

## **POLICY ON THE PROCUREMENT OF GOODS AND SERVICES**

*Adopted 01/25/2022*

The purpose of these standards is to establish procedures for the procurement of goods and services by Mystic & Noank Library, Inc. (the “Library”).

### **General Standards**

- The Library must maintain a high level of ethical, managerial, and legal standards in the procurement of goods and services and the expenditure and use of Library funds.
  - The Library will take special care to comply with the unique and special rules that apply when contracting with federal, state, or local government entities.
- Goods and services should be acquired:
  - after careful consideration of needs, alternatives and availability of funds;
  - in an open, fair and consistent manner, without the appearance of or any actual conflict of interest;
  - from qualified vendors to achieve specific needs and based on service, quality and value; and
  - only after approval by requisite personnel and following Library procedure.

### **Definitions:**

- Quote Process: This is a less formal process of obtaining an estimated price for goods or services prior to acquiring such goods or services. This process can be used for purchases up to \$19,999.
- Bid/Proposal Process: This is a more formal process of obtaining an offer of a price for goods or services prior to acquiring such goods and services, whereby all bidders/proposers must submit documents detailing the full extent of the scope of work in writing along with any additional materials as required by an individual Request for Bids or Request for Proposals. The Bid/Proposal Process is required for all purchases of goods or services whose value is \$20,000 or greater.

### **Authority for Purchasing**

- For purchases following the Quote Process, the Executive Director may approve the purchase. If the Executive Director has an apparent or actual conflict of interest, the Board of Trustees must approve the purchase.
- For purchases following the Bid/Proposal Process, both the Executive Director and the Board of Trustees must approve the purchase. To obtain approval from the Board of Trustees, the purchase should be presented to the Board of Trustees as New Business.
- In case of emergency, or where crucial repairs or urgency demands immediate action, the Board of Trustees may waive the provisions of this policy in accordance with the Bylaws, Article 111, Section 10, Manner of Acting, by providing written approval of such action, which would be filed with the following regular meeting minutes.

### **Standard and Processes Applicable to All Purchasing**

- Once a need is identified, the Executive Director or Assistant Director must approve the anticipated purchase of goods and services prior to the commencement of the Quote Process or Bid/Proposal Process.
- The specifications, performance standards and scope of work should be outlined in writing and included in a Staff Report (if required); they should not be too narrowly defined so as to limit competition, nor be written to favor a particular brand or company.
- All purchases of goods and services must be done in an open and competitive manner to ensure that the prices the Library pays are fair and reasonable.
- If an acquisition of goods or services requires approval from the Board of Trustees, then a Staff Report shall be prepared by the Executive Director or his/her designee. The Staff Report should clearly identify and describe 1) the need of the Library, including the specifications, performance standards, and scope of work; 2) potential vendors or contractors to perform the work; and 3) the quotes, bids, or proposals received from each potential vendor or contractor. Copies of the quotes, bids, or proposals should be attached to the Staff Report. The Staff Report should include a recommendation from the Executive Director, his/her designee, or the ad hoc committee required by the Bid/Proposal Process, as appropriate, regarding which quote, bid, or proposal should be approved by the Board. The Staff Report should first be sent to the appropriate standing Board committee for review. After review by the appropriate committee, the Staff Report will be included in the packet for final approval by the full Board of Trustees.
- For all purchases by the Library, the Library will strictly adhere to its Conflict of Interest Policy.
- All contracts for goods and services must be submitted to the Executive Director for review. The Executive Director or Assistant Director may sign all contracts or purchase orders once reviewed and approved in accordance with this Policy.
- A copy of every contract and any relevant quote, bid, or proposal materials will be saved in the electronic contract repository for records retention.
- Contractors shall provide to the Library any relevant materials concerning warranties, additional follow-up services, marked up or detailed plans, sub-contractor contact information or other information that would assist in resolving future issues or in documenting the work performed.
- Contractors performing work or services within the Library's building or on the Library grounds shall provide a copy of a Certificate of Liability and Worker's Compensation as well as any licenses required by the state before work can commence. The Library should be named as an additional insured on the policy. In addition, for contractors providing ongoing services to the Library, this should be set up as renewable, ensuring the Library will receive an updated certificate upon insurance renewal. Copies of the certificate and any licenses will be retained in the Library contract files. (Policy adopted 2/21)

#### **Quote Process for Goods and Services Less Than \$20,000**

- Identify potential sources. The Library requires and encourages competition among vendors.
- In considering potential vendors, the Library encourages, but does not require in every instance, that vendors be given preference in the following order:

- vendors with an existing contract with the Library, especially vendors that have been through the Bid/Proposal Process;
- vendors with an office or facility located within the following zip codes, towns, and/or cities shall be given preference: 06355, 06340, 06349, 06372, 06378, 06379, 06388; Groton (town and city); and Stonington;
- vendors that are minority-owned and women-owned businesses; and
- other vendors – the employee should attempt to identify at least three vendors, unless otherwise specified by this Policy, the Executive Director, or the Board of Trustees.
- Receive quotes and select the best service, quality and value; the lowest price may not always be the best choice.
- For purchases of goods or services up to \$4,999, only one quote is required. For purchases of goods or services between \$5,000 and \$19,999, two quotes are required.
- For professional services, only one quote required up to \$9,999. For professional services, between \$10,000 and \$19,999, two quotes are required.
- Telephone quotes may be obtained if they are documented by the Library representative receiving the quote.
- All quotes must be sent by the contractor/vendor to the attention of the Executive Director or Assistant Director for review.

**Bid/Proposal Process for Competitive Bids (\$20,000 or more)**

- Prior to soliciting bids or proposals for goods and services valued at \$20,000 or more, the proponent of the purchase must submit to the Executive Director and the Board of Trustees the specifications, performance standards and scope of work needed. For complex projects or services, the Executive Director or Board of Trustees may engage a professional to evaluate and/or determine the specifications, performance standards and scope of work needed. An RFQ process may be used to determine most qualified. Once determined, all other requirements of this policy shall apply.
- Splitting a purchase into smaller dollar amounts, delaying or staggering purchases, and using multiple employees to purchase the same or related item to avoid the competitive bid process are violations of Library policy and are prohibited.
- For purposes of formulating a bid or proposal, each vendor will receive the same information, terms and conditions in a Request for Bid or Request for Proposal.
- For any goods or services sought to be acquired, at least three bidders should be solicited by the Library to provide bids.
- Potential vendors or contractors who do not wish to submit bids or proposals should indicate so in writing.
- For any purchase of goods or services valued at \$20,000 or more, every effort should be made to receive at least three bids or proposals.
- The Board of Trustees will create an ad hoc committee of at least three persons, consisting of the Executive Director or his/her designee, appropriate employees, and Trustees, to assess each response to a Request for Bid or Request for Proposal to determine which represents the best choice for the Library. The recommendation of the ad hoc committee must be included in the Staff Report.

- Due diligence will be performed on the prospective vendors. The extent of the due diligence will vary according to the nature of the relationship, the amount of the purchase, reputation, past dealings, referrals, and other relevant factors.
- In considering potential vendors, the Library encourages, but does not require in every instance, that vendors be given preference in the following order:
  - vendors with an existing contract with the Library, especially vendors that have been through a competitive bidding process;
  - vendors with an office or facility located within the following zip codes, towns, and/or cities: zip codes 06355, 06340, 06349, 06372, 06378, 06379, 06388; Groton (town and city) and Stonington; and
  - vendors that are minority-owned and women-owned businesses.
- Once a vendor or contractor is selected by the Board of Trustees under this Bid/Proposal Process, the Executive Director is authorized to negotiate the final terms of the procurement, with the assistance of the Executive Committee of the Board of Trustees.

#### **Review of and Compliance with the Policy**

- The Library strives to improve its practices to ensure the integrity and effectiveness of its processes.
- This Procurement Policy will be reviewed periodically.
- Noncompliance with this Procurement Policy must be reported to the Executive Director immediately.
- The Executive Director will monitor compliance with this Procurement Policy and report to the Board of Trustees as necessary.
- The Executive Director shall report any material violation of this policy to the Board of Trustees.