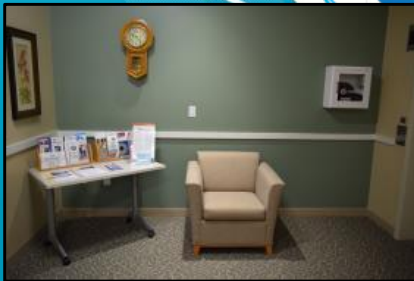




FRANKLIN PROCUREMENT OVERVIEW

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Procurement Law Basics



- ❑ **M.G.L 30B-** Supplies and Services, Disposal of Surplus Supplies and Municipal Real Property Transactions
- ❑ **M.G.L. c.149** – Building Construction Contracts
- ❑ **M.G.L. c. 30, 39M-** Public Works Construction Contracts
- ❑ **MGL c. 7C, 44-57-** Public Building Design Services



Overview – c. 30B



Under
\$10K

- Requires that “sound business practices” are followed
- 30B defines “sound business practices” as ensuring receipt of favorable prices by periodically soliciting price lists or quotes

\$10K to
\$50K

- Requires three (3) written quotes (see attached Town form)

Over
\$50K

- Sealed bid process
- Requires that work is advertised in Commbuys , Procurement Office Bulletin Board, and Newspaper (If over \$100K must also be published in goods & Services Bulletin)



Overview – c.30,39M and c.149



MGL c.30, 39M
(divided up by
those projects
with & without
labor)

- These type of procurements are for public works projects such as roads , bridges , water , and sewer
- This section also covers the purchase of construction related materials

MGL c. 149

- These type of procurements are for all building projects, building / facility repairs and replacements, and any project where a change is made to the physical structure of a building
- (Under the chapter, a building is considered to be anything that has walls and a roof.



Allowable Purchasing Contracts



Collaboratives / Cooperatives

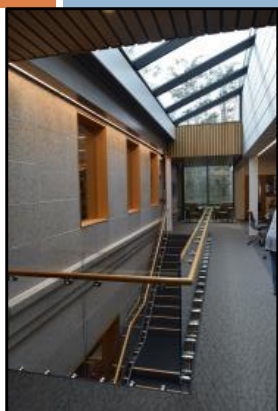
- Collaboratives are contracts that are generally placed out to bid by lead jurisdiction and Franklin is listed as a potential buyer Ex. Road salt
- Cooperatives are for supplies only, they cannot be used for services
- Cooperatives Procured by a lead jurisdiction of which the Town of Franklin is a Member
- Examples- MHEC , HGAC, Sourcewell, Plymouth County Commissioners

Statewide Contracts / COMMBUYS

- These type of procurements are allowed as the supplies and /or services have already been procured by the Operational Services Division
- OSD user guides must be followed



Surplus Property Disposal Process Governed by 30B



Advertise equipment
in Goods & Services
Bulletin / Town
Website /
Newspaper

Online auction of all
equipment at
www.municibid.com

Award bid to
highest bidder
/ Exchange
paperwork



***All surplus equipment must be referred to procurement office
where written policies are followed (see attached)**



Additional Information



Improvements

- Over the past five years this office has worked to make various improvements in procurement procedures:
 1. Bid Availability Improvements
 2. Standardized quote process for Dept. Heads / PO Approval predicated on correct paperwork
 3. Use of govt. surplus website to dispose of supplies



Additional Information



MCPPO

- MA Officer of Inspector General oversees the certification of all Chief Procurement Officers
- CPO are required to attend three (3) seminars each of which last three (3) days and require passage of exam for each
- Recertification is required every five (5) years

MAPPO

- MA Association of Procurement Officials
- Required to attend monthly meeting for re-certification
- Professional organization that keeps MA Procurement officials informed regarding developments in the field
- Example: Legislative / legal updates, advocacy work, recomm. on improving practices

Education

- Over the past five years the Town has made a concerted effort to educate those employees making front-line decisions on procurement.
- These Town employees have various procurement certifications all of which help ensure MGL compliance and work to foster a teamwork approach to procurement. Current certified employees include:
 - 1) Town Administrator
 - 2) DPW Director & Asst. DPW Director
 - 3) Town Engineer
 - 4) Asst. Comptroller
 - 5) Facilities Director



Additional Information (contn'd)



Emergency Procurement

- MGL allows for the by-pass of procurement regs if compliance would endanger the health or safety of people or property due to unforeseen emergency
- Waivers under c.149, or c.30, 39M require approval Division of Capital Asset Management Office
- Only those supplies and services necessary to meet the emergency may be allowed under this provision
- Must still adhere to procurement law to the extent possible

Pubic Bidding Exemptions

- MGL allows for certain activities to be exempt from public procurement
- There are thirty-five exemptions listed within the law
- They include engineering contracts, bank services, solid waste disposal, labor relations attorneys, CPA work

Sole-Source Procurement / Proprietary Specifications

- A sole source procurement is done without performing a competitive process
- Only allowed for purchases under \$50K / Only when a written determination that the vendor is the only practicable source
- Proprietary specs are allowed only when "no other manner of description suffices." Requires written justification included in file



QUESTIONS?

