



Policy FIN-002-2025

Township of Georgian Bluffs Procurement Policy

Implemented: April 2025

Revision Date:

References and Related Documents: Delegated Authority By-law

This document is public and available in an accessible format upon request.

Policy Statement

The Township of Georgian Bluffs (hereafter referred to as the Township) wishes to establish sound policies for the purpose of procuring supplies and services in a manner that is congruent with providing ethical, professional, and accountable delivery of programs and services to the residents of the Township, and that shall protect the integrity of the Township, the public, and the participants in the procurement process.

Purpose and Scope

The purpose of this policy is to provide guidelines for the acquisition of goods and services. As well, to ensure and maintain the integrity of all purchasing processes, to obtain the best value for both the short and long-term expenditures of public funds for the Township throughout acquiring quality and/or lifecycle value through an efficient and effective procurement process.

The purchasing policy is inclusive of the following:

- The types of procurement processes that shall be used;
- The goals to be achieved by using each type of procurement process;
- The circumstances under which each type of procurement process shall be used;
- The circumstances under which a tendering process is not required;
- How the integrity of each procurement process will be maintained;
- How the interest of the Township, the public and persons participating in a procurement process will be protected; and
- How and when the procurement process will be reviewed to evaluate their effectiveness.



Table of Contents

1. Definitions.....	5
2. General.....	10
2.1. Administration.....	10
2.2. Questions	10
2.3. Compliance	10
3. Authorization.....	11
3.1 Authority to Award	11
3.2 Authority for Payment.....	11
3.3 Calls for Bids or Quotations Before and After Approvals Received	11
4. Procurement Methods	12
4.1 Direct Purchase.....	12
4.2 Request for Quotation (RFQ)	12
4.3 Request for Tenders (RFT)	13
4.4 Request for Proposals (RFP)	14
4.5 Two Envelope RFP	15
4.6 Consultant Developed Tendering	16
4.7 Rotational Rosters.....	16
4.8 Cooperative Purchasing	17
4.9 Sole and Single Sourcing	17
4.10 Negotiation	19
4.11 Emergency Purchases	19
4.12 Request for Expression of Interest (REOI)	20
4.13 Request for Information (RFI).....	20
4.14 Request for Prequalification (RFPQ)	21
4.15 Blanket Order Contracts	21
4.16 Environmentally Conscious Procurement.....	22
4.17 Unsolicited Proposals	22
4.18 Lobbying.....	23
4.19 Purchase of Used Equipment / Assets	23



5.	Technology Procurement	23
6.	Agreements and Contracts	24
6.1	Contractual Agreements	24
6.2	Requirements Prior to Commencement of Work	24
6.3	Exercise of Contract Extension	25
6.4	Execution and Custody of Documents	25
6.5	Access to Information	25
7.	Vendor Performance	25
8.	Advertising – Public Notice	26
9.	Risk Management	26
9.1	Bid Security and Guarantees	26
9.2	Bid Deposits	27
9.3	Bid Bonds and Agreements to Bond	28
9.4	Performance Bonds and Labour and Material Bonds	28
9.5	Holdbacks	28
9.6	Insurance	29
9.7	Workplace Safety and Insurance	30
9.8	Dispute Resolution	30
9.9	Exclusion of Bidders in Litigation	30
9.10	Suspension of Vendors	31
9.11	Tie Bids	31
9.12	Scope and Contract Changes	31
10.	Reporting to Council	32
10.1	Council	32
10.2	Quarterly Update	32
10.3	Award of Contracts for Tenders	32
10.4	Award of Contracts for Requests for Proposal	33
11.	Standardization	33
11.1	Standardization of Documents	33
11.2	Standardization of Goods and Services	34



12.	Accessibility and Procurement.....	34
13.	Materials Management and Inventory Control	34
13.1	Responsibility of Department Head	34
13.2	Disposal of Surplus Goods (Excluding Land)	35
14.	Conflict of Interest	36
15.	No Local Preference	36
16.	Trade Agreements	36
17.	Monitoring and Review	36
	Schedule 'A' – Authority to Award.....	37
	Schedule 'B' – Bid Irregularities.....	38
	Schedule 'C' – Goods and Services Exempt from Procurement Policy	41

DRAFT



1. Definitions

Acquisition – obtain Goods, Services, Construction or Consulting services.

Agreement to Bond – a letter or other form issued by a bonding agency licensed to operate by the Government of Canada or the Province of Ontario advising that, if the bidder is successful, the bonding agency will issue the required bonds.

Approval Authority – the authority to approve and award Procurements, as well as, any assignment or corporate change requests related to such Procurement, up to the Authority to Award limits as set out in Schedule 'A'.

Approved Budget – a budget approved by Council for the current fiscal year.

Award Letter – a document, which is used to formalize a transaction with a Bidder.

Award – the acknowledgement of the authority to proceed to commit to a bidder(s) for acquisition of goods and services.

Best Value – the optimal balance of performance and cost determined in accordance with a pre-defined evaluation plan. Best Value may include a time horizon that reflects the overall life cycle of a given asset.

Bid – an offer or submission received from a bidder in response to a procurement process, which may be subject to acceptance or rejection.

Bid Irregularities – defined in Schedule 'B' Bid Irregularities and includes the appropriate response to these irregularities.

Bid Security – a financial guarantee, certified cheque, or other form of negotiable instruments or bond surety issued by a surety company to ensure the successful bidder will enter into a contract.

Bidder – an entity who submits a response to an invitation to bid as issued by the Township, to supply goods, services, or construction.

Bidding Portal – an online bidding website utilized by the Township to facilitate distribution and receipt of a variety of bid types. The Bidding Portal utilized by the Township will be indicated in the Bid Documents.

Blanket Order Contract – any contract for the supply of routinely purchased Goods and Services where the exact quantity of Goods and Services required is determined and purchased on an as needed basis.



CAO – Chief Administrative Officer for the Township, or their delegated authority.

Clearance Certificate – a unique number issued by the Workplace Safety Insurance Board (WSIB) to registered businesses, which shows that a business, contractor, or subcontractor is registered and up to date.

Clerk – the Clerk for the Township, or their delegated authority.

Committee – any committees of the Township of Georgian Bluffs Council, including Committees and Boards under the administrative authority of the Township.

Compliant Bid – a Bid that in accordance with this Policy and the Township’s policies and procedures has been found to have met specific mandatory requirements, does not give rise to any conflicts of interest, has not been submitted by a Vendor ineligible to Bid and has not been deemed non-compliant.

Competitive Process – a procurement process where three or more bidders are given an equal opportunity to submit bids in accordance with Township policy and procedures.

Confidential Information – information of commercial value, whereby the disclosure of which is likely to have the effect of either impairing the Township’s ability to obtain such information as is necessary to perform its statutory functions or causing substantial harm to the competitive position of the Supplier or other organization from which the information was obtained, unless the Township is required by law to disclose such information.

Construction – the process of using labour to build, alter, repair, improve or demolish any structure, building or public improvement, and generally does not apply to routine maintenance, repair, or operations of existing real property.

Consulting Services – the provision of expertise or strategic advice that is presented for consideration and decision-making, and are generally acquired to obtain information, advice, training or direct assistance.

Contract – a written binding agreement between the Township and the party providing the goods and/or services at a specified price.

Contract Extension – an amendment increasing the value, changing the scope of work, or extending the term, where the terms of the Contract do not include the option for such amendment.



Cooperative Purchasing – a variety of arrangements whereby two or more publicly funded entities combine their requirements in a single Procurement process to obtain advantages of volume purchases from the same Supplier(s).

Council – the Council of the Township of Georgian Bluffs.

Delegated Authority – the Council approved person, persons or bodies assigned the legal right to conduct the tasks outlined in this Policy.

Department – an operational division of the Township with a Department Head.

Department Head – the individual accountable for departmental operations, or their designate, and includes an acting Department Head who has all the authority and responsibility of the Department Head for the duration of the acting designation and delegated authority as set out in the Delegation of Authority By-law.

