

Rockingham County Competitive Bidding on Purchases Policy & Procedure

Policy:

Competitive bidding on purchases shall be made per the rules and regulations as set forth in [RSA 28:8](#), [28:8-b](#) and [28:8-f](#).

Purpose:

To provide a framework for the submission, distribution, control, receipt and award bids for county purchases.

Scope:

The policy and procedures herein apply to all Rockingham County departments and offices of elected officials.

Sections:

Bid List(s)

Bid Preparation and Submission

Bid Opening

Bid Award

Bid Waiver

Change Orders

Requests for Proposals (RFP)-Requests for information (RFI)

Copy of RSA 28.8, 28.8-b and 28.8-f

Copy of Standard Cover Letter – Request for Proposal (RFP)

Copy of Bid Waiver Request Form

Copy of Change Order Request Form

Bid List(s)

A central bid list for the county will be maintained in the County Commissioner's Office for use by all county departments. Each Department will maintain a list pertinent to the area of responsibility for that particular department. This list will be maintained in a database that will allow the

tracking and use of the product/service and department(s) needing the product/service. The list will contain the name, address, E-mail address, phone/fax numbers and contact names where appropriate. Information on bid activity will also be maintained for each vendor on the list. A copy of this list shall be placed on a common drive within the network.

Interested vendors/individuals wishing to be placed on the bid list can contact the County Commissioner's Office directly or can be referred by the individual departments. Copies of the entire list or portions that pertain to specific departments will be made available on a periodic basis for review and revision for file maintenance purposes. Updates of the list will be performed on an ongoing basis.

Bid Preparation and Submission

Each department (or departments if coordinated) is responsible for preparing the bid document, including technical specifications that are necessary for any particular bid. These specifications shall also include the name of the department contact person and phone/fax number to respond to technical questions from potential bidders.

A cover letter to each potential bidder that contains generic bid language shall be included in every bid. The central bid list will be used to generate the list of recipients and the department will mail the bids and shall file with the Board of Commissioners office a copy of the bid, including the list of potential bidders who were actually mailed a copy of the bid request.

Instructions in the cover letter shall state where the bid responses are to be returned. The bidder shall be instructed to note in the lower left hand corner of the return envelope "BID: PURPOSE OF BID:". Once received, the bids will be date and time stamped indicating that the bid has been received within the specified time frame.

An invitation to bid can be sent to a bidder by E-mail or fax if there is urgency in getting out any bid.

Successful submission of a bid cannot be accomplished by fax or E-mail. Acceptable methods of submission of a bid are by sealed mailing (whether by

USPS or another delivery service) or hand delivered addressed to the Board of Rockingham County Commissioners.

Bid Opening

All bids received in accordance with the general bidding instructions shall be opened publicly at a regularly scheduled meeting of the Board of Rockingham County Commissioners. Copies of bids will be held in each department.

Bid Award

Bids, once shopped, will be presented publicly at a regular scheduled meeting of the Board of Rockingham County Commissioners. The department(s) will outline the bids and the cost(s) associated with each and recommend either the lowest bidder of the bidder that is deemed in the best interest of the County. The Commissioners, taking the aforementioned information under advisement, will vote on the award of the bid(s).

The Board of Commissioners may, at its discretion, give direction to the Division Director to shop the bid and award it to the lowest bidder of the bidder in the best interest of the County. The Division Director shall report back to the Board of Commissioners the results of such actions.

The Division Director will communicate the award of the bid(s) in writing to the successful bidders informing them of the decision. Unsuccessful bidders should be thanked and urged to bid again the next time their products(s) or services(s) are let out to bid. Copies of these letters shall be placed in the bid file in each department and with the Commissioners.

The Division Director may inform the winning bidder by fax or E-mail. The department may also wish to inform the bidder by telephone that they have won the bid with the confirmation letter to follow.

Bid Waiver

If an Elected Official/Division Director deems that there is just cause to waive the bidding process, he/she shall complete a Bid Waiver Request and Authorization Form. Any bid waiver can be requested at a regularly scheduled public meeting of the Board of Rockingham County Commissioners and will comply with the requirements of RSA 28.8. A unanimous vote of all three (3) Commissioners is necessary to waive any bid.

