



# PURCHASING MANUAL

Effective: 03 April 2018

To ensure compliance with Chapter 2 Article 6 of the Code of the Town of North East, this manual has been prepared to provide employees and agents of the Town of North East with detailed procedures to be followed when procuring goods and services for Town use. This manual is intended to be self-explanatory, but in the event clarification is needed please contact the Director of Finance and Administration at 410-287-5801 x 104.

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## SECTION 1 – INTRODUCTION AND BASIC POLICY

- 1.1 The purpose of this manual is to provide detailed information on the process of purchasing goods and services for Town departments and agencies. These procedures are based on the objective of procuring necessary supplies, equipment, and services in adequate quantities, of satisfactory quality, and on schedule from reliable suppliers at the best price in compliance with the Code of Ordinances of the Town of North East, Chapter 2, Article 6. In the event of conflict between this manual and Town, County, State, or Federal legislation, the more restrictive legislation will prevail.
- 1.2 This manual is intended to provide sufficient procedural detail to enable Town departments, agencies, and the vendor community to:
  - Be fully aware of and comply with the Town’s purchasing policy
  - Effectively participate in the Town’s purchasing process.
- 1.3 The Town of North East’s Purchasing Policies shall be conducted in accordance with the following:
  - On the basis of full and open competition to the greatest degree practical with award being made to the vendor with the product or service that best meets the needs of the Town at the lowest possible price available.
  - In accordance with the best interests of the Town and with the highest level of integrity and fairness to all involved parties.
  - In full compliance with all federal, state, and local statutes and regulations regarding ethical standards.
- 1.4 It is the goal of the Town Government to reinvest in the local economy. The Mayor and Commissioners recognize that the expenditure of Town tax revenue within the local community has the effect of “recycling” money locally, creating sustained tax revenue within the community and jobs for local residents. For those reasons it is in the best interests of the Town of North East to buy local, so the Mayor and Commissioners encourages the use of local businesses and vendors when purchasing goods and services for the Town.

## SECTION 2 – PURCHASING AUTHORITY

- 2.1 The Purchasing Code applies to all departments and agents under the budgetary authority of the Mayor and Commissioners.
- 2.2 Pursuant to section 2-608 of the Code of Ordinances of the Town of North East, the Mayor and Commissioners have delegated to the Town Administrator, and Department Heads authority to make purchases of \$1,000 or less in accordance with Section 9.2 of this manual.
- 2.3 The Department of Finance and Administration is the only department authorized to process a proposal (bid/RFP) package. All contracts or agreements (including such things as service contracts) solicited by any department will be processed through the Department of Finance and Administration for approval by the Town Administrator.

## SECTION 3 – PROCUREMENT FOR PERSONAL USE PROHIBITED

- 3.1 Anyone involved in the procurement process is required to act in the best interest of the Town. Unnecessary purchases or purchases for personal use are strictly forbidden, even if the employee intends to reimburse the Town. It should be noted that using the Town's purchasing resources for personal use takes time and resources from Town business and may violate certain contracts with Town vendors. Employees who fail to follow this policy are subject to a variety of disciplinary actions as set forth in the Town's Personnel Policies and Procedures Manual. Additionally employees may be held financially or criminally responsible.

## SECTION 4 – BUDGETARY AUTHORITY

- 4.1 The Town of North East's budget is a legal document which appropriates funds to various operations throughout the Town. Department Heads are responsible to ensure that sufficient funds are available prior to making any purchases.
- 4.2 The legal level of control is the Department level pursuant to 2-605(1).
- 4.3 To assist with compliance to budgetary regulations, the Town uses an automated purchase approval process which rejects any purchase requisitions that exceed the available budget. All expenditures of Town funds must be charged to the correct budgetary line item. Purchases may not be intentionally miscoded due to a lack of funding in the appropriate line.
- 4.4 Department Heads who need to transfer budgetary allocations between line items in their department must complete a budget adjustment form and submit it to the Director of Finance and Administration.
- 4.5 If budgetary allocations need to be transferred between departments, the affected Department Heads must complete a budget adjustment form and submit it to the Director of Finance and Administration for approval of the Mayor and Commissioners.
- 4.6 Expenditures and their corresponding budget appropriation must be recorded in the correct fiscal year. As expenditures will be charged to the fiscal year in which the goods were received or the services performed, it is important that orders are placed with sufficient time to allow receipt of the item or service prior to June 30 of any given fiscal year. Unless otherwise provided by law, all unexpended and unencumbered appropriations in the current expense budget remaining at the end of the fiscal year shall lapse.
- 4.7 For capital projects that span multiple years, the Director of Finance and Administration shall prepare a budget amendment for the Mayor and Commissioners approval which reduces the expenditure budget in one year to the actual expenditures and increase the budget in the following year to account for the remaining project costs. However a department's failure to start a project or make a capital purchase before June 30 does not obligate the Mayor and Commissioners to allocate funding in the subsequent year.

## SECTION 5 – VENDOR REQUIREMENTS

- 5.1 All vendors (including out-of-state, foreign vendors) doing business with the Town of North East must be registered and in good standing with the State Department of Assessments and Taxation of Maryland (SDAT). A vendor is in good standing if it is current with the payment of its filing fees and personal property tax return. Prior to approving any purchase order the Department of Finance and Administration will check SDAT's website to confirm the vendor is in good standing.

