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TOWN OF BRISTOL, VERMONT

SELECTBOARD POLICY: PROCUREMENT POLICY

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Next Review: 2029

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Amendment History

Version 1.0, May 24, 2021. Original adoption, Selectboard Policy Regarding Purchasing. Adopted by Bristol Selectboard.

Version 2.0, [Adoption date]. Full ground-up revision superseding the 2021 policy. Restructures purchase thresholds (3 to 4 tiers); aligns the Town Administrator delegation ceiling to the federal micro-purchase threshold (the Town Administrator's purchase approval authority is capped at \$15,000 per purchase; the \$350,000 simplified acquisition threshold is a federal procurement-method trigger, not a delegation of purchasing authority); adds professional services exemption, recurring purchase authorization, exigent purchase category, monthly procurement reporting, a dedicated Code of Conduct, and a federal compliance section conformed to the 2024 revision of 2 C.F.R. Part 200. Federal procurement thresholds are aligned to the Federal Acquisition Regulation amounts effective October 1, 2025 (micro-purchase \$15,000; simplified acquisition \$350,000) and are stated by reference so they remain current as the FAR adjusts for inflation. Under the 2021 policy, all purchases over \$5,000 required Selectboard approval and a formal bid process, and sealed bids were mandatory only for federally funded purchases of \$250,000 or more. This revision raises the Selectboard approval threshold to purchases over \$15,000, giving staff operational flexibility on routine purchases and reducing routine board agenda items, and establishes a sealed bid requirement for all purchases over \$50,000 regardless of funding source. Board visibility over delegated purchases is preserved through the monthly procurement report. See §18.00. Adds required federal contract provisions per 2 C.F.R. §200.327 and Appendix II to Part 200. Adopts Bristol Document Formatting Standard v2.2.

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PART I - FOUNDATIONAL PROVISIONS

1.00 Authority

1.01 The Bristol Selectboard (Selectboard) adopts this policy under the authority granted to Vermont municipalities to establish purchasing policies binding on all boards and officers of the municipality. See 24 V.S.A. §4406.

1.02 For purchases made in whole or in part with federal funds, this policy shall be read together with the federal procurement standards applicable to non-federal entities. See 2 C.F.R. Part 200, Subpart D (§§200.317 through 200.327).

1.03 Where this policy conflicts with applicable federal or state law, the more stringent requirement shall apply.

2.00 Purpose

2.01 The purpose of this policy is to obtain the highest quality goods and services for the Town of Bristol at the lowest reasonable price.

2.02 This policy exercises financial control over the procurement process, defines authority for purchasing decisions, ensures fair and equal opportunity among qualified suppliers, and provides public confidence that tax dollars are spent wisely and effectively.

2.03 This policy supports the Town Administrator's ability to manage municipal operations efficiently by establishing clear delegation of purchasing authority and transparent reporting requirements.

3.00 Definitions

As used in this policy, the following terms have the meanings assigned below.

Competitive Bidding means a procurement process in which two or more qualified vendors are invited to submit price quotes, proposals, or sealed bids for a specified purchase. See §8.00.

Emergency Purchase means an urgent purchase of goods or services required to protect public health, safety, or welfare, or to prevent substantial impairment of essential municipal services, where delay would cause immediate harm. See §12.00.

Exigent Purchase means a purchase required to avoid, prevent, or alleviate serious harm or injury, financial or otherwise, to the Town, where the time required for competitive procurement would prevent the urgent action needed. See §12.00.

Federal Funds means any funds provided by the United States government, whether directly or passed through the State of Vermont, including but not limited to FEMA, CDBG, ARPA, EPA State Revolving Fund (DWSRF), and federal transportation grants. See 2 C.F.R. §200.1.

Micro-Purchase Threshold means the federal micro-purchase threshold then in effect as defined in 2 C.F.R. §200.1 and the Federal Acquisition Regulation (FAR), which is \$15,000 as of October 1, 2025. In plain terms, a micro-purchase is any purchase of \$15,000 or less; under this policy these correspond to Incidental and Minor Purchases under §6.02 and §6.03. The Town may self-certify a higher micro-purchase threshold up to \$50,000 in accordance with §16.02. See 2 C.F.R. §200.320(a)(1).

Pre-Positioned Contract means a contract awarded in advance of potential work, procured competitively, and available for task-order assignments when qualifying needs arise. See §11.04.

