

ADMINISTRATION

Chapter 285 PURCHASING

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WHEREAS section 271 of the *Municipal Act, 2001* requires that Council shall adopt policies with respect to its procurement of goods and services.

Article 1
PURPOSE

285.1.1 General provisions

The purpose of this Chapter is to protect the interests of the Town, public and persons participating in the procurement process by providing a clear statement of how goods and services will be acquired. This Chapter will ensure that the integrity of the procurement process will be maintained by clearly defining the circumstances for which each procurement method can be used, how each expenditure is to be authorized and by requiring a regular review to ensure that the goals and objectives of the process are being met. The policies set out in this Chapter will also ensure that whenever possible competitive methods of procurement will be utilized to obtain the best value for the Town.

Article 2
GOALS AND OBJECTIVES OF THE
PROCUREMENT PROCESS

285.2.1 Integrity - best quality - value - transparency

The key goals of the procurement process that the Town is committed to achieve in order to maintain the integrity of the process and protect the interests of the Town and the public are the best possible quality of goods and services at the best possible cost accountability, fairness, objectivity, efficiency, effectiveness and transparency. The goals achieved by each of the procurement processes are outlined in Schedule 'A'.

Article 3
DEFINITIONS AND INTERPRETATIONS

285.3.1 Agreement - defined

“agreement” means a duly executed and legal binding contract.

285.3.2 Award - defined

“award” means authorization to proceed with written legal agreement or contract to a selected compliant bidder, tenderer or proponent in accordance with the provisions of this Chapter.

285.3.3 Bidder - defined

“bidder” means one who submits a response to an invitation to bid.

285.3.4 Consulting and professional services - defined

“consulting and professional services” means architects, engineers, designers, surveyors, management and financial consultants, brokers, legal representation, education and training and any other consulting and professional services rendered to the Town for a specific project or assignment.

285.3.5 Council - defined

“Council” means the elected Council of The Corporation of the Town of Richmond Hill. By-law 221-04, 25 October, 2004.

**285.3.6 Clerk - CAO - Treasurer -
 Manager of Supplies and Services -
 Head of a Department
 Director of ITRS - Commissioner of Finance
 Town Solicitor - Risk Manager - defined**

“Clerk”, “Chief Administrative Officer”, “Treasurer”, “Manager of Supplies and Services”, “Head of a Department”, “Director of ITRS”, “Commissioner of Finance”, “Town Solicitor” and “Risk Manager” mean the Clerk, Chief Administrative Officer, Treasurer, Manager of Supplies and Services, Head of a Department, Director of Information Technology Resource Services, the Commissioner of Finance, the Town Solicitor and the Risk Manager of The Corporation of the Town of Richmond Hill, respectively. By-law 52-07, 23 April, 2007

285.3.7 Consultant - defined

“consultant” means person(s) with education and/or experience which uniquely qualifies him or her to perform some specialized service for The Corporation of the Town of Richmond Hill.

285.3.8 Competitive method - defined

“competitive method” means a procurement process where vendors are given an equal opportunity to submit bids in accordance with Town policies and procedures.

285.3.9 Contract - defined

“contract” means an agreement between parties with binding legal and moral force, usually exchanging goods or services for money or other consideration in the form of the Town’s purchase order, standard agreement or consultant agreement. Situations may require the use of a vendor’s standard agreement or other agreement.

285.3.10 Cooperative procurement - defined

“cooperative procurement” means procurement conducted by one primary public entity on behalf of two or more public procurement entities in order to obtain the benefits of volume purchases and efficiency of administrative expense.

285.3.11 Department - defined

“department” means a department established under the authority of Council.

285.3.12 Department Head - defined

“Department Head” means a person appointed to be responsible for the operation of the department.

285.3.13 Emergency - defined

“emergency” means a situation that has been identified by a Town employee who is able and qualified in a supervisory and/or management capacity, and has taken the responsibility to ensure the immediate procurement of goods and services essential to prevent further damage to persons or property and to restore or maintain minimum service.