Direct Purchase – the purchase of goods, services or construction with a total procurement value not exceeding amounts specified in Schedule 'A'. The applicable Department Head may delegate approval authority to their staff for direct purchases. Obtaining competitive quotes is considered a good business practice and should be obtained and documented. An RFQ, RFT, or RFP is not required.

Disposal – an act through which the Township gives up title to property or ownership of goods.

Execute – in relation to any document developed pursuant to this Policy means to be signed by the authorized officer of the parties, and “Executed” has a corresponding meaning.

Emergency – a situation, or the threat of an impending situation, which, may in the opinion of the CAO in consultation with the Mayor, Treasurer and Department Head, affect the environment, life, safety, health or welfare of the general public, or the property of the residents of the Township, or an action taken to prevent serious damage, disruption of work, or to restore or to maintain essential service to a minimum level.

Emergency Purchase – a Procurement Process where the usual competitive process is suspended due to the prevailing Emergency circumstances.

Goods or Services – supplies, equipment, materials, products, structures, and fixtures to be delivered, installed, or constructed.



In House Bid – a bid from an internal staff-working group comprised of one or more persons, which competes with external entities for procurement opportunities.

Insurance Documents – certified documents, including a certificate of insurance, issued by an insurance company licensed to operate by the Government of Canada or the Province of Ontario certifying that the successful Bidder is insured in accordance with the Township's insurance requirements as specified in the bid documents.

Irrevocable Letter of Credit – an irrevocable letter on the financial institution's standard form addressed to the Township as payee, and providing that the financial institution as payor will pay to the Township as payee, on demand, the sum specified in the form in the event of a failure to perform or fulfill all the covenants, undertakings, terms, conditions, and agreements contained in a contract.

Labour and Material Bond – a bond issued by a surety company licensed to operate in the Province of Ontario to ensure that the contractor will pay their direct subcontractors and/or suppliers for labour and materials to protect the Township against liability to the contractor's direct subcontractor and suppliers should the Contractor not make proper payments.

Maintenance Bond – a bond issued by a surety company licensed to operate in the Province of Ontario to guarantee against any possible defects (on contractor work) after the completion of a contract for a specified period of time.

Non-Compliant – a bid that does not correctly and completely respond to all the requirements that are considered mandatory or important in effect or meaning; as outlined in the bid documents or that the bidder is deemed not to be fully capable, technically, and financially.

Performance Bond – a bond issued by a surety company licensed to operate in the Province of Ontario to guarantee that the contractor will carry out the work in accordance with the terms of the contract.

Prequalification – a solicitation for details on bidders' backgrounds, capabilities and resources, and the goods or services they are offering to pre-select bidders to be invited to submit bids on a subsequent competition.

Price Per Point Methodology – in a subsequent stage of evaluation of the RFP process, the price of each applicable proposal is divided by the number of respective technical points received, to calculate the price per point of the proposal.

Purchase or Procurement – the acquisition of goods or services which the Township will undertake to pay for.



Purchase Order – either a purchase order for goods or services over \$10,000 or a purchase requisition or inventory replenishment.

Purchasing Agent – the municipal representative who is responsible for the implementation of the Township’s centralized procurement function and is hereby authorized to act as an agent in all such matters under the authority of this Policy.

Quotation – a written offer received from a supplier to sell or buy goods and services in response to a direct request.

Request for Expression of Interest (ROEI) – a tool used to determine supplier interest in a proposed procurement and may be used to gather information at the pre-project development stage to help refine the project vision or scope.

Request for Information (RFI) – a procurement process to gather service or product information from a Vendor.

Request for Proposal (RFP) – a written offer received from a supplier of goods and services in response to a public advertisement, or invitation requesting pricing.

Request for Quotation (RFQ) – an invitational procurement process where prices on specific goods, services or construction are requested from selected Bidders.

Request for Tender (RFT) – a public procurement process where prices on specific goods, services or construction are requested.

Rotational Roster – a list of prequalified Suppliers and Vendors, which is utilized to provide services to the Township.

Single Source – more than one source is available but for reasons of function or service, one supplier is recommended for consideration of the particular goods or services.

Sole Source – when there is only one available supplier of the required goods or services.

Supplier or Vendor – an individual or organization that may offer goods, services, or construction to the Township.

Tender – a written offer received from a supplier of goods and services in response to a public advertisement or invitation to bid requesting sealed tenders for work.



Tied Bids – two or more compliant bids which score equally after evaluation, or otherwise are equal, and which are the lowest or best compliant bids received.

Total procurement value – the total estimated value of the procurement over its entire duration, including all renewal options, and consideration of premiums, fees, commissions, and interest. It is exclusive of taxes.

Township – The Corporation of the Township of Georgian Bluffs.

Treasurer – the Treasurer for the Township, or their delegated authority.

Unsolicited Proposal – submissions from any source whereby a Department Head believes that the proposal may be of benefit to the Township and the information has not been submitted in response to a bid call.

2. General

2.1 Administration

The CAO and Treasurer will administer this Policy.

2.2 Questions

Any questions involving the meaning or application of this Policy are to be submitted to the Treasurer who will resolve the question in consultation with the CAO, if and as needed.

2.3 Compliance

The following is a list of compliance issues that the Township must follow in relation to procurement and purchasing processes:

- a) No contract or purchase shall be divided to avoid any requirements of this Policy. This does not preclude splitting work within a project with different tasks or scope of work or objectives.
- b) Departments shall initiate purchases only for unique department requirements to ensure that purchases are not duplicated in other departments, and to take advantage of corporate purchasing power is a factor and the goods or services involve more than one department, the Purchasing Agent may issue the bid document on behalf of all relevant departments.
- c) Notwithstanding the provisions of the Policy, every bid document issued by the Township shall contain a provision that the Township shall have the right to reject the lowest or any bid at its absolute discretion, and that the Township also reserves the right to reissue the bid document in its original form.



- d) No Township employee or member of Council is permitted to negotiate with a Supplier, or accept an offer from a supplier, to purchase a good or service for personal use, utilizing a contract that is being offered by the Supplies to the Township.
- e) The Township will not consider In House Bids for goods and services which compete with the private sector during any procurement process.

3. Authorization

Township Council has the ultimate authority for all expenditures. Council provides the authority to initiate procurement processes for goods and services through the authorization of the annual budgets, resolution, or by-law. Only Council has the authority to add or remove items from the approved annual budget. Staff do not have authority to add or remove items from an approved budget to account for shortfalls in other projects.

3.1 Authority to Award

Schedule 'A', attached to and forming part of this Policy, outlines the approval authority for awarding of Contracts for the procurement of goods, services, and construction on behalf of the Township.

3.2 Authority for Payment

The Treasurer, or their designate, is authorized to pay for goods, services and construction purchased in accordance with this Policy and shall pay for any such goods, services and construction unless otherwise provided in this Policy or within the time commitments specified in the purchasing agreement or contract.

3.3 Calls for Bids or Quotations Before and After Approvals Received

Following the adoption of the current annual operating and capital budgets, and when required, the receipt of any necessary approvals from other federal, provincial, or municipal agencies, staff is authorized to use the appropriate procurement method for municipal goods and services.

Notwithstanding section 3.3, staff may use the appropriate procurement method for municipal construction projects and the acquisition of goods prior to the adoption of the capital budget by Council (with approved Council resolution) and before the receipt of necessary approvals from other federal, provincial, or municipal agencies provided the procurement documents specifically state that the Award of purchase or contract is subject to receipt of such approvals.



4. Procurement Methods

4.1 Direct Purchase

Direct purchase, as described below, may be used when:

- a) The dollar value of the item is equal to or less than \$10,000;
- b) The item is not covered under a Blanket Order Contract; or
- c) The item is not available from the Township's existing inventory.

Staff are authorized to use a direct purchase method for making small order purchases from such vendors and upon such terms and conditions as their Department Head deems appropriate.