Professional Services means services characterized by a high degree of professional judgment, skill, and discretion, including legal, engineering, architectural, financial, auditing, planning, and consulting services.

Procurement Agent means a Town employee or officer designated under §5.00 to make purchases on behalf of the Town.

Purchase Order means a written authorization issued through the Treasurer's office that commits the Town to purchase specified goods or services from a named vendor at a specified price.

Recurring Purchase means a purchase of goods or services expected to be made repeatedly throughout a fiscal year from the same vendor or contract, such as fuel, road salt, or routine maintenance services. See §11.00.

Sealed Bid means a formal competitive procurement process in which written bids are submitted in sealed envelopes by a specified deadline and opened publicly. See §9.00.

Simplified Acquisition Threshold means the federal simplified acquisition threshold then in effect as defined in 2 C.F.R. §200.1 and the FAR, which is \$350,000 as of October 1, 2025. Federally funded purchases above this threshold require a formal procurement method (sealed bid or competitive proposal). See 2 C.F.R. §200.320(b).

Sole Source Purchase means a purchase for which only one vendor is capable of supplying the required goods or services. See §13.00.

Town Administrator means the chief administrative officer of the Town of Bristol, as appointed by the Selectboard. When the position is vacant or interim, references to the Town Administrator shall mean the Selectboard Chair, or a Selectboard member designated by the Selectboard, exercising the Town Administrator's authority under this policy.

4.00 Scope

4.01 This policy applies to all purchases of goods, services, equipment, vehicles, and contracts made by the Town of Bristol, regardless of the funding source, except as otherwise provided in §16.00 for federal fund requirements.

4.02 This policy applies to all Procurement Agents, department heads, employees, and officers of the Town who participate in any aspect of purchasing.

- 4.03** This policy applies to all expenditures of public funds, including purchases made with credit accounts, purchase orders, and direct payments through the accounts payable warrant process.
- 4.04** This policy does not apply to the disposition of Town real property, which is governed by separate authority.

PART II - PURCHASING AUTHORITY AND THRESHOLDS

5.00 Procurement Agents

5.01 The following positions are designated as Procurement Agents for the Town of Bristol: the Town Administrator; the Town Clerk/Treasurer; the Public Works Foreman; the Police Chief; the Fire Chief; the Recreation Director; and any other employee specifically authorized in writing by the Town Administrator.

5.02 Each Procurement Agent has authority to purchase goods and services within their department, consistent with this policy and within the limits of their department's approved budget.

5.03 Procurement Agents shall ensure that the best possible price and quality are obtained with each purchase. Procurement Agents shall review all proposed purchases to avoid unnecessary or duplicative expenditures. Procurement Agents shall not restrict competition through geographic limits on vendors, unreasonable vendor qualifications, or by favoring vendors engaged in noncompetitive pricing practices.

5.04 A department head may further delegate purchasing authority to employees within their department. The department head retains full responsibility and accountability for all purchases made by their department.

5.05 Only the Town Administrator is authorized to sign contracts on behalf of the Town, unless the Selectboard has authorized a specific individual, who may be a Selectboard member, Town officer, or employee, by formal vote recorded in the minutes.

6.00 Purchase Categories and Thresholds

6.01 This section establishes four purchase categories based on dollar value. All threshold amounts refer to the total anticipated value of the purchase, including any amendments, change orders, or extensions expected over the life of the contract.

6.02 Incidental Purchases, up to \$2,000. Procurement Agents may make incidental purchases without prior approval, provided the purchase is within the approved budget. Competitive price comparison is encouraged but not required. All purchases shall be documented with a receipt or invoice.

6.03 Minor Purchases, \$2,001 to \$15,000. Procurement Agents may make minor purchases with prior approval of the Town Administrator, provided the purchase is within the approved budget. The Procurement Agent shall obtain at least two competitive price quotes whenever practicable and shall document the quotes obtained. A purchase order shall be issued through the Treasurer's office before the order is placed. Departments that obtain quotes directly from vendors shall request the purchase order from the Treasurer's office before committing the Town to the purchase; the Treasurer may authorize a department to issue purchase orders on the standard Town form, with a copy filed with the Treasurer's office. A purchase order is distinct from the check warrant, which authorizes payment after goods or services are received. See §8.00.

