

Uniform Procurement Act

G.L. c.30B

The chart on the other side of this sheet summarizes the procurement procedures for purchase of supplies and services, for the disposal of surplus supplies, and for the acquisition and disposal of interests in real property. This chart is designed as a guide to the applicable procedures. It is not a comprehensive treatment of all statutory requirements. For detailed, step-by-step procedures and requirements, see G.L. c.30B, §1-19. Refer also to the Inspector General's manual, *Municipal, County, District, and Local Authority Procurement of Supplies, Services and Real Property*, available at the State Bookstore, Room 116, State House, Boston, MA 02133, (617) 727-2834, Publication No. 16231-125-500-3-20-90 or online at the Inspector General's website at <http://www.mass.gov/ig> under Publications.

In addition to procurement procedures, miscellaneous provisions require:

1. Non-Collusion Certificate in every bid/proposal (§10).
2. Bid-Splitting prohibited (§11).
3. Contract Amendments: increase in quantity of supply or service limited to 25% at original unit price and stated in writing signed by parties (§13).
4. Specifications: general; limitations on proprietary specifications (§14).
5. Written Contract Document: agreements of \$5,000 or more (§17); maintain file for six years (§3).
6. Enforcement: contract awarded in violation of procedures is invalid, no payment may be made; up to \$2,000 fine and double damages to municipality; Inspector General enforces (§17).
7. Delegation: Chief Procurement Officer may delegate powers; notice of delegation filed with Inspector General (§19).
8. Multi-year Contracts: subject to annual appropriation; term in excess of three (3) years authorized by town meeting (§12).
9. Exemptions: many types of contracts are exempt, see G.L. c.30B, §1(b). Some of the most common exemptions: inter or intra governmental agreements; state bid list or joint purchasing; issuance of bonds; procurement of insurance or bonds; contracts with expert witnesses, lawyers, designers, engineers, certified public accounts, health care professionals; contracts funded by gift; towing and storage contracts; banking services; ambulance service; municipal hospital and airport commission contracts; solid waste and recycling contracts; snow plowing contracts; grant agreements; employment agreements; energy supply or energy aggregation contracts; energy management and energy savings contracts.

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Uniform Procurement Act Procedures (G.L. c.30B)

Dollar Amount of Contract	Statutory Reference	Published Advertisement	Procedure	Award to	Additional Requirements or Exceptions
<u>Supplies & Services</u> \$5,000 - \$24,999	§4	None Required	Solicit 3 Quotes (telephone or written)	Lowest Quote	
<u>Supplies & Services</u> \$25,000+ Invitation for Bids	§5	Posting, Newspaper (\$100,000+ also Goods and Services Bulletin)	Sealed Bids (IFB)	Lowest responsive and responsible bidder	
<u>Supplies & Services</u> \$25,000+ Request for Proposals	§6	Posting, Newspaper (\$100,000+ also Goods & Services Bulletin)	Separately sealed price and non-price proposals (RFP)	Most advantageous based on non-price factors and price	Chief procurement officer – written determination of need for non-price factors.
<u>Supplies & Services</u> Sole Source \$25,000 maximum (no limit - library & school books, education materials, software maintenance, sole source utilities)	§7	None Required	Direct Negotiation	Sole Source	Sole Source determination by procurement officer. Additional recordkeeping.
<u>Supplies & Services</u> Emergency	§8	Goods and Services Bulletin (as soon as practicable)	Comply with c.30B procedures to extent possible (3 quotes recommended)	Lowest Price	Emergency declaration by procurement officer. Procure only to meet emergency needs.
<u>Supplies (Disposal)</u> More than \$5,000	§15	Same as §5 above for bid or auction	Sealed bids, auction, established markets	Highest Price	May be listed as trade-in in IFB/RFP. Special procedure for disposal to charity.
<u>Real Property</u> More than \$25,000 acquisition or disposal	§16	Newspaper – 2 ads 2 consecutive weeks, last at least 8 days before deadline (greater than 2500 sq. ft. – also Central Register – at least 30 days before)	Sealed Proposal Offer	Most advantageous	For dispositions: declaration of availability, determination of value. For acquisition: uniqueness, determination to shorten or waive advertising.