Staff are encouraged to obtain three quotes wherever possible. Obtaining competitive quotes is considered good business practice and should be exercised.

Direct purchase should be made using one of the following methods and in accordance with the policies associated with each:

- a) In writing via email, vendor quotation or other written means,
- b) Purchase Order, if available,
- c) A pre-arranged method whereby the Supplier has agreed to invoice the Township, or
- d) A corporate issued credit card.

4.2 Request for Quotation (RFQ)

RFQ procedures will be used when:

- a) The total procurement value of the item is \$10,000 or greater, but not more than \$25,000,
- b) The ability exists to detail what is being purchased,
- c) Best Value for the Township can be achieved by an Award selection made on the basis of the lowest compliant bid that meets specifications, and
- d) It is the Department Head's responsibility to prepare the specification and create the RFQ. The department will review the document prior to issuance with the Purchasing Agent.

The RFQ method allows potential bidders to be invited to participate in the quotation process. The Department Head is required to invite a minimum of three (3) bidders.

A fair and competitive process is undertaken whereby a minimum of three (3) quotes are sought using fair and ethical purchasing practices, and the lowest compliant bid is



awarded the Contract. These bids must be kept on file for a minimum of seven (7) years for auditing purposes. Although a minimum of three (3) quotes is sought, an open process without a minimum number of bids will be more competitive and is encouraged.

A summary of bids will be prepared and awarded, where appropriate, to the lowest acceptable bidder subject to signed approval, as per Schedule 'A' this summary will be kept with the Treasury department. The Township reserves the right to not award a competitive procurement process for any reason. Any irregularities resulting in rejection of a bid shall be documented and kept in the procurement file.

4.3 Request for Tenders (RFT)

RFT procedures shall be used when:

- a) Rigid procurement guidelines are clearly defined in detail and has little flexibility to alter the type of product or services received;
- b) The total procurement value of the item is greater than \$10,000;
- c) The ability exists to detail what is being purchased;
- d) Best Value for the Township can be achieved by an Award selection made on the basis of the lower compliant bid that meets minimum specifications.

The Department Head is responsible for providing detailed specifications to the Purchasing Agent and included these specifications in the RFT documents. The Purchasing Agent shall assist in facilitating the tendering process.

All RFTs shall be advertised in accordance with Section 8 of this Policy.

All tendered bids will be issued and received within the Bidding Portal, unless decided otherwise by the Department Head and Purchasing Agent.

The Purchasing Agent and a representative from the purchasing department will open Bids and review pricing. Prior to award, the Purchasing Agent shall review all bids received to ensure there are no irregularities and that all terms and conditions have been met. The purchasing department will review the bids and advise the Purchasing Agent of any non-compliance to specifications.

In accordance with Schedule 'A' limits, the purchasing department in consultation with the Treasurer, will provide a recommendation for award.

If an award report is required, it shall indicate the number of bids received, the name of the Bidder for each bid and the respective amount and the recommended bidder for award. The bidder's name of non-compliant bids (if applicable) shall be listed and noted as non-compliant with no bid amount listed.



4.4 Request for Proposals (RFP)

RFP procedures shall be used when:

- a) The solution to the requirement cannot be accurately specified;
- b) Innovative solutions are required;
- c) To achieve Best Value, the Award selection will be made based on a previously fully disclosed evaluation method involving a combination of mandatory and desirable requirements.

The RFP method of purchase is a competitive method of purchase that may result in further negotiation with the short-listed and/or successful bidder prior to contract being finalized.

For RFPs that will have a long-term or large scale, community wide impact, or where community input may be sought (i.e. studies, master plans or other projects leading to Procedure development) will be reported to Council prior to being issued.

The Department Head shall provide the RFP particulars, including but not limited to key dates, evaluation matrix, etc., and include these in the RFP documents. The Purchasing Agent shall assist in facilitating the proposal process.

All RFPs shall disclose the weighted evaluation criteria that will be used to make an Award.

The Purchasing Agent shall maintain a list of suggested evaluation criteria for assistance in formulating an evaluation scheme using an RFP. This may include, but is not limited to, factors such as qualifications and experience, strategy, approach, methodology, scheduling, past performance, facilities, equipment, and pricing. Weighting of the criteria will be the responsibility of the Department Head, with input from the Purchasing Agent where required.

The purchasing department may identify appropriate criteria from the list maintained by the Purchasing Agent for use in an RFP but are not limited to criteria from the list. Cost will always be included as a factor, as Best Value includes both quality and cost. The weighting of the cost section of the evaluation criteria should not exceed 30%, but there may be cases where it will be recommended to be higher than 30%.

All RFPs shall be advertised in accordance with Section 8 of this Policy.

A two-envelope approach should be considered for RFPs. The Purchasing Agent will initiate discussion with purchasing department to decide appropriate approach. A Best Value or Price per Point Methodology should be used to evaluate RFP submissions.



RFP's will be accepted through the Bidding Portal unless it is not practicable to do so.

Public openings are not required with the RFP process. The Township will only disclose the names of the Bidders who submitted in results posted to the Bidding Portal.

An Evaluation Committee, composed of a minimum of three Township staff members shall review all proposals against the established criteria, and reach consensus on the final rating results. The Purchasing Agent will facilitate the scoring process of the submissions and keep any supporting documents in the respective procurement file.

In accordance with Schedule 'A' limits, the purchasing department in consultation with the Treasurer shall submit a comprehensive report to Council which will contain a recommendation for award to the Bidder meeting all mandatory requirements and providing Best Value as stipulated in the RFP.

Public reporting will not include summaries of rankings, including pricing for unsuccessful, as this information will remain confidential. Any public disclosure of information shall be made to the Clerk in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990.

Unsuccessful Bidders may, upon their request, attend a debriefing session with the Department Head to review the scoring results of their proposal. Discussions relating to any proposal of any other Bidder will be strictly prohibited. This debriefing session is intended to provide general feedback regarding the Bidder's rating on various criteria to allow the Bidder to understand where future improvements might be applicable.

4.5 Two Envelope RFP

The Two Envelope RFP procurement is a process where technical and financial proposals are submitted simultaneously. A key feature of this procurement method is that the submission of proposals takes place in two stages. Another feature of the Two Envelope process is the bidders can assist in defining the technical requirement and the scope of work.

The Two Envelope RFP procurement process is best used for the procurement of goods, services and construction works where there is flexibility and interest in accepting concepts and designs to complete a process. The following are the steps in the process:

- a) The responding bidders submit technical and financial proposals as requested at the same time.
- b) The technical proposals are evaluated first, and the financial proposals remain sealed and secured for opening.



- c) Financial proposals are then opened and evaluated, and the firm achieving the highest score on the combined technical and financial proposals evaluation is invited to contract negotiations.
- d) If negotiations fail, the next highest ranked firm is called for contract negotiations.

4.6 Consultant Developed Tendering

Consultant Developed Tendering is used for large projects that are very technical in nature and require engineered design, technical inspection, and contract management of the project. It is often referred to as Engineering, Procurement, and Construction Management, and is a specialized form of tendering and contracting arrangement. In this arrangement, the Township selects a consultant service provider who provides the engineer and contract management services for the whole project on behalf of the Township. The consultant coordinates all design, creation of tender documents, oversees the procurement process, provides contractor recommendation, site inspection, manages construction site meetings, financial project management of progress payment certificates and hold backs to ensure the project is completed as required by the tender documents. The consultant does not undertake actual site work for the construction project. Some Consultant Developed tenders will require a document fee because of and based on the size of the document and to ensure those taking out these large documents are serious about responding to the call for bidder response.

4.7 Rotational Rosters

A rotational roster is the result of a competitive bidding process, which prequalifies bidders to be placed on a list where they will be provided an equal opportunity to perform work for the Township as it becomes available.

Rotational rosters can only be utilized where budget is predetermined for either operating or maintenance projects. Once bidders have been selected through the prequalification and evaluation process, they are placed on a roster based on an undisclosed score. The number of bidders placed on a rotational roster should reasonably reflect the requirement over a period of five years.

