

Warrington



Township

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www.warringtontownship.org

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TOWNSHIP MANAGER
TIMOTHY J. TIEPERMAN

July 12, 2011

MANAGERS REPORT

Consent Items

- a. Criteria for Inclusion on Veterans Monument
- b. Purchasing Policy Amendment to establish professional services review panels (where necessary).
- c. RFP for Custody Services.

CONSENT ITEM "A"



MEMO

Warrington Township
852 Easton Road
Warrington PA 18976
(215) 343-9350

MEMO TO: Board of Supervisors
FROM: Veterans Affairs Committee
RE: Criteria for Inclusion on Veterans Monument
DATE: June 25, 2010

In order to recognize the service of more veterans who reside in Warrington Township, the Veterans Affairs Committee recommends that the criteria for inclusion on the monument be modified.

The current criteria are:

Criteria for inclusion on the memorial is a DD Form 214, or equivalent, honorably discharged, indicating the following:

- The individual must have served our country in a war zone, conflict zone or military action during the time of the conflict or be a victim of terrorist attacks on US soil.
- The individual show Warrington Township as the home of record when the Veteran entered or was discharge from Service.

Dozens of Warrington Township residents have submitted applications for inclusion on the memorial but were denied because they did not meet these criteria. Most of these veterans did not meet the second criteria; *i.e.*, they did not show Warrington Township as the home of record when they entered or were discharged from Service. Some of the World War II veterans have lived in Warrington for over 50 years, but did not live in Warrington when the served.

Another issue is the requirement that the individual must have served in a war zone, conflict zone or military action during the time of the conflict. This eliminates most women, as women did not serve in these zones until recently.

The Veterans Affairs Committee recommends modifying the criteria to

- The individual must have served our country in one of the United States Armed Forces;
- The individual must show Warrington Township as the home of record when the Veteran entered or was discharged from Service or have lived in Warrington Township for at least 10 years.

We believe that these changes will recognize the service more Warrington veterans, which was the intent of the monument.



WARRINGTON TOWNSHIP

852 Easton Road, Warrington, Pennsylvania 18976
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VETERANS MEMORIAL WALL APPLICATION

I. GENERAL INFORMATION:

The Board of Supervisors of Warrington Township wish to honor all Warrington Township military veterans who served our country in a war zone, conflict zone or military action during the time of the conflict and those who were victims of terrorist attacks on US soil.

The names listed will be by military branch. Names may include an abbreviated title and name, a name, or a designation following the name. A single star (*) will denote those Killed in Action and a double star (**) indicates that they are/were a Prisoner of War / Missing in Action. A triple star (***) denotes those who were victims of terrorist attacks on US soil.

The names will be included in a bronze cast ribbon that will be 1" x 9". Each inscription can have no more than 20 characters. Please see page five (5) for wording examples.

The Veterans Memorial Wall is located at Igoe, Porter, Wellings Memorial Field at 3095 Bradley Road (off of Folly Road.)

II. CRITERIA:

Criteria for inclusion on the memorial is a DD Form 214¹, or equivalent, stating that the veteran was honorably discharged, and indicating Warrington Township as the home of record when the Veteran entered or was discharged from Service. Note: Other historical documentation indicating that the criterion has been met will be considered by the Board of Supervisors or their designee on a case by case basis. The veteran must have served our country in a war zone, conflict zone or military action during the time of the conflict or be a victim of terrorist attacks on US soil.

III. APPLICATION SUBMISSION:

Anyone may apply for inclusion on the Memorial. Applications can be obtained by stopping by or writing to Warrington Township, 852 Easton Road, Warrington, PA 18976. Criteria for inclusion on the memorial is a DD Form 214, or equivalent, honorably discharged, indicating the following:

- The individual must have served our country in a war zone, conflict zone or military action during the time of the conflict or be a victim of terrorist attacks on US soil.
- The individual show Warrington Township as the home of record when the Veteran entered or was discharge from Service.
- Names and proper documentation are to be submitted to the Warrington Township, Veteran Memorial, 852 Easton Road, Warrington, PA 18976.

IMPORTANT

If any information on this application is omitted or cannot be verified, the application may be held until verification can be made. A Township representative may contact the veteran, the applicant or other sources to verify information. If we cannot verify the application, we will hold the application until verification can be made. Castings will not be made until a significant number can be completed together. Your application may wait until other names are submitted.