285.3.14 Emergency purchases - defined

“emergency purchases” means a procurement process where the usual competitive procurement rules are suspended due to the prevailing emergency circumstances.

285.3.15 Formal quotation - defined

“formal quotation” is a competitive procurement process calling for a sealed bid based on precisely defined criteria, including standard terms and conditions, submitted in the Town’s envelope and in conformance with a prescribed format at a specified time and is used where the value of the goods and services are estimated to be greater than \$50,000 but not greater than \$100,000.

285.3.16 Goods and services - defined

“goods and services” includes labour, supplies, materials, equipment and services of every kind including consulting and professional services.

285.3.17 Identical bids - defined

“identical bids” means a bid that agrees in all material respects inclusive of price with another bid.

285.3.18 Informal quotation - defined

“informal quotation” is a competitive procurement process calling for a bid for the provision of goods and services using the informal request for quotation form and is used where the value of the goods and services are estimated to be greater than \$10,000 but not greater than \$50,000.

285.3.19 Informal submission - defined

“informal submission” means a submission which contains an omission or irregularity on a tender, proposal, request for quotation and informal quotation response which is not fully in accordance with the call and requires further clarification, before it is accepted or rejected. Reference shall be made to Schedule ‘B’ for disposition of all informal submissions.

285.3.20 In house bids - defined

“in house bids” means the process that allows for internal staff to compete with external sources of supply for goods and services to the Town.

285.3.21 Manager of Supplies and Services - defined

“Manager of Supplies and Services” means the Manager of Supplies and Services or designate under the Treasurer, authorized by Council by this Chapter to act as agent for the Town in accordance with the provisions of this Chapter.

285.3.22 Policy - defined

“policy” means a governing principle or plan which establishes the general parameters for the Town to follow in carrying out its responsibilities.

285.3.23 Procurement - defined

“procurement” means the process of obtaining goods and services through purchase, lease or grants. The process includes the establishment of needs, description of requirements, selection of procurement method, determination of evaluation criteria, selection of sources, solicitation of offers, award of contracts, financing and contract administration. By-law 221-04, 25 October, 2004.

285.3.24 Procurement procedures - defined

“procurement procedures” means the written procedures supporting the application of this Chapter, as approved by the Commissioner of Finance in accordance with this Chapter. By-law 52-07, 23 April, 2007.

285.3.25 Pre-qualified bidder - defined

“pre-qualified bidder ” means a supplier determined by the Supplies and Services Branch in conjunction with the user department to meet the minimum set standards of business competence, reputation, financial ability, and product quality for placement on a list for specific tender or proposal calls as set out in a public request for pre-qualification. By-law 221-04, 25 October, 2007.

285.3.26 Pre-qualification process - defined

“Pre-qualification process” means a procurement process whereby submissions from potential suppliers are sought through the competitive method using a public request for pre-qualification for the purpose of evaluating whether the suppliers meet minimum standards of business competence, reputation, financial ability and product quality in order to be placed on a list receiving specific tender or proposal calls.

285.3.27 Public entity - defined

“public entity” means any municipality, school board or other local board within the Province of Ontario, any other level of government and any agency as that term is defined in the *Crown Agency Act*, R.S.O. 1990, c. C.48, as amended or superseded. By-law 52-07, 23 April, 2007.

285.3.28 Purchase order - defined

“Purchase order” means a legal written document to a successful tenderer, proponent or bidder formalizing all the terms, conditions and specifications resulting from the calling of a tender, request for proposal, request for quotation or informal quotation and is issued for supply of all goods and services, and provision of consulting and professional services.

285.3.29 Purchasing - defined

“purchasing” means the act and the function of responsibility for the procurement of equipment, materials, supplies and services, except real property.

285.3.30 Qualified bid - defined

“qualified bid” means a variation of a bid or proposal from the exact requirements.

285.3.31 Quotation - defined

“quotation” means an offer obtained from a selected person(s) to supply to, or acquire from the Town stipulated goods or services or a concession at a stated price, and terms of the transaction.

