

TOWN OF GROTON PURCHASING MANUAL

PURPOSE

The purpose of this formalized purchasing policy is to provide all Town of Groton departments, boards, and commissions with a comprehensive and systematic guide that will allow them to requisition necessary goods and services in accordance with sound purchasing principles and practices while maintaining reasonable controls.

The manual is intended for use as a guideline for purchasing procedures and policies. It should be understood that this document is limited in that it does not fully convey the communication that should occur between the Purchasing Agent and the end-user departments regarding purchases, as well as the normal give and take that is necessary in order to maintain productive daily operations. Purchasing is a service that is provided to all Town departments which relieves them of this responsibility thus allowing them to devote their attention to more pressing departmental concerns. In a manual such as this, the policies tend to overshadow the continual need for common sense in purchasing procedures dependent upon situational needs. This manual should be useful as a reference tool and a basic guideline regarding purchasing procedures; however, the communication between the Purchasing Agent and the department will continue to be the most relevant factor in the goal of procuring quality materials at competitive prices and in a timely manner for the overall benefit of the Town of Groton.

DEFINITIONS

Vendor Favoritism

Acceptance of personal or town gifts from vendors attempting to influence purchasing decisions will not be tolerated. The penalty for accepting personal gifts to influence the decision process may be up to and including termination. Procurement of goods or services from any vendor regardless of price - with any implied or stated understanding that said vendor will be rewarded in any manner – including implied or stated future award(s) of no-bid purchase orders or contracts – will not be tolerated and will be grounds for immediate termination.

Conflict of Interest

No employee, officer or agent of the Town of Groton shall participate in selection or in the award or administration of a contract if a conflict of interest, real or apparent would be involved.

Cooperative Procurement Programs

Department Heads are encouraged to use cooperative purchasing programs sponsored by the State of Connecticut or other jurisdictions. Cooperative purchasing can prove advantageous to the Town both by relieving Department Heads of the paperwork necessary to put together bid packages and by taking advantage of the large quantity purchases made by State Government or other state, municipal or federal entities. Purchases made through these programs have met the requirements of competitive bidding and require no further documentation. Department Heads are encouraged to check with the Purchasing Agent and/or the State through their website regarding cooperative procurement contracts in effect prior to making any purchase exceeding \$1000.

Local Vendor Preference

Local Vendor Preference guidelines will be followed as specified in Appendix A.

Federally-Assisted Procurements

Federally-assisted procurements must include language specified in Appendix II to Part 200 in bid and contract documents. The required language is provided in Appendix B of this manual.

Procurement Records

The Town maintains such records for at least as long as the State of Connecticut Library mandates.

Purchasing Card (P-Card)

A corporate-liability charge card issued by the Town to qualified employees to use to support Town business only and in accordance with the Town procurement rules and regulations.

Sole Source

State of CT Statute: Sec. 4a-52-15. Sole source procurement (a) Sole source procurement is not permissible unless a requirement is available from only a single supplier. A requirement for a particular proprietary item does not justify a sole source procurement if there is more than one potential bidder or offeror for that item. The following are examples of circumstances which could necessitate sole source procurement: (1) where the compatibility of equipment, accessories, or replacement parts is the paramount consideration; (2) where a sole supplier's item is needed for trial use or testing; (3) where a sole supplier's item is to be produced for resale; (4) where public utility services are to be procured. The determination as to whether a procurement shall be made as a sole source shall be made by the Commissioner. Such determination and the basis therefor shall be in writing. The Commissioner may specify the application and the duration of its effectiveness. In cases of reasonable doubt, competition should be solicited. Any request by a purchasing agency that a procurement be restricted to one potential contractor shall be accompanied by an explanation as to why no other will be suitable or acceptable to meet the need. (b) The Commissioner shall conduct negotiations, as appropriate, as to price, delivery, and terms, in regard to sole source procurements. (c) A record of sole source procurements shall be maintained that lists: (1) each contractor's name; (2) the amount and type of each contract; (3) the supplies, materials, equipment or contractual services procured under each contract; and, inspection only after the award of the contract. (4) the identification number of each contract file.