- 5.2 If a foreign vendor wishes to do business with the Town of North East and they are not required to be registered or in good standing with SDAT, the vendor must fill out an “Agreement of Jurisdiction” form and forward it to the Department of Finance and Administration and if the vendor meets all other vendor requirements, they will be authorized to do business with the Town.
- 5.3 The Department of Finance and Administration will check the appropriate debarment list prior to issuing any purchase order. <http://bpw.maryland.gov/Pages/debarments.aspx> and [www.sam.gov](http://www.sam.gov).
- 5.4 If required under Maryland law, vendors must be properly licensed. Types of licensing required may include, but are not limited to, Trader’s License, various trade licenses, and various professional licenses. Prior to issuing a purchase order, the purchasing department will check [www.dllr.state.md.us/pq](http://www.dllr.state.md.us/pq) to confirm the vendor meets licensing requirements.
- 5.5 All vendors must submit a signed IRS Form W-9 to the Department of Finance and Administration prior to a purchase order being issued.

## SECTION 6 – PROCUREMENT CYCLE

- 6.1 The Procurement Cycle is the process which shall be used in part to obtain goods and services. The steps are as follows:
  - Identifying the need for a contract
  - Budgeting
  - Specification development
  - Determining method of Procurement
  - Solicitation
  - Evaluation
  - Requisition
  - Award of Purchase Order or Contract
  - Contract Administration
  - Completion of Life Cycle of goods.
- 6.2 The Town’s Purchasing Code, Purchasing Manual and Appendices will provide the information for all Town departments to follow during the purchasing activity. The Department of Finance and Administration shall assist in all facets of the process to ensure departments obtain goods and services from the most responsible and qualified sources.

## SECTION 7 – REQUISITIONS

- 7.1 All purchases for goods or services shall be initiated with the completion of an electronic version of a Purchase Requisition. The requisition is an internal document providing the required information to acknowledge and approve the acquisition of the goods or services. Once the requisition is finalized the Department of Finance and Administration shall process a Purchase Order authorizing the purchase. No acquisition of any goods or services is authorized without a Purchase Order unless approved exceptions are established.
- 7.2 Pursuant to section 2.2 of this document, Department Heads and the Town Administrator are authorized to make purchases up to \$1,000 in accordance with Section 9.2 of this manual. Those purchases are to be entered as requisitions in order for the Department of Finance and Administration to process a payment to the vendor.
- 7.3 For purchase of supplies, equipment, or contractual services expected to cost more than \$1,000 and less than \$25,000, a department should obtain quotes and complete a purchase requisition. The requesting department must provide all pertinent information to the Department of Finance and

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Administration including known vendor or vendors, quantity, specifications, and delivery requirements. The Town Administrator (or his designees) is authorized to approve requisitions less than \$25,000 that are awarded to the lowest responsive/responsible bidder. Employees are reminded that no orders may be placed until a Purchase Order has been issued.

### SECTION 8 – SPECIFICATIONS

- 8.1 Specification refers to that portion of a requisition or solicitation that describes the physical or functional characteristics or the nature of a good, service, or construction item required. It should include a description of any requirement for inspecting, testing, or preparing a good, service, or construction item for delivery along with requirements for samples, prototypes, warranty and packaging.
- 8.2 The item specification may be referred to also as a purchase description, purchase specification, purchase requirement, commercial item description, scope of work, or statement of work.
- 8.3 Specifications for requisitions shall be brief and concise and refer to existing documents such as quotes, bids, contracts, etc. Specifications developed for solicitations such as formal quotes or bids shall be concise and as detailed as required to meet the requirements of the need and normally would be developed or approved by an engineer or similar authority. When goods or services are required, but the specifications are not readily available than a Request for Proposal is usually generated using an abbreviated Statement or Scope of Work identifying the need and allowing the vendor or contractor to develop the specifications according to their understanding of your need.
- 8.4 Purchases made using specifications referring to brand names or specific model shall include "...or Town Approved Equivalent" to allow for greater competition for the purchase of specifically identified equipment or supplies.

### SECTION 9 – METHODS OF PROCUREMENT

- 9.1 Goods and services purchased for the Town must be obtained in the most cost effective, efficient and practical manner. **All other things being equal, the Town will purchase goods and services at the lowest price available.** Requirements for a competitive bid are determined based on the cost of the purchase as indicated below. The appropriate department head will be responsible for ensuring purchases made under this section adhere to the Town's Code of Ordinances and this manual.
- 9.2 Non repetitive purchases of goods or services costing \$1,000 or less may be made in the open market without public notice or use of a purchase order. Orders shall not be split in order to stay below the \$1,000 limit. Repetitive orders of like products or services **must** be procured through the use of a blanket purchase order as described in Section 15.
- 9.3 **Purchase Orders are required for any order greater than \$1,000 regardless of anticipated payment method.** Employees must follow the formal requisition process. As part of that process the availability of funding must be certified by the Director of Finance and Administration and final approval is dependent on the Town Administrator or designee.
- 9.4 A competitive process is required for Town purchases in excess of \$1,000. The competitive bid process must be documented unless it qualifies to be exempt under Section 12.