285.3.32 Request for information - defined

“request for information” is a written request for details on a vendor’s background and the goods and services it is offering. Such information may be used to invite tender, proposal or quotation submissions, and will not result in a contractual purchase.

285.3.33 Request for proposal - defined

“request for proposal” is a competitive procurement process for obtaining unique proposals designed to meet broad outcomes to a complex problem or need for which there is no clear or single solution.

285.3.34 Requisition - defined

“requisition” means an internal request to obtain goods and services and the authority to commit funds to cover the purchase, and can take the form of a manual or electronic method.

285.3.35 Single source - defined

“single source” means there is more than one source in the open market but only for reasons of function or service one vendor is recommended for consideration of the particular goods and services.

285.3.36 Sole source - defined

“sole source” means there is only one source of supply of particular goods and services.

285.3.37 Surplus goods - defined

“surplus goods” means any items no longer having any use to the Town or in excess of the needs of the Town, inclusive of but not limited to obsolete supplies, scrap materials, vehicles, etc., and have become a candidate for transfer, loan, or disposal.

285.3.38 Tender - defined

“tender” is a competitive procurement method for obtaining competitive bids based on precisely defined requirements for which a clear or single solution exists.

285.3.39 Town - defined

“Town” means The Corporation of the Town of Richmond Hill. By-law 221-04, 25 October, 2004.

Article 4**EXPENDITURE CONTROLS****285.4.1 Authorization procedures - all purchases - set out**

All purchases of goods and services shall be carried out in accordance with this Chapter and the procurement procedures as defined in Section 285.3.24. By-law 52-07, 23 April, 2007.

285.4.2 Purchase - not greater than \$10,000

Where the requirement for goods and services is not greater than \$10,000 (exclusive of GST), the purchase may be made by the end user department or by the Supplies and Services Branch.

285.4.3 Purchase - between \$10,000 and \$50,000

Where the requirement for goods and services is greater than \$10,000 but not greater than \$50,000 (exclusive of GST), a purchase order shall be issued by the Manager of Supplies and Services upon receipt of an authorized purchase requisition, and upon the obtaining of a minimum of three informal quotations using the Town's informal request for quotation form or a request for proposal, where possible.

285.4.4 Purchase - between \$50,000 and \$100,000

Where the requirement for goods and services is greater than \$50,000 but not greater than \$100,000 (exclusive of GST), a purchase order shall be issued by the Manager of Supplies and Services upon receipt of an authorized purchase requisition, and upon the obtaining of a minimum of three formal quotations or request for proposals, where possible. By-law 221-04, 25 October, 2004.

285.4.5 Purchase - between \$100,000 and \$500,000

Where the requirement for goods and services is greater than \$100,000 but not greater than \$500,000 (exclusive of GST), a purchase order or required contractual agreements shall be issued by the Manager of Supplies and Services upon authorization by the CAO or designate and the Mayor or Deputy Mayor after having called a tender or request for proposal provided that:

- (a) the award is within the approved budget and is made to the lowest compliant bidder and no lower bidder was disqualified due to irregularities or informalities;
- (b) there is no current litigation between the bidder and the Town;
- (c) a report is submitted semi-annually to Council to advise award of any contract pursuant to this authority. By-law 52-07, 23 April, 2007.

285.4.6 Tender - RFP - irregularity - informality - report

Further to Section 285.4.5 where there exists an irregularity or informality in a tender or request for proposal submission process or where the value of the award exceeds \$500,000 (exclusive of GST) the Supplies and Services Branch will prepare an analysis report of the tender or proposal opening, highlighting such irregularities or informalities and forward to the end user department who will prepare a staff report to Council for approval and award of such tender or proposal.

285.4.7 Tender - RFP - RFQ - waived - Council approval

The calling of a tender, request for proposal or request for quotation may be waived with approval of Council for the procurement of goods or services in the following described situations:

- (a) the extension or reinstatement of an existing contract would prove more cost effective or beneficial to the Town in the opinion of the Manager of Supplies and Services in conjunction with the appropriate Department Head;
- (b) goods and services are available from only one source;
- (c) where for reasons of time, or due to the nature of the goods and services to be supplied, the interests of the Town would be best served by a direct purchase, or an "Invitation to Tender" to three or more selected tenderers, instead of the calling of a public tender. By-law 221-04, 25 October, 2004.