SECTION I. Purchasing Objectives *The objectives of the Purchasing Division are as follows:*

1.1 To procure materials, supplies, equipment and services, other than services of a professional nature such as legal, technical, or medical services, at the lowest possible cost while complying with all applicable specifications or parameters pertaining to the commodity or service involved.

1.2 To clearly establish that the responsibility for the purchasing function is vested in the Purchasing Agent only. The Purchasing Agent shall procure items for all Town departments, Agencies Boards and Commissions. The only exception is the Board of Education unless the Purchasing Agent is requested to do so.

1.3 To provide an efficient means for procurement of materials, supplies, or equipment that prevents duplication and overstocking.

1.4 To establish and maintain standards of quality in materials, supplies, equipment and services, other than those of a professional nature, based on suitability of use.

1.5 To conduct purchasing without regard to the political affiliation, race, color, age, religion, national origin, ancestry, physical disability, gender, familial relationship or business association of vendors, contractors, or consultants.

SECTION 2. Duties of the Purchasing Agent:

The Purchasing Agent shall have the responsibility for establishing specifications and contractual Terms and Conditions for the purchase of equipment, materials, supplies, or services for the various Town departments. The determination of the goods or services to be purchased, if found to satisfy all needs, shall rest with the Purchasing Agent.

2.1 *Service Contracts:* The Purchasing Agent shall sign all contracts for service that may be necessary for any of the Town's departments or agencies.

2.2 *Relations with Vendors:* The Purchasing Agent shall strive to establish a relationship of mutual confidence and trust between the Town and its suppliers. All contracts between the Town and its suppliers shall be through the Purchasing Agent other than those that require Town Manager approval in accordance with Administrative Regulation G.G. No. 1-3. Departments that correspond directly with a supplier on technical matters regarding items to be purchased shall forward copies of this correspondence to the Purchasing Agent.

Cooperative Purchasing: Whenever feasible, the Purchasing Agent should attempt to make arrangements for purchasing in conjunction with other units of government in order to affect more favorable pricing based upon larger quantities.

SECTION 3. Purchasing Procedures: The following procedures are prescribed for obtaining materials, supplies, equipment, or services, other than professional services for the Town of Groton:

3.1 *Requisitioning* Purchase requisitions are generated electronically in the Pentamation Purchasing Module. The requisitioning process is required as it is the means by which the Purchasing Division is formally notified of the end-user department's need to order supplies, materials, equipment or services. Also, approval of the electronic requisition by the department head, or delegate, provides official authorization to the Purchasing Agent for the expenditure of the funds associated with the commodities or services delineated in the requisition.

3.1a *Electronic Requisitions:* Electronic requisitions are generated in the Pentamation Purchasing Module

3.2 At this point, the requisition has been created in Pentamation, but must be approved by the authorized approver (usually the Department Head).

3.3 *Finance Approval:* Upon completion and approval of the electronic requisition by the originating department it will be reviewed by the Purchasing Agent for the following:

- A. Sufficiency of funds in the fund/cost center and appropriateness of the object code selected.
- B Propriety of the expenditure, e.g. conformance with authorized bond ordinance if a capital project expenditure, conformance with special grant requirements, compliance with budget for non-capital project expenditures such as furniture, vehicles, equipment, etc.
- C. Competitive pricing of goods and services. Determination of whether the proposed purchase requires formal bidding falls under State of Connecticut contract pricing, etc.

3.4 *The Purchase Order:* The purchase order is the vendor's authorization to ship the equipment, materials, or supplies, as specified by the Town in the order. It constitutes a contract between the Town and

the vendor. Purchase orders shall be clear and concise in order to avoid misunderstandings and unnecessary correspondence with the vendor.

3.5 *Purchasing Guidelines for Various Dollar Categories*

Purchase Amount	Policy Requirements
<=\$1,000*	Competitive quotes are not required. Purchase is made using a Purchasing Card
>\$1,000-\$7,500**	Department or Purchasing Agent will obtain three (3) written quotations. A purchase order is required.
>\$7,500-\$15,000***	Department or Purchasing Agent will obtain three (3) written quotations. A purchase order is required.
>\$15,000****	The Purchasing Agent will conduct a formal competitive bid process. A purchase order is required.

