

Schedule A Procurement Policy

PURPOSE

This policy is intended to provide guidelines and procedures with respect to the Procurement of Goods and Services for the Corporation of the Township of Augusta.

GOALS AND OBJECTIVES

The goals and objectives of this By-Law are to:

- a) Ensure openness, accountability, and transparency while protecting the financial best interests of the Township.
- b) Encourage competition among suppliers.
- c) Maximize savings for taxpayers.
- d) Ensure service and product delivery, quality, efficiency, and effectiveness
- e) Ensure fairness among bidders.
- f) To outline the roles and accountabilities of Council, Senior Staff and their delegates.
- g) An attempt to reduce the amount of solid waste requiring disposal through the purchase of environmentally responsible goods and services.

SCOPE

This By-law applies to all departments of the Township of Augusta.

GENERAL

- a) This policy should be reviewed and renewed by Council every 4 years, within the period of each Council.
- b) The Department Head or Manager (or designate) shall be satisfied that the goods and/or services to be purchased are authorized in the approved current budget.
- c) The Department Head or Manager may delegate their purchasing authority as assigned to a subordinate, however, all responsibility remains with the Department Head or Manager.
- d) Prior to the approval of the current budget, a Department Head or Manager (or designate) may incur normal operating expenditures.
- e) Purchases of non-budgeted goods or services must be approved by Council resolution.
- f) Contracts for the purchase of goods or services for ten thousand dollars (\$10,000.00) or more and the amount of which is included in the approved current budget and due to the nature of the goods or services to be provided would not be subject to the provisions of the normal tendering/RFP procedures shall require Council approval.
- g) Council and Employees requesting reimbursement for travel shall submit a travel expense claim form request for reimbursement along with the corresponding receipt(s). The request for reimbursement is attached to this policy as Appendix "D".
- h) There are exemptions from this procurement policy and those are listed as Appendix "A" to this policy.
- i) Bid Irregularities shall be listed on Appendix "C" attached hereto.
- j) From time to time staff may make a purchase for the Township for general supplies. Those purchases are authorized and, a request for reimbursement will be submitted along with the corresponding receipt. The Request for Reimbursement is attached to this policy as Appendix "E".
- k) Notwithstanding the provisions in this By-law, where a Department Head or Manager or Council deems it necessary or in the best interests of the Township to acquire goods or services from a particular source, where a good or service is available from one source only or the extension of an existing contract would prove more cost-effective or beneficial, Council may pass a resolution to approve the procurement of the goods or services from that particular source, without using

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- any of the procurement processes.
- l) The Township shall incorporate accessibility criteria and features when procuring or acquiring goods and services, except where it is not practicable to do so. Where it is not practicable to incorporate accessibility criteria when procuring goods and services, upon request, an explanation shall be provided.
 - m) The Township shall require a declaration (Appendix F) from all persons who provide goods and services on behalf of the Township stating that they are compliant with the Accessibility for Ontarians with Disabilities Act and its Regulations.
 - n) Where the municipality will benefit from a purchase that cannot be accommodated under this policy, the manager must obtain written approval from the CAO who will bear responsibility for the expenditure.
 - o) Local suppliers will be given the opportunity to provide quotes on goods and services. In the event a bid is received for the provision of goods or services from a local supplier equal to a bid received from a non-local supplier and both of which bids meet the desired specifications of Council, preference may be given to the local supplier.
 - p) The Township may participate in Co-operative Purchasing with other government agencies or public authorities where it is in the Best Interest of the Township to do so. If the Township decides to participate in a Co-operative Purchase or Piggyback Contract, the terms and conditions of the government agencies or public authorities calling the Bid on behalf of the participants are to be the accepted policies and procedures, even if they conflict with provisions of this policy.

PURCHASING POLICES & PROCEDURES

Subject to any alternate direction that may be given from time to time by Council, the following processes shall be employed for the purchases of goods and services.

Manager may approve expenditures with a value of less than or equal to \$5,000.00, however they will attempt to obtain three (3) quotes and document reasons for any inability to do so.

Advertisement for procurement of goods may be placed using paper media, online applications, or other electronic media **OR MAY** be requested by invitations only.

If a contract has been issued and the successful proponent fails to sign the contract or fulfil the necessary requirements within a specified time, the CAO may grant additional time to fulfil the necessary requirements or may recommend to Council, one of the following:

- a) that the contract be awarded to the next low proponent
- b) that the contract be cancelled.

Department Heads or Managers shall develop a detailed privilege clause for individual bid requests to ensure additional rights are reserved for the township.

Request for Tender

Formal tendering practices shall apply for the purchase of all goods and services where the estimated value is or will exceed the amount of ten thousand dollars (\$10,000.00) where proper specifications can be determined.

Tenders shall be supplied:

- With a tender number
- On an official tender form
- Tender receipt cover page

Tenders received must be:

- in a sealed envelope
- on the official tender form
- date stamped with the time received

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- have the tender number visible
- placed unopened in a secure location (tenders received after the deadline shall be dated, including the time and returned to the bidder unopened with a cover letter advising tender received after the deadline)

If the tender was one where the expertise lies with a select few suppliers OR when it is impractical to call for tender then, request tender by invitation only may be tendered and, a list of those invited shall be kept by the appropriate Department Head or Manager for a period specified in the Retention By-law notwithstanding any other Provincial legislation or Municipal By-Law.

All tenders, whether by advertisement or invitation shall be opened at a predetermined time and place, using the Tender Opening Form (Appendix B) in the presence of the Clerk (or delegate) and appropriate Departmental manager responsible for the tender (or designate) and one member of Council. Tender openings shall be open to the public.

Council is under no obligation to accept the lowest or any tender. Council may, at its discretion, reject all tenders.

A written report to Council from the appropriate Department Head or Manager shall be presented at the next regular meeting of Council outlining the following:

- Tenders received
- Amount that was budgