

# CONWAY TOWNSHIP

## PURCHASING, CONTRACTS AND BIDDING

*Amended 10-17-23*

*Supersedes the July 20, 2021 policy*

*Supersedes the April 17, 2018 policy*

### POLICY No. 1

Conway Township Board has adopted this administrative policy to formalize and clarify purchasing and bid procedures utilized by the Township staff. Adequate planning and cooperation by all involved will ensure the acquisition of the best products or services available in the most efficient, fair and economical manner possible with the quality of standards required to perform their function.

#### GENERAL PROVISIONS

1. Under the provisions of this policy, the Township Clerk is designated as the Purchasing Agent. In the Clerk's absence, the Township Supervisor, is authorized to Act as the Purchasing Agent.
2. The individual in need of materials, supplies, or services shall notify the Purchasing Agent who will review the request for overall propriety and upon approval proceed with the established purchasing procedure.
3. An individual whose request is denied may seek recourse from the Township Board for discussion and reconsideration.
4. A file of vendor catalogs will be maintained.
5. Materials, services, and supplies shall be purchased only when monies for their cost have been appropriated and included in the annual budget.
6. The Township Board should review proposed purchases with budget balances throughout the year. Periodic reports will be issued by the Township Clerk/Purchasing Agent. Inquires to the Clerk between reports are encouraged.
7. Purchase order will be issued at the discretion of the Clerk or by request of the vendor.
8. Responsibility for the inspection and acceptance of all materials, supplies and equipment shall rest with the Purchasing Agent.
9. The Township Federal ID number, used for tax exempt purchases, shall only be used for purchases paid for by a Township check or charge account in accordance with all applicable Federal and State laws.
10. Requirements for reimbursement for purchases paid by Township employees which have been paid with personal checks or charge cards, shall be submitted to the Clerk with receipts showing tax paid and should only be for minor budgeted items, and not for capital or equipment items.
11. The Clerk will issue a tax-exempt certificate to businesses as needed.

#### BID REQUIREMENTS

1. Board approval shall be required for budgeted purchases totaling over \$500 except for regular payments, and emergency purchases and/or services. The Purchasing Agent may request Board approval for any proposed purchase when deemed advisable and in the best interest of the Township.
2. All bids require the inclusion of valid Certificate of insurance and a completed W-9 form

3. A comparison of prices by phone or as written quotes is required whenever possible for items with an acquisition cost less than \$10,000.
4. The Purchasing Agent shall obtain up to three written quotations for purchases above \$10,000 per item which shall be attached to a Purchase Requisition form. Such quotations will be filed with the paid bill and retained per State record retention schedules.
5. Sealed competitive bids shall be required for purchases or contracts which the purchasing agent reasonably believes to be of \$20,000 or more.  
Whenever the solicitation of bids is authorized by the Township Board, the Board shall determine if the authority to award a bid shall be delegated to a named official, or if the Board reserves to itself the authority to award the bid.
6. Specifications for goods or services of \$10,000 or more per item or contracts of \$20,000 shall be prepared by the Purchasing Agent. The request for bids shall be approved by the Township Board. The request for bids shall require interested bidders to provide the following information as appropriate:
  - A. Description of service or goods desired;
  - B. Desired delivery date or commencement date;
  - C. Desired termination date;
  - D. Bidder's qualifications;
  - E. Warranties;
  - F. References;
  - G. Performance bonds;
  - H. Acquisition cost, fees, or other Township financial obligations.

The request for bids shall also indicate the following information:

- A. Deadline to submit the bids;
  - B. Date, time and place that bids will be publicly opened;
  - C. Address to which bids are to be submitted;
  - D. Bids shall be marked on the outside as a "Sealed bid for \_\_\_\_\_"
  - E. All requests shall include a statement that the Conway Township Board reserves the right to accept or reject any or all bids, to waive informalities or errors in the bidding process, and to accept any bid deemed to be in the best interest of the Township, including bids that are not for the lowest amount.
  - F. After tabulation, all bids may be inspected by the competing bidders.
  - G. All bidders shall be notified of the contract award in a timely manner.
7. The requirements for sealed bids shall not apply to any of the following:
    - A. Transactions between governmental units.
    - B. Professional services, including but not limited to, legal, architectural, engineering, financial advisory, auditing, or accounting services.
    - C. Specialized goods or services available from only one source.
    - D. Health, liability, and pension insurance.
    - E. Other contractual obligations.
    - F. Services for emergency repairs.
    - G. Services for the installation, implementation, and/or administration of computer hardware and/or computer applications.
    - H. Goods and services that the Township Board may specifically exempt from time to time.
  8. Publication or communication of proper notice of the need for bids shall be arranged for in the manner which will bring the information to the attention of the greatest number of appropriate professionals, contractors, or vendors. The Purchasing Agent may solicit

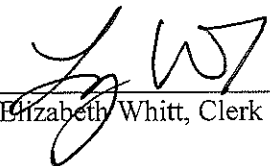
bids from outside the general Conway Township area.

9. Bids will be date stamped and initialed when received in the office.
10. Sealed bids will be opened at a time and place designated in the bid request.
11. Board approval, unless delegated by the Board, is necessary in awarding the purchase. The approved bidder need not be the lowest bidder. The Township Board may consider such additional factors including, but not limited to, workmanship and reliability of the bidder in arriving at their selection.
12. In the event that only one or two sealed bids are received, the Board reserves the right not to open those bids at the designated meeting, and to extend the bidding period to allow for additional bids to be sought. Proper notice of the extension in the bidding time shall be communicated in the appropriate manner.
13. The Township Board has the authority to require a prospective bidder to tender a proposal guarantee, surety bond or letter of credit for the full amount of any prospective award when deemed necessary.
14. Proof of Workers' Compensation and liability insurance is required for all appropriate projects. If the contractor is a sole proprietor, with Board approval, the Purchasing Agent will provide the necessary paperwork for waiving a Certificate of Insurance.

#### **EMERGENCY PURCHASES**

1. Emergency purchases can be authorized only when life, property, or equipment are endangered through unexpected circumstances, or when normal operation would be severely hampered by a long delay. Normal purchasing procedures need not be followed in these emergency situations.
2. In the case of an emergency, the Township Supervisor, Clerk or Supervisor can authorize the immediate purchase of any materials, supplies or services necessary to end the emergency situation.
3. A purchase requisition with a notation that such goods or services were purchased as an emergency action can be issued after the purchase.

I, hereby certify that this Administrative Policy was approved at a regular meeting of the Conway Township Board on October 17, 2023.

  
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Elizabeth Whitt, Clerk