

AN ORDINANCE RE:  
COMPETITIVE BIDDING

Be it ORDAINED, by the legal bodies of the Town of Lebanon, at a Special Meeting thereof, held March 24, 2008 that pursuant to Connecticut General Statutes Section 7-148v, the Town of Lebanon shall establish a Competitive Bidding Ordinance:

The Town of Lebanon recognizes its obligation to deal fairly in its bidding and purchasing practices. The Town and its employees will not knowingly extend favoritism to any vendor or contractor. Each order shall be placed on the basis of quality, price and delivery. Past service of a favorable or unfavorable nature shall be a factor when other considerations are equal. Competitive bidding shall be practiced whenever feasible and to the advantage of the Town. This policy shall not apply to the Board of Education.

Section 1: Definitions

**Authorized Person:** Department Head, Board or Commission Chair or designee.

**Emergency Situation:** A situation where the purchase of goods or services is necessary as a result of uncontrollable circumstance, extraordinary condition or a contingency that could not have been foreseen and guarded against. It will be demonstrated that the emergency purchase is necessary to protect the life, health and safety of taxpayers and employees.

**Goods of Services:** Supplies, materials, equipment, services or labor.

**Written Quotation:** In response to a set of specifications set forth by the purchaser, a notice in writing delivered to the purchaser by a specified date describing the conditions and price under which the vendor will furnish goods or services.

Section 2: Purchasing Requirements

- a. \$4,000.00 value or less can be purchased at the discretion of the Authorized Person.
- b. Purchase of goods or services greater than \$4,000.00 requires solicitation of a minimum of two (2) written quotations.
- c. Purchase of goods or services greater than \$7,500 requires a sealed bid or as set forth in Connecticut General Statutes Section 7-148v.

Section 3: Exemptions

- a. Engineering, legal and auditing services shall be exempt from the competitive bidding requirements of Sec. 2. Consulting services shall be acquired through a "Request for Proposals" process, unless a written justification is provided to the Board of Selectmen that a single source is uniquely qualified to provide the desired services.
- b. Purchases made from any agency or office of the Federal, State, local or other governmental unit or non-profit organization is exempt from the competitive bidding requirements of Sec. 2.

- c. Nothing in this ordinance shall prohibit the Town from purchasing items under State bids and/or contracts, and/or participation in regional purchasing councils who have used a sealed bid procedure.
- d. Nothing in this ordinance shall prohibit the Town from contracting for repairs of an immediate nature for health and safety reasons and to prevent damage or injury.
- e. Materials. When multiple suppliers of material are not within 50 miles, the Highway Department shall be exempt from the requirements of Sec. 2. In such case, the Highway Department shall seek to obtain the best price within 50 miles.
- f. Existing maintenance or service contracts which have no fixed duration shall remain in effect on a renewable basis and shall not be subject to acquisition and/or bid requirements outlined in Sec. 2 until such time as said contract is terminated.
- g. Purchase of used equipment where comparable bids are unavailable and it has been determined by the First Selectman after consultation with the department or agency head that the purchase of a particular piece of equipment is of good value to the Town.

#### Section 4: Insurance Requirements

All parties awarded contracts by the Town to perform work on Town owned property shall carry the required level of insurance coverage, indemnity, and hold the Town harmless. The Town shall be named as an additional insured on the Insurance Certificate. When required by law, all parties performing services for the Town shall have and maintain the required licenses and/or certifications to perform such work.

#### Section 5: Waivers

These requirements may be waived in the following circumstances.

- a. In an emergency situation, in which case the First Selectman of their designee shall be informed of the situation and purchase as soon as possible.
- b. With unanimous vote of the Board of Selectmen, when the Board makes a determination that such waiver is in the best interest of the Town. Any waiver granted by the Board shall include in the record the reason(s) for the waiver.

#### Section 6: Non-Discrimination

Purchasing shall be conducted without regard to the political affiliation, race, sex, age, religion, national origin, disability, residence, familial relationship or business associations of vendors and/or contractors. All purchasing shall comply with the provisions of applicable State and Federal laws pertaining to civil rights, equal opportunity and affirmative action.

This Ordinance shall take effect fifteen (15) days after publication in accordance with the Connecticut General Statutes.

Dated at Lebanon, Connecticut this 25<sup>th</sup> day of March, 2008.

Susan C. Coutu  
Town Clerk

Effective the 12<sup>th</sup> day of April 2008