285.4.8 Advertisement - when required - local newspaper

Where the need to advertise a tender, proposal or quotation exists, such advertisement shall appear in at least one newspaper having circulation in the Town. Where a pre-qualification process has been used, the need to advertise such tenders, proposals or quotations shall not apply. By-law 52-07, 23 April, 2007.

285.4.9 Rejection of submissions - Town - discretion

The Town may, in its absolute discretion, reject a tender or proposal submitted by the bidder if the bidder/proponent, or any officer or director of the bidder/proponent is or has been engaged, either directly or indirectly through another corporation, in a legal action or claim against the Town, its elected or appointed officers and employees in relation to:

- (a) any other contract or services; or
- (b) any matter arising from the Town's exercise of its powers, duties, or functions.

285.4.10 Rejection of submission - consideration

In determining whether or not to reject a quotation, tender or proposal under Section 285.4.9, the Town will consider whether the litigation or claim is likely to affect the bidder's ability to work with the Town, its consultants and representatives, and whether the Town's experience with the bidder/proponent indicates that the Town is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the bidder/proponent.

285.4.11 Procurement - carried out as per policies and procedures

The procurement process shall be carried out in accordance with the Town's, procurement policies and procedures effective as amended. By-law 221-04, 25 October, 2004.

**285.4.12 Contract document - authority to execute
- CAO - Manager of Supplies and Services**

Where the making of any purchase of goods and services has been authorized pursuant to Section 285.4.2, 285.4.3, 285.4.4 or 285.4.5, the Chief Administrative Officer or the Manager of Supplies and Services or their delegates are authorized to execute the contract documents and all other documents necessary to effect the purchase as set out in the procurement procedures upon the written recommendation of the Department Head of the user department or the written recommendation of such other person authorized in writing by the Department Head of the user department for this purpose, provided that the Department Head of the user department (or such other person authorized in writing by the Department Head of the user department for this purpose) includes confirmation that the purchase of the goods and services is provided for in the approved budget in the written recommendation.

**285.4.13 Contract document - authority to execute -
Director of ITRS**

Where the making of any purchase of goods and services has been authorized pursuant to Section 285.4.2, 285.4.3, 285.4.4 or 285.4.5 and the purchase of goods and services relates to computer hardware and software, the Director of ITRS or his delegate is authorized to execute the user, license data or data sharing agreements and related contract documents and all other documents necessary to effect the purchase (other than a purchase order) in lieu of the Chief Administrative Officer or the Manager of Supplies and Services provided that, if any such user, license data use or data sharing agreement and/or related contract or other documents include any provision that requires the Town to indemnify the vendor of the goods and/or services, the Director of ITRS has consulted with and obtained the approval of the Town's Risk Manager in respect of the indemnity provision.

**285.4.14 Contract documents - procurement approved
by Council - Mayor**

Notwithstanding anything else in this Chapter, where Council has approved a procurement pursuant to this Chapter or otherwise, the Mayor or Deputy Mayor may execute the contract documents and all other documents necessary to effect the procurement. By-law 52-07, 23 April, 2007.

**Article 5
PROCUREMENT BY NEGOTIATION**

285.5.1 Conditions - Head - Manager of Supplies and Services

Notwithstanding any other provisions of this Chapter, in consultation with the appropriate Department Head, the Manager of Supplies and Services may enter into negotiations with one or more vendors for the supply of goods and services when any of the following conditions exist:

- (a) due to market conditions goods and services are in short supply;
- (b) there is only one source of the subject goods and services;
- (c) two or more identical acceptable bids have been received;
- (d) efforts at differentiating identical bids have been previously unsuccessful and the same goods and services are required again;
- (e) all acceptable bids exceed the amount budgeted for the goods and services;
- (f) all bids received are not acceptable;
- (g) the extension or reinstatement of an existing contract would be more cost effective or beneficial to the Town;
- (h) a particular vendor is being recommended because it is more cost-effective or beneficial; or
- (i) when authorized by Council.

