

TOWN OF CHAPLIN
PROCUREMENT ORDINANCE

RECITALS

WHEREAS, the Town of Chaplin (“Town”) is authorized pursuant to Connecticut General Statutes § 7-148, including subsection (v), to adopt ordinances governing the manner in which the Town exercises its powers and conducts its affairs; and

WHEREAS, Connecticut General Statutes § 4a-53a and related statutes authorize municipalities to participate in state contracts and cooperative purchasing arrangements in order to achieve cost savings and administrative efficiency; and

WHEREAS, Public Act 25-92 authorizes municipalities to adopt ordinances establishing a sealed bid or competitive proposal threshold of up to thirty-five thousand dollars (\$35,000); and

WHEREAS, the Board of Selectmen finds that the adoption of a comprehensive procurement ordinance is necessary to ensure fairness, transparency, accountability, and competition in the expenditure of public funds; and

WHEREAS, the Town seeks to promote the responsible and efficient use of taxpayer funds, to safeguard the public trust, and to reduce the risk of fraud, favoritism, and waste; and

WHEREAS, the Town desires to clearly define procurement authority, roles, and responsibilities among elected officials, officers, and employees; and

WHEREAS, the Town further seeks to ensure that its procurement practices are consistent with applicable state and federal laws, including grant and funding requirements, while allowing flexibility for emergencies and specialized acquisitions; and

WHEREAS, the Board of Selectmen has determined that establishing uniform procurement standards will serve the best interests of the Town and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE VOTERS OF THE TOWN OF CHAPLIN IN TOWN MEETING DULY ASSEMBLED THAT THE FOLLOWING PROCUREMENT ORDINANCE IS HEREBY ADOPTED.

Section 1. Purpose

The purpose of this Procurement Ordinance is to:

- A. ensure fair and equitable treatment of all persons involved in Town procurement;
- B. promote open and effective competition;
- C. maximize the value and responsible use of public funds;
- D. establish clear procurement authority and accountability; and

- E. ensure that Town procurement complies with applicable Connecticut General Statutes, including but not limited to CGS § 7-148v, § 4a-53a, Public Act 25-92 and with any other applicable state statutes and grant requirements.

Section 2. Applicability

- A. This Ordinance applies to all procurement of supplies, services, and construction by the Town of Chaplin, regardless of the source of funds, except where:
 - 1. the Board of Education certifies an item or service as an educational purchase not reasonably subject to competitive procurement; or
 - 2. state or federal assistance programs impose procurement requirements that conflict with this Ordinance, in which case such requirements control.
- B. Purchases made through State of Connecticut contracts, Regional Council of Governments arrangements, or other cooperative purchasing programs in which the Town participates are deemed compliant with this Ordinance, consistent with CGS § 7-148v(b) and § 4a-53a.
- C. Nothing in this Ordinance prevents compliance with the lawful terms of any grant, gift, or funding agreement or with other applicable state statutes.
- D. All specifications shall be written to promote competition, economy, and efficiency, and shall not be unduly restrictive.

Section 3. Definitions

Brand Name Specification: A specification identifying a product by manufacturer name or catalog number.

Brand Name or Equal Specification: A specification using a brand name as a reference standard while allowing equivalent products.

Contract: Any agreement, including purchase orders, for supplies, services, or construction.

Contractor: Any person or entity entering into a contract with the Town, including subcontractors.

Construction: Building, alteration, repair, improvement, or demolition of public structures or improvements, excluding routine maintenance.

Services: Labor or professional work not resulting in a specific end product, excluding employment and collective bargaining agreements.

Specification: A description of requirements for a supply, service, or construction item.

Supplies: Consumable materials, equipment, and leased property, excluding land or permanent interests in land.

Town-based bidder: A business that has bid on a project that maintains its principal place of business within the Town and has continuously operated within the Town for not less than twelve (12) months prior to the solicitation date.

Section 4. Procurement Authority and Responsibilities

A. First Selectman

The First Selectman is the Town's chief procurement official and shall:

1. administer and enforce this Ordinance;
2. approve issuance of all Invitations to Bid (IFBs), Requests for Proposals (RFPs), and Requests for Qualifications (RFQs);
3. approve non-competitive procurements not requiring Board of Selectmen approval, including small purchases and emergency purchases;
4. make written determinations supporting sole source procurements and submit such determinations to the Board of Selectmen for approval;
5. ensure all contracts receive legal review prior to execution; and
6. issue written procurement procedures and internal controls necessary to implement this Ordinance.