3.5a **Requirements for Purchases up to \$1,000:* The authority to enter into purchases of up to \$1,000.00 does not relieve the originating departments of the responsibility to obtain competitive pricing wherever possible. Furthermore, departments shall not purchase items in small quantities to circumvent the requirements that would normally apply to higher dollar value orders. Consistent violations may result in the loss of the privilege to directly spend \$1,000.00 without Purchasing's review. Authorized purchases up to \$1,000.00 can be made on a P-Card or by following the electronic requisitioning process.

3.5b ***Requirements for Purchases -in excess of \$1,000.00 to \$7,500.00:* The originating department may include a vendor when they input the requisition into Pentamation, but the Purchasing Agent reserves the right to change the vendor if better pricing can be obtained elsewhere. In any case, we obtain at least three (3) price quotations (written) for purchases in this category. If competitive pricing is obtained by the originating department, they should include this information on the requisition itself either in the notes section or by attaching the quotes to the requisition.

3.5c ****Requirements for Purchases in excess of \$7,500.00 to \$15,000.00:* The department should submit a requisition to the Purchasing Agent providing information as required in Section 3 above. The Purchasing Agent will then obtain three (3) written vendor quotes in order to determine the fairest cost to the Town for the item or items to be purchased. In those instances where the originating department obtains the quotes directly from the vendors, they should forward same to the Purchasing Division so they can be attached to the requisition that is kept on file in our office. All quotes received should be signed by an authorized representative of the vendor. If the lowest quote received does not correspond with the vendor inputted on the requisition by the originating department, a separate memo or email should be sent to the Purchasing Agent justifying why the purchase should be awarded to other than the lowest bidder. There may be instances where specialty or OEM (original equipment manufacturer) items need to be purchased where competitive pricing cannot be obtained. In those instances, a "single/sole source" justification should be provided via memo or email and should be sent to the Purchasing Agent at the time the requisition is generated.

3.5d ****Requirements for Purchases in excess of \$15,000.00: As per Chapter 9, Section 9.10.2.1 of the Town Charter, "Purchases shall be made under such rules and regulations as may be established by the Council, subject to the provisions of CGS." Accordingly, the requirements for competitive bidding of Connecticut General Statutes Section 7-148v as amended per Substitute Bill No. 692. In those instances where the proposed purchase has a dollar value in excess of \$15,000.00, the Purchasing Agent shall invite sealed bids or proposals for such proposed expenditures by posting notification of sealed bids or proposals on the Town's website as well as the State of Connecticut's web portal. This requirement does not apply to the purchase of professional services such as engineering, design, or auditing services. Furthermore, in those cases where there is an applicable State of Connecticut contract in place for the identical item or service, the bid requirement can be waived and the item or service can be purchased directly from the vendor/contractor listed on the applicable State of Connecticut contract. This is in accordance with Town of Groton Resolution, File #20040237, which was passed on 7/14/04. All solicitations (bids and proposals) shall include the following verbiage, "Respondents shall certify that neither they nor any business or corporation fully or partially owned by the respondent is not delinquent on Town property taxes or fees." The Purchasing Agent will verify that the respondent is current on payment of all their taxes and fees. Furthermore, an award will not be made to the prospective vendor/contractor unless they are current on their payment of all taxes and fees.

3.6 Routing of the Purchase Order: After all requirements as delineated above are met, the Purchasing Agent will convert the requisition to a purchase order using the Pentamotion Purchasing Module. The original (white) copy of the purchase order will be mailed to the vendor. The pink copy will be forwarded to Accounting and the blue copy will be sent to the originating department to be used for authorizing payment to the vendor.