6.04 Major Purchases, \$15,001 to \$50,000. All major purchases require prior approval of the Selectboard at a duly warned public meeting before a purchase order is issued or a contract is signed. The Town Administrator shall present proposed major purchases to the Selectboard with a written summary identifying the vendor, amount, purpose, funding source, and competitive process used. The Selectboard shall obtain at least two competitive bids or proposals for all major purchases. See §8.00; 24 V.S.A. §4406.

6.05 Large Purchases, over \$50,000. All purchases exceeding \$50,000 require prior Selectboard approval and shall follow the sealed bid process described in §9.00, unless an exception under §10.00,

§12.00, or §13.00 applies. For federally funded purchases, the applicable federal thresholds and procedures described in §16.00 shall also apply.

6.06 Construction projects. All construction projects of any value shall follow the sealed bid process described in §9.00, regardless of the funding source. For federally funded construction projects, Davis-Bacon wage requirements apply to projects exceeding \$2,000. See §16.05.

6.07 The Selectboard may revise the thresholds in this section by majority vote at any regular or special meeting, with public notice given in accordance with 1 V.S.A. §312.

7.00 Town Administrator Delegation

7.01 The Selectboard delegates to the Town Administrator the authority to approve all incidental and minor purchases, as defined in §6.02 and §6.03, without requiring prior Selectboard approval. All purchases approved under this delegation shall be reported to the Selectboard in the monthly procurement report. See §18.00.

7.02 The Town Administrator may approve emergency and exigent purchases as provided in §12.00, subject to the ratification requirements stated there.

7.03 The Town Administrator may approve professional services engagements as provided in §10.00, subject to the dollar limits stated there. Engagements approved under this delegation shall be reported to the Selectboard in the monthly procurement report. See §18.00.

7.04 The Town Administrator may approve purchases under a pre-positioned or recurring contract previously approved by the Selectboard, as provided in §11.00, without additional Selectboard approval for each individual transaction.

7.05 The Town Administrator shall not use delegated authority to approve purchases that have been split into multiple transactions to avoid the threshold for Selectboard approval. Each split of a single purchase or project to avoid a threshold is a prohibited practice under this policy. See §14.03.

7.06 The delegation in this section does not limit the Selectboard's authority to review, question, or direct any purchasing decision at any time.

PART III - PROCUREMENT PROCESSES

8.00 Competitive Bidding

8.01 The purpose of competitive bidding is to ensure that the Town obtains fair market pricing, prevents favoritism, and maximizes the value of public funds. Procurement Agents shall use competitive bidding for all purchases where the value and nature of the purchase make competition practicable.

8.02 For minor purchases (\$2,001 to \$15,000), Procurement Agents shall obtain at least two price or rate quotes from qualified vendors whenever practicable. Quotes may be verbal or written. All quotes shall be documented in writing, including the vendor name, date, and amount, and retained with the purchase record.

8.03 For major purchases (\$15,001 to \$50,000), at least two written competitive bids or proposals shall be obtained and presented to the Selectboard with the approval request.

8.04 For large purchases over \$50,000, the sealed bid process in §9.00 shall apply.

8.05 Procurement Agents shall distribute solicitations to a diverse pool of qualified vendors, including small, minority-owned, women-owned, and veteran-owned businesses, consistent with §15.00.

8.06 Competitive bidding is not required for: emergency and exigent purchases (§12.00); sole source purchases (§13.00); professional services under the threshold in §10.01; and purchases made through State of Vermont cooperative purchasing contracts previously awarded through a competitive process, as reviewed and approved by the Town Administrator.

9.00 Sealed Bid Process

9.01 The sealed bid process shall be used for all large purchases over \$50,000 and for all construction projects of any value. The Town Administrator shall oversee the sealed bid process and may delegate responsibility for specific procurements to an appropriate department head.

9.02 Initiating a sealed bid. The sealed bid process begins with the issuance of a Request for Bids (RFB) or Request for Proposals (RFP) prepared by the Town Administrator or their designee, with Selectboard approval. Notice of the RFB or RFP shall be given by: letters or email to known providers; advertisements posted in at least three public locations within the Town; and advertisement in a newspaper of general circulation in the region. The Town is encouraged to post notices on the State of Vermont electronic bid system.