¹ The DD Form 214, Report of Separation, is filed in the Official Military Personnel File. Certain basic information is needed to locate military service records. This information includes the veteran's complete name used while in service, service number or social security number, branch of service, and dates of service.

VII. EXAMPLES:

The examples listed below are suggestions.

<u>J</u>	<u>O</u>	<u>S</u>	<u>E</u>	<u>P</u>	<u>H</u>	<u>P</u>	<u>S</u>	<u>M</u>	<u>I</u>	<u>T</u>	<u>H</u>								
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<u>M</u>	<u>A</u>	<u>R</u>	<u>K</u>	<u>S</u>	<u>M</u>	<u>I</u>	<u>T</u>	<u>H</u>											
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<u>J</u>	<u>A</u>	<u>N</u>	<u>E</u>	<u>D</u>	<u>O</u>	<u>E</u>	*	*	*										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20

- * Killed in Action
- ** Prisoner of War / Missing in Action
- *** Victim of Terrorist Attacks on US Soil

CONSENT ITEM “B”

Warrington Township Purchasing Policy Manual 2008

Proposed Revision Date: May 24, 2011



Warrington Township
Purchasing Policy Manual

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PREAMBLE

Warrington Township wishes to buy goods and services of high quality at reasonable cost. Additionally, the Township staff will strive to make certain that all purchasing actions are fair and impartial with no impropriety or appearance of impropriety, that all qualified buyers and sellers have access to Township business and that no bidder is arbitrarily or capriciously excluded.

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ARTICLE 1 – GENERAL PROVISIONS

1-101 Application

This policy applies to all purchases, contracts for goods and construction entered into by Warrington Township.

1-102 Definitions

1. Blanket Purchase Order – Blanket purchase orders are available to departments when there is a need to repetitively purchase miscellaneous supply items from a single vendor. A blanket purchase order is issued for a specific dollar amount. When the encumbered dollars have been used, a new requisition must be processed to reestablish the blanket order for further purchases.
2. Cost-reimbursement Contract – A contract under which a bidder is reimbursed for costs which are allowable and allocable in accordance with the contract terms and the provisions of this policy, and a fixed fee or profit, if any.
3. Goods – All material, equipment, supplies, printing and computer hardware and software.
4. Governing Body – The Warrington Township Board of Supervisors.
5. Informality – A minor defect or variation of a bid or proposal from the exact requirements of the Invitation to Bid, or the Request for Proposal, which does not affect the price, quality, quantity, or delivery schedule for the goods, services, or construction being procured.
6. Professional Services – Work performed by an independent bidder within the scope of the practice of accounting, architecture, land surveying, landscape architecture, law, medicine, optometry, pharmacy, actuarial services, or professional engineering.
7. Public Body – Any legislative, executive or judicial body, agency, office, department, authority, post, commission, committee, institution, board, or political subdivision created by law to exercise some sovereign power or to perform some governmental duty, and empowered by law to undertake the activities described in this policy.
8. Request for Proposals – All documents, whether attached or incorporated by reference, utilized for soliciting proposals.
9. Responsible Bidder – A bidder that has the capability, in all respects, to perform fully the contract requirements and the moral and business integrity and reliability which will assure good faith performance, and who has been prequalified, if required.
10. Responsive Bidder – A bidder that has submitted a bid that conforms in all material respects to the Invitation to Bid.
11. Services – Any work performed by an independent bidder, except for construction, which does not consist primarily of acquisition of equipment or materials, or the rental of equipment, materials and supplies.

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1-103 Approval Authority for Purchases

An invoice or check request for the purchase of supplies, equipment or services shall be presented to the Director of Finance, who has been properly authorized by the Township Board of Supervisors in accordance with the established Purchasing Policy Manual. The Director of Finance and Township Manager have full authority to question the quality, quantity, kind, and source of materials and services being requisitioned.

