



## City of Fitchburg, Massachusetts Procurement Department

### POLICY FOR USE OF ON-CALL CONTRACTS

#### OBJECTIVE

The goal of this policy is to provide a reference tool for staff to understand the procurement process for on-call contracts, and to ensure that said procurements and resulting work performed comply with general law, local ordinances, and best practices.

#### AUTHORITY

On-call contracts have been procured for various departments. The assigned department can provide guidance, internal support, and technical assistance for projects utilizing the contracts.

#### PROCUREMENT PROCEDURE

Existing on-call contracts are listed in the Procurement Contract Database and are available to City and School departments for individual projects valued up to the threshold designated within the contract.

In advance of using the on-call contracts, the department must email the associated contract manager (typically the department head) to inform them of the nature of the project and details, the timeline for when work needs to be done, and the estimated cost.

Departments using an on-call contract shall adhere to the dollar value parameters listed within the contract. These parameters vary.

Departments wishing to utilize an on-call contract shall submit a requisition for approval in Munis in advance of work being done, and indicate the on-call contract number.

#### **Small projects**

Projects valued at less than \$10k may be given to an on-call contractor without a procurement process. It is in your best interest to look at hourly rates when making decisions on contractors for small projects.

#### **Projects valued at more than \$10k**

Locate of the dollar value parameters (threshold) listed within the contract, and be sure your project will not exceed the highest allowable contract value. A good faith estimate is a reliable tool to be sure you do not exceed the contract value.

If the project is within contract dollar value parameters, selection of a contractor will be left to the sole discretion of the department requiring the services. Departments shall contact the contractor directly to request an estimated price and information on availability of the contractor. Specifications may be developed and delivered to one or all contractors on a contract, and it is a best practice to do so.

Projects with a value exceeding the contract parameters will require an independent bid process through the procurement office. Do not use an on-call contract for this purpose.

*Projects may not be broken into smaller jobs/phases to avoid procurement.*  
*This is bid-splitting and is prohibited by law.*

## **EMERGENCY PROJECTS**

- For any emergency project with a value of less than \$50k, departments should utilize the on-call contractors for immediate response, and then notify the contract manager on the next business day.
- For any emergency project in excess of \$50k, please contact the Chief Procurement Officer immediately to apply for a DCAMM waiver, and notify the Facilities Director. In a true emergency, you may utilize the on-call contractor only to do the work necessary to the emergency.

## **CERTIFIED PAYROLL**

Remember that the work described is subject to prevailing wages and you must receive certified payroll sheets prior to paying any invoices.

## **PERFORMANCE**

The City is not obligated to continue working with a contractor who has performance issues. Please send any feedback to me regarding poor contractor performance or non-performance (no-shows) as soon as it occurs, so that we can establish a contract file and discuss options. We will not renew contracts for any contractor having documented performance issues.