9.03 Bid specifications. The Town Administrator shall prepare written specifications for each sealed bid. Specifications shall include: the bid name; the bid submission deadline; the date, time, and location of bid opening; specifications for the project or services, including quantity, design, and performance standards; bond and insurance requirements; any special requirements unique to the project; the delivery or completion date; and any penalties for failure to meet deadlines.

9.04 Construction project requirements. For construction projects, bid specifications shall require a bid guarantee of 5% of the bid price from all bidders, and performance and payment bonds of 100% of the contract price from the awarded contractor. For federally funded construction projects subject to Davis-Bacon, specifications shall include the current applicable wage determination from the U.S. Department of Labor and shall require contractor compliance with the Davis-Bacon Act. See 40 U.S.C. §§3141 to 3148.

9.05 Bid submission. All bids shall be submitted in sealed envelopes addressed to the Town. Each envelope shall be plainly marked with the bid name and the scheduled time of bid opening. The Town shall date-stamp each envelope immediately upon receipt. Any bid may be withdrawn in writing before the scheduled bid opening time. Bids received after the deadline shall not be considered and shall be returned to the bidder unopened.

9.06 Bid opening. Bids shall be opened publicly at the time and place specified in the RFB or RFP. The names of all bidders and the amounts of their bids shall be read aloud and recorded in the official record. The Town Administrator or their designee shall conduct the bid opening, evaluate the bids received, and present all bids to the Selectboard with a written recommendation. The Selectboard retains sole authority to award the contract under §9.07.

9.07 Bid award. The Selectboard shall award the contract. The Selectboard may accept any bid, reject any or all bids in whole or in part, waive informalities or irregularities, call for rebids, or negotiate with any bidder. Award need not go to the lowest bidder if another bid better serves the Town's interest, provided the basis for the award is documented. The Selectboard reserves the right to investigate the financial condition of any bidder to determine the bidder's ability to perform. For federally funded sealed bids, a firm fixed-price contract shall be awarded to the lowest responsive and responsible bidder, and the Town shall document and justify any rejection of bids. See 2 C.F.R. §200.320(b)(1).

9.08 Pricing analysis. For federally funded procurements expected to exceed the simplified acquisition threshold, the Town Administrator or a qualified consultant shall complete an independent cost or price analysis before issuing the RFB or RFP to establish a reasonable estimate against which bids will be compared. See 2 C.F.R. §200.324(a).

9.09 Prohibited contracting methods. The Town shall not use cost-plus-a-percentage-of-cost contracts or percentage-of-construction-cost contracts. See 2 C.F.R. §200.324(c). Time-and-materials contracts may be used only when no other contract type is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk. See 2 C.F.R. §200.318(j).

10.00 Professional Services

10.01 The sealed bid process is not required for professional services engagements with a total anticipated value of \$25,000 or less. The Town Administrator may approve such engagements without prior Selectboard approval, using the competitive proposal process described in §10.02, and shall

report them in the monthly procurement report under §18.00. Engagements exceeding \$25,000 require Selectboard approval under §10.03.

10.02 Competitive proposal process. For professional services engagements, the Town Administrator shall obtain proposals or qualifications statements from at least two qualified providers. Selection shall be based on qualifications, relevant experience, past performance, and price. The Town Administrator shall document the selection rationale and retain it with the procurement record.

10.03 Professional services engagements exceeding \$25,000 require Selectboard approval. The Town Administrator shall present at least two competitive proposals or qualifications statements to the Selectboard with a written recommendation identifying the proposed provider, scope of services, estimated cost, and selection rationale.

10.04 For professional services funded with federal dollars, the applicable federal competitive requirements in §16.00 shall apply regardless of dollar amount. Architectural and engineering services shall be procured using a qualifications-based (Brooks Act) process, under which the most qualified firm is selected and fair and reasonable compensation is negotiated after selection. See 2 C.F.R. §200.320(b)(2)(iv).

10.05 A contractor that develops or drafts specifications, requirements, statements of work, or invitations for bids for a procurement shall be excluded from competing on that procurement. See 2 C.F.R. §200.319(b).

11.00 Recurring Purchases

11.01 The Selectboard may authorize recurring purchases of goods or services expected to exceed \$10,000 in aggregate during a fiscal year by approving an annual contract or blanket purchase order through a competitive bid process. The bid specifications shall identify the recurring nature of the purchase and the anticipated volume or dollar range.