- The invoice should specify the exact item purchased. All invoices should be accompanied by receiving tickets and receipts. All invoices will have a net term of 45 days to be paid to the vendor.
- The Department Head approves the invoice for payment and codes the appropriate budget line item.
- The Finance Director reviews the invoice and verifies that the expense is budgeted and that the invoice has been correctly coded.
- The Township Manager or designee approves the invoice and forwards to Accounts Payable for payment.
- Should the value of an item(s) exceed \$1,000, a purchase order must be prepared and approved by the Township Manager or his/her designee prior to purchasing.
- Written quotations from at least three qualified and responsible contractors are required for all contracts and or purchases that exceed \$4,000 and less than \$10,000. These quotes will be audited to ensure that an equal opportunity is being presented to all businesses.
- At least two written quotations are required for purchases of \$1,000 or more but less than \$4,000. These quotes will be audited to ensure that an equal opportunity is being presented to all businesses.
- Any invoice or purchase order that exceeds the available budget will be frozen. Only the Director of Finance or the Township Manager has the authority to override the budget. The Department Head should contact either or both parties to determine if the purchase is valid and warrants exceeding the budget.

Township employees are not to enter into procurement contracts, or in any way obligate Warrington Township for procurement indebtedness except as specifically authorized by this manual, by the Township Manager or by the Director of Finance.

Unauthorized purchases made by an individual may be determined to be a **personal obligation** between the individual and the vendor. Such obligations **will not be honored** by Warrington Township for payment. In such instances, the vendor will be notified that the Township **will not accept responsibility** for the debt. The individual will receive written notification of the Township's decision and a copy of the vendor's request for payment.

- A. The Township Manager, Director of Finance, Department Heads, and designated buying staff are the only personnel authorized to commit funds on behalf of the Township for the purchase of equipment, materials, supplies and services. A Department Head may delegate purchasing authority for approved blanket purchases.

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- B. All purchases must be made in accordance with the Purchasing Manual.
- C. Every item purchased must have a receipt specifying the Vendor, Address, Phone Number, Date of Purchase, Description of Purchase, Amount, and Total Paid. All receipts must be approved by the Department Head, Director of Finance, and Township Manager.

1-104 Cooperative Purchasing for Purchases

Warrington Township participates in several cooperative purchasing programs (*e.g.* COSTARS, U.S. Cities) to obtain the lowest possible prices; priority should be given to these cooperative purchasing programs when selecting vendors and soliciting price quotes.

ARTICLE 2 – CONTRACT INFORMATION AND METHODS OF SOURCE SELECTION

2-101 Competitive Bidding Requirements and Exceptions

- 1. Conditions for Use
All contracts in excess of \$10,000 shall be awarded after competitive sealed bidding, except the following:
 - A. Those made for emergency maintenance, repairs or replacements for water, electric, light, or other public works of the Township as they do not constitute new additions, extensions or enlargements of existing facilities and equipment.
 - B. Those made for improvements, repairs, or maintenance of any kind made or provided by any Township through its own employees. All contracts or purchases of materials used for improvement, maintenance or construction in excess of \$4,000 but less than the required advertising amount are subject to the provisions contained in subsection 3102 (b) of the Second Class Township Code, and those contracts or purchases in excess of the required advertising amount are subject to the advertising requirements contained in subsection 3102 (a) of the Second Class Township Code.
 - C. Less than three quotations may be accepted in instances where fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations. In such an instance, a memorandum of this circumstance shall be kept on file.
 - D. Those involving any policies of insurance or surety company bonds, those made for public utility service, those made for electricity, natural gas or telecommunication service either directly or with an association authorized under Article XIV of the Second Class Township Code in which the Township is a member and those made with another municipality, county, school district, municipal authority or Federal or State government, including the sale, leasing or loan of any supplies or materials by the Federal or State Government or their agencies.
 - E. Those involving personal or professional services.
 - F. Those made for materials and supplies or equipment rental under emergency conditions under 35 Pa.C.S. Pt. V (relating to emergency management services).