Only those bidders placed on the roster will have the opportunity to perform work. Rotational Rosters may only be used to obtain service suppliers. When services are required the appropriate roster is utilized to select the service provider. Subsequent service requirements will follow the same process allowing the next bidder on the list the opportunity to perform work for the Township. If a bidder declines a specific project, that bidder moves to the bottom of the roster as if the bidder had accepted the project.



Departments in accordance with the goals and objectives of this Policy shall maintain rotational rosters.

A rotational roster will be valid for a period no longer than five years from the date it was established, at which time the competitive bidding process will be conducted to re-establish the roster. Purchases awarded to a bidder on a rotational roster shall not exceed \$25,000 per project.

Each roster will remain open to allow for the addition of bidders.

4.8 Cooperative Purchasing

The Township supports membership in cooperative initiatives that the CAO and Treasurer deems beneficial to the Township. The Department Head has the authority to participate in Group Purchasing Opportunities (GPO's) such as but not limited to:

- a) Vendor of Records provided by the Ministry of Public and Business Service Delivery and Procurement;
- b) Local Authority Services (LAS);
- c) Canoe Procurement Group of Canada;
- d) Kinetic GPO;
- e) County of Grey, including member municipalities; and
- f) Public Services and Procurement Canada.

The policies of the GPO calling the cooperative bid solicitation are to be the accepted procedure for that purchase unless additional terms specific to the Township are negotiated with the successful bidder.

Award of the Contract shall be in accordance with Schedule 'A' Authority to Award.

4.9 Sole and Single Sourcing

Sole Sourcing is a method of procurement whereby a purchase order is issued, or contract awarded without a competitive bidding process due to the fact that the supplier is the only source of supply for the required goods or services. Sole Sourcing will be permitted if one or more of the following circumstances apply:

- a) One vendor possessing the unique ability or capability to meet the requirements of the Township due to a patent, sales/distributor agreement or copyright;
- b) Service is obtained from a public utility;
- c) The supply relates to necessary unique replacement parts from an exclusive source of supply;
- d) The supply related to the purchase of parts that must be compatible with goods previously supplies, and there are no reasonable alternatives to the products;



- e) To maintain warranty or service agreement compliance for purchased products; or
- f) When the require item is covered by an exclusive right such as a patent, copyright, or exclusive license.

Single Sourcing is a method of procurement whereby there is more than one bidder able to supply and the order is confirmed, or contract awarded without a competitive bidding process. Single Sourcing will be permitted if one or more of the following circumstances apply:

- a) Disclosure of information in an open contract completion would breach some duty of confidentiality or compromise security;
- b) Compatibility of a purchase with existing equipment, product standards, facilities or service is an overriding consideration;
- c) There is an absence of competition for technical reasons and the Goods and/or Services can only be supplied by a particular vendor;
- d) An unforeseeable situation of urgency exists, and the Goods and/or Services cannot be obtained in time by means of open procurement procedures;
- e) The Township has a rental contract with a purchase option and such purchase option is beneficial to the Township;
- f) For matters involving security, police matters or confidential issues, in which case a purchase may be made in a manner that protects the confidentiality of the Supplier or the Township;
- g) An attempt to acquire the goods and/or services by soliciting competitive bids has been made in good faith but has failed to identify more than one willing and compliant supplier;
- h) There are no bids in response to a Bid Solicitation;
- i) A roster for Professional Services has been developed in accordance with the Purchasing By-law;
- j) When competitive procurement may be found to be impractical;
- k) Where a good is purchased for testing or trial use and there is a clearly established deadline for the testing or trial period that does not exceed twelve months;
- l) Where construction materials are to be purchased and it can be demonstrated that transportation costs or technical considerations impose geographic limits on the available supply base, specifically in the case of sand, stone, gravel, asphalt, compound, and pre-mixed concrete for use in the construction or repair of roads (Broader Public Sector Guidelines – section 10.3.4.2.1 Single Sourcing);
- m) When an urgent procurement is necessary for fulfilling a statutory order issued by a federal or provincial authority (i.e. compliance order); or
- n) Expiration of a contract has occurred, and user group wants to maintain and ensure the level of service and pricing.



Any single or sole sourcing with an amount between \$10,000 and \$100,000 must be reported to the Treasurer and CAO by the applicable Department if in budget and reported to Council.

In order for a division to sole or single source for goods or services exceeding \$100,000 a staff report must be presented and approved by Council, outlining the rationale. Input must be sought from the CAO and Treasurer to ensure the purchasing principles in this Policy are taken into consideration and risk to the Township is minimized. Approval authority shall comply with Schedule 'A'.

4.10 Negotiation

Negotiation may only be used under the following circumstances:

- a) Those outlined in sole and single sourcing;
- b) As a result of an RFP process, if required;
- c) With respect to RFTs and RFQs, the Township may enter into negotiations with the lowest compliant bidder if the price bid is over the budgeted amount for the project. Should the Township be unable to reach an agreement with the lowest compliant bidder, the Township reserves the right to enter into negotiations with the next lowest compliant bidder, to cancel the bid opportunity or to present a report to Council as per Section 10 – whichever is deemed in the best interest of the Township.
- d) There is only one source of supply;
- e) The lowest bid meeting specifications is in excess of available budget;
- f) All bids received failed to meet the specifications and/or tender terms and conditions and it is impractical to recall tenders or formal quotes.

It is the responsibility of the Department Head, Treasurer and CAO to ensure that all competitive bidding options have been considered prior to the negotiation method being utilized.

4.11 Emergency Purchases

Notwithstanding the provisions of this Policy, an emergency purchase shall be made, when an event occurs that is determined by the CAO in consultation with the Mayor, Treasurer and Department Head to be a threat to any of the following:

- a) An imminent or actual danger to the welfare of any person or the destruction of public property or tangible or intangible assets of the Township;
- b) The security of the Township's interest and the occurrence requires the immediate delivery of goods or services, and time does not permit for competitive call for Bids;
- c) An unexpected interruption of an essential public service;



- d) An emergency as defined by the Emergency Management Act, 2007 and the emergency plan formulated by the Township;
- e) A spill of a pollutant as contemplated by Part X of the Environmental Protection Act, R.S.O. 1990, Chapter E.19;
- f) A mandate of non-compliance order.

Where an emergency purchase is required as described above, the Department Head has the approval authority to procure the required goods and/or services. When the Procurement Value of the Emergency Acquisition exceeds \$50,000, the Department Head shall provide a report to Council as soon as practicable.

Where there is a declared municipal emergency in accordance with the Township's emergency response plan, the CAO or Treasurer shall authorize any required purchases. This authority shall continue until the declared municipal emergency is terminated in accordance with the Township's emergency response plan. When the procurement value of the acquisition exceeds \$50,000, the Treasurer shall issue an information report to Council as soon as practicable.

4.12 Request for Expression of Interest (REOI)

Request for Expression of Interest may be issued to obtain information on the availability and interest of suppliers of any goods or services.

Request for Expression of Interest are used to assess vendor capabilities, or to conduct market research, without the intention of evaluating the responses or awarding a contract.

A REOI may not be used to prequalify a potential supplier and must not influence their chances of being a Successful Bidder on any subsequent purchasing opportunity. The information received may be used for the purposes of developing future documents for a subsequent competitive process.

4.13 Request for Information (RFI)

Request for Information may be issued by the Township in conjunction with purchasing to provide staff with an understanding of potential solutions/needs.

An RFI may be issued in advance of a formal bid process to assist in the development of a more definitive set of terms and conditions, scope of work/service and the selection of qualified Vendors. An RFI may or may not lead to a formal bid process.



4.14 Request for Prequalification (RFPQ)

Request for Prequalification may be issued to prequalify bidders for various projects or purchases. The purpose of an RFPQ is to determine whether the qualifications of a bidder, as required by the Township, are at a level that will allow participation in a subsequent bidding opportunity that takes place as a direct result of the RFPQ.