3.6a *Payment Authorization*: The originating department will inspect all materials upon their receipt to confirm that quantities and descriptions match what appears on the purchase order. If all items conform, the department supervisor or director should write "Approved for payment" on the "blue copy" of the purchase order, indicate the amount to be paid, and forward to Accounts Payable which constitutes authorization to make payment.

3.6b *Instructions for Handling Non-Conforming Shipments*: If material delivered does not conform to the purchase order specifications, or if for other reasons is not acceptable to the originating department, the Department should contact the vendor to notify them of the issue; if Department does not feel satisfied that the vendor is taking steps to rectify the situation, the Purchasing Agent should be contacted. The Purchasing Agent will then notify the vendor that their delivery has been rejected and will coordinate the effort to make a satisfactory replacement or supplementary delivery.

3.6c *Partial Shipments*: In many cases orders vendors make several shipments against a particular purchase order which results in the need for partial payments prior to receipt of all items. Departments should not delay partial payments on orders without specific reason and, in all cases, should endeavor to pay for goods received in good condition in accordance with the terms and conditions of the contract. Failure to pay for goods within the specified discount period forfeits the Town's right to take the respective prompt payment discount and thus increases the total cost of the item. A photocopy of the "blue copy" of the purchase order should be used to authorize a partial payment and should include the specific amount to be paid. The payment authorization should be sent directly to Accounts Payable to ensure the vendor is paid in a timely manner.

3.7 *The Invoice*: An invoice is the vendor's statement of charges for materials and/or services rendered to the Town. Invoices are usually based upon purchase orders and should contain essentially the same information as the purchase order.

3.7a *Routing the Invoice*: The original invoice should be sent to the Finance Department, Attn: Accounts Payable, as is specified by the purchase order. In some instances, the invoice may be delivered with the goods at the delivery point. In those cases, the originating department should attach the invoice to the receiving report and forward it to Accounts Payable.

3.7b *Action on the Invoice*: Accounts Payable will check the invoice against its copy of the purchase order to ensure that the terms are as specified, that applicable discounts, if any, have been applied, and that all extensions are correct. This applies to final payments only where the "blue copy" of the purchase order is forwarded to Accounts Payable for processing.

SECTION 4. Purchasing in Emergency Situations or Under Extraordinary Conditions:

4.1 *Definition*: Emergency situations shall be defined as situations in which the operations of a department would be seriously hampered or in which life, limb, or property may be endangered or in which the health or welfare of the general public is seriously threatened. Extraordinary conditions shall be defined as conditions which are not known until after an operation has begun, which require unanticipated parts, equipment or materials to be obtained in order for the operation to be completed. Extraordinary conditions may be present in construction projects or automotive equipment repair involving hard-to-obtain parts.

4.2 *Procedures*: Under conditions enumerated in Section 4.1, Department Heads may authorize purchase of necessary items, if, to the best of their knowledge, the account to be charged has a sufficient unencumbered balance for the amount of the purchase. These purchases may be made directly without a purchase order.

4.2a *During Normal Working Hours*: During working hours (8:30 a.m. to 4:30 p.m.) the department will notify the Purchasing Agent, who will furnish the department a purchase order number once a requisition is entered in Pentamation for the items to be purchased. This number will be provided to the vendor as evidence that the expenditure has been authorized by the Purchasing Agent and also should be referenced on the vendor's invoice to the Town.

4.2b *After Normal Working Hours*: If the conditions of Section 4.1 occur at times other than normal working hours, the using department may directly purchase the material required. At the time of the purchase, the department will secure a sales order, delivery slip, or an invoice from the vendors for the material that was received.

4.2c *Followup Procedures*: After a purchase is made under the conditions in 4.2b, a requisition will be prepared as outlined in paragraph 3.1, with the added requirement that the words, "Emergency Purchase" will be written in the body of the requisition form. The nature of the conditions shall be given briefly on the requisition or on an accompanying memo, if necessary. The sales order, delivery slip or invoice should be sent with the requisition to the Purchasing Division. The requisition for purchases made under these conditions should be forwarded to the Purchasing Agent no later than the following workday. The Purchasing Agent will then issue a confirming purchase order to the applicable vendor in the usual manner. The purchase order will be marked "Confirming Order. Do Not Duplicate". Confirming orders and emergency orders are very costly; they are made hurriedly, usually on a non-competitive basis, and they may not be made at the best prices available. Every effort should be made to keep purchases of this type to an absolute minimum.