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- G. Those contracts involving equipment rental with operators if more than fifty (50%) of the total personnel hours required for the completion of the contract is supplied by the Township through its own employees.
 - H. Those contracts for the purchase of repair parts or materials for use in existing Township equipment or facilities if the item or material to be purchased is the sole item of its kind on the market or is manufactured as a replacement for the original item or equipment being repaired.
 - I. Those for used equipment, articles, apparatus, appliances, vehicles, or parts thereof being purchased from a public utility.
 - J. Those where particular types, models, or pieces of equipment, articles, apparatus, appliances, vehicles or parts thereof which are patented and manufactured products.
2. Prequalification of Bidders
- A. The Township may pre-qualify bidders prior to any solicitation of bids.
 - B. The application form used in such process shall set forth the criteria upon which the qualifications of prospective bidders will be evaluated. The application form shall request of prospective bidders only such information as is appropriate for an objective evaluation of all prospective bidders pursuant to such criteria.
 - C. In instances in which the Township requires prequalification of potential bidders for construction projects, advance notice shall be given of the deadline for the submission of prequalification applications. The deadline for submission shall be sufficiently in advance of the date set for the submission of bids for such construction so as to allow the procedures set forth in this subsection to be accomplished.
 - D. At least thirty (30) days prior to the date established for submission of bids or proposals under the procurement of the contract for which the prequalification applies, the Township shall advise in writing each bidder which submitted an application whether that bidder has been prequalified. In the event that a bidder is denied prequalification, the written notification to such bidder shall state the reasons for such denial of prequalification and the factual basis of such reasons.
 - E. The Township may deny prequalification to any bidder only if the Township finds one of the following:
 - 1. The bidder does not have sufficient financial ability to perform the contract that would result from such procurement. If a bond is required to ensure performance of a contract, evidence that the bidder can acquire a surety bond from a corporation included on the United States Treasury list of acceptable surety corporations in the amount and type required by the Township shall be sufficient to establish the financial ability of such bidder to perform the contract resulting from such procurement;
 - 2. The bidder or any officer, director, or owner thereof has had judgments entered against him/her within the past ten (10) years for the breach of

Warrington Township Purchasing Policy Manual

contracts for governmental or nongovernmental construction, including, but not limited to, design build or construction management;

3. The bidder or any owner, officer, director, project manager, procurement manager or chief financial official thereof has been convicted within the past ten (10) years of a crime related to governmental or nongovernmental construction or contracting;
4. The bidder or any officer, director or owner thereof is currently debarred pursuant to an established debarment procedure from bidding or contracting by any public body;
5. The bidder failed to provide to the Township in a timely manner any information requested by the Township relevant to 1 through 5 of this subsection;
6. Prequalification of a bidder shall not constitute a conclusive determination that the bidder is responsible, and such bidder may be rejected as non-responsible on the basis of subsequently discovered information.

3. Notice of Invitation to Bid

The Township shall solicit sealed bids from all responsible prospective suppliers who have requested their name to be added to a "bidder list" which the Township shall maintain, by sending such notice as will acquaint them with the proposed purchase or sale.

4. Use of Brand Names

Unless otherwise provided in the invitation to bid, the name of a certain brand, make or manufacturer does not restrict bidders to the specific brand, make or manufacturer names; it conveys the general style, type, character, and quality of the articles desired, and any article which the Township in its sole discretion determines to be the equal of that specified, considering quality, workmanship, economy of operation, and suitability for the purpose intended, shall be accepted.

5. Bid Bonds on Construction Contracts

Except in cases of emergency, all bids or proposals for construction contracts covered by this policy shall be accompanied by a bid bond from a surety company selected by the bidder which is legally authorized to do business in Pennsylvania, as a guarantee that if the contract is awarded to such bidder, that bidder will enter into the contract for the work mentioned in the bid. The amount of the bid bond shall not exceed ten (10%) percent of the amount bid.

No forfeiture under a bid bond shall exceed the lesser of (i) the difference between the bid for which the bond was written and the next low bid, or (ii) the face amount of the bid bond.

6. Bonds for Other than Construction Contracts

At the discretion of the Township, bidders may be required to submit with their bid a bid bond in an amount to be determined by the Township and specified in the invitation to bid, as a guarantee that if the contract is awarded to such bidder, that the bidder will enter into the contract for the work described in the bid.

The Township may require successful bidders to furnish performance and/or payment bonds at the expense of the successful bidder, in amounts to be determined by the

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Township and specified in the invitation to bid, to ensure the satisfactory completion of the work for which a contract or purchase order is awarded.