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- 9.4.1 Either verbal or written quotes from three (3) vendors are required when the estimated costs of goods or services exceeds \$1,000 but is less than \$10,000. If the quote is verbal, the name, telephone number, and email address of the vendor, contact person, and other pertinent information must be noted on the requisition. The date of the quote and duration of its validity must also be noted. Written quotes must be scanned into the electronic requisition.
- 9.4.2 Purchases between \$10,000 and \$25,000 must have three (3) written quotations (email satisfies this requirement) and must contain the name, telephone number, and email address of the vendor contact person. A contact person **MUST** be included in the quote. All written quotes must be scanned into the electronic requisition.
- 9.4.3 Prices for goods or services costing greater than \$25,000 shall be obtained by a formal competitive process after advertising in a newspaper of general circulation qualified to accept legal advertisements a minimum of three times over a twenty (20) day period. Bid surety may be required. See section 14 for more information.
- 9.4.4 Solicitations for specialized/customized services or equipment may be issued on a “Request of Proposal” (RFP) as an alternative to a competitive sealed bid. The RFP allows prospective vendors to issue suggestions and recommendations (within specifications set by the Town) to meet the Town’s objective. Additionally, the RFP process allows for discussions or negotiations to be conducted with responsible offerors who submit proposals in the competitive range. RFPs should be advertised in appropriate media and may be sent directly to various known vendors. All responses to an RFP shall be submitted in two separate packages; a technical response and a price submittal. Award is based on consideration of the technical qualifications as well as price.
- 9.5 For goods or services greater than \$25,000 or as specified by state or federal requirements a competitive sealed bid or request for proposal process is required unless exempt under Section 12.
  - 9.5.1 The requesting department will consult with the Director of Finance and Administration to discuss specifications and requirements of the purchase. The requesting department may provide a list of suggested vendors but solicitations may not be limited to that list.
  - 9.5.2 A draft proposal (bid or RFP) will be completed by the Director of Finance and Administration and reviewed by the requesting department to ensure all specifications are adequate and correct. Depending on the type of purchase, responders may be required to supply both a technical response and a pricing proposal.
  - 9.5.3 Once the department has approved the draft proposal, it will be forwarded to the Town Administrator. Upon authorization of the Mayor or designee, the Director of Finance and Administration will assemble the bid package and advertise an invitation to bid in the appropriate media and on the Town’s website. If the purchase will be funded by grant or other outside funds, the Director will ensure that all special advertising requirements are met. Duration of advertising will be determined by the type of goods or services requested, but generally will not be less than twenty (20) days.
- 9.6 Responses to bids shall be received by the Department of Finance and Administration and date/time stamped and kept sealed and secured until the bid opening.
- 9.7 At a scheduled date, time, and location, a formal bid opening will occur. The bid opening is open to members of the public. At the bid opening, the name of the vendors submitting proposals and the bid price will be disclosed, unless an RFP process was utilized, or only one bid was submitted. In such situations only the names of the vendor will be disclosed.

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- 9.7.1 Once the bids have been opened, they will be forwarded to the requesting department for review and consideration. Following the review process, the department head will make a recommendation for award to the Director of Finance and Administration. In the event there are multiple acceptable responses, the department must prioritize the recommendations. If none of the responses are deemed acceptable, the department head may make a recommendation for no award.
- 9.7.2 If an RFP process was used, the department head will evaluate and score the technical proposal only. The Director of Finance and Administration will open the cost proposal after receiving the technical scores and cost scores will be added to the technical scores determine the “lowest responsive/responsible bidder” to be recommended for award.
- 9.7.3 The department head will complete a requisition for the purchase to the lowest responsive/responsible bidder.
- 9.7.4 The Director of Finance and Administration will forward the recommendation and supporting documentation to the Town Administrator.
- 9.7.5 Upon approval of the Mayor and Commissioners, the requisition shall be turned into a purchase order and issued to the department head and mailed to the vendor.
- 9.7.6 The Director of Finance and Administration will notify bidders in writing of the results of the bid.
- 9.7.7 The Town Administrator will be responsible along with the department head for coordinating the execution of the contract, ensuring all required documentation is in order, fulfilling the bonding requirements, and issuing a notice to proceed.
- 9.8 In the case of an emergency situation defined in the Town’s Code of Ordinances as, “The development of a dangerous condition caused by a breakdown in machinery or a threatened termination of essential services; or any unforeseen circumstances causing curtailment or diminution of an essential service or which presents an imminent threat to public safety, welfare, or the environment,” an emergency purchase order may be issued by the Department of Finance and Administration.
  - 9.8.1 At no time may an employee place an order unless a purchase order number and permission is first obtained, unless the emergency occurs after normal office hours.
  - 9.8.2 The following procedures should be used to initiate an Emergency Purchase Order:
    - 9.8.2.1 A purchase requisition is completed by the requesting department. Once the requisition is completed and approved by the department head the department initiating the requisition must call each approver of the requisition, in turn, to notify them that there is an emergency requisition awaiting their approval. In the event the approver is unavailable, contact the next person on the approval chain to expedite the process. Once the requisition is processed and converted to a Purchase Order, a signed copy is sent to the vendor.
    - 9.8.2.2 If time allows, competitive quotes should be obtained before placing the order.
    - 9.8.2.3 If the emergency occurs after normal business hours, the department must operate in accordance with these guidelines to act in the best interest of the Town when placing the order. Additionally the department will be required to complete a requisition within the Town’s MCSJ software which includes the justification for the emergency within the notes section of the requisition. The requisition shall be entered no later than 4:30 pm of the first



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business day following the emergency. Failure to follow these guidelines is a violation of the Code of Ordinance of the Town of North East as well as the Personnel Policies and Procedures Manual and may subject the employee to discipline under that document.