SECTION 5. Blanket Purchase Orders

5.1 *Definition:* A blanket purchase order is a purchase order issued by the Purchasing Agent at the beginning of fiscal year to a particular vendor for an estimated dollar amount to be purchased during that year. The blanket purchase order will allow the originating department to draw against this purchase order as required throughout the fiscal year.

5.1a *Instructions for Completing a Requisition for a Blanket Order:* Departments using materials and supplies for which blanket purchase orders are applicable should include a descriptive statement in the purchase requisition that identifies it as a blanket order. Otherwise, the requisition will be prepared in the usual manner. The description block under the item or commodity should include a reference to the type of item or service to be purchased such as automotive parts, tools, plumbing hardware, fire alarm monitoring, etc. The requisition must include a dollar amount for the proposed purchase.

5.1b *Routing of the Requisition:* The requisition for a blanket purchase order will be routed in the same manner as for other requisitions.

5.1c *Procedures for Ordering Materials/Services from a Blanket Order:* After the department has received its copy of the blanket purchase order, approved by the Purchasing Agent, supplies described generally on the purchase order may be obtained by ordering directly from the vendor. Orders may be verbal or otherwise, but must make reference to the blanket purchase order number to which the supplies are to be charged. Vendor delivery slips or other documents will be required for every shipment received. In no instance will departmental orders be allowed to exceed the amount encumbered by the blanket purchase order. When the amount of the blanket purchase order is exhausted, the department will send an email to purch@groton-ct.gov requesting a change order to increase the purchase order. Partial receiving reports should be forwarded to Accounts Payable prior to the forwarding of the final receiving copy when the order has been completed.

Revision # 6 April 2019
Revision # 5 August 2013
Revision # 4 April 2009
Revision # 3 February 2008
Revision # 2 August 2002
Revision # 1 September 1989
Issue Date June 1984

APPENDIX A

LOCAL VENDOR PREFERENCE

1. *Definition.* The term "local vendor" refers to a company, firm, LLC, partnership, or similar with its principal place of business located within the Town of Groton. A business shall not be considered a local business unless satisfactory evidence has been submitted with each bid or proposal that clearly establishes that it has a bona fide principal place of business, including branches or satellite offices, in the Town of Groton. Such documentation shall include evidence of ownership such as real estate and personal property bills, a lease agreement for the real estate from which the principal place of business operates, copies of deeds, or copies of paid real estate and personal property bills.

2. *Application.* Local vendor preference would apply to all public bid solicitations that fall under the criteria cited in section 3.5d of the Purchasing Manual. Businesses seeking local vendor status must complete a vendor registration form as defined in section 6.1 as part of submitting a bid packet. Businesses that are on the State of Connecticut or Federal disbarment list will not be eligible to bid. Public Works shall use the same criteria and process as those required by the Purchasing Manual.

3. *Implementation.* In any solicitation (bids or requests for proposals), where a qualified responsive local vendor as defined in Item 1. above submits a price which is not more than 5% higher than the lowest bid or proposal, the Town has the right to award the contract to the local vendor provided that the local vendor agrees to match the lowest price and the local vendor has provided documentation which verifies their status as a local vendor as per Item 1. above. Furthermore, the local vendor shall not be delinquent in any taxes and or fees owed to the Town. Failure to be current in any taxes and or fees owed the Town will result in the disqualification of the local vendor's bid or proposal, unless the taxes are under appeal.

In the instance of two or more local bidders being within the 5% described above, the lowest responsible bidder will be given the first opportunity to match the low bid. In the case of two (2) or more bidders submitting identical bids and are equally qualified, the decision of the Town to make award to one or more of such bidders shall be final. The Town, after determining that each bidder would provide equal benefit to the Town, shall set a separate date for a public drawing to determine the bidder that will be awarded the contract. The bidders involved will be notified in writing when this drawing will take place and will be notified in writing of the chosen vendor.