7. **Rejection of Bids**
An Invitation to Bid, a Request for Proposal, or other solicitation may be canceled, or any or all bids or proposals may be rejected in whole or in part or informalities waived when the Township determines that it is in the best interest of the Township to do so. The reasons therefore shall be made a part of the record in the matter.
8. **Bid Opening**
All bids received under this section must be opened in public.
9. **Withdrawal of Bid Due to Error**
 - A. A bidder may withdraw his/her bid from consideration if the price bid was substantially lower than the other bids due solely to a mistake therein, provided the bid was submitted in good faith, and the mistake was a clerical mistake as opposed to a judgment mistake, and was actually due to an unintentional arithmetic error or an unintentional omission of a quantity of work, labor or material made directly in the compilation of a bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective evidence drawn from inspection of original work papers, documents and materials used in the preparation of the bid sought to be withdrawn provided that bidder give notice in writing of his/her claim of right to withdraw his/her bid within two (2) business days after the conclusion of the bid opening procedure.
 - B. If a bid is withdrawn under the authority of this section, the lowest remaining bid shall be deemed to be the low bid.
 - C. No bidder who is permitted to withdraw a bid shall, for compensation, supply any material or labor to or perform any subcontract or other work agreement for the person or firm to whom the contract is awarded or otherwise benefit, directly or indirectly, from the performance of the project for which the withdrawn bid was submitted.
10. **Bid Evaluation**
In determining "lowest responsible bidder", in addition to price, the Agent shall consider:
 - A. The ability, capacity, skill and financial resources of the bidder to perform the contract or provide the service requirements;
 - B. Whether or not the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - C. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
 - D. The quality of performance of previous contracts or services;
 - E. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;
 - F. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract;

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- G. Whether the bidder is in arrears to the Township on a debt or contract or is a defaulter on surety or whether the bidder's taxes or assessments are delinquent.

11. Bid Award

Bids shall be awarded to the lowest responsive and responsible bidder. When the terms and conditions of the invitation to bid provide that multiple awards may be made, awards may be made to more than one bidder.

Unless canceled or rejected for good cause, a responsive bid from the lowest responsible bidder shall be accepted as submitted.

When the award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be filed with the other papers relating to the transaction.

12. Tie Bids

A. In the case of a tie bid, preference shall be given to goods, services and construction provided by a bidder domiciled in Warrington Township, if such a choice is available. Like preference shall be given to bidders domiciled in Bucks County, Pennsylvania when tied with bidders not domiciled in the Township.

B. Notwithstanding the provisions of subsections A in the case of a tie bid in instances where goods are being offered, when the tie bid still exists after existing price preferences have already been taken into account, preference shall be given to the bidder whose goods contain the greatest amount of recycled content.

C. In the event that none of the foregoing provisions of the section resolve the tie, the Township may decide the tie by lot or cancel the solicitation and rebid.

13. Performance and Payment Bonds for Construction Contracts

A. Upon the award of any public construction contract exceeding \$10,000 awarded to any prime bidder, such bidder shall furnish to the Township the following bonds:

- 1. Performance Bond - in the sum of the contract amount conditioned upon the faithful performance of the contract in strict conformity with the plans, specifications and conditions of the contract.

- 2. Payment Bond – in the sum of the contract amount. Such bond shall be for the protection of claimants who have fulfilled contracts to supply labor or materials to the prime bidder to whom the contract was awarded, or to any sub-bidders, in the prosecution of the work provided for in such contract, and shall be conditioned upon the prompt payment for all such material furnished or labor supplied or performed in the prosecution of the work. "Labor or materials" shall include public utility services and reasonable rentals of equipment, but only for periods when the equipment rented is actually used at the site.

B. Each of such bonds shall be executed by one or more surety companies selected by the bidder, which are legally authorized to do business in Pennsylvania.

C. Bonds shall be made payable to Warrington Township.

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- D. Each of the bonds shall be filed with the Township, or a designated officer or official thereof.
 - E. Nothing in this section shall preclude the Township from requiring payment or performance bonds for construction contracts below \$10,000.00.
 - F. Nothing in this section shall preclude such bidder from requiring each sub-bidder to furnish a payment bond with surety thereon in the sum of the full amount of the contract with such sub-bidder conditioned upon the payment to all persons who have and fulfill contracts which are directly with the sub-bidder for performing labor and furnishing materials in the prosecution of the work provided for in the subcontract.
14. Alternative Forms of Security
- A. In lieu of a bid, payment, or performance bond, a bidder may furnish a certified check or cash escrow in the face amount required for the bond.
 - B. If approved by the Township Solicitor, a bidder may furnish a personal bond, property bond, or bank or savings and loan association's letter of credit on certain designated funds in the face amount required for the bid bond, payment bond or performance bond. Approval shall be granted only upon a determination that the alternative form of security proffered affords protection to the Township equivalent to a corporate surety's bond.

2-102 Emergency Purchases

In case of an emergency, a contract may be awarded without Competitive Sealed Bidding. If any emergency occurs, the using department shall immediately notify the Township Manager or Director of Finance who shall either purchase the required supplies or contractual services, authorize the department head to do so, or disapprove the emergency purchase.

An emergency situation exists when the safety, health or welfare of the public is vitally affected by: (a) a breakdown in machinery and/or threatened termination of essential services, (including maintenance and repair of essential office equipment), or (b) the development of a dangerous condition, or (c) any other circumstance in which supplies are needed for immediate use.

2-103 Small Purchases

1. All purchases over \$1,000 must be approved by the Director of Finance. All purchases over \$4,000 must be approved by the Township Manager or designee. All purchases over \$4,000 must have three (3) quotations by three (3) different businesses.
2. Purchases that exceed \$4,000 but are less than \$10,000 shall be subject to the following provisions:
 - A. Contract requirements shall not be artificially divided so as to constitute a small purchase.

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- B. Insofar as it is practical, no less than three (3) businesses shall be solicited to submit quotations for purchases over \$4,000.
- C. Award shall be made to the business offering the lowest responsible quotation.
- D. The name of the businesses submitting the quotation, the date and the amount of each quotation shall be recorded and maintained as a public record by attaching to the respective invoice.
- E. All quotations solicited that are expected to exceed \$4,000 shall be submitted in writing by the businesses and shall be retained for a period of three (3) years.
- F. All purchases under \$1,000 do not require pre-approval by the Township, as long as the item(s) was budgeted accordingly. All unbudgeted purchases must be approved by the Township to ensure the availability of funds.

2-104 Interest in More than One Bid and Collusion

- 1. More than one bid or proposal received in response to a single solicitation from an individual, firm, partnership, corporation, affiliate, or association under the same or different names will be rejected.
- 2. Reasonable grounds for believing that a bidder is interested in more than one bid or proposal for solicitation both as a bidder and as a sub-bidder for another bidder or, will result in rejection of all bids or proposals in which the bidder is interested. However, a firm acting only as a sub-bidder may be included as sub-bidder for two or more bidders submitting a bid or proposal for the work.
- 3. Any or all bids or proposals may be rejected if reasonable grounds exist for believing that collusion exists among any bidders.
- 4. Bidders rejected under the above provisions shall be disqualified if they respond to a re-solicitation for the same work.

2-105 Public Access to Procurement Information

All proceedings, records, contracts, and other public records relating to procurement transactions shall be open to inspection of any citizen, or any interested person, firm or corporation, to the extent allowed by the Pennsylvania Right to Know Act.

2-106 Fees for Construction Documents and Solicitation Documents

- 1. Construction and Solicitation Documents – A variable fee shall be charged to purchasers for each additional set of Construction Documents requested, per the Warrington Township Fee Schedule.
 - A. Definition – Construction Documents include construction drawings, technical specifications, project manuals, sketches, instructions to bidders, special and general terms and conditions, exhibits, agreement forms, bid forms, and related solicitation documents for construction projects.
 - B. Fees and Charges – The variable fee for purchase of each set of Construction Documents for projects is defined in the current Warrington Township Fee

Warrington Township
Purchasing Policy Manual

Schedule. Any cost of shipping each set of Construction Documents shall be borne by the purchaser. No fee will be charged for producing and mailing copies of amendments or addenda to Construction Documents sent to purchasers of Construction Documents or for the initial notices advising potential bidders of the availability of Construction Documents.

- C. Website Availability – All bid documents and associated Terms and Conditions are available on the Warrington Township website www.warringtontownship.org.
2. Exceptions – A fee for Construction or Solicitation Documents may be waived by the Township when:
- A. The Construction or Solicitation Documents are for the use of other public bodies;
 - B. Notwithstanding the above, the Township may charge a lower fee for a set of Construction Documents than the fee arrived at by using the specified formula when the establishment of such lower fee is determined to be in the best interest of the Township.

ARTICLE 3 – DISPOSAL OF SURPLUS PROPERTY

3-101 Procedure

- 1. The Township shall sell, transfer, trade or otherwise dispose of personal property belonging to the Township which has become obsolete, unusable or surplus or which is being transferred in order to be leased back by the Township under a lease purchase agreement. Any such sales, trades, or exchanges shall be based on competitive bidding requirements wherever practicable.
- 2. The Township may allow Township employees to bid on Township personal property if it is determined to be in the best interest of the Township.