- 9.8.2.4 **Failure to plan is not an emergency and may result in disciplinary action.**
- 9.8.2.5 The Department of Finance and Administration shall document all Emergency Purchases in a monthly report to the Mayor and Commissioners. The report will include the following information: PO number, department, date, reason for the emergency order.
- 9.8.3 The Director of Finance and Administration shall notify the Town Administrator as well as the Mayor immediately of intentional or repeated violations of this section.
- 9.8.4 Sole Source Procurement is addressed in 2-608(8)(ii) of the Code of Ordinances and can only be approved by the Mayor and Commissioners. All Sole Source Requests shall be made in writing to the Department of Finance and Administration for review and processed for authorization.

### SECTION 10 – EXPEDITED PROCUREMENT

- 10.1 When deemed in the best interest of the Town, a department may request expedited purchase in accordance with 2-608(8)(xi) of the Code of Ordinances. The request shall identify the reason for expedited purchase and be signed by the department head.
- 10.2 The Mayor and Commissioners may authorize hastening the purchase of goods or services greater than \$25,000 by waiving the advertising requirement and directly soliciting formal quotes from prospective vendors.
- 10.3 Once approved, the department shall contact potential vendors and obtain written quotes for the goods or service. If time permits, the Department of Finance and Administration may prepare an abbreviated bid package to send to vendors in order to obtain quotes. The vendors and quotes shall be reviewed by the requesting department to ensure it meets the department's requirements.
- 10.4 The department will enter a requisition for the recommended vendor and state in the notes the purchase is being made under expedited procurement. The Department of Finance and Administration will forward the recommendation to the Town Administrator.
- 10.4.1 Once approved by the Mayor and Commissioners a purchase order will be issued by the Department of Finance and Administration. The Town Administrator will be responsible along with the department head for coordinating the execution of the contract, ensuring all required documentation is in order, fulfilling the bonding requirements, and issuing a notice to proceed.

### SECTION 11 – COOPERATIVE PURCHASING

- 11.1 Cooperative Purchasing is competitive procurement conducted by, or on behalf of one or more Public Procurement Agencies. This type of purchasing agreement or contract shall be conducted and awarded through full and open competition. The use or ability to jointly contract using Cooperative Purchasing or Intergovernmental Cooperative Purchasing agreements shall be requested in writing through the Department of Finance and Administration for approval by the Town Administrator or designee.

## SECTION 12 – EXCEPTIONS FROM ADVERTISING/COMPETITIVE BIDDING

- 12.1 Certain unique or specialized items or services may be excluded from the procedures listed in Section 2-608 of the Code of Ordinances, however, employees are reminded that sufficient funding is required at all times and purchase orders are still required. In any case, quotes or requests for proposals are encouraged if there is an opportunity for savings. The following may be excluded from the competitive bid process. However, a purchase order is still required if the amount exceeds \$1,000.
- 12.1.1 Lease, rental or purchase of real property.
- 12.1.2 Purchase of specialized products or parts provided in a noncompetitive market or solely through the manufacturer or authorized dealer. Requisitions that indicate a “sole source” vendor will be verified by the Department of Finance and Administration.
- 12.1.3 Purchases made through a state, county, municipal or federal purchase contract. Such contracts will be verified by the Department of Finance and Administration.
- 12.1.4 Contracts with public utility service companies and utility bills.
- 12.1.5 Professional and Technical Services which include the services of attorneys, physicians, architects, engineers, accountants or other individuals or organizations providing services which require specialized knowledge and intellectual skills in the performance of the services. Services such as painting, mowing, etc. which do not require extensive training or education are not included in this section and a competitive process must be used to obtain those services.
- 12.1.6 An emergency situation which is defined as “the development of a dangerous condition caused by a breakdown in machinery or threatened termination of essential services; or any unforeseen circumstance causing curtailment or diminution of an essential service or which presents an imminent threat to public safety, welfare, or environment”. Special procedures apply to the purchase order process in an emergency. See Section 9.8 for more information.
- 12.1.7 An expedited procurement process may be authorized by the Mayor and Commissioners when it is determined that such a process is in the best interest of the Town. See Section 10 for more information.

## SECTION 13 – INSURANCE REQUIREMENTS FOR VENDORS

- 13.1 All vendors or contractors who perform any type of work or service on Town of North East property or in areas where the Town is responsible or liable must maintain such insurance coverages as determined by the Town to protect the Town’s interests. The following coverage and amount are generally required, but the Town reserves the right to modify these requirements at its discretion or reject any insurance policies which do not meet these criteria.
- General Liability Insurance not less than \$1,000,000 with respect to personal injury or death and at least \$500,000 for property damage. Coverage shall not contain any endorsements excluding or limiting products/completed operations, contractual liability or cross liability. The Town must be named insured and a certificate of insurance must be provided.
  - Workman’s Compensation Insurance at minimum Maryland Statutory Limits.

