

## **Procurement Policy for Goods & Services through Purchases or Bids Town of Bethel**

### **Purpose**

The purpose of this policy is to obtain the highest quality goods and services for the Town of Bethel based on necessity and/or public good through purchases or the bidding process at the best possible price; to exercise financial control over the purchasing process; to clearly define authority for the purchasing function; to allow fair and equal opportunity among qualified suppliers; to provide for increased public confidence in the procedures followed in public purchasing.

### **Code of Conduct**

Town officers, department heads, or agents of the Town who are involved in the procurement of any good or service, or the selection of a bid who may have a real or apparent conflict of interest must disclose that conflict of interest to the Town Manager before a purchase, bid, selection, award, or administration of a contract takes place. Such conflict 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 above, has a financial or personal interest in the business, firm, and/or vendor selected for award.

Officers, department heads, or agents of the Town of Bethel will not solicit nor accept gratuities, favors, or anything of monetary value from businesses, contractors, potential contractors, or parties to sub-agreement.

### **Documentation**

Records documenting the procurement process for any minor or major purchases including the reason for the specific procurement method chosen, the basis for the award and contract pricing, as well as any other significant decisions that were part of the procurement process shall be maintained for a period of at least three (3) years from the date of submission to the Federal government of the final expenditure report if the purchase or project was funded with federal grants, or until the completion of any litigation, claim, negotiation, audit, or other action involving the records, whichever is longer. Otherwise, records shall be maintained by the Town in accordance with the retention and disposition schedules as set by the Vermont State Archivist.

### **Purchasing Agents**

The following employees are designated to act as Purchasing Agents for the Town of Bethel:

- Town Manager
- Financial Clerk
- Road Foreman
- Utility Director
- Fire Chief
- Town Clerk/Treasurer
- Any employee designated by one of the above to make incidental purchases

Purchasing Agents are responsible for ensuring that quality and the best possible price(s) are obtained with each purchase and shall review all proposed procurements to avoid unnecessary or duplicate purchases of equipment, supplies, and/or services.

Best purchasing practices, for any purchase over \$5,000, would involve attaining a minimum of two (2) quotes from qualified vendors to ensure that the Town has received a fair and reasonable price. The purchasing agent will make sure that purchases are supported by the budget. Any concern about qualifying funds, based on available budget line items, will be discussed with the Town Manager prior to purchase.

***Exception:** If in good faith an employee or Town Officer believes an emergency exists, or there is a potential threat that endangers persons or property, emergency expenditures may be made to the extent considered reasonable to minimize, avert, or eliminate the perceived emergency. The Town Manager will be provided with an explanation of the situation as soon as possible.*

Purchases or construction projects of any value that are funded with federal funds must follow any procurement guidance as outlined in the grant agreement. If federal funding is used for purchases over \$10,000 (\$2,000 in the case of construction projects subject to the Davis-Bacon Act) price and/or rate quotes must be obtained from two (2) or more qualified sources following the affirmative action provision of this policy (see Criteria for Bid Selection pg. 3) and all provisions regarding fair and unrestricted competition.

## **Procurement of Goods or Services Requiring a Proposal Process**

### **Sealed Bid Process**

The sealed bid process will be initiated by the issuance of a Request for Proposals prepared by the Town Manager or his/her designee. Notice of the Request for Proposals shall be posted on the Vermont Business Registry and Bid System and the Bethel Town Website.

### **Bid Specifications**

A list of bid specifications shall be prepared and available for inspection at the Town Office. Bid specifications may include, but are not limited to, the following:

- Bid name
- Bid submission deadline
- Date, location, and time of bid opening
- Specifications for the project or services including quantity, design, and performance features
- Bond and/or insurance requirements
- A copy of the proposed contract
- Any special requirements unique to the purchase or project
- Delivery or completion date

- For construction projects, performance and payment bonds in the amount of 100% of the contract price from the contractor awarded the proposal. This requirement may be waived if deemed unnecessary.
- Language that reserves the right of the Selectboard, at its sole discretion, to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest price, to call for new bids, to negotiate, and to make an award which in its sole and absolute judgment will best serve the Town's interests. The Selectboard reserves the right to investigate the financial condition of any bidder to determine his or her ability to assure service throughout the term of the contract.

Once a Request for Proposals has been issued, the bid specifications will be available for inspection at the Town Office.

### **Bid Submissions**

Bids will be submitted as per the instructions of the bid-electronically or sealed. Bids shall meet specifications; any exceptions must be noted. Bids will be made in good faith without fraud, collusion, or connection of any kind with any other bidder for the same work. Bidders will compete solely on his/her behalf without connection with, or obligation to, any undisclosed person or firm.

### **Criteria For Bid Selection**

In evaluating bids, the Town will consider the following criteria:

- Price
- Bidder's ability to perform within the specified time
- Bidder's experience and reputation, including past performance for the Town
- Quality of materials and services specified in the bid
- Bidder's ability to meet other terms and conditions including insurance and bond requirements
- Bidder's financial responsibility
- Bidder's availability to provide future service, maintenance and support
- Nature and size of business
- Contract provisions that are acceptable to the Town

*In addition to the above, if a contract is supported by federal funds, the additional criteria may apply:*

- For construction projects over \$2,000, a contractor's indication of acceptance of wages in the current wage determination as part of the Davis-Bacon Act
- Qualified small, minority, and/or women-owned businesses must be included in the solicitation list plus all other affirmative action requirements outlined in the grant provision must be followed
- The Town will not select a bidder who is listed on the Excluded Parties List System website

Any other factors that the Town Manager or Selectboard determine are relevant and appropriate in connection with a given project or service

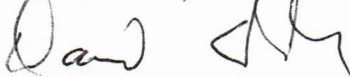
## Exceptions

The following exceptions may apply:

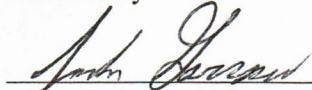
- Competitive Proposals: If time does not permit the use of sealed bids, or the award will be made based on nonprice-related factors, a competitive proposal process shall be initiated by the Town Manager or his/her designee. At least two (2) vendors will be contacted to ensure the Town has received a fair and reasonable price and all notification and record keeping requirements shall be followed. If architectural or engineering services are required this process should be used with the most qualified firm or individual, or at the discretion of the Town Manager. If competitive proposals are implemented, the above steps in the sealed bid process should be followed with the exception that bids need not be sealed and/or the price will not be the primary factor in the proposal selection.
- Sole Source Purchases: If the Selectboard determines there is only one possible source for a proposed purchase, or timing and/or pricing is a factor, they may waive the bid process and authorize the purchase from the sole source.
- Recurring Purchases: If the total value of a recurring purchase of a good or service is within a voter approved budget (ie. Highway dept.)
- Professional Services: The bid process shall not apply to the selection of providers for services that are characterized by a high degree of professional judgement and discretion including legal, financial, auditing, risk management, and insurance services.
- Emergency Purchases: see page two (2) *Exception*.

The foregoing policy is hereby adopted by the Selectboard of the Town of Bethel, Vermont, on this 9<sup>th</sup> day of February, 2026, and is effective as of this date until amended or repealed.


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Denise Guilmette, Board Chair



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David Eddy



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Jordan Garrow



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Ben Roberts

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Jed Scott

Revised February 2026