ARTICLE 4 – ETHICS IN PUBLIC CONTRACTING

4-101 Definitions

The words defined in this section shall have the meanings set forth below throughout this article.

Warrington Township
Purchasing Policy Manual

1. Immediate family shall mean a spouse, children, parents, brothers and sisters, and any other person living in the same household as the employee.
2. Official responsibility shall mean administrative or operating authority, whether intermediate or final, to initiate, approve, disapprove or otherwise affect a procurement transaction, or any claim resulting there from.
3. Pecuniary interest arising from the procurement shall mean a material financial interest as defined in the Comprehensive Conflict of Interests Act.
4. Procurement transaction shall mean all functions that pertain to the obtaining of any goods, services or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.
5. Public employees shall mean any person employed by a public body, including elected officials or appointed members of governing bodies.

4-102 Proscribed Participation by Public Employees in Procurement Transactions

No public employee having official responsibility for a procurement transaction shall participate in that transaction on behalf of the public body when the employee knows that:

1. The employee is contemporaneously employed by a bidder involved in the procurement transaction; or
2. The employee, the employee's partner, or any member of the employee's immediate family holds a position with a bidder such as an officer, director, trustee, partner or the like, is employed in a capacity involving personal and substantial participation in the procurement transaction, or owns or controls an interest of more than five (5%) percent; or
3. The employee, the employee's partner, or any member of the employee's immediate family has a pecuniary interest arising from the procurement transaction; or
4. The employee, the employee's partner, or any member of the employee's immediate family is negotiating, or has an arrangement concerning, prospective employment with a bidder.

4-103 Solicitation or Acceptance of Gifts

No public employee having official responsibility for a procurement transaction shall solicit, demand, accept, or agree to accept from a bidder or sub-bidder any payment, loan subscription, advance, deposit of money, services or anything of more than nominal or minimal value (< \$50.00), present or promised, unless consideration of substantially equal or greater value is exchanged. The Township may recover the value of anything conveyed in violation of this section.

4-104 Kickbacks

No bidder or sub-bidder shall demand or receive from any of his/her suppliers or sub-bidders, as an inducement for the award of a subcontract or order, any payment, loan subscription, advance, deposit of

Warrington Township
Purchasing Policy Manual

money, services or anything, present or promised, unless consideration of substantially equal or greater value is exchanged.

No person shall demand or receive any payment, loan, subscription, advance, deposit of money, services or anything of value in return for an agreement not to compete on a public contract.

If a sub-bidder or supplier makes a kickback or other prohibited payment as described in this section, the amount thereof shall be conclusively presumed to have been included in the price of the subcontract or order and ultimately borne by the Township and will be recoverable from both the maker and recipient. Recovery from one offending party shall not preclude recovery from other offending parties.

4-105 Purchase of Materials, Supplies and Equipment from Consultants Prohibited

1. No materials, supplies or equipment for any Township project(s) shall be sold by or purchased from any person employed as an independent bidder by the Township.
2. The provisions of subsection 1 above shall not apply in case of an emergency.

ARTICLE 5 – FINANCIAL REPORTING AND BUDGET MANAGEMENT

5-101 Finance Department Responsibility

The Finance Department reviews financial statements and management monitors adherence to the budget. The Finance Department receives the Consolidated Balance Sheet and Consolidated Income Statement of Warrington Township on a monthly basis. Typically variances of 5% or greater are explained by management in the notes to the financial statements.

5-102 Department Heads Responsibilities

Departmental statements, along with account details, are provided monthly to Department Heads. Department Heads do a review of the statements and the account details every quarter. Their review identifies coding errors and changes they would like to make. Based on their review, Department Heads make the necessary adjustments (i.e. controlling expenses, revenue forecasts) to keep their programs on budget. Department Heads must submit a memo to the Township Manager at the end of each quarter explaining any line items exceeding the quarterly target; e.g., 25% as of March 31, 50% as of June 30, 75% as of September 30.

ARTICLE 6 – RFP REVIEW PANEL

6-101 Establishment of a Professional Review Panel

Since professional contracts are not bound by any sealed bid requirement, regardless of monetary threshold, the Township Manager shall have the authority and flexibility to establish a professional panel to review complex RFP (request for proposal) documents and proposals. At a minimum this panel shall be responsible to ensure that all RFP documents comply with the Township's procurement regulations and meet all required insurance and legal requirements. There are certain unique situations where a detailed RFP is not necessary or advisable, and the Board may waive the panel requirement at the Township Manager's recommendation.