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- Business Auto (includes trucks) Liability insurance not less than \$1,000,000 per occurrence for all leased, owned, non-owned and hired vehicle when vehicles are utilized to perform the work or services required by the Town.

No purchase order will be released until valid certificates of insurance evidencing all required insurance coverage and documentation is provided to the Department of Finance and Administration.

- 13.2 Professional liability insurance is generally applicable and required for each contract involving professional or technical services as defined by the Code of Ordinances. This includes but is not limited to services provided by accountants, architects, actuaries, engineers, lawyers, and physicians.
- 13.3 Questions or requested exceptions to the insurance requirements shall be submitted in writing to the Director of Finance and Administration for review and consultation with the Town's insurance provider(s) after which a final determination will be made by the Town Administrator.

## SECTION 14 – VENDOR BONDING REQUIREMENTS

- 14.1 A Bid Bond to guarantee compliance with terms of bid up to the point of contract is **required** for all construction projects that are bid and may be required in other situations as determined by the Town Administrator. The bid bond shall be 5% of the bid price (or as designated within the proposal package) and shall be released upon signature of the contract.
- 14.2 A Performance Bond to ensure satisfactory completion of contract is **required** for all contracts over \$100,000 and may be required in other situations as determined by the Town Administrator. The Performance Bond shall be 100% of the contract price.
- 14.2.1 Unless otherwise specified in the contract, the Performance Bond is released one (1) year after satisfactory completion of the project. All work must be approved by the Town prior to the release of the Performance Bond.
- 14.3 A Payment Bond to ensure payment of contractor's employees or subcontractors is **required** for all contracts over \$100,000 and may be required in other situations as determined by the Town Administrator.
- 14.4 Bonds shall be in a form approved by the Town Administrator including a certified check paid to Town of North East and refunded upon contract signature; a bank letter of credit; or surety bond.

## SECTION 15 – PURCHASE ORDERS

- 15.1 **Blanket Purchase Orders** should be used for contacts of goods or services that will require multiple shipments or payments.
- 15.2 **Confirming Purchase Orders.** It is recognized that situations may arise in which; proper authorization is not received prior to making a purchase (no purchase order; should only be in emergency situations) or the cost exceeds the amount of the purchase order. In such situations a requisitions should be entered and a confirming purchase order may be issued.
- 15.2.1 Confirming Purchase Order will be reviewed by the Department of Finance and Administration on a case by case basis.
- 15.2.2 If it is determined the confirming purchase order was unavoidable due to conditions outside the control of the department, the purchase order will be issued and no further action taken.
- 15.2.3 If it is determined the purchase is a violation of the intent of this manual a recommendation for disciplinary action will be forwarded to the Town Administrator and the Mayor.

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- 15.2.4 All confirming purchase orders will be documented by the Department of Finance and Administration and reported to the Mayor and Commissioners. The report shall include the following information: PO number, date, department, and reason.
- 15.3 If it is necessary to cancel a purchase order, the department shall notify the Department of Finance and Administration immediately. If the PO has not been issued to the vendor the PO will be voided in the system. If the PO has already been sent to the vendor, the Department of Finance and Administration shall notify the vendor in writing (email shall satisfy this requirement) of the Town's request to void the PO. It is important to note that once a PO is issued to a vendor it becomes a binding contract with the vendor. If the vendor is willing, and provides a written statement to that effect the Department of Finance and Administration will void the PO in the system.

### SECTION 16 – CONTRACTS

- 16.1 All contracts, change orders, task orders, etc., regardless of value, awarded by the Town will be reviewed by the Town Administrator and the concerned Department Head at least annually. All new contracts must be processed through the Town Administrator for signature by the Mayor or designee.

### SECTION 17 – CONTRACT ADMINISTRATION

- 17.1 Once all contract documents have been signed by all parties and sealed or notarized as required, copies are distributed to contract or vendor, owning department and the Department of Finance and Administration. Once everyone has their copies, the owning department head becomes the contract administrator for the project. They shall monitor all aspects of the project until completion and acceptance of the project and invoices are paid along with the Town Administrator. This would also include after project completion activities such as warranty or bonding issues.

### SECTION 18 – DISPOSAL OF TOWN ASSETS

- 18.1 Disposal of all Town owned property must be coordinated through the Department of Finance and Administration for determination of type of disposal.
  - 18.1.1 Method of disposal will be determined by the item to be disposed and the reason for disposal. Items that are beyond economical repair or of no value will be sent to the landfill. Other items may be sold at auction or put out to bid. The Town Administrator will make the final determination at the time of disposal.
- 18.2 Items identified for disposal will not be privately sold, given away or donated to outside agencies.
- 18.3 Items purchased with funding from grants or other outside funding sources shall be disposed of in accordance with the terms of the grant or conditions of the funding source. Failure to do so may result in forfeiture of the funds.

### SECTION 19 – ETHICS

- 19.1 Town employees shall minimally apply the standards of ethics as addressed in the Ethics chapter of the code of ordinances. However, whenever practical, employees must avoid even the appearance of impropriety or conflicts of interest.