Possible reasons for requesting a bid waiver include:

- 1. The cost of the service is fixed by law; hence competitive bidding is not required.**
- 2. The proposed purchase is manufactured by only one company (a "sole source"), or if it is deemed advisable to make a purchase from a specific company to reduce the costs of maintaining additional parts.**

Regardless of the reasoning for a bid waiver, the Division Director/Elected Official shall complete a Bid Waiver Request and Authorization Form with supporting information.

The Commissioners may approve the repair or replacement of existing equipment through documented quotes.

Change Orders

The Board of Commissioners may approve Change Orders to authorize changes in the scope and cost of previously awarded Bids, RFPs, RFIs and Bid Waivers.

Change Order Request Forms shall be submitted to the Board of Commissioners and shall require the approval of the majority of the Board prior to the purchase of additional goods or services. Requests must state the justification for the change(s) with appropriate documentation attached.

Documentation of approved Change Orders shall be attached to all requests for payment of invoices.

Requests for Proposals (RFPs) and Requests for Information (RFIs)

The Board of Commissioners may authorize Elected Officials/Division Directors to use Requests for Proposals and Requests for Information in place of Bids, providing that the same requirements set forth for the Bid process in the previous sections are met. Generally, Requests for Proposals (RFPs) have been utilized in lieu of Bids in recent years.

Copy of RSA 28.8, 28.8-b and 28.8-f

RSA Section 28:8

28:8 Competitive Bidding on Purchases. – Any purchase of equipment or materials made by a county in an amount exceeding \$5,000 shall be by competitive bidding, provided that the county commissioners by unanimous vote may waive the provisions for such bidding. In case the commissioners so vote a copy of such action shall be recorded in their offices with a statement of the reason therefore and such record shall be open to public inspection. Orders for equipment or material to be delivered at different times where the single delivery may be less than \$5,000 but the total order exceeds that amount shall be construed as coming within the provisions hereof requiring competitive bidding.

Source. 1941, 108:1. RL 47:8. 1949, 165:1. RSA 28:8. 1979, 200:3, eff. July 1, 1979. 1998, 50:1, eff. July 4, 1998.

RSA Section 28:8-b

28:8-b Open Bidding. – Competitive bidding required by a county in accordance with the provisions of RSA 28:8, 8-a and 8-c shall be open to any person or legal entity wishing to submit a bid to the county.

Source. 1973, 408:1. 1975, 376:1, eff. Aug. 6, 1975.

RSA Section 28:8-f

28:8-f Competitive Bidding in Rockingham County. –

I. The provisions of this section shall apply to all county departments in Rockingham county, and to the offices of county sheriff, county attorney, county treasurer, and register of deeds in Rockingham county.

II. Any purchase of equipment, materials, services, or leases made by Rockingham county in an amount exceeding \$5,000 shall be by competitive bidding, provided that the county commissioners by an affirmative vote of all 3 commissioners may waive the provisions for such bidding. In case the commissioners so vote, a copy of such action shall be recorded in their offices with a statement of the reason therefore and such record shall be open to public inspection. Purchases of equipment, material, services, or leases to be provided at different times where the cost of a single order or delivery may be less than \$5,000 but the total purchase exceeds that amount shall be construed as coming within the provisions hereof requiring competitive bidding.

Source. 1995, 141:1, eff. July 1, 1995. 1998, 50:3, eff. July 4, 1998.

Copy of Standard Cover Letter – Request for Proposal (RFP)

REQUEST FOR PROPOSALS FOR (NAME) (LIST DEPARTMENT)

You are hereby invited to submit proposals for **XX**, as specified in the attachments of this Request For Proposal.

The information necessary to complete the proposal is listed below and in the attachment of this invitation.

Technical questions should be directed to **(CONTACT PERSON/DEPARTMENT)** at **(TELEPHONE NUMBER)**. Questions on procedures can be directed to the Commissioners Office at (603) 679-9350.

Proposal Instructions:

Four (4) copies of the proposal should be submitted in a **sealed envelope** marked **(NAME OF PROPOSAL)** to the Board of Rockingham County Commissioners, 119 North Road, Brentwood, NH 03833. Proposals must be submitted to the above address **no later than 3:00 p.m. on (DATE)** to be eligible for consideration.

Other forms of submission (fax or email) will be rejected. Proposals received after the deadline will be rejected.

Proposal Openings:

Proposals will be opened publicly at a regular scheduled Meeting of the Board of Rockingham County Commissioners in the Commissioners Conference Room of the

Rockingham County Nursing Home, 119 North Road, Brentwood, NH 03833 on Wednesday, (DATE) at 10:00 a.m. Proposals will be taken under advisement at that time and will be awarded as soon as a complete review and comparison of the proposals received has been made by the Board of Commissioners.

