

## **Cemetery Trustees Agenda**

### **Working Group to consider the Water Spigot System at Riverside Cemetery**

**Thursday, 29 June 2023, 8:30 a.m. Riverside Cemetery Conference Room, 842 Nashua Road, Milford, NH**

I have been notified that the Cemetery Trustees must seek permission from the Milford Board of Selectmen [BoS] to award a contract or expend the funds via a contract for the Water Spigot System at Riverside Cemetery per Town of Milford policies. This is despite information I'd received about Cemetery Trustee Funds and their expenditure.

The next BoS meeting date is 10 July 2023. I have emailed Ms. Tina Philbrick to reserve a spot on the BoS schedule.

The Attorney General's Office has an office regulating Trustees and Trusts. I will seek guidance there on Wednesday 28 June and from the New Hampshire Municipal Association so we are sure of our authority, responsibilities, and obligations in this matter.

Additionally, we must advertise and award the contract for the planned 50 spigot system at Riverside Cemetery under the Town of Milford Procurement Policies in the two newspapers below. I'm under the impression that we cannot advertise until we have BoS approval. This policy includes advertising in both the Nashua Telegraph and Manchester Union Leader. Response time is to be at least two weeks before bid opening, bid evaluation, and contract award. The Town Administrator said that Mr. Lessard would advertise the Request for Proposal [RFP].

I will investigate to find out who has the authority to award the contract on behalf of the Town of Milford and the Cemetery Trustees once the BoS has authorized the Trustees to proceed. You may, as have I, read the Town of Milford Board of Selectmen Policy No. 2007-01 and all appendices. This policy is on our Town website; search for POLICY ON PURCHASING AND PROCUREMENT. This indicates that only by the majority vote of the BoS can any Sole Source contract be awarded if that is not the lowest responsive qualified bid. While that is not our desire, we may have only one qualified bid.

Since we did not go through the Capital Improvements Program and Budgeting process we may be facing an extended process. Part of the policy directs us to receive "at least THREE qualified quotes." If less than three we must be able to PROVE our attempt.

Please read this Town Policy and be familiar with it so we can discuss our options.

There is really a 'gray zone' since this is not taxpayer funded, however, since we have no approved Procurement Policy in place yet for the Cemetery Trustees, we should go

through this exercise to make sure we have the Town on our side and to avoid any confusion.

Part of our meeting Thursday will be establishing an Evaluation Criteria & Process for choosing a winning contractor if we are allowed to proceed this year.

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Certainly some of the evaluation & selection criteria, [MANDATORY] which we must set in writing must be:

PRICE %?

RESPONSIVENESS TO THE RFP [mandatory for materials]? Equal or Better Quality  
non

Road crossings

Cleanup

MEETING OR EXCEEDING SPECIFICATIONS %?

ABILITY TO PERFORM THE CONTRACT [mandatory]

TIME TO COMPLETION %?

PERFORMANCE BOND [mandatory]

WORKMAN'S COMPENSATION [mandatory]

MAINTAINABILITY

WARRANTY

WEIGHTED VALUE OF EACH in % of value

The values we assign to each of these categories and and others we feel important should not be disclosed to anyone.

If you have any other concerns we need to establish them now and avoid any confusion later.

I am specifically inviting Mr. Leo Lessard for his expertise in Milford contracting.