285.5.2 Negotiation method used - report to Council

Where the negotiations method set out in this Article is used to select a vendor of goods and services, the Manager of Supplies and Services and the appropriate Department Head shall submit a report to Council prior to the award of the contract setting out the circumstances for recommending the award.

**Article 6
EMERGENCY PURCHASES**

285.6.1 Supplies and Services Branch - responsibility

Goods and services required to address an emergency shall be acquired by the Supplies and Services Branch.

285.6.2 Departmental responsibility - outside business hours

Where such emergencies occur outside normal business hours such purchases may be made by an appropriate Department Head or his or her designate.

285.6.3 Departmental purchase - notification - Supplies Service

The Supplies and Services Branch shall be notified of the subject Emergency Purchase at the earliest practical opportunity.

285.6.4 Joint report to Council - nature of emergency - actions

A joint report by the Manager of Supplies and Services and the appropriate Department Head is to be submitted to Council, setting out the nature of the emergency and the necessity of the action taken pursuant to this Article. By-law 221-04, 25 October, 2004.

**285.6.5 Contract documents - authority to execute -
CAO - Manager of Supplies and Services**

Where a purchase of goods and services is made pursuant to this Article, the Chief Administrative Officer or the Manager of Supplies and Services or their delegates are authorized to execute the contract documents and all other documents necessary to formalize the procurement, as set out in the procurement procedures as soon as practicable after the emergency purchase upon the written recommendation of the Department Head of the user department or the written recommendation of such other person authorized in writing by the Department Head of the user department for this purpose, provided the Department Head of the user department (or such other person authorized in writing by the Department Head of the user department for this purpose) includes confirmation that the purchase of the goods and services is provided for in this Article and, more particularly, that an emergency exists warranting the purchase in the written recommendation. By-law 52-07, 23 April, 2007.

Article 7**DISPOSAL OF SURPLUS GOODS****285.7.1 List to other departments - disposal if not otherwise useful**

Where any goods, equipment or salvage are designated obsolete or unrepairable, a list of such goods equipment or salvage shall be made available to the Manager Supplies and Services so that they may be made available to other Town departments or if no longer useful for Town purposes, arrangement be made for their disposal in any way deemed to be in the best interest of the Town.

285.7.2 Employee restriction - purchasing of surplus goods

No Town employee or elected official shall bid on or acquire surplus goods, equipment or salvage except those disposed of by auction, and further that no employee working at or having responsibility for sending items to an auction may bid on items sold at this auction. By-law 221-04, 25 October, 2004.

Article 8
CO-OPERATIVE PROCUREMENT

285.8.1 Authority to procure in cooperation with other public entities - conditions

Prior to proceeding with the procurement of goods and/or services, the Manager of Supplies and Services in conjunction with the user Department Head, may enter into arrangements with one or more public entity(ies) for co-operative procurement where there are economic advantages in so doing, provided that if the procurement is to be conducted by other public entity(ies):

- (a) the method of procurement used by the other public entity(ies) is a competitive method similar to that described in this Chapter; and
- (b) the awarding, reporting and execution of contracts resulting from the cooperative procurement is in accordance with the requirements of this Chapter and the procurement procedures.

285.8.2 Public entity purchases same goods or services

Notwithstanding any other provision of this Chapter, Council may waive the requirements of Sections 285.4.3 to 285.4.6, inclusive for the purchase of goods and/or services if a public entity has followed a similar competitive method for the purchase of the goods and/or services to that required to be followed by the Town pursuant to Sections 285.4.3 to 285.4.6, inclusive and the following additional conditions exist:

- (a) the resulting contract between the public entity and the vendor of the goods and/or services stipulates that the same goods and/or services be made available to other public entities which include the Town at the same price as provided by the vendor to the initiating public entity;
- (b) the same goods and/or services will be made available to the Town for the same or better price than the price that is to be paid by the public entity pursuant to the contract described in (a);
- (c) the same goods or services purchased by the public entity can be purchased by the Town pursuant to the Town's form of purchase order, standard agreement or consultant agreement;
- (d) the purchase of goods and/or services by the Town is within the approved budget; and
- (e) there is no current litigation between the vendor of the goods and/or services and the Town. By-law 52-07, 23 April, 2007.