For bids solicited by Public Works, falling under equivalent criteria, the 5% local bid preference will be used considering the overall total of the bid amount after accounting for any chosen additions or deductions. For bids involving unit prices, the qualified responsive local vendor must also submit updated individual unit prices showing updated unit prices allowing for the aggregate amount to be met.

4. *Notification.* In the event a local vendor as defined in Item 1. above meets the criteria for submitting a successful bid or proposal as delineated in section 6.3 above and provides the required documentation, a letter signed by the Purchasing Agent or designated Public Works representative will be mailed to the local vendor. The letter will notify the local vendor that they have met all of the criteria of this provision and will formally request that they respond in writing to the Town **within five (5) business days** that they are willing to match the lowest respondent's price. Once the local vendor has responded to this notification in the affirmative, and assuming all other conditions have been met and internal process to review bids satisfactorily completed, the award will be made to the local vendor. Public Works may extend these timelines with approval of the Town Manager as the complexity of the project may require.

5. *Exemptions.* Procurements made under the following are exempt from this requirement:

- State of Connecticut Contract
- Cooperative Purchasing Agreement
- Projects utilizing Federal or State Grants
- Other grants that have stipulations requiring award to actual low qualified bidder
- Professional Services

APPENDIX B

Comparison of Federal Uniform Guidance Procurement Standards to Town's Standard Procurement Policies

CFR Subsection	Full Text of CFR Section	Summary of CFR Section	Town Legal Reference	Town Regulations
200.318(a)	The non-Federal entity must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this section.	Town must follow its own purchasing policies	Charter Chapter IX, Section 9.10.1	The Town's procurement rules and regulations are established by the Council.
200.318(b)	Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.	Town must provide oversight of its contractors		The Purchasing Agent and Department Heads and Supervisors shall oversee contractors in the ordinary course of business.
200.318(c)(1)	The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.	Town must have written standards covering conflicts of interest	Town of Groton Purchasing Manual	The Town shall use the UGPS conflict of interest standards when applicable
		Town must have written standards governing the performance of its employees engaged in the selection, award, and administration of contracts.	Town of Groton Purchasing Manual	The Town shall use the UGPS standards when applicable, if they are more restrictive than the Town's standards.
200.318(c)(2)	If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.	The Town must not solicit nor accept gifts.	Town of Groton Purchasing Manual	The Town's policy meets the UGPS standards
		The standards of conduct must provide disciplinary actions for violations	Town of Groton Purchasing Manual	The Town's policy meets the UGPS standards
200.318(d)	The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.	The Town's conflict of interest policy must cover relationships with related parties	Town of Groton Purchasing Manual	The Town shall use the UGPS standards when applicable, if they are more restrictive than the Town's standards.
		The Town must avoid purchasing unnecessary items		The Town avoids purchasing unnecessary items, but it is not specifically addressed in the Purchasing Manual.
200.318(e)	To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.	The Town should consider bundling or unbundling procurements and analyze purchase alternatives to achieve the most economical outcome		The Town considers the bundling or unbundling of purchases, but it is not specifically addressed in the Purchasing Manual.
200.318(f)		The Town is encouraged to use cooperative purchasing agreements	Town of Groton Purchasing Manual	The Town may use cooperative purchasing agreements when deemed advantageous