A bidder may be prequalified by providing an acceptable response to a RFPQ. Selection of prequalified bidders will be based on fully disclosed evaluation criteria, which may include:

- a) Experience from similar work;
- b) Verification of applicable licenses and certificates;
- c) Financial capability; and
- d) Other criteria deemed important by the Township.

As a result of prequalification, the Township will only allow those prequalified bidders to participate in the subsequent bidding process for the scope of work and/or services as specified in the RFPQ document.

Prequalification may be used on a project specific basis or for a group of projects that are similar in scope for which the same category of supplier would be utilized.

4.15 Blanket Order Contracts

Blanket Order Contracts occur as a result of previous competitive bid, which establishes the successful bidder as the preferred source for a product, over a specified term.

A Blanket Order Contract may be used where:

- a) One or more departments repetitively order the same goods or services, and the actual demand is not known in advance;
- b) A need is anticipated for a range of goods and services for a specific purpose, but the actual demand is not known at the outset, and delivery is to be made when a requirement arises;
- c) It is beneficial for the Township to enter into a multi-year contract for goods or services to provide efficiencies or economies of scale; and
- d) To establish prices and select sources, departments shall employ a procurement method contained in this Policy for the acquisition of goods and services.

The Department Head shall maintain each contract in accordance with its terms and conditions and this Policy. Blanket Order Contracts should, when applicable, define source and price with the selected supplier(s) for all frequently used goods or services.



More than one supplier may be selected where it is in the best interest of the Township and the Bid solicitation allows for more than one.

A Department Head shall initiate a purchase for frequently used goods or services with the supplier(s) listed in the Blanket Order Contract.

In the bid documents, the expected quantity of the specified goods or services to be purchased over the time period of the agreement will be as accurate an estimate as practical and be based, to the extent possible, on previous usage adjusted for any known factors that may change usage.

The term of a Blanket Order Contract will be determined in conjunction with the Department Head. A Blanket Order Contract will not extend past five years (plus one additional year extension if specified in the contract) without the bid solicitation process being conducted.

4.16 Environmentally Conscious Procurement

The Township is committed to the purchase of goods and services with due regard to the preservation of the natural environment and to encourage the use of environmentally friendly products and services, except where it is not practicable to do so.

All departments are encouraged to seek additional way of achieving the goal of being environmentally safe and responsible by thorough review of each Procurement process to ensure that, wherever possible and economically feasible, the Township's Solicitation Documents includes Specifications that reflect environmentally friendly attributes of the goods and services, except where it is not practicable to do so.

4.17 Unsolicited Proposals

All unsolicited proposals, including any offers for presentations or product/service trials submitted to the Township with the expectation on the part of the submitter of obtaining consideration for an ensuing Contract or Purchase by the Township, must be directed to the CAO and Treasurer for review and approval for acceptance.

Any procurement resulting from the receipt of an unsolicited proposal must comply with the provisions of this by-law.

If it is determined that there is a legitimate need for the goods, services, construction, or consulting services offered by way of an unsolicited proposal, then a procurement process shall be conducted in accordance with this Policy and all applicable procedures.



4.18 Lobbying

In order to ensure fairness to all persons, the Township must endeavor to prevent unfair advantage created by lobbying. The Township reserves the right to disqualify, at any time (including after the selection process has been completed) and at its sole discretion, any person or vendor engaging in lobbying with any elected official(s) or employee(s) of the Township in an attempt to seek information or to influence the award of the contract. Any activity designed to influence the decision process, including, but not limited to, contacting any elected official or municipal staff member for such purpose as meeting or introduction, social events, meals, or meetings related to the selection process, shall result in disqualification of the vendor for the project to which the influential activity is deemed to be directed. Any vendor found to be in breach of this Policy shall be subject to immediate disqualification from the procurement process and may be prohibited from future opportunities.

In addition, no vendor who has been awarded the contract shall engage in any contact or activities in an attempt to influence any elected official or any employee of the Township with respect to the purchase of additional enhancements, options, or modules. However, a vendor may communicate with the appropriate member of the department for purposes of administration of the contract during the term of the contract.

4.19 Purchase of Used Equipment / Assets

Upon written approval from the Treasurer and CAO, Department Heads are authorized to purchase used equipment or assets, up to maximum of their delegated spending limit, and, with the prior authorization of Council for sums exceeding delegated spending limits that is sold by other municipalities by:

- a) Private sale or public auction;
- b) Sold through a vendor license to sell used equipment;
- c) By sealed bid; or
- d) By negotiation.

Providing that the equipment meets or exceeds the corporate equipment/asset requirements, and it is documented that it is fiscally responsible to purchase a used piece of equipment, rather than purchase new.

5. Technology Procurement

The procurement of information technology goods and services, including software applications, requires consideration of extra criteria specific to technology. These issues include:



- a) Cybersecurity consideration and assessment;
- b) Compatibility with existing systems;
- c) Requirements to integrate with current applications;
- d) Adherence to Federal and Provincial privacy and data storage regulations;
- e) Adherence to design and technology standards.

Any process to procure technology, whether competitive and open or single/sole source procurements require the following:

- a) Deputy CAO/Director of Corporate Services or external IT consultants to approve of the technology requirements laid out in the RFP or designed specifications;
- b) Deputy CAO/Director of Corporate Services or external IT consultants will provide cybersecurity requirements to be included in procurement documents. Bidders that fail the Township's cybersecurity assessments may be eliminated from the procurement process;
- c) Vendors that require access to the Township's network or systems or have access to any sensitive data under the Township's control, are required to sign a non-disclosure agreement before the contract can be started.

6. Agreements and Contracts

6.1 Contractual Agreements

An Award pursuant to this Policy may be made by way of Contract, Agreement, Award Letter or Purchase Order.

An Award Letter and/or Purchase Order is to be used when the bid documents contain the required terms and conditions to form a contract. The Purchase Order will be completed in accordance with the procedures associated with the Township's Purchase Order system, where available.

Following award and if required, an Agreement may be considered. It shall be the responsibility of the Department Head, in consultation with the Treasurer, Clerk and/or a Consultant or Township Solicitor, if necessary, to determine if it is in the best interest of the Township to enter into an Agreement with the Successful Bidder.

6.2 Requirements Prior to Commencement of Work

The Township will not authorize any work until all required documentation identified in the bid documents has been received in satisfactory form. The successful bidder shall submit all documentation requires in the bid document to the department being awarded the Contract prior to commencement of the work. Such documentation may include but is not limited to:



- a) Executed bonding/securities;
- b) Insurance documentation;
- c) Clearance certificate or applicable documentation from WISB;
- d) Any other documentation required to facilitate the execution of the Contract as detailed in the RFQ, RFP or RFT.

6.3 Exercise of Contract Extension

Where a bid document for goods or services contains an option for renewal, the Department Head may authorize such option provided that all of the following apply:

- a) The supplier's performance in supplying the goods or services is considered to have met the requirements of the contract;
- b) The Department Head agrees that exercising the renewal option is in the best interest of the Township;
- c) Funding is available in appropriate accounts within the Township approved budget including authorized revisions, to meet the proposed expenditures; and
- d) The contract falls within the authority to award limitations outlined in Schedule 'A'.

6.4 Execution and Custody of Documents

The Township shall execute contracts in relation to the Schedule 'A' Authority to Award conditions and/or through By-law approval in the name of The Corporation of the Township of Georgian Bluffs for which the award is made by Delegated Authority.

6.5 Access to Information

The contents of any bid, proposal or submission shall be made available to the public, on request, except to the extent such information is confidential information protected from disclosure under the provisions of the Municipal Freedom of Information Act, 1990.

All procurement documentation, as well as any other pertinent information, shall be maintained, retained, and only disposed of in accordance with the Townships Record Retention By-law.

7. Vendor Performance

A Department Head may complete an evaluation of an awarded Vendor's performance on any project at any time during the work activities, and/or upon completion of the project. Performance issues shall be noted in writing. Performance issues shall also be noted in any site meeting or project meeting minutes for resolution purposes during the project.