B. Board of Selectmen

The Board of Selectmen shall:

1. review and approve all competitive procurement awards;
2. review and approve all sole source procurements;
3. authorize execution of contracts awarded through competitive or sole source methods; and
4. provide policy oversight of Town procurement.

No competitive or sole source contract shall be executed without Board approval.

C. Department Heads

Department Heads shall:

1. identify procurement needs and prepare accurate specifications;
2. obtain quotations, bids, or proposals as required by this Ordinance;
3. maintain procurement and inventory records;

4. ensure delivered goods and services comply with contract requirements; and
5. comply with procedures issued by the First Selectman.

Section 5. Competitive Procurement

A. Requirement

All purchases or contracts of thirty-five thousand dollars (\$35,000) or more must use competitive sealed bidding or proposals unless an exception applies, as authorized by Public Act 25-92.

B. Public Notice

1. CTSOURCE or Comparable State Portal: All competitive solicitations shall be posted on the Connecticut Department of Administrative Services (DAS) procurement portal (CTSOURCE), or on another state-administered electronic procurement system serving a substantially similar public notice and vendor access function, as permitted by law.
2. Town Website: All solicitations shall also be posted on the Town website.
3. Grant-Specific Requirements: If a grant or other state statute requires additional forms of notice (e.g., newspaper publication), the Town shall comply with those requirements.

C. Bid Opening and Evaluation

1. Bids shall be publicly opened at the time and place stated in the solicitation;
2. Bids shall be evaluated solely on the criteria stated in the solicitation; and
3. The First Selectman shall provide a recommendation to the Board of Selectmen.

D. Award of Contract

1. Competitive contracts shall be awarded to the lowest responsible and responsive bidder, or to the best-qualified proposer, as applicable, except as otherwise provided herein regarding preference for qualified town-based bidders.
2. Any responsible town-based bidder whose bid is within ten percent (10%) of the lowest responsible and responsive bid shall be given the opportunity to match the amount of such low bid. If the lowest qualified town-based bidder agrees in writing to match the low bid within the time period specified by the Town, the contract may be awarded to that town-based bidder. If that bidder declines or fails to respond, the Town may offer the same opportunity to the next lowest qualified town-based bidder within the ten percent (10%) threshold. If no qualified town-based bidder agrees to match the low bid, the contract shall be awarded to the lowest responsible and responsive bidder.

3. All competitive awards require Board of Selectmen approval prior to execution; and
4. Awards to other than the lowest bidder shall be justified in writing.

Section 6. Professional Services

Professional Services. Professional services shall be procured through a qualification-based selection process, unless otherwise required by law. The method of procurement shall also comply with the applicable dollar thresholds set forth in this Ordinance, including quotation or competitive bidding requirements when triggered by potential contract value. Selection shall be based on demonstrated competence and experience, with compensation negotiated to be fair and reasonable. Professional services contracts subject to competitive procurement require Board of Selectmen approval.

Section 7. Small Purchases

- A. Purchases not exceeding ten thousand dollars (\$10,000) may be made using informal purchasing procedures established by the First Selectman.
- B. For purchases exceeding ten thousand dollars (\$10,000) but not more than thirty-five thousand dollars (\$35,000), the Town shall obtain and document at least three (3) quotations when practicable. If three quotations cannot be obtained, a good-faith effort must be documented and approved by the First Selectman.
- C. Small purchases shall be approved by the First Selectman, unless otherwise required by law or by this Ordinance.

Section 8. Sole Source Procurement

- A. A contract may be awarded without competition when the First Selectman determines in writing, after a good-faith review of available sources, that only one practicable source exists for the required supply or service.
- B. All sole source procurements shall require Board of Selectmen approval prior to contract execution.
- C. The written determination and approvals shall be maintained as part of the public procurement record.

Section 9. Emergency Procurement

The First Selectman may authorize emergency purchases when necessary to protect public health, safety, or welfare. Competition shall be used to the extent practicable under the circumstances. The emergency and any procurement steps taken shall be documented in the procurement file.

Section 10. Brand Name Specifications

Brand name or equal specifications may be used when justified in writing to describe a standard of quality while permitting equivalents. Brand name only specifications may be used only when no reasonable alternative exists, and the justification shall be documented.

Section 11. Procurement of Used or Pre-Owned Equipment

- A. Applicability. Applies to any purchase, lease, or acquisition of used or pre-owned equipment, vehicles, or machinery.
- B. Condition. Used equipment may be purchased “as-is, where-is,” without warranties, unless the Board of Selectmen requires otherwise. Any statements regarding condition or remaining service life must be provided in writing by the seller.
- C. Inspection and Due Diligence. Prior to purchase, the Town, through the Public Works Department, shall conduct or obtain a qualified inspection, review available maintenance and service records, verify safety and operational compliance, and document all findings.
- D. Title and Ownership. The Town shall verify clear, marketable title; confirm the absence of liens or encumbrances; and obtain a written seller certification on title status.
- E. Liability and Indemnification. The seller shall indemnify and hold harmless the Town from claims related to defective or disputed title, violations occurring prior to transfer, or known but undisclosed defects.
- F. Approvals. Used equipment acquired through competitive or sole source procurement requires Board of Selectmen approval. Used equipment acquired as a small purchase may be approved by the First Selectman if all requirements of this section are met.
- G. Documentation. The file shall include inspection reports, seller certifications, indemnification provisions, and approvals.

Section 12. Cooperative Purchasing

The Town may purchase equipment, supplies, materials, or services from a person with a contract to sell to other state governments, political subdivisions, nonprofits, or public purchasing consortia—including Regional Councils of Governments—consistent with CGS § 7-148v(b) and § 4a-53a.

Section 13. Repealer

Upon its effective date, this Procurement Ordinance repeals, supersedes, and replaces in its entirety the Competitive Bidding Ordinance adopted by Town Meeting on December 15, 2010, and any amendments thereto. Any ordinances, resolutions, policies, or provisions thereof that are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. All procurements initiated on or after the effective date of this Ordinance shall be governed exclusively by its provisions.

Amended Chaplin Bicentennial Arboretum Commission Ordinance

The “Chaplin Bicentennial Arboretum Commission Ordinance,” originally enacted by the Town Meeting in June of 2023 pursuant to sections 7-131 and 23-60 of the Connecticut General Statutes is hereby repealed and replaced with the following “Amended Chaplin Bicentennial Arboretum Commission Ordinance” also enacted pursuant to sections 7-131 and 23-60 of the General Statutes:

1. The collection of trees previously planted at Edward Garrison Park for the purpose of outdoor recreation, commemoration of the Town of Chaplin 2022 Bicentennial celebration and public education about indigenous shade trees plus the Pollinator Pathway later established at 495 Phoenixville Road in Chaplin for educational opportunities and other similar purposes consistent with the Plan of Conservation and Development of the Town shall be known as the “Chaplin Bicentennial Arboretum.”
2. A Chaplin Bicentennial Arboretum Commission has been established as a public shade tree commission authorized by General Statutes section 7-131 and selected by the Town Meeting to have primary responsibility for the care, maintenance, replacement, additional plantings permitted by the Town of Chaplin Tree Warden, and removal of all trees and shrubs identified by the Tree Warden to be included in the Arboretum along with the roots and grounds directly under the canopies of all trees and shrubs so identified by the Tree Warden.
3. Said Commission consists of three members appointed by the Board of Selectmen after the enactment of the original Ordinance at the Annual Town Meeting in June of 2023, with one member to serve for three years, one member to serve for two years and the third member to serve for one year from appointment. After each of said terms has expired, one member may be replaced or reappointed by the Board of Selectmen for a term of three years.
4. The Commission shall work together in cooperation with the Town Tree Warden to share and fulfill the responsibilities of both the Commission and the Tree Warden pursuant to said sections 7-131 and 23-60 of the General Statutes within the Arboretum.
5. The Commission and Tree Warden shall meet at least once in each calendar quarter with 2 Commission members constituting a quorum.
6. The Arboretum Commission shall prepare an annual budget for the Chaplin Arboretum and propose the same to the Selectmen and the Board of Finance for inclusion in the Town’s annual budget. The Commission, with the authorization of the Board of Selectmen, may resolve to apply for and accept funding from outside sources for any of the foregoing purposes and others determined by the Commission.

Town of CHAPLIN
Hearing Procedure for Citations Ordinance
May 6, 2026

Section 1: Title.

This Ordinance shall be known and may be cited as the Town of Chaplin “Hearing Procedure for Citations Ordinance.”

Section 2: Legislative Authority.

This Ordinance is enacted pursuant to Sections 7-148(c)(10)(A) and 7-152c of the Connecticut General Statutes.

Section 3: Intent.