200.3.18(f)	The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.	The Town is encouraged to use Federal surplus in lieu of purchasing new	The Town may obtain Federal surplus property from time-to-time, but it is not specifically addressed in the Purchasing Manual.
200.3.18(g)	The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.	The Town is encouraged to use value engineering	The Town shall include value engineering clauses in contracts for construction projects above the Simplified Acquisition Threshold.
200.3.18(h)	The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.	The Town must award contracts only to responsible contractors	The Town shall use the UGPS standards when applicable.
200.3.18(i)	The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.	The Town must maintain procurement records	The Town maintains such records for at least as long as the State of Connecticut Librarian prescribes
200.3.18(j)(1)	The non-Federal entity may use time and material type contracts only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and material type contract means a contract whose cost to a non-Federal entity is the sum of: (i) The actual cost of materials; and (ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.	The Town may use time and material type contracts in very limited circumstances	The Town shall use the UGPS standards when applicable.
200.3.18(j)(2)	Since this formula generates an open-ended contract price, a time-and materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.	The Town must set a ceiling price and provide a high degree of oversight on time and material type contracts	The Town shall use the UGPS standards when applicable.
200.3.18(k)	The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.	The Town is responsible for settling contract disputes with vendors	The Town shall address contract resolution language when drafting contracts with vendors.
200.3.19(a)	All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to: (1) Placing unreasonable requirements on firms in order for them to qualify to do business; (2) Requiring unnecessary experience and excessive bonding; (3) Noncompetitive pricing practices between firms or between affiliated companies; (4) Noncompetitive contracts to consultants that are on retainer contracts; (5) Organizational conflicts of interest; (6) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and (7) Any arbitrary action in the procurement process.	The Town must avoid all practices that would discourage open competition	These items are not specifically mentioned in the Purchasing Manual. However, in practice, the Town develops specs and bid requirements that encourage free and open competition. All requests for information are directed to and answered by the Purchasing Agent and these O&A are made available to all potential bidders. The Town shall use the UGPS standards when applicable.

200.319(b)	The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.	The Town is generally prohibited from using local vendor preference.		The Town does not have a local vendor preference rule.
200.319(c)	The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations: (1) incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and (2) identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.	The Town must have written procedures which ensure that solicitations have clear descriptions for the goods and services that are sought which do not inhibit competition.	Town of Groton Purchasing Manual	These items are not specifically mentioned in the Purchasing Manual. However, in practice, the Town develops specs and bid requirements that encourage free and open competition. All requests for information are directed to and answered by the Purchasing Agent and these Q&A are made available to all potential bidders. The Town shall use the UGPS standards when applicable.
200.319(d)	The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.	The Town must ensure that there are enough qualified vendors to ensure maximum open and free competition.		
200.320(a)	Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$3,000 (or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.	Purchases of \$3,000 or less (\$2,000 or less for construction) may be awarded without competitive quotes. Federal OMB raised the limit for micro-purchases to \$10,000 on June 20, 2018.	Town of Groton Purchasing Manual	The Town's standards are more restrictive than the UGPS.
200.320(b)	Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for acquiring services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.	The OMB increased the Simplified Acquisition Threshold to \$250,000 on June 20, 2018.	Town of Groton Purchasing Manual	The Town's standards are more restrictive than the UGPS.
200.320(c)	Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (c)(1) of this section apply.	In sealed bid procurements, the Town should award the contract to the lowest responsible bidder.	Town of Groton Purchasing Manual	Purchases over \$25,000 must be made by sealed bid or consortium-negotiated contracts.
200.320(c)(1)	In order for sealed bidding to be feasible, the following conditions should be present: (i) A complete, adequate, and realistic specification or purchase description is available; (ii) Two or more responsible bidders are willing and able to compete effectively for the business; and (iii) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.	The Town should use sealed bidding whenever complete specs are available, two or more responsible bidders are able to compete, and selection of a successful bidder can be made principally on the basis of price.	Town of Groton Purchasing Manual	The Town uses sealed bidding whenever appropriate.