Article 9
CONSULTING AND PROFESSIONAL SERVICES

285.9.1 Procurement provisions - set out

Notwithstanding the provisions of the Chapter, the procurement of consulting and professional services shall be conducted in accordance with the provisions of this Article.

285.9.2 Service less than \$10,000 - user department authority

Where the requirement for consulting and professional services is estimated to be not greater than \$10,000 the user department will select the consultant or professional service to perform the work.

285.9.3 Services - \$10,000 - \$100,000 - minimum three proposals

Where the requirement for consulting and professional services is estimated to be greater than \$10,000 but not greater than \$100,000 a minimum of three written proposals are required. The appropriate Department Head in conjunction with the Supplies and Services Branch shall award the contract to the successful proponent upon the recommendation of a Selection Committee.

285.9.4 Services greater than \$100,000 - RFP required

Where the requirement for consulting and professional services is estimated to be greater than \$100,000 a request for proposal will be issued. By-law 221-04, 25 October, 2004.

**285.9.5 Contract documents - authority to execute -
CAO and Manager of Supplies and Services**

Where the procurement of consulting or professional services is authorized pursuant to Section 285.9.2, 285.9.3 or 285.9.4, the Chief Administrative Officer or the Manager of Supplies and Services or their delegates, are authorized to execute the contract documents and all other documents necessary to effect the purchase upon the written recommendation of the Department Head of the user department or the written recommendation of such other person authorized in writing by the Department Head of the user department for this purpose, provided that the Department Head of the user department (or such other person authorized in writing by the Department Head of the user department for this purpose) includes confirmation that the purchase of the goods and services is provided for in the approved budget in the written recommendation.

**285.9.6 Contract documents - procurement of legal services -
Town Solicitor to execute**

Where the procurement of professional services has been authorized pursuant to Section 285.9.2, 285.9.3 or 285.9.4 and is for legal representation or advice, the Town Solicitor or his/her delegate is authorized to execute the contract documents and all other documents necessary to effect the purchase (other than any requisite purchase order) in lieu of the Chief Administrative Officer or the Manager of Supplies and Services. By-law 52-07, 23 April, 2007.

**Article 10
IN-HOUSE BIDS**

285.10.1 Prohibited - as part of tendering process

In-house bids will not be accepted in any circumstances as part of a tendering process. By-law 221-04, 25 October, 2004.

285.10.2 Exception

The provisions of Section 285.10.1 shall not apply to bids submitted by a member of staff who has, prior to April 30, 2005, been a supplier of goods and services to the Town for a minimum of 10 successive years. By-law 86-05, 2 May, 2005.

**Article 11
REVIEW AND EVALUATION OF CHAPTER**

**285.11.1 Responsibility - Treasurer - Manager of
Supplies Services**

The procurement process will be reviewed and evaluated by the Treasurer in conjunction with the Manager of Supplies and Services and evaluated in response to either internal or external complaints.

285.11.2 Review - minimum requirement - new developments

This Chapter and underlying procedures and practices will be reviewed at least once every five years, or more frequently if required. Regular contact shall be maintained with other public entities to keep informed of new developments in the industry.

Article 12 PROHIBITIONS

285.12.1 Confidentiality - financial disclosure prohibited

No employee, or any appointed or elected official, shall divulge budget amounts or the prices paid by or quoted to the Town for goods and/or services unless Council may otherwise direct, except that the total price in the case of public tenders may be revealed, as well as any price included in public reports to Committee of the Whole and Council. Such information shall be made available according to the *Municipal Freedom of Information and Protection of Privacy Act*.