## SECTION 20 – LOCAL PREFERENCE

- 20.1 The Mayor and Commissioners may show preference to local bidders in the purchase of goods or services in excess of \$10,000 unless such preference is prohibited under the terms of a grant or loan. Local bidder preference, if considered at all, will be considered on a case by case basis.
- 20.1.1 A local bidder is defined as an individual or business entity that maintains a place of business or an inventory of merchandise and/or equipment in Cecil County, is licensed by Cecil County and/or the State of Maryland, if required, and is subject to Cecil County real and/or personal property taxes. Any local bidder in default on payment of any county or state taxes or license shall not be eligible to receive preference until all outstanding taxes, fees, or other debts have been paid.
- 20.1.2 Notice of preference availability shall be included in the invitation to bid and in all advertisements.
- 20.1.3 The amount shall not exceed six percent (6%) of the amount bid or quoted and/or sixty thousand dollars (\$60,000) whichever is less.
- Example of application of the local preference:  
Amount of bid is \$100,000 by an **out of county business** and is the lowest bid.  
The lowest bid by a local bidder is \$102,000.  
Multiply the local bid by .94 ( $\$102,000 \times 0.94 = \$95,880$ ).  
The adjusted bid of \$95,880 is now compared to the out of county bid of \$100,000.  
The bid by the local business, \$102,000 is now considered the lowest bid.
- 20.1.4 Bidders applying for local preference must include in their bids the specific and several circumstances that may qualify them for local preference consideration. A bidder wishing to receive local preference consideration must be able to demonstrate qualification under ALL the noted requirements of both the RFP/invitation to bid and for the local preference. Documentation to support the claim of “Local Bidder” must accompany the bid and the Town reserves the right to investigate the vendor’s qualifications.
- 20.1.5 Local preference, if considered, shall only be used for scoring the price portion of a proposal or bid. The rest of the vendor’s proposal shall be scored according to the terms of the RFP/invitation to bid.

## SECTION 21 – PURCHASING CARDS

[RESERVED, AT THIS POINT IN TIME THE TOWN DOES NOT HAVE A PURCHASING CARD PROGRAM]

## APPENDIX I – HOW TO ENTER A REQUISITION

### Purpose of Requisitions

The MCSJ Requisition program has two main objectives:

1. Gather the required information to be used in the creation of a Purchase Order. A purchase order is a binding legal authorization to buy goods or services.
2. Reduce the available budget by the amount of the requisition. This provides for real time available budget tracking as follows:
  - Approved Budget
    - Actual expenditures (checks issued, manual journal entries)
    - Approved Purchase Orders
    - Requested expenditures (requisitions)
  - Available Budget

To enter a requisition, users must have a MCSJ log-in.

Remote users in the water, maintenance, and police departments must start their VPN as directed by the Town's IT contractor.



Click on the MCSJ icon on your desktop and log-in.

Navigate to Requisition Maintenance by following Finance>A/P>Purchase Requisition>Requisition Maintenance.

Click Add to enter a new requisition.

**Requisition Maintenance**

Buttons: Add, Edit, Close, Delete, Previous, Next, Print, Line Item

Requisition No: R8- P.O. Type: P.O. No: Contract Id: Comments Exist

Page 1 Page 2

Status: Open Status

Reason: Vendor: Name: Address: Supply Contract:

Req Date: Due Date: St. Contract No: F.O.B.: Entered By: Ship To:

Release No: 0 1st Aprv By: 2nd Aprv By: 3rd Aprv By: 4th Aprv By: Stat Chg By:

Line Items: Total: Duplicate

## TOWN OF NORTH EAST: PURCHASING MANUAL

Select current or prior depending on which year the expenditure occurred in. The system will assign a Requisition Number. Do not attempt to change this number. If you are entering a requisition for an existing or new blanket purchase order select the appropriate option from PO type. DO NOT select “contract.” If this is a regular requisition, leave this field blank.

The screenshot shows the 'Requisition Maintenance' window. At the top, there are buttons: Add, Save, Cancel, Delete, Previous, Next, Print, and Line Item. Below these, the 'Requisition No' is 'R8-00309'. The 'P.O. Type' dropdown menu is open, showing three options: 'New Blanket', 'Existing Blanket', and 'Contract'. Other fields include 'P.O. No', 'Contract Id', 'Status' (set to 'Open'), 'Reason', 'Address', 'Req Date' (09/18/2017), 'Due Date', 'Descript', 'St. Contract No', 'F.O.B.', 'Entered By', 'Ship To', 'Release No', '1st Aprv By', '2nd Aprv By', '3rd Aprv By', '4th Aprv By', 'Stat Chg By', 'Line Items', 'Total', and a 'Duplicate' button at the bottom right.

If you have selected Existing Blanket you will also need to select the Purchase Order this requisition is to be charged against.

Open the pick list “...” for Vendor and select your vendor. You can also search on vendor name by starting to type into the vendor name field and clicking on the pick list. If you do not see the vendor you are entering the requisition for call the Department of Finance and Administration to verify if the vendor is a new vendor. If the vendor is a new vendor, you will need to obtain an IRS form W-9 from the vendor and forward it to the Finance Department so the vendor can be created in the system. **No vendor will be added to the system until a W-9 has been received.**

In the **Req Date** field enter the date services are to be completed or products delivered. If you are entering a requisition for something that does not require a purchase order, use the date services were completed or the order received.

In the **Descript** field enter a brief description about the overall requisition.

