

## **Alna Public Funds Administration Policy**

**April 21, 2011(amended March 11, 2015)**

### **Goals:**

1. Provide transparency and accountability of dispersal of public funds and awards to all residents and bidders.
2. Encourage more bidders to bid on Town projects to lower costs of Town services.
3. Maintain compliance with Maine laws regarding the administration of public funds.

### **Definitions:**

1. **Town Body** is defined as any municipal department exempting Quasi-Municipal organizations.

### **Project Planning:**

1. After the Annual March Town Meeting, any Town bodies with appropriated budgets should submit a brief written outline of projects that they plan to perform in the upcoming fiscal year.
2. Such bodies should file this outline of projects with the Town Clerk.
3. A written estimate outlining the use incidental town hired labor can be provided by the Town body for the consideration of the Selectmen.
4. Within four weeks of the filing of the outline of projects, the Selectmen should publicly meet with the responsible Town body to determine total funds available, prioritize needed work, and group work into projects suitable for bidding, where appropriate.
5. The proceedings of such meetings will be recorded by the Town Clerk and the minutes archived by the Town Clerk.

### **Bid Requirements:**

1. All non-emergency projects expected to exceed \$3000.00 will be reviewed by the Board of Selectmen, to determine if it is in the best interest of the Town to put the project out to bid.
2. Any bid that exceeds \$50,000 must include the consideration of a performance bond.
3. Any bidder who submits a bid must include (or have on file with the Town Clerk) proof of liability insurance, workmen's compensation, and any other work specific qualifications required for the work to be performed to have the bid considered, if deemed necessary.
4. All bids must be signed by a person with signing authority of the party bidding.

### **Bid Procedures:**

1. A "Bid" may also be described as a "Request for Proposal" or "Request for Tender".
2. The responsible Town body must develop a written bid spec or in the event that they feel it beyond their capability, seek professional help to develop a written bid spec, for any project that will be put out to bid. All bid specs must be reviewed and approved by the Board of Selectmen, before being advertised.
3. Bid spec must be filed with the Town Clerk by the town body administering the project.
4. The Town Clerk or Selectmen are responsible, when asked, for posting requests for bids in the traditional manner. However, the members of the responsible town body are also encouraged to contact anyone they know who may be interested in bidding on the project.
5. Bid deadlines must be at least one week after posting to allow bidders time to see the advertisements, do site visits if necessary, and prepare bids.
6. The Town Clerk must provide any prospective bidder a copy of the full bid specs if asked.
7. Bids must be submitted in sealed envelopes to the Town Clerk who must keep them unopened, under lock and key until the appropriate town body can meet to review the bids.
8. The appropriate Town body must schedule and post a public meeting at or after the expiration of the bid submission deadline.
9. Only bids received by the deadline can be considered.
10. Bids must only be opened at a public meeting of the appropriate town body and discussion and awarding of the bids must be performed at a public meeting unless there is a reason under Maine statutes to conduct an executive session.
11. The responsible town body can choose to accept no bids. The responsible town body is also not obligated to select the lowest bidder when doing so is not in the best interest of the town, but must provide reasonable cause if choosing a bidder other than the lowest bidder.
12. To prevent problems with payment, the town body administering the bid should secure the agreement to the bid award of at least two selectmen before giving the winning bidder permission to proceed.
13. Bid specs, all opened bids, and award letters must be archived by the Town Clerk and provided to any member of the public who submits a Right To Know request.

### **Impartiality:**

1. Any member of a Town body that has a financial interest in the outcome of a bid process under consideration by that body, either personally, or through a business in which the member has greater than 10% equity, must recuse himself or herself from the bid process.

2. Where the responsible Town body consists of one person, such as an office or commission, and that person intends to bid on a project, the Selectmen become the responsible town body for that project.
3. Where an individual has recused himself or herself, the individual must also recuse himself or herself from supervising the work. The remaining members of the responsible town body must supervise the work.