11.02 Once a recurring purchase contract is approved by the Selectboard, the Town Administrator is authorized to place individual orders under that contract throughout the fiscal year without additional Selectboard approval, provided each order falls within the scope of the approved contract and the cumulative total of all orders placed during the fiscal year does not exceed the aggregate dollar limit approved by the Selectboard for that contract.

11.03 Recurring purchase contracts shall be re-bid at least every three years. The Town Administrator shall notify the Selectboard before any recurring contract expires and shall initiate the re-bid process with sufficient lead time to avoid a lapse in service.

11.04 Pre-positioned contracts. The Selectboard may approve pre-positioned contracts for services that may be needed in response to emergencies or specific conditions, such as emergency road repair or disaster recovery services. Pre-positioned contracts shall be awarded through a competitive process consistent with this policy and shall be updated at least every three years. See 2 C.F.R. §200.320 (federal projects).

12.00 Emergency and Exigent Purchases

12.01 Emergency purchases. An emergency purchase may be made without prior Selectboard approval when an immediate threat to public health, safety, or welfare, or an imminent risk of substantial impairment to essential municipal services, requires procurement before the next scheduled Selectboard meeting.

12.02 Exigent purchases. An exigent purchase may be made without prior Selectboard approval when serious financial or operational harm to the Town requires urgent action and the time required for competitive bidding would prevent that action.

12.03 The Town Administrator is authorized to approve emergency and exigent purchases. If the Town Administrator is unavailable, a designated department head may authorize a purchase of up to \$5,000 with immediate notification to the Town Administrator.

12.04 Documentation. For any emergency or exigent purchase, the Town Administrator shall prepare written documentation within 48 hours of the purchase. Documentation shall describe: the nature of

the emergency or exigency; the goods or services purchased; the vendor and amount; and why competitive procurement was not practicable. For federally funded purchases, this documentation supports the noncompetitive procurement allowance under 2 C.F.R. §200.320(c)(3).

12.05 Ratification. The Town Administrator shall report all emergency and exigent purchases to the Selectboard at the next regular meeting. The Selectboard shall formally ratify or reject each such purchase by motion recorded in the meeting minutes. Rejection does not by itself void a purchase already performed or relieve the Town of obligations lawfully incurred to a vendor; rather, rejection places on record the Selectboard's finding that the purchase did not meet the requirements of this section and shall direct corrective action, which may include revised emergency procedures, additional documentation or training, or enforcement under §14.05.

12.06 Emergency and exigent purchase authority shall not be used to circumvent the normal competitive procurement process for purchases that could have been anticipated and planned in advance.

13.00 Sole Source Purchases

13.01 The Selectboard may waive the competitive bidding requirement and authorize a sole source purchase when only one vendor is capable of supplying the required goods or services.

13.02 The Town Administrator shall prepare a written sole source justification explaining why no other vendor is capable of providing the goods or services. The justification shall be presented to the Selectboard for approval and documented in the meeting minutes before the purchase is made.

13.03 Circumstances that may justify sole source procurement include: proprietary compatibility requirements; a single manufacturer or distributor; special expertise not available elsewhere; or other documented circumstances making competition impracticable.

13.04 For federally funded purchases, sole source justification shall also comply with the noncompetitive procurement requirements of 2 C.F.R. §200.320(c), including written authorization from the funding agency or pass-through entity where required. See 2 C.F.R. §200.320(c)(4).

PART IV - CONDUCT AND COMPLIANCE

14.00 Code of Conduct

14.01 All Selectboard members, Procurement Agents, employees, officers, and agents of the Town who participate in the procurement or selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest.

14.02 No Selectboard member, Procurement Agent, employee, officer, or agent shall participate in the selection, award, or administration of a contract if a real or apparent conflict of interest would be involved. A conflict exists when the individual, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the foregoing has a financial or personal interest in, or a tangible personal benefit from, the vendor selected for award. See 24 V.S.A. Chapter 60; 2 C.F.R. §200.318(c); Bristol Selectboard Conflict of Interest Policy (SB-2026-01).

14.03 Prohibited practices. The following practices are prohibited:

- A. Splitting a single purchase or project into multiple transactions to avoid a procurement threshold;
- B. Restricting competition through geographic limits, unreasonable qualifications, or specifications designed to favor a particular vendor;
- C. Soliciting or accepting gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontracts; and
- D. Making purchases for personal benefit using Town funds or accounts.