The department will complete the Performance Report for the Vendor with a copy provided to the Purchasing Agent and filed in the department's project file. The report shall evaluate the performance of the Vendor on standard criteria developed. All documentation pertaining to any substandard evaluations and comments will be provided to the Purchasing Agent.

The department will forward a copy of the completed evaluation to the Vendor for their records.

8. Advertising – Public Notice

The minimum form of advertising for opportunities of \$25,000 or more will be posted on the Township website via a link to the Bidding Portal.

All bidding opportunities will be available in compliance with Canadian Free Trade Agreement (CFTA)/Comprehensive Economic and Trade Agreement (CETA) obligations.

If a prequalification process has taken place to short-list potential Bidders of a subsequent bidding opportunity, advertising is not required of the subsequent bidding opportunity. The prequalification process if required to be advertised locally on the Township website if it is over \$25,000.

Advertising in any publication or website is the financial responsibility of, and at the discretion of, the department.

These advertising provisions do not apply to direct purchases, sole and single sourcing, negotiation, emergency purchasing, and other procurement processes initiated by the Township in which bid documents are supplied to selected prospective bidders as provided in this Policy.

The Township will make every opportunity to invite as many potential bidders as possible to all procurement opportunities, including those below \$25,000.

9. Risk Management

9.1 Bid Security and Guarantees

The department, in consultation with the Purchasing Agent, will determine whether a bid deposit or bid bond is required for a project and select the appropriate means to guarantee execution and performance of a contract. The means may include one or more of but are not limited to: bid deposits, bonds, financial bonds, or other forms of security deposits, provisions for liquidated damages, progress payments and holdbacks.



The department shall ensure that the guaranteed methods selected will:

- a) Not be excessive but sufficient to cover financial risks to the Township,
- b) Provide flexibility in applying leverage on a supplier so that the penalty is proportional to the deficiencies; and
- c) Comply with provincial statutes and regulations.

The amount of the bid deposit or bid bond, if required, will be reflective of the project budget while offering adequate protection to the Township in case of default by the bidder selected for award, and will be no less than 10% of the bid price.

Construction contracts that exceed \$500,000 will adhere to the requirements of the Construction Act for guarantees.

9.2 Bid Deposits

Bid deposits shall be clearly specified in the bid documents.

The method of bid deposits accepted by the Township are:

- a) Certified Cheque, bank draft or money order made payable to the Corporation of the Township of Georgian Bluffs
- b) Irrevocable Letter of Credit that are unconditional, issued from a banking institution, naming the Corporation of the Township of Georgian Bluffs as the beneficiary.

The Township will not pay interest on any bid deposits, and all bid documents issued by the Township shall include a statement to this effect. All bid deposits must be in their original form and include authorized signatures. Photocopies and facsimiles are not acceptable.

The Township is authorized to access any bid deposit in its' possession that is forfeited as a result of bid withdrawal after closing.

Bid deposits in the Township's possession that are forfeited, will be shared prorata in joint procurement process.

The Township will return all bid deposits with the exception of the 2 lowest bids within 30 days of the closing date. Once a contract has been awarded, all but the lowest bid deposit will be returned.

The Township reserves the right to utilize the bid deposit of a Supplier or Vendor awarded a contract as performance security.



9.3 Bid Bonds and Agreements to Bond

Bid Bonds and Agreements to Bond must be issued by a bonding agency currently licensed to operating in the Province of Ontario naming the Corporation of the Township of Georgian Bluffs as the obligee.

Bid Bonds and Agreements to Bond must be irrevocable for a minimum of sixty days but can be requested to remain irrevocable for a longer period at the discretion of the Township.

The bid document will state in greater detail, that the Township will only accept Bid Bonds and Agreement to Bonds in an electronic or digital form that are verifiable with respect to the totality and wholeness of the bond form.

Bonds failing the verification process will NOT be considered to be valid.

Bonds passing the verification process will be treated as original and authentic.

9.4 Performance Bonds and Labour and Material Bonds

The Department will request the following guarantees for Contracts over \$500,000 as required under the Construction Act of Ontario:

- a) Performance bond to guarantee the faithful performance of the Contract for no less than 50% of the bid amount;
- b) Labour & Materials Bond for no less than 50% of the bid amount to guarantee the payment for labour and materials that are supplied from the contractor's direct suppliers and subcontractors in connection with the contract.
- c) Maintenance Bond to guarantee the fulfillment of the contractor's obligations under the warranty clause of the contract.

9.5 Holdbacks

A 10% holdback shall be mandatory on all construction contracts exceeding \$500,000.

Additional holdbacks may be permitted in compliance with other Township policies as applicable.

Holdbacks will be released by the Townships Treasury department upon receipt of authorization from the Department Manager, to release the holdback.

Holdbacks for deficiencies shall be taken into consideration so as to ensure the deliverables are aligned with the payment being issued. It is the responsibility of the Department to ensure that approved invoices reflect adequate reduction for applicable



deficiencies prior to the invoice being certified for payment and submitted to the Treasury Department for processing. It is the responsibility of the Department to notify the Contractor of the holdback to address the deficiency.

Prior to providing notice to release the holdback, the Department must ensure all of the following:

- a) All terms and conditions of the contract have been completed to the satisfaction of the Department;
- b) Receipt of current clearance certificate from WSIB;
- c) Receipt of Statutory Declaration of progress payment distribution by the contact
All requirements of the Construction Act (as amended) have been satisfied.

9.6 Insurance

Prior to execution of the contract, or where deemed appropriate by the Township's insurer or Department, evidence of satisfactory insurance coverage must be obtained from the successful bidder's insurance agent or broker, ensuring indemnification of the Township from any and all claims, demands, losses, costs, or damages resulting from the performance of the successful bidder's obligations under the Contract.

Insurance coverage and limits may be based on the recommendations of the Township's insurer.

The type of insurance required will be relevant to the goods, services or construction being purchased. Requests for insurance may include but are not limited to:

- a) Commercial/general liability
- b) Automobile liability
- c) Homeowner's liability Procured (for leasing of facilities, entrance permits, etc.);
- d) Professional errors and omissions liability.
- e) Cyber Risk; and/or
- f) Abuse liability.

All standard bid documents must indicate the insurance requirements to be provided by the successful bidder.

All suppliers and vendors must supply a Certificate of Insurance (COI) confirming the required coverage for the duration of the contract. The COI must include, as a minimum, naming the Township as an additional insured inclusive of a cross-liability clause.



9.7 Workplace Safety and Insurance

All suppliers and vendors must provide the Township with evidence of WSIB coverage prior to starting work as follows:

- a) A current WSIB clearance certificate; or
- b) Independent operator status as determined by WSIB.

9.8 Dispute Resolution

In the event a supplier identifies a dispute regarding any process outlined in this policy, the Township shall follow the steps below:

- a) Submit a notice of question or object in writing to the Treasurer, within twenty business days of notice of award posted on the Township bid hosting website;
- b) The Treasurer may arrange a meeting with the bidder and shall provide a response addressing the bidder's concern within twenty business days of receipt of the notice,
- c) If a resolution is unsatisfactory, the supplier will have twenty business days from receipt of the response from the Treasurer to make a formal request to meet with the CAO,
- d) If a resolution is unsatisfactory, the supplier will have twenty business days from receipt of the response from the CAO to make a formal request to appear as a delegation at a Council meeting.

In each step the Township shall keep the resolution process fair and transparent to all concerned.

9.9 Exclusion of Bidders in Litigation

The Township may, in its absolute discretion, reject a bid or proposal submitted by a Bidder prior to or after bid opening, if the Bidder:

- a) Is a party to litigation with the Township; or
- b) Directly or indirectly, including by common ownership or control or otherwise, is related to a party to litigation with the Township; or
- c) Intends to use a sub-contractor in respect of the specific project who is a party to litigation with the Township, or, who, directly or indirectly, including by common ownership or control or otherwise, is related to a party to litigation with the Township.

