location Type Description TEST FOR MUNIS 11.1

UOM EACH Freight .00 Discount percent .00 Credit .00 Line item total 5.00

Amount justification: UNKNOWN

Miscellaneous

Manufacturer Manufacturer item no. Vendor 32304 PO mailing 0 Delivery Method Print checked Fax E-Mail E-Procurement Remit 1

RICOH USA, INC. ATTN: CUSTOMER ADMINISTRATION 70 VALLEY STREAM PARKWAY MALVERN PA 19355 RICOH USA, INC.

Bid Dept/Loc 138 Required by Requested by Receipt notification to Fixed asset N Notify buyer

Vendor/Sourcing Notes

Vendor item no. 1099 box

For this screen – the "Quantity" was checked off in the "Received by" tab in the 1st Requisition Entry Screen



Vendor Tab, PO mailing and Delivery Method are new. Delivery Method should always be Print.

Contract Close-Out/Renewal

Contract Name:

General Description:

Contract Term:

Contract Manager:

Did you find the management personnel experienced and qualified?					
Negative		Adequate		Good	
Preferred					
Not applicable					
Notes:					
Did you find the on-site personnel experienced and qualified?					
Negative		Adequate		Good	
Preferred					
Not applicable					
Notes:					
Did this contractor adhere to the project schedules?					
Negative		Adequate		Good	
Preferred					
Not applicable					
Notes:					
Was the contractor staffed appropriately?					
Negative		Adequate		Good	
Preferred					
Not applicable					
Notes:					
Did contractor work in harmony & coordinate with other contractors or/town staff?					
Negative		Adequate		Good	
Preferred					
Not applicable					
Notes:					
Was this contract's quality of work satisfactory?					
Negative		Adequate		Good	
Preferred					
Not applicable					
Notes:					
Would you choose to work again with this contractor?					
Negative		Adequate		Good	
Preferred					
Not applicable					
Notes:					
Would you assign a rating of Preferred, Good, Adequate, or Negative?					
Negative		Adequate		Good	
Preferred					
Not applicable					
Notes:					
Close contract – Renew Contract – Needs to be go out to bid					
No option to renew		Renew for 1 year		Renew for 2 years	
End Contract					
Goods/Services Requires new Bid Process					
Notes:					

IF I DON'T HAVE AN EXISTING DEPARTMENTAL CONTRACT WHAT DO I DO???
IF I NEED A SERVICE AND I DON'T HAVE A CONTRACT WHAT DO I DO? ?????

call THE PROCUREMENT OFFICE

Assess and Plan for **Products.**

Where can I get my products?

How many do I need? What will be the cost today/per year?

These questions will help in determining which purchasing procedure you will use.

i.e. –single purchase, blanket orders, collaborative purchases, state wide contracts

Estimate total cost of product

When ordering off any Collaborative Purchasing Groups **contact Procurement** to verify products and participation

Keep in mind, on average, the time needed for a Procurement is 6 weeks

Will the Product price per fiscal year be Less Than \$3,000

Can I purchase this locally?

Use Sound Business Practices. Sound business practices require you to ensure that your local jurisdiction receives the needed quality of supplies or services at a reasonable price by soliciting price lists or quotes for the items you are purchasing. For items you buy repetitively you can periodically solicit price lists or quotes. You should also ensure that the supplies or services you are purchasing meet your quality requirements and that the vendor is reputable and capable

Will the Product(s) price per year be \$3,000 - \$9,999?

Obtain three oral or written quotes (use the provided quote form) and have Department Manager sign form.

Enter requisition with the accurate description and proceed with order under Sound Business Practice.

Quotes, forms and backup must be kept for 6 years from date of material receipt

Will the Product price per fiscal year be \$10,000 or above?

The process is handled through the **Procurement Department**. The average time needed for Procurement is 6 weeks. A well prepared scope or specification sheet will be required.

***Note: Effective July 1st2015 with the MUNIS Conversion – Every purchase will require a Requisition and PO – PRIOR TO ORDERING!**