14.04 Disclosure. A Selectboard member, employee, officer, or agent who has a real or apparent conflict of interest in a procurement shall disclose that conflict in writing before the procurement decision is made. A Selectboard member shall disclose the conflict at a duly warned public meeting before the bid selection or purchase, and the disclosure and recusal shall be recorded in the minutes.

An employee or agent shall disclose to the Town Administrator; if the conflict involves the Town Administrator, disclosure shall be made to the Selectboard Chair.

14.05 Enforcement. Selectboard members, employees, officers, and agents who violate this section may be subject to disciplinary action to the extent permitted by law, consistent with the Town's personnel policies, the Vermont Municipal Code of Ethics, and the standards of conduct required by 2 C.F.R. §200.318(c). See 24 V.S.A. Chapter 60; Bristol Selectboard Conflict of Interest Policy (SB-2026-01).

15.00 Affirmative Action and Local Preference

15.01 The Town shall make affirmative efforts to include qualified small businesses, minority-owned businesses, women-owned businesses, veteran-owned businesses, and labor surplus area firms in solicitation lists for all competitive procurements. For federally funded purchases, such inclusion is required and the Town shall document the outreach steps taken. See 2 C.F.R. §200.321.

15.02 Local preference. The Town may give preference to local businesses for purchases funded exclusively with municipal funds, provided the preference does not result in unreasonable prices due to lack of competition. The Town shall not apply a local preference, or any geographic preference, to purchases funded in whole or in part with federal funds. See 2 C.F.R. §200.319.

15.03 Competition shall not be restricted by limits on the geographic location of vendors, by unreasonable vendor qualifications, by specifying a brand name without allowing an equivalent, or by specifications designed to favor a particular vendor. See 2 C.F.R. §200.319(c).

16.00 Federal Procurement Requirements

16.01 All purchases made in whole or in part with federal funds shall comply with the procurement standards in 2 C.F.R. Part 200, Subpart D (§§200.317 through 200.327), in addition to the requirements of this policy. Where this policy is more stringent than federal requirements, this policy shall govern. Where federal requirements are more stringent, federal requirements shall govern.

16.02 Micro-purchases (federal). Federally funded purchases that do not exceed the federal micro-purchase threshold (currently \$15,000) may be awarded without soliciting competitive price quotes if the Procurement Agent considers the price reasonable based on research, experience, purchase history, or market information and documents that conclusion. To the extent practicable, the Town shall distribute micro-purchases equitably among qualified suppliers. The Town may self-certify a micro-purchase threshold up to \$50,000 on an annual basis if it qualifies as a low-risk auditee under 2 C.F.R. §200.520 or performs an annual internal risk assessment, with the justification and supporting documentation retained for audit. See 2 C.F.R. §200.320(a)(1).

16.03 Simplified acquisitions (federal). Federally funded purchases above the micro-purchase threshold but not exceeding the simplified acquisition threshold (currently \$350,000) are subject to simplified acquisition procedures. The Town shall obtain price or rate quotes from an adequate number of qualified sources, following the affirmative action requirements in §15.01 and all requirements for fair and unrestricted competition. See 2 C.F.R. §200.320(a)(2).

16.04 Formal procurement (federal). Federally funded purchases exceeding the simplified acquisition threshold (currently \$350,000) shall use a formal procurement method: a sealed bid process for construction and other firm-fixed-price procurements, or a competitive proposal process using a Request for Proposals (RFP) or Request for Qualifications (RFQ) when conditions are not appropriate for sealed bids. Public notice is required with adequate time for responses. See 2 C.F.R. §200.320(b).

16.05 Davis-Bacon requirements. Federally funded construction projects exceeding \$2,000 shall comply with the Davis-Bacon Act and related acts. Bid specifications shall include the current applicable wage determination from the U.S. Department of Labor and shall require contractor compliance. See 40 U.S.C. §§3141 to 3148.

16.06 Cost and price analysis. For every federally funded procurement transaction, including contract modifications, in excess of the simplified acquisition threshold, the Town Administrator or a qualified consultant shall perform an independent cost or price analysis. The Town shall make independent

estimates before receiving bids or proposals, and shall document and retain the analysis. See 2 C.F.R. §200.324(a).

16.07 Compliance certification. For purchases funded by a specific federal grant, the Procurement Agent shall certify in writing that the procurement process complied with the grant-specific requirements before the contract is executed. Certification shall be retained with the procurement record.