CONSENT ITEM "C"



877-INR-1733 610-891-1677 fax 610-891-1679
115 W. State Street Suite 300 Media, PA 19063

www.In-R.com

July 6, 2011

Mr. Timothy Tieperman
Township Manager
Warrington Township
852 Easton Road
Warrington, PA 18976

RE: RFP for Investment Custodial Services

Dear Tim:

In accordance with Act 44 legislation, the township has advertised and requested proposals for investment custodial services. We have completed the analysis and found that TD Ameritrade could offer custody services at a drastically lower cost while still providing the level of service required to properly administer the programs.

Our recommendation to the Township is to terminate the current relationship and services of Charles Schwab Trust Company and engage TD Ameritrade to provide investment custodial services. The total annual savings for the Police Plan would be about \$ 6,000 and \$ 3,000 for the Non-Uniform Plan. The Township benefited from the fact that InR Advisory Services has a large presence with TD Ameritrade. This led TD to respond to the proposal based on the assets they already custody for our clients.

InR Advisory Services will coordinate the transition from Charles Schwab Trust to TD Ameritrade to assure that the retirees see not disruption of service. We have made similar transitions with over 50 municipal accounts and we have been successful in each of those efforts.

I have attached a model ordinance that has been used in other instances for your review. Please review and let me know how the Township would like to proceed.

Sincerely,

Jeffrey M. Hugo CLU, CEBS, ChFC
Vice President



RESOLUTION 2011-R-_____

**A RESOLUTION OF WARRINGTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA,
APPROVING THE SELECTION OF TD AMERITRADE AS CUSTODIAN FOR THE
WARRINGTON TOWNSHIP POLICE AND NON-UNIFORM PENSION PLANS.**

WHEREAS, after consideration, Warrington Township has decided to change Custodian from Charles Schwab Trust Company to TD Ameritrade for the Police and Non-Uniform Pension Plans; and

NOW, THEREFORE, be it, and it is hereby **RESOLVED** by the Board of Supervisors of Warrington Township, Bucks County, Pennsylvania, as follows:

1. The Warrington Township Board of Supervisors hereby moves to terminate, effective immediately, the services of Charles Schwab Trust Company and the Plan Administrator as Custodian of Police and Non-Uniform Pension Plans are authorized to execute any and all documents necessary to facilitate the termination of said relationship, including the Notice of Termination and Letter of instruction;
2. Warrington Township Board of Supervisors approves the naming of TD Ameritrade as Custodian of the Warrington Township and Non-Uniform Pension Plans and authorizes the Plan Administrator to execute any and all documents necessary to facilitate the custodian relationship.

RESOLVED this _____ day of _____, 2011.

BOARD OF SUPERVISORS OF WARRINGTON TOWNSHIP

ATTEST:

Timothy J. Tieperman
Township Manager

John R. Paul, Chairperson

Gerald B. Anderson, Vice-Chairperson

Marianne Achenbach, Secretary

Michael W. Lamond, Jr. Asst. Secretary

Paul H. Plotnick, Member

**WARRINGTON TOWNSHIP
RESOLUTION NO. 2011-_____**

A RESOLUTION OF WARRINGTON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, APPROVING THE SELECTION OF TD AMERITRADE AS CUSTODIAN FOR THE WARRINGTON TOWNSHIP POLICE AND NON-UNIFORM PENSION PLANS.

WHEREAS, after consideration, Warrington Township at the meeting held on _____, 2011, voted to select TD Ameritrade as Custodian for the Police and Non-Uniform Pension Plans; and

NOW THEREFORE, BE IT RESOLVED, by the Borough as follows:

1. Council hereby moves to terminate, effective immediately, the services of Charles Schwab Trust Company and the Plan Administrator is authorized to execute any and all documents necessary to facilitate the termination of said relationship, including the Notice of Termination and Letter of instruction;
2. The Board approves that naming of TD Ameritrade as Custodian of the Warrington Township and Non-Uniform Pension Plans and authorizes the Plan Administrator to execute any and all documents necessary to facilitate the custodian relationship.

Resolved this _____ day of _____, 2011.

Warrington Township

BY: _____

Attest: _____