Use the pick list to select the **Ship To** location.

If there are written quotes, documentation, or invoices click on the paper clip on the lower right corner and attach those documents as PDF's.

## TOWN OF NORTH EAST: PURCHASING MANUAL

**Requisition Maintenance**

Requisition No: R8-00309 P.O. Type: P.O. No: Contract Id:

Page 1 Page 2

Status: Open Status

Reason:

Req Date: 09/18/2017 Due Date:

Descrpt: MAINT SUPPLIES St. Contract No:

F.O.B.: Entered By:

Release No: 1st Aprv By: / /

Line Items: 2nd Aprv By: / /

Total: 3rd Aprv By: / /

4th Aprv By: / /

Stat Chg By:

Vendor: AMERI010 0 Supply Contract:

Name: AMERICAN HOME & HARDWARE

Address: PO BOX 130

ELKTON MD 21922-0130

Ship To: TOWN OF NORTH EAST  
MAINTENANCE DEPT.  
134 NORTH MAIN EXT  
NORTH EAST, MD 21901

Duplicate

Once all “Header” information has been entered, click on the “Page 2” tab, located under the requisition number.

**Requisition Maintenance**

Requisition No: R8-00309 P.O. Type: P.O. No: Contract Id:

Page 1 Page 2

Quote 2

Vendor Id: Name:

Quote: Comment:

Quote 3

Vendor Id: Name:

Quote: Comment:

Comments:

On Page 2 is where you enter information related to verbal or written quotes received for this requisition. You do not select a Vendor Id. Use the Comments section to explain any relevant information about the quotes or



## TOWN OF NORTH EAST: PURCHASING MANUAL

vendors that will be of assistance to the people reviewing the requisition for compliance with the Purchasing Manual and Ordinance. Once all the information has been entered click “Save”

The screenshot displays the 'Requisition Maintenance' window. At the top, a toolbar includes buttons for '+ Add', 'Save' (circled in red), 'Cancel', 'Delete', 'Previous', 'Next', 'Print', and 'Line Item' (also circled in red). Below the toolbar, the 'Requisition No' is set to 'R8-00309'. The main area contains two quote sections: 'Quote 2' with Vendor Id, Name 'BENJAMIN LUMBER CO', Quote '1800', and Comment 'DIFFERENT BRANDS'; and 'Quote 3' with Vendor Id, Name 'LOWES', Quote '1900', and Comment 'NOT ALL PARTS IN STOCK'. A large text area at the bottom contains the following comments: 'NEED TO ORDER PARTS FROM LOWES, REPAIR NEEDS TO BE DONE SOONER THAN LEAD TIME ALLOWS.' and 'BENJAMIN'S DOES NOT HAVE THE SPECIFIC BRANDS WE ARE LOOKING FOR AND THEY MAY NOT WORK FOR THE REPAIR. |'

Once the requisition has been saved, click on “Line Item” to enter specifics about what you are purchasing by quantity and unit price for supplies and materials (if a purchase order is required, if the purchase is less than \$1,000 enter a quantity of 1 and use the full amount of the invoice as the unit price). Click Add then enter your description of the line item, expenditure account that should be charged (if you are entering an expenditure for the prior year, you need to make sure that the “Year” field says prior) for the purchase, quantity, and unit price (if the purchase is less than \$1,000 and you have the invoice, enter the invoice number). Under the Purch Type field, select State if the purchase will be made through a cooperative purchasing agreement, Bid if the purchase is required to have competitive bids, or Exempt if the purchase is exempt from competitive bidding requirements. (Other should be used for purchases where no purchase order is required).

If the requisition being entered is to make a payment against an existing blanket purchase order a release number and due date must be entered. The release number must be unique so you will need to keep track of which release number you are on.

## TOWN OF NORTH EAST: PURCHASING MANUAL

The screenshot shows the 'Requisition Line Item Maintenance' window. The 'General' tab is selected. The following fields are highlighted with red circles:

- Description: Lumber
- Account Type: Expenditure
- Quantity: 20
- Unit Price: 80
- Purch Type: Bid

Other visible fields include: Requisition No: R8-00309, Vendor: AMERI010, Name: AMERICAN HOME & HARDWARE, Release Num: 0, Due Date: / /, Supply Contract Id/Seq: 0, Charge to: 10-700-431-43-00, Split Charges: ☐, Control Acct: MAINTENANCE OPERATING EXPENSES, Requested Balance: 267,021.34, Sub-Account: PROP SVCS - R&M SERVICES, Requested Balance: 831.01, Catalog Num: , Requested Date: 09/18/2017, Comm Code: , Tracking Id: , Item Total: 1,600.00.

On the Notes tab, you should enter information that is relevant to the purchase, these notes will print on the face of the purchase order and should be relevant – terms for delivery, other agreements with the vendor related to the purchase or a reference to the terms of the RFP, etc. When finished click save then close to return to the header page.

The screenshot shows the 'Requisition Line Item Maintenance' window with the 'Notes' tab selected. The following fields are highlighted with red circles:

- Notes tab
- Notes text area: VENDOR WILL DELIVER TO THE LOCATION AT NO EXTRA CHARGE. |

Other visible fields include: Requisition No: R8-00309, Vendor: AMERI010, Name: AMERICAN HOME & HARDWARE, Item Seq: 1. A red 'Notes Exist' message is visible next to the Vendor field.