This Ordinance is designed to establish a hearing procedure for the appeal and enforcement of fines, penalties, costs and fees for citations issued for violations of Town of Chaplin ordinances.

Section 4: Appointment of Hearing Officers

The Board of Selectmen shall appoint one or more persons who are electors of the Town of Chaplin to serve as citation hearing officers to conduct hearings regarding the violation of Town ordinances. No police officer, or any Town employee or person authorized to issue citations for the violation of any Town ordinance shall be permitted to serve as a citation hearing officer.

Section 5: Notice of Violation and Citation

At any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any Town ordinance for a violation thereof, an official of the Town designated by the First Selectman shall provide notice of violation to the potentially cited person. Such notice shall be accomplished by personal service, hand delivery, certified mail, return receipt requested, or whatever means is certain to assure that the proper person will be notified:

A. Of the allegations against the notified and potentially cited person(s), the amount of the fines, penalties, costs or fees which may become due, the fact that each day of noncompliance with the local ordinance may result in a separate fine, penalty, cost or fee, and the time and date on which any citation may be issued and any fines, penalties, costs or fees will begin to accrue for continued violation;

B. That the cited person may contest liability before a hearing officer appointed by the Board of Selectmen by delivering in person or by mail written notice of demand for a

hearing to the Office of the First Selectman at the Chaplin Town Hall within ten days of the date of verifiably completed notice to the alleged offender;

C. That if a hearing is not so demanded, an assessment and judgment shall be entered against the cited person; and

D. That such judgment may issue without further notice. For purposes of this section, notice shall be presumed to have been properly sent if such notice was provided to such person or to their last known address on file with the tax collector or collector of revenue.

Section 6: Admission of Liability.

If a cited person who is sent notice pursuant to Section 5 wishes to admit liability for an alleged violation, the cited person may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees in person or by mail to the town treasurer at the address specified in the notice. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the cited person or other person making the payment. Any cited person who does not deliver or mail written notice of demand for a hearing within ten days of the date of the notice provided for in Section 5, above, shall be deemed to have admitted liability and the First Selectman shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinance and shall follow the procedures set forth in Section 7, below.

Section 7: Hearing Procedure.

A. Any cited person who requests a hearing shall be given written notice of the date, time and place of the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of such notice, provided the hearing officer shall grant upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing municipal agent or employee shall be filed and retained by the Town, be deemed to be a business record within the scope of General Statutes section 52-180, and be evidence of the facts set forth therein. At the request of the cited person the presence of the issuing municipal officer or employee shall be required at the hearing. A designated Town official other than the hearing officer may present evidence on behalf of the Town of Chaplin. A person wishing to contest their liability shall appear at the hearing and present evidence in their own behalf.

B. If the cited person fails to appear and such appearance has not been determined by the hearing officer to be unnecessary, the hearing officer may enter an assessment by default against the cited person upon a finding of proper notice and liability under the applicable ordinance. The hearing officer may accept from the cited person copies of written statements, police reports, investigatory and citation reports and other official documents by mail or hand delivery, and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and

with such methods of proof as the hearing officer deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce a decision at the end of the hearing. If the hearing officer determines that the cited person is not liable, the matter shall be dismissed and the decision of the hearing officer entered in writing accordingly. If the hearing officer determines that the cited person is liable for the violation, said officer shall forthwith enter and assess the fines, penalties, costs or fees against the cited person as provided by the applicable ordinance.

Section 8: Notice of Assessment and Judgment.

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the cited person found liable and shall file, not less than thirty days nor more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of the appropriate court, together with the appropriate entry fee required by the court which is currently eight dollars per General Statutes section 7-152c(f). The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same cited person may be accrued and filed as one record of assessment. The clerk shall enter judgment in the amount of said record of assessment and court costs against the cited person, in favor of the Town of Chaplin. Notwithstanding any other provision of the Connecticut General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such cited person.

Section 9: Appeal.

A cited person against whom an assessment has been entered pursuant to this Ordinance is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to open assessment, together with an entry fee in an equal amount to the entry fee for a small claims case pursuant to General Statutes section 52-259, at the appropriate court, which shall entitle the cited person to a hearing in accordance with the rules of the judges of the Superior Court.

Section 10: Other Remedies.

No action taken pursuant to this Ordinance shall preclude the Town of Chaplin from pursuing other enforcement remedies, either in addition to those specified in this Ordinance or separately, in order to achieve lawful compliance with the ordinances of the Town of Chaplin.