Proposal Award:

The proposal(s) will be formally awarded and announced publicly at a regular scheduled Meeting of the Board of Rockingham County Commissioners held in the Commissioners' Conference Room located in the Rockingham County Nursing Home, 119 North Road, Brentwood, NH. Formal notification of proposal award to all proposers will occur immediately thereafter.

RFP Prices:

RFP prices are to remain in effect for a period of 60 days from opening date of the proposal and are to remain firm once proposal is awarded to the successful proposer(s).

Performance Clause:

In the event that the successful awarded proposer/Rockingham County should default in the observance of the stipulations set forth in this Request For Proposal and any attachments thereto and such default is not corrected within 30 days of written notice from either party, the successful awarded proposer/ Rockingham County shall have the option of canceling the proposal.

Contractual Obligations:

In the event that contracts for the supply of materials, equipment, or services are required under the bid, the Board of Rockingham County Commissioners reserves the right to review said contracts and amend to comply with county legal requirements prior to signing by the appointed representative of the Board of Rockingham County Commissioners.

The provider shall maintain at all times during the life of this contract the following insurance coverage. The provider must also require its subcontractors to maintain such coverage.

Workers Compensation Insurance: The provider shall carry workers compensation insurance as required by the State of New Hampshire.

Comprehensive General Liability Insurance: The provider shall maintain comprehensive general liability insurance policy, which includes coverage for contractual liability, in an amount of no less than \$1,000,000 per occurrence.

Motor Vehicle Insurance: The provider shall carry motor vehicle insurance to include bodily injury, property damage, and uninsured motorist, coverage in an amount of no less than \$1,000,000 combined single limit per accident.

Provider shall provide an insurance certificate confirming the above insurance coverage. The insurance certificate and the underlying insurance coverage shall be issued by a carrier authorized to do business in the State of New Hampshire and having A.M. Best Company rating of "A" or better.

The provider shall have professional insurance/errors and omissions insurance with limits of not less than \$1,000,000 each occurrence.

The provider shall file certificates with Rockingham County showing that the above insurance has been purchased.

A 30-day notice is required for cancellation and /or material change of coverage, sent directly to the Rockingham County Commissioners Office at 119 North Road, Brentwood, N.H. 03833.

NOTE:

The Board of Rockingham County Commissioners reserves the right to accept or reject any and all proposals or parts thereof, to accept the proposal which they

deem to be in the best interest of Rockingham County and to waive any bid formality.

Sincerely,

O/DD

Enclosed: Attachment

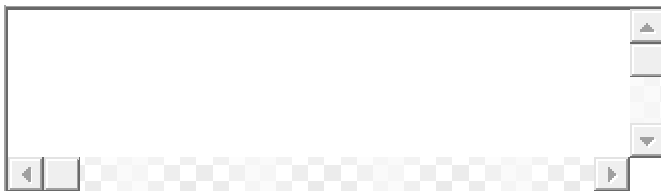
Copy of Bid Waiver Request Form


Rockingham County Commissioners

BID WAIVER REQUEST

Department: Line Item #

List Vendor(s) for bid waiver request & dollar value for each item:



Reasons bid process should be waived: 

O/DD: _____ Date: _____

Financial analysis: _____ Date: _____

Information & signatures completed

Supporting documentation attached

Meeting date: _____
Denied / Approved Bid Waiver Request

Commissioner Maureen Barrows, Chair

Commissioner Katharin K. Pratt, Vice Chair

Commissioner C. Donald Stritch, Clerk

Copy of signed form must accompany request for payment

Copy of Change Order Request Form

Rockingham County Commissioners
CHANGE ORDER REQUEST

Department: Line Item #

List Vendor(s), additional amount, and reason for request:



Attached:

- Signed bid waiver request originally approved
- Subsequent Change Order(s) if applicable

List original bid waiver/award approval date and amount:



O/DD:

Date:

Financial analysis: _____

_____ Date: _____

Information & signatures completed

Supporting documentation attached

Denied / Approved Change Order Request

Meeting date: _____

Commissioner Maureen Barrows, Chair

Commissioner Katharin K. Pratt, Vice Chair

Commissioner C. Donald Stritch, Clerk

Copy of signed form must accompany request for payment