For the purposes of this section, the phrase "party to litigation with the Township" includes cases in which the Bidder or prospective Bidder or any of the parties named above, have advised the Township in writing of their intention to commence litigation, or



have commenced or have advised the Township of their intention to commence an arbitrational process, against the Township.

In determining whether or not to reject a bid under this section, the Township will consider whether the litigation is likely to affect the Bidder's ability to work with the Township, its consultants and representatives, and whether the Township's experience with the Bidder in the matter giving rise to the litigation indicates that the Township is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the Bidder.

9.10 Suspension of Vendors

The Township, when appropriate may suspend the rights of any vendor or its affiliates to bid on any requirement, where the prior performance of the vendor has been unsatisfactory. Unsatisfactory performance shall include, but not be limited to, a failure to meet contract specifications, terms, and conditions, as well as health and safety violations.

A vendor whose bidding rights have been suspended may request, in the form of a letter to the Township, reinstatement of bidding rights at any time after their suspension specified in the written notice given. The period of suspension shall not exceed three years.

9.11 Tie Bids

In the case of tie bids between two responsive and responsible bidders and, where multiple awards are not an alternative for award, the Township shall determine the successful bidder by coin toss. The Purchasing Agent, Department and CAO must be present for the coin toss.

In the case of tied bids between three or more responsive and responsible bidders and, where multiple awards are not an alternative for award, the Township shall determine the successful bidder by a draw of the bidder names from a hat. The Purchasing Agent, Department and CAO must be present for the draw.

9.12 Scope and Contract Changes

For projects awarded at \$25,000 and under, any change orders or contract changes that are in excess of 10% over the awarded amount, regardless of the approved budget amount, must be approved by the Department, CAO, and Treasurer, prior to issuing a change order request to the supplier/vendor.

For projects awarded over \$25,000, any change orders or contract changes that are in excess of 10% over the awarded amount, regardless of the approved budget amount,



must be approved by the Department, CAO, and Treasurer with a staff report to Council for final approval prior to issuing a change order request to the supplier/vendor.

10. Reporting to Council

10.1 Council

Reports requiring Council approval will be prepared by the Department. The following procurements are subject to Council approval:

- a) The award of any contract exceeding \$100,000 annually,
- b) The award of any contact between \$25,000 and \$100,000 that exceeds the approved budget by 10% or more,
- c) When Provincial or Federal government requires Council to approve,
- d) The award cannot be accommodated within an approved budget and requires a Council approved budget transfer, or a pre-commitment against a future year's capital budget,
- e) The CAO and Treasurer deems it in the Township's best interest that Council approves the award.
- f) Single and Sole Source awards exceeding \$25,000,
- g) Council has specifically directed that Council approve the award,
- h) Any project awarded over \$25,000 that has change orders exceeding 10% or more,
- i) Request for additional funds for goods or services not included in the current year's budget,
- j) Any contract where the award is not being recommended to the lowest compliant bidder,
- k) Any contract anticipated to be financed by debentures, or
- l) Where authority to award has not been expressly delegated.

10.2 Quarterly Update

The Treasurer, in consultation with the Purchasing Agent and Departments, will provide a quarterly report to Council, for contracts between \$25,000 and \$100,000, and contracts resulting in revenue exceeding \$25,000, which will highlight all budgetary changes if applicable.

10.3 Award of Contracts for Tenders

Tenders requiring Council approval in accordance with Section 10 should include the following information in the report to Council:

- a) Date the RFT was issued and date of closing,



- b) Description of Supplies/Services being procured,
- c) Number of bids submitted at time of closing,
- d) Number of submissions deemed non-compliant or disqualified,
- e) Names and prices, exclusive of all applicable taxes, of all bids meeting requirements,
- f) Source of funding,
- g) Any other pertinent information.

10.4 Award of Contracts for Requests for Proposal

Proposals requiring Council approval in accordance with Section 10 should include the following information in the report to Council:

- a) Date the RFP was issued and date of closing,
- b) Description of Supplies/Services being procured,
- c) Number of proposals received,
- d) Number of proposals deemed non-compliant or disqualified,
- e) Names of bidders from who proposal were received (that were not deemed non-compliant or disqualified),
- f) List of pre-established criteria and weighting used to evaluate the submissions with applicable description of the process,
- g) Source of funding,
- h) Any other pertinent information.

11. Standardization

11.1 Standardization of Documents

To assist in cross-training, enable multiple bidders to understand the process requirements, ensure accessibility requirements are met and ensure that legal and insurance risks are controlled, standard formats and language, with the exception of specifications, for the following documents shall be used by all staff involved in procurement:

- a) Request for Quotation
- b) Request for Tender
- c) Request for Proposal
- d) Request for Expression of Interest
- e) Request for Information
- f) Request for Prequalification
- g) Blanket Order Contract
- h) Rotational Roster
- i) Purchase Order



- j) Advertising, print and electronic
- k) Other Contracts which pertain to this Policy

The standard formats and language for the above documents will be developed by the Purchasing Agent, with the exception of specifications, and will be updated or amended as appropriate. Review of templates by an outside legal entity is encouraged when necessary.

Preparation of specifications for RFQs or RFTs and RFP Particulars shall be the responsibility of the Department.

Corporate standard formats and language for all documents related to this Policy shall be developed and used where appropriate and shall be supplied by the Purchasing Agent. Where the Township's standard documents are not being used, the document shall be provided to the Purchasing Agent for review prior to issuance or execution. The Purchasing Agent will recommend review by an outside legal entity if deemed to be in the best interest of the Township.

11.2 Standardization of Goods and Services

The Township supports standardization among goods and services that are used on a regular basis and encourages corporate standards to be adopted where it is deemed beneficial to the Township.

12. Accessibility and Procurement

The Township, to the extent possible, shall incorporate accessibility design, criteria, and features, when procuring or acquiring goods, services, or facilities in accordance with the AODA. Where it is not practicable to incorporate the said accessibility design, criteria and features when procuring or acquiring goods, services or facilities, the Township shall be prepared to provide, upon request, an explanation as to why this is the case. (Ontario Regulation 191/11).

The Township will require that anyone providing goods, services, or facilities on behalf of the Township has received training on the accessible customer service standard (IASR) and the Ontario Human Rights Codes. (Ontario Regulation 191/11).

13. Materials Management and Inventory Control

13.1 Responsibility of Department Head

All departments shall be responsible for maintaining inventory in their respective areas unless a corporate strategy has been identified. An internal system of inventory control



should be used to maintain adequate levels of supply to support each respective department.

13.2 Disposal of Surplus Goods (Excluding Land)

All Department Heads, in consultation with the Asset Management Coordinator, shall be responsible for the disposal of all surplus goods.

All Department Heads shall notify the Asset Management Coordinator when items become obsolete or surplus to their requirements.

The Department Head, with the assistance of the Asset Management Coordinator, shall ascertain whether items falling under their respective authorities can be of use to another municipality, committee, or Township department rather than being disposed of. This may be by way of an email information to municipalities and other departments of the availability, or some other way of ascertaining interest or staff report to the committee.

Items that are not of interest to another municipality or department may be disposed of using the public process that will take into consideration the type of materials being disposed of and the cost-benefit to the Township, such as a public auction website. Trade-in options may also be considered as a form of disposal.

Placing minimum bids for surplus goods going through the disposal process, shall be the responsibility of the Department Head of the item. In establishing a minimum bid, the department may consult with the current online auction provider.

Where possible, the item may be traded-in for a credit against the purchase of a replacement item.

The department will be credited with the net proceeds from the sale of their surplus assets.

Surplus assets shall not be sold directly to an employee or to a member of Council, although this does not prohibit any employee or member of Council from purchasing surplus assets being sold through a public process.

Surplus assets may be donated to non-profit agencies or non-profit institutions for educational or teaching purposes only, and not for the purpose of being re-sold. All donated surplus assets must be approved by the Treasurer.