200.320(c)(2)	<p>If sealed bids are used, the following requirements apply: (i) The invitation for bids will be publicly advertised and bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids; (ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond; (iii) All bids will be publicly opened at the time and place prescribed in the invitation for bids; (iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and (v) Any or all bids may be rejected if there is a sound documented reason</p>	<p>The Town must publicly advertise the ITB, solicit bids from adequate number of known suppliers, and give them sufficient time to respond. The ITB must adequately define the items being sought. The bids must be opened in public at a pre-determined time and place. Discounts, transportation costs, and life cycle costs must be considered in determining the lowest responsive and responsible bidder.</p>	<p>Town of Groton Purchasing Manual</p>	<p>These items are not all specifically mentioned in the Purchasing Manual. However, in practice, the Town develops specs and bid requirements that encourage fee and open competition. All requests for information are directed to and answered by the Purchasing Agent and these Q&A are made available to all potential bidders. The Town shall use the UGPS standards when applicable.</p>
200.320(d)	<p>Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply: (1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical; (2) Proposals must be solicited from an adequate number of qualified sources; (3) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients; (4) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and (5) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services through A/E firms are a potential source to perform the proposed effort.</p>	<p>The Town must use an RFP process when sealed bids are not appropriate. The Town must advertise the RFP, have a written method for evaluating proposals, and award contracts to the firm whose proposal is most advantageous to the program.</p>	<p>Town of Groton Purchasing Manual</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.320(e)	Reserved			
200.320(f)	<p>Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply: (1) The item is available only from a single source; (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or (4) After solicitation of a number of sources, competition is determined inadequate.</p>	<p>The Town may procure goods without competitive proposals only when the item is available only from a single source, in times of public emergency, the Federal awarding agency expressly authorizes noncompetitive proposals, or competition is determined inadequate.</p>	<p>Town of Groton Purchasing Manual</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.321(a)	<p>Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. (a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.</p>	<p>The Town must take steps to utilize small and minority businesses, women's business enterprises, and labor surplus area firms.</p>		<p>The Town shall use the UGPS standards when applicable.</p>
200.321(b)	<p>Affirmative steps must include: (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists; (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources; (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises; (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.</p>	<p>Describes the actions needed for small and minority businesses, women's business enterprises, and labor surplus area firms.</p>		<p>The Town shall use the UGPS standards when applicable.</p>

200.322	<p>A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.</p>	<p>The Town must follow standards in sourcing certain materials over \$10,000 to ensure a high level of recycled/recovered materials.</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.323(a)	<p>The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.</p>	<p>The Town must estimate the cost of a procurement in excess of the Simplified Acquisition Threshold</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.323(b)	<p>The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.</p>	<p>The Town must negotiate profit for sole-source procurements</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.323(c)	<p>Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E—Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.</p>	<p>Estimated costs are only allowable when they comply with Federal Cost Principles</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.323(d)	<p>The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.</p>	<p>The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.324(a)	<p>The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.</p>	<p>The Town must make technical specs for procurements available upon request by Federal awarding agency</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.324(b)	<p>The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when: (1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part; (2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation; (3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product; (4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or (5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.</p>	<p>The Town must make pre-procurement review and procurement documents available upon request by Federal awarding agency in a number of circumstances.</p>	<p>The Town shall use the UGPS standards when applicable.</p>

200.324(c)	<p>The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part. (1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis; (2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.</p>	<p>The Town may self-certify its procurement system to avoid some pre-procurement reviews.</p>		<p>The Town shall use the UGPS standards when applicable.</p>
200.325	<p>Bonding requirements. For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:</p>	<p>The awarding agency may accept the Town's bonding requirements if it determines that its interest is adequately protected. If the awarding agency does not accept the Town's bonding requirements, then (a), (b), and (c) would apply</p>	<p>Town of Groton Purchasing Manual</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.325(a)	<p>A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.</p>	<p>The Town must require a bid guarantee of 5% of bid price</p>	<p>Town of Groton Purchasing Manual</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.325(b)	<p>A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.</p>	<p>The Town must require a performance bond for 100% of the contract price</p>	<p>Town of Groton Purchasing Manual</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.325(c)	<p>A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.</p>	<p>The Town must require a payment bond for 100% of the contract price</p>	<p>Town of Groton Purchasing Manual</p>	<p>The Town shall use the UGPS standards when applicable.</p>
200.326	<p>Contract provisions. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200— Contract Provisions for non-Federal Entity Contracts Under Federal Awards.</p>	<p>The Town must include the Federal contract provisions in its contracts</p>	<p>Town of Groton Purchasing Manual</p>	<p>The Town shall use the UGPS standards when applicable.</p>