285.12.2 Personal purchases - prohibited

No personal purchases shall be made by the Town for elected members, or for Town Employees, unless specifically authorized by Council.

285.12.3 Code of Conduct - applicable to all staff

The Code of Conduct established by the Town shall apply to all staff involved in the purchasing process.

285.12.4 Authority to contract - provided by Chapter

No employee or elected official shall purchase or offer to purchase on behalf of the Town except as may be provided for in this Chapter.

285.12.5 Splitting invoicing to meet criteria - prohibited

No requirement for the payment of goods or services including consulting or professional service received by the Town shall be divided in order to avoid any of the requirements of this Chapter.

285.12.6 Contract commitment - as approved in budget process

No contract shall be entered into and no expenditure shall be authorized or incurred unless Council has provided funds for such purpose in the annual budget or agreed to the provision of such funds and no expenditure shall be authorized or incurred in excess of the funds provided, subject to the provision of By-law 252-95 "A by-law to regulate the budget control process," as amended from time to time. By-law 221-04, 25 October, 2004.

Article 13
EXEMPTION FOR DONATIONS

285.13.1 Exemptions for Donations

Notwithstanding any other provisions of this Chapter, the provisions of this Chapter shall not apply to the procurement of goods or services by donation, gift or grant, including the active solicitation by the Town for such, even where the person making the donation, gift or grant receives or will receive a form of recognition, including recognition which may or may not constitute or be perceived to constitute valuable consideration, or receives or will receive a receipt for the value of the donation, gift or grant. By-law 137-06, 12 June, 2006.

Article 14
CONTRACT DOCUMENTS

**285.14.1 Delegation of authority to execute - CAO -
Director of ITRS - Manager of Supplies and Services**

The Chief Administrative Officer, the Director of ITRS and the Manager of Supplies and Services may delegate in writing their authority to execute contract and other documents to effect a purchase to a person holding a management position reporting directly to them and, in the case of the Manager of Supplies and Services and the Director of ITRS, to a person holding a management position to whom he or she reports.

285.14.2 Delegation of authority to execute - Town Solicitor

The Town Solicitor may delegate in writing the authority to execute such contract documents to effect the procurement of legal services to any person reporting directly to him or her holding the position of Assistant Town Solicitor.

285.14.3 Document may be executed electronically

A signing officer authorized to execute contract and other documents to effect a purchase may cause a document to be executed electronically in accordance with any legal requirements in that connection, provided that the provisions of this Chapter are otherwise complied with and, where such document is to be executed electronically, the signing officer may authorize in writing another person to do so with respect to that particular document and not as a general delegation of the signing officer's authority. By-law 52-07, 23 April, 2007.

Article 15
REPEAL - ENACTMENT

285.15.1 Conflict - other policies - procedures

Where there exists a conflict between this Chapter and any other procurement policies and procedures this Chapter shall take precedence.

285.15.2 Chapter - previous

The previous Chapter 285 of the Town of Richmond Hill Municipal Code is hereby repealed.

285.15.3 Section - previous

Chapter 165 of the Town of Richmond Hill Municipal Code is hereby amended by the deletion of Section 165.2.16.

285.15.4 By-law - previous

By-laws 19-91, 298-02 and 244-02 are hereby repealed. By-law 221-04, 25 October, 2004.

