

Village of Port Clements

Purchasing Policy

Policy No. 03

Originally prepared by Clerk/Treasurer Heather Nelson-Smith - 2009

Updated by CAO Kim Mushynsky – 2017

Updated by CAO Ruby Decock & Intern Emily Welford 2019

Adopted: 2009 by Mayor and Council

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1.0 OBJECTIVE:

To set guidelines for the procurement of goods and services for the Village and in pursuit of this commitment, and in order to promote effective, economic, efficient and responsible acquisition of goods and services, the Municipality has established this policy which will enable staff to maintain a customer-service focus while meeting the needs and protecting the interests of the Municipality and the public.

2.0 SCOPE:

This policy governs the acquisition of goods and services, by purchase or by lease, using Municipal funds from all sources, including operating, capital or other funds. Interpretation and administration of this policy is the responsibility of the Chief Administrative Officer who will establish all procedures and controls necessary to comply with all relevant statutory and legal obligations. The Chief Administrative Officer will ensure that all acquisitions are made according to this policy, sound business practices, and will employ appropriate accountability measures, thereby making procurement decisions defensible.

3.0 PROCUREMENT PRINCIPLES:

1. Efficient - after consideration of needs, alternatives, timing and availability of funds, acquire the necessary quality and quantity of goods and services in an efficient and cost-effective manner.
2. Ethical - act in a manner which provides potential suppliers equal opportunity to participate in the business of the Municipality and to ensure open and transparent procedures that withstand public scrutiny at all times. The Municipality will implement appropriate procedures to avoid any perception of conflict of interests.
3. Accountable - The Municipality will publicly post the outcome of any publicly posted supply request within 20 days of contract signing and/or issue a report to Council.
4. Impartial - the process of open competitive bidding on the acquisition and disposal of goods and services will be fair, transparent and non-discriminatory.

5. Economical - consider the total cost of ownership as defined by the Municipality in all contracts for goods and services.
6. Co-operative - participate with other governmental entities in co-operative purchasing programs and Supply Agreements where the best long-term interests of the Municipality will be served
7. Lawful - comply with all applicable laws, municipal policies, domestic and international trade agreements.
8. Social - use procurement practices to promote social and economic development.
9. Where practical the Village will endeavor to shop locally. Preference will be given to local suppliers and contractors up to a premium of 10%.

4.0 AUTHORITY:

The CAO, Deputy Clerk, and Public Works Superintendent are hereby appointed by Council as the “purchasers” of the Municipality to purchase goods and services within the scope of this policy.

The Purchasers may expend within the approval of the current adopted financial plan and the limits imposed by the current Establishing Officer Positions Bylaw’s spending limitations.

5.0 PURCHASING THRESHOLDS

Value of Goods or Services	>5000 to <\$15,000	≥ \$15,000
Requirements	3 written quotes	Invitation to Tender Request for Proposal Invitation to Quote Council Approval

Contracting out for goods or services valued at \$5000.00 to \$15,000.00 (excluding taxes) requires written quotes. The Purchasers shall seek to obtain a minimum of three written quotations from Contractors, recognizing that we may not always succeed in receiving three quotes.

Contracting for works valued in excess of \$15,000.00 shall be done via tender or request for proposals. The Tender process is utilized when specifications and conditions to a contract are known. The contract is built into the tender document.

Tenders will be evaluated on but not limited to the following:

- i) The lowest of any price may not necessarily be accepted.
- ii) Must have evidence of successful performance for similar works.

Requests for proposals are used for the purchase of goods, services, equipment and materials when there are no specifications to work with, or when the Village is searching the marketplace for new and innovative ideas and has made a decision not to use specifications. A contract is formed after the successful proposal has been selected.

Request for Proposals will be evaluated on but not limited to the following:

- i) The lowest of any price may not necessarily be accepted.
- ii) Must have evidence of successful performance for similar works.

Request for Proposals will be evaluated based on the following:

- a) Price
- b) Equipment and related experience and suitability
- c) Time frame of works
- d) Innovation of project
- d) Description of works
- e) Reference checks
- f) Inclusion of applicable supporting documentation or information included in the submitted proposal.

All submission of RFPs, ITT's, ITQ's will be date and time stamped. In the circumstances where items are received via email, the time the emails are received (time stamped) will be used as the time received. Mailed submissions will be checked ½ hour prior to the closing time. Faxed submissions will be checked at the time of closing.

The Village of Port Clements reserves the right to offset any outstanding debts owed to the Village by the Contractor against any amounts owing to the Contractor in regards to contracted works.

All Tenders will be opened during a Council meeting, reviewed by staff and approved by Council at the next Council meeting unless an exception requires a quicker response. All RFP's will be received by staff, reported to Council, and approvals and awarding of proposed works will be made by Council

6.0 EXCEPTIONS TO THE POLICY:

1. Where goods, services or construction are urgently required and delay would be injurious to life and/or property, the Chief Administrative Officer or their designate will authorize any and all actions to be taken and these will be considered as an exception to this policy.
 - i. At the conclusion of the Emergency conditions, the Chief Administrative Officer or their designate will report back to Council with the cost implications and summary of actions taken to mitigate the event.

7.0 SOLE SOURCE/SINGLE SOURCE SUPPLY

The Municipality may contract with a sole or single source, as defined below, in the following instances:

1. Low value purchases made by purchase card;
2. When an ITQ, RFP, or ITT has been publicly issued and either none or only one acceptable response is received;
3. When a Notice of Intent (NOI) has been publicly posted and no reasonable objection has been received in accordance with the terms of the NOI;
4. When utilizing a co-op group contract with other local governments or first nations on Haida Gwaii;
5. Upon written approval of the Chief Administrative Officer or designate, if requested by Council to enter into a Direct Award Contract.

If the Village must award a contract without following the procedures set out in this policy, a "Notice of Intent to Direct Award a Contract" Report must be presented to Council and made available to the public. Reasons for a direct awarding of contract include, but are not limited to:

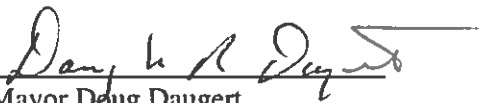
- i. Insufficient quotes received for an RFP or RFT.
- ii. Emergency projects or work.
- iii. Unsolicited offering of services not regularly available on Haida Gwaii.

The "Notice of Intent to Direct Award a Contract" Report must include the reasons for the direct award including an internal and external analysis, which details the strategic, financial and administrative impacts of the direct award, and also the consequences had the contract not been directly awarded. In the event of an Emergency project or


works, the report will be provided to Council after the occurrence of the direct award. All Direct Award reports will remain on file as suggested by the Freedom Of Information and Privacy Protection Act (FOIPPA), for 7 years.

8.0 SUPPLIER PREQUALIFICATION

1. The Municipality may choose to prequalify service providers where there is a probability of services being required on an ongoing and when required basis or as part of a multi-stage procurement process.
2. A supplier not currently on a prequalification list may submit their qualifications once a year for consideration.
3. The Municipality may remove a supplier from the prequalification list where performance is not satisfactory or does not comply with the contracted terms and conditions.



Mayor Doug Daugert



CAO Ruby Decock,