16.08 Federal debarment list. No contract shall be awarded to a vendor or contractor that is suspended, debarred, or otherwise excluded as shown on the federal System for Award Management (SAM.gov) exclusions list. The Town Administrator shall verify and document vendor status before recommending award of any contract funded in whole or in part with federal dollars. See 2 C.F.R. §200.214 and 2 C.F.R. Part 180.

16.09 Domestic preference. For federally funded purchases, the Town shall, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, and materials produced in the United States, including iron, steel, and manufactured goods, consistent with the Build America, Buy America Act and any requirements specified by the funding agency. See 2 C.F.R. §200.322.

16.10 Required contract provisions. All contracts for federally funded purchases shall contain the provisions required by 2 C.F.R. §200.327 and Appendix II to 2 C.F.R. Part 200, as applicable, including: equal employment opportunity; Davis-Bacon and Contract Work Hours and Safety Standards Act requirements; rights to inventions; Clean Air Act and Clean Water Act compliance; debarment and suspension; the Byrd Anti-Lobbying Amendment; procurement of recovered materials under 2 C.F.R. §200.323; and domestic preference under 2 C.F.R. §200.322. The Town shall include in all bid documents and contracts any additional federal compliance terms specified by the funding agency, including Section 3 requirements where applicable.

17.00 Documentation and Records Retention

17.01 The Procurement Agent shall maintain documentation sufficient to detail the history of every procurement transaction. Documentation shall include: the procurement method used and the reason for its selection; the contract type selected; the basis for vendor selection or rejection; the basis for the contract price showing the process was fair and equitable; and any other significant decisions made during the procurement. See 2 C.F.R. §200.318(i).

17.02 For purchases made with federal funds, records shall be maintained for at least three years from the date the final expenditure report is submitted to the federal government, or until the completion of any litigation, claim, audit, or other action involving the records, whichever is longer. See 2 C.F.R. §200.334.

17.03 For purchases made with solely municipal funds, records shall be maintained in accordance with the retention and disposition schedules established by the Vermont State Archivist.

17.04 All certificates of insurance for contractors hired by the Town shall be obtained before work begins. Contractors shall name the Town as an additional insured on their liability insurance policy and shall provide proof of insurance to the Town Administrator.

17.05 All procurement information is a public record and shall be made available upon request, consistent with Vermont's Public Records Act. See 1 V.S.A. §§315 to 320.

PART V - ADMINISTRATION

18.00 Reporting

18.01 The Town Administrator shall provide the Selectboard with a written monthly procurement report. The report shall be distributed with the agenda for each regular Selectboard meeting. The report shall list all purchases of \$2,000 or more made since the prior report, identifying for each: the vendor, amount, purpose, department, funding source, and approving authority.

18.02 The monthly procurement report serves as the primary mechanism for Selectboard oversight of delegated purchasing authority. Selectboard members may request additional information or documentation on any purchase listed in the report.

18.03 The Town Administrator shall notify the Selectboard promptly of any purchase that deviated from the normal competitive process, any sole source authorization, and any emergency or exigent purchase requiring ratification under §12.05.

19.00 Credit Card Purchases

19.01 Town credit card purchases are subject to this policy in the same manner as other purchases. The dollar thresholds in §6.00 apply to credit card purchases based on the amount of the individual transaction.

19.02 Credit card purchases of \$2,001 or more shall be pre-approved under the purchase order procedure in §6.03 before the purchase is made.

19.03 Credit card use shall comply with the Town's Credit Card Policy in all respects. In the event of a conflict between this policy and the Credit Card Policy, the more restrictive provision shall apply.

20.00 Amendments and Review

20.01 The Selectboard may amend this policy by majority vote at any regular or special meeting, provided that public notice has been given in accordance with 1 V.S.A. §312.

20.02 The Selectboard shall review this policy at least once every three years, or sooner if Vermont law or applicable federal regulations change in ways that affect its requirements.

21.00 Effective Date

21.01 This policy takes effect upon adoption by the Bristol Selectboard.

21.02 This policy supersedes the Selectboard Policy Regarding Purchasing adopted May 24, 2021, in its entirety.

ADOPTION

Adopted by the Bristol Selectboard: _____

Date: _____

Selectboard Chair: _____

Supersedes: Selectboard Policy Regarding Purchasing, adopted May 24, 2021.