PURCHASING

SCHEDULE

Schedule 'A' - Goals of Procurement Methods

	Tender	Request for Proposal	Request for Quotation	Informal Quotation	Single Source	Sole Source
Accountability						
Enactment and Adherence to by-law	X	X	X	X	X	X
Conducting regular reviews and evaluation of process	X	X	X	X	X	X
Annual External Audit	X	X	X	X	X	X
Centralized Supplies and Services Branch	X	X	X	X	X	X
Establishment and adherence to Policies and Procedures	X	X	X	X	X	X
Requirement for Multi-Level Approvals	X	X	X	X	X	X
Fairness						
Enactment and Adherence to by-law	X	X	X	X	X	X
Use of Standardized Terms and Conditions	X	X	X	X		
Conducting regular reviews and evaluation of process	X	X	X	X	X	X
Establishment and adherence to Policies and Procedures	X	X	X	X	X	X
Communication of Reasons for Rejection of Bids	X	X	X	X		
Objectivity						
Enactment and Adherence to by-law	X	X	X	X	X	X
Conducting regular reviews and evaluation of process	X	X	X	X	X	X
Establishment of generic specifications	X	X	X	X		
Adherence to Code of Conduct Policy	X	X	X	X	X	X
Use of Selection Committee		X				
Communication of Reason for Rejection of Bids	X	X	X	X		
Transparency						
Enactment and Adherence to by-law	X	X	X	X	X	X
Conducting regular reviews and evaluation of process	X	X	X	X	X	X
Public Opening	X	X				
Public availability of award results	X	X	X	X	X	X
Specified Evaluation Criteria	X	X	X	X		
Adherence to MFIPA	X	X	X	X	X	X
Public Availability of By-law, Policies and Procedures	X	X	X	X	X	X
Communication of Reason for Rejection of Bids	X	X	X	X		
Effectiveness						
Enactment and Adherence to by-law	X	X	X	X	X	X
Conducting regular reviews and evaluation of process	X	X	X	X	X	X
Advertising of bid calls	X	X	X*			
Use of Performance Bonds	X	X	X*	X*	X	X
Use of Securities and Sureties	X	X*	X*	X*	X*	X*
Efficiency						
Enactment and Adherence to by-law	X	X	X	X	X	X
Establishment of Expenditure Thresholds	X	X	X	X	X	X
Use of Standardized Terms and Conditions	X	X	X	X*		
Establishment of Policies and Procedures	X	X	X	X	X	X

(*Applicable in certain situation)

By-law 221-04, 25 October, 2004; Schedule 'A'.

PURCHASING

Schedule 'B' - Tenders, Proposals, Quotation - Irregularities

	IRREGULARITY	RESPONSE
1.	Late Bids	Automatic rejection, not opened or read publicly
2.	Insufficient Financial Security (No Bid Security or of an insufficient amount or is not in the form as required)	Automatic rejection
3.	Bids not Completed in non-erasable medium and signed in ink	Automatic rejection
4.	Incomplete Bids (Part bids - all items not bid as required)	Automatic rejection
5.	Qualified Bids (bids qualified or restricted by an attached statement, or alternative items or substituted items are bid in whole or in part).	Automatic rejection unless in the opinion of Town, the qualifications or restrictions are trivial or not significant. Where unsolicited alternative pricing is provided only the compliant bid portion of a tender, proposal or quotation submission will be considered formal.
6.	Bids received on documents other than originals provided by the Town.	Automatic rejection
7.	Executed Agreement to Bond form not included (all signatures must appear, plus Bonding company seal)	Automatic rejection
8.	Mandatory Site visits not attended as required in the documents	Automatic rejection, not opened or read publicly
9.	Documents not signed	Automatic rejection, not read publicly
10.	Pricing pages missing	Automatic rejection
11.	Original envelopes as supplied by the Town not used	Automatic rejection
12.	Erasures, changes, overwriting, whiteouts, crossouts or strikeouts to unit prices or extended prices which are not initialled by the bidder (using a non-erasable medium)	Where such changes are not initialled the tenderer, proponent or bidder will be contacted and allowed 48 hours from the time of notice to initial. Failure to comply will result in the submission being rejected.
13.	Addendum/addenda have not been included or referenced in the tender/proposal/quotation submission	Automatic rejection unless it is clearly evident within the tender/proposal/quotation document submission that all relevant information contained in the addendum/addenda has been addressed.

By-law 166-05, 26 September, 2005.

PURCHASING

Schedule 'C' - List of items exempt from this Chapter

- Conferences
- Water and Wastewater Services
- Licences
- Certificates
- Tuitions

By-law 221-04, 25 October, 2004; Schedule 'C'.