## TOWN OF NORTH EAST: PURCHASING MANUAL

At this point, you should stamp the quote (or invoice if no purchase order is required) and fill out the required information (requisition number, expense account, and departmental authorization). The backup should be scanned if it has not already been and sent to the department head for approval. Once approved the originals should be sent to the Department of Finance and Administration to obtain additional approvals and to generate the purchase order.

When invoices are received for purchases that require a purchase order write the PO number on top of the invoice and the department head must sign the invoice to indicate that supplies have been received or services have been rendered and the invoice is valid to pay and forward it to the Department of Finance and Administration for processing the payment.

## APPENDIX II – REQUEST FOR PROPOSAL PROCESS

What is the RFP Process?

A RFP should be used when a project is sufficiently complex that it warrants a proposal from a supplier. It is intended to encourage a supplier to submit an organized proposal that can be evaluated using a quantifiable methodology.

All RFP's must include the following:

1. Overview of the Business Issue – A description of the business issue that is driving this purchase. It should be stated in one or two paragraphs and should give suppliers a summary of the project and why it was initiated.
2. Description of Products or Services – A brief description of the products or services that are needed.
3. Detailed Business Requirements – Must be clearly outlined in the document. Can include support requirements, delivery guidelines, design specifications, quality metrics, etc. The purpose is to give suppliers details of what is needed by the Town for this purchase so that the suppliers can come up with a proposal that meets these requirements.
4. Other Information – Can include usage data, demand projections, estimated useful life, survey results, etc.
5. Performance Metrics – If applicable, describe some performance metrics that will be used to measure supplier performance in the future. This will help suppliers get an idea of what will constitute excellent performance.
6. Due Date – Must be clearly identified, as part of the overall evaluation timeline, including all key decision dates, which display RFP creation date, RFP send date, the time period for questions, date of pre-bid conference (if applicable), the due date for proposals, the selection period, and the projected award date.
7. Point of Contact – The point of contact that coordinates communication with suppliers. If appropriate, a back-up point of contact should be identified. Points of contact should be identified separately for technical or purchasing questions.
8. Selection Criteria – Should clearly state the areas and metrics that supplier proposals will be evaluated on. If possible, the RFP should disclose the weighting that a particular section or topic will be given as part of the overall proposal score. When establishing the scoring criteria, and deciding how much of the weight or the available points to assign to price, you must test your math, and make sure that you haven't allowed a price or technical to be so strong that highest technical score or lowest price is a "slam dunk" no matter how the other scores turn out. For example, if you establish price as 80% of the weight in your scoring system a vendor with the lowest price will win no matter what the technical proposal is likely to say.
9. Technical and Pricing Proposals – Technical and Pricing Proposals shall be submitted in separate packages. The pricing proposals shall not be distributed for review until the technical proposals have been evaluated and a "short list" of well qualified vendors has been established.
10. Evaluation Team – Must be defined in advance. Team should include a minimum of three members, with a maximum of nine members. Team should include stakeholders of the business problem and people with expertise who are expected to add value to the evaluation.
11. Other Documents – Insurance requirements, bonding requirements, diversity certifications, other Town specific forms.
12. How to Respond – Must clearly identify where to send the proposal, and in what required format, including number of originals, and copies (if applicable).

APPENDIX III – AGREEMENT OF JURISDICTION FORM



**TOWN OF NORTH EAST**  
Department of Finance & Administration  
106 South Main Street, North East, MD 21901

Agreement of Jurisdiction

Governing Law; Consent to Jurisdiction. This procurement shall be governed by the laws of the State of Maryland, and the parties submit to the jurisdiction of the courts of the State of Maryland. This agreement may not be modified except in writing executed by the parties.

VENDOR NAME: \_\_\_\_\_

REPRESENTATIVE: \_\_\_\_\_

TITLE: \_\_\_\_\_

VENDOR TAX ID: \_\_\_\_\_

VENDOR ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VENDOR TELEPHONE: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

DEPARTMENT REQUESTING JURISDICTION AGREEMENT:

\_\_\_\_\_

Return completed document to: [finance@northeastmd.org](mailto:finance@northeastmd.org) or fax to 410-287-8267

APPENDIX IV – BUDGET AMENDMENT REQUEST FORM



**TOWN OF NORTH EAST  
BUDGET AMENDMENT REQUEST FORM  
PROPOSED AMENDMENT MUST BE BALANCED.**

INCREASE BOTH REVENUE AND AN EXPENDITURE INCREASE ONE  
EXPENDITURE AND DECREASE ANOTHER, DECREASE BOTH REVENUE AND  
EXPENDITURES

DATE: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_

ACCOUNT	INCREASE	DECREASE	DESCRIPTION

AUTHORIZED SIGNATURE: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

**FINANCE AND ADMINISTRATION USE ONLY**

DATE RCVD: \_\_\_\_\_ BOARD AUTHORIZATION REQUIRED: YES / NO  
 BALANCED: YES / NO BACK-UP ATTACHED IF REQUIRED: YES / NO / N/A  
 DATE PROCESSED: \_\_\_\_\_ NUMBER: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
 DATE REPORTED TO BOARD: \_\_\_\_\_