14. Conflict of Interest

It is the responsibility of all staff and Council members involved in a procurement process to disclose any inherent or potential Conflict of Interest to their Manger or Department Head, or in the case of a Member of Council, in accordance with Schedule 'A' limits, Council or CAO and Treasurer. This disclosure must take place prior to opening any tenders or proposals and will be noted on the minutes of the opening.

Any staff or Council member disclosing a Conflict of Interest shall remove himself from the procurement process associated with the conflict.

It is the responsibility of all Member of Council to disclose any inherent or potential pecuniary/conflict of interest to Council at the time the matter is being considered.

15. No Local Preference

The Township imparts fair and impartial award recommendations for all contracts and tenders. This means that no extension of preferential treatment is provided to any bidder, including local companies. Not only is it against the law, but it is also not good business practice, since it limits fair and open competition for all bidders and is therefore a detriment to obtaining the best possible value for each tax dollar.

In accordance with the Discriminatory Business Practices Act, R.S.O. 1990, c.D.12, c.2., there shall be no local preference given to any Bidder when awarding a Bid for purchase of Goods and Services for the Township.

16. Trade Agreements

Procurement by the Township may be subject to the provisions of trade agreements.

Where an applicable trade agreement is in conflict with this By-law, the trade agreement shall take precedence.

17. Monitoring and Review

The Purchasing Agent and Treasurer shall review departmental purchasing related files from time to time to determine the effectiveness and integrity of the processes and to monitor Policy adherence.

The CAO and Treasurer, on a regular basis, will lead a review of this policy and will make recommendations to be presented to Council. This policy may be reviewed as required and no less than once every four years.



Schedule 'A' – Authority to Award

This Schedule outlines the Authority to Award a Bid in accordance with the intent of the purchasing methods outlined in this Policy.

The full amount, excluding applicable net taxes, for the supply of goods, services or construction shall be considered when determine the Authority to Award.

When awarding operational multi-year contracts with a net expenditure under \$100,000 per annum, Council approval will not be required. The award and contract length will be presented in the quarterly report.

Service agreements resulting from awards endorsed by Council are delegated to the Treasurer and appropriate Department Head for signature.

Authority to Award	Dollar Value	Minimum Method of Procurement	Type of Contract
Any employee authorized by Department Head	Less than \$10,000	Direct Purchase	Direct Purchase
Department Head	\$10,000 - \$25,000	RFQ / RFT	Bid Award Form
CAO and Treasurer Jointly	\$25,000 - \$100,000	RFT / RFP	Purchase Order
Council	Greater than \$100,000	RFT / RFP	Purchase Order and/or Agreement
Council	Irregular result**		Purchase Order and/or Agreement

**Irregular result represents any bids received that exceed 10% or more over budget, or that contain a discrepancy in the opinion of the Department Head, CAO, and Treasurer.



Schedule 'B' – Bid Irregularities

The following list of irregularities should not be considered all inclusive. The Purchasing Agent in consultation with any of the following: Department Head, CAO, Treasurer, and/or the Townships Solicitor shall review irregularities not specifically listed and, acting in the best interests of the Township, have authority to waive such irregularities, permit correction to the irregularity or reject the submission.

Item	Irregularity	Response
1	Late submission – Bids received after the closing date and time specified in the Bid Document.	Bid declared non-compliant - Bidding system does not accept late bids
2	Failure to insert the bidder's business name in the space(s) provided in Terms & Conditions	Bid declared non-compliant - Bidding system does not accept submission with missing required information.
3	Failure to include signature/electronic acknowledgment of the person authorized to bind the bidder in the space provided on the Terms & Conditions.	Bid declared non-compliant - Bidding system does not accept submission without authorization.
4	Site Meeting – Bidder did not attend a Mandatory Site Meeting	Bid declared non-compliant - Bidding system does not allow submissions from bidders that have not attended a mandatory site meeting
5	Insufficient Financial Security – Bond is missing, no agreement to bond, the amount is less than the amount indicated in the bid document, or the bonding company is not licenced to conduct business in Ontario	Bond is missing, no agreement to bond, bonding company is not licenses to conduct business in Ontario – Bid declared non-compliant. Shortfall in financial security if less than required by no more than 10% - 48 hours to correct. If greater than 10% - Bid declared non-compliant
6	Illegible or obscure Bids, non-initialed erasures, non-initialed alterations	Bid declared non-compliant



7	Method of Delivery – where the bid has been submitted via any other method than through the Bidding System, where no such provision is allowed for in the Bid documents	Bid declared non-compliant
8	Format – bid not on the form supplied by the Township or not in the format specified in the bid document or are not the required documents	Bid declared non-compliant
9	Conditional Bids – Bids qualified or restructured by an attached statement	Bid declared non-compliant
10	Documents in which all necessary Addenda which have significant financial or scope implications in the opinion of the Purchasing Agent and group, have not been acknowledged	Bid declared non-compliant
11	Documents in which all necessary Addenda which do not have significant financial or scope implications in the opinion of the Purchasing Agent and group, have not been acknowledged	48 hours to submit
12	Qualified Bid – where the bid has been qualified by changes to specifications or major requirements and acceptance would allow an unfair advantage over competitors	Bid declared non-compliant
13	More than one submission from the same submitter and not identified as an alternative or optional submission and no written withdrawal notice has been received	The submission package bearing the most recent date/time stamp will be considered the intended submission and the previously date/time stamped submission will be considered withdrawn
14	Bids Containing Mathematical Errors	If the amount tendered for a unit price item does not agree with the extension of the estimated quantity and the



Georgian Bluffs

DEEPLY ROOTED. SUSTAINABLY GROWING.

		<p>tendered unit price, or if the extension has not been made, the unit price shall govern and the total price shall be corrected accordingly.</p> <p>If both the unit price and the total price are left blank, Bid declared non-compliant.</p> <p>If the unit price is left blank but a total price is shown for the item, the unit price shall be corrected according to the total provided.</p> <p>If the Tender contains an error in addition and/or subtraction in the approved tender documentation format requested (i.e. not the additional supporting documentation supplied), the error shall be corrected, and the corrected total Contract price shall govern.</p>
15	Electronic Bidding Platform Error	Errors (confusion with unit of measure) will be clarified and may be corrected.
16	Other minor irregularities	Purchasing Agent, in conjunction with the Treasurer, CAO and/or Department Head shall have authority to waive irregularities, which they jointly consider to be minor
17	Any irregularity	Despite all provisions herein contained the Purchasing Agent in conjunction with the members of the Township Leadership Team may waive any irregularity where it considered it to be in the best interest of the Township.



Schedule 'C' – Goods and Services Exempt from Procurement Policy

The purchasing methods described in this Policy do not apply to the following Goods and Services:

1. Staff development, workshops, training, and education
2. Registration, accommodations and tuition fees for conferences, conventions, courses, and seminars
3. Magazines, books, and periodicals
4. Memberships
5. Refundable Employee/Councillor Expenses
6. Advances
7. Meal allowances
8. Travel (fuel, accommodations, etc.)
9. Ongoing maintenance for existing computer hardware and software
10. Employer's general expenses
11. Payroll deduction remittances
12. Employee group benefits including medical or dental
13. Medicals
14. Licenses
15. Debenture payments
16. Grants to agencies to support third party procurement
17. Damage claims/insurance claims (procurement process when replacement time allows)
18. Tax remittances
19. Refunds to property owners (property taxes, building permit, entrance permit, etc.)
20. Insurance premiums
21. Banking and financial services
22. Legal services
23. Police services
24. Realty services regarding lease, acquisition, demolition, sale, disposal, or appraisal of land
25. Advertising services required in radio, television, newspaper or magazines
26. Bailiff or collection agencies
27. Freight charges
28. Postage
29. Utilities
30. Telephone and internet
31. Procurement between government bodies
32. Hiring of consultants or contracts to complete project deficiencies or complete the work of a developer where the developer has abandoned the project or negligent in completion and where funds to complete the work are being drawn from deposits held by the Town and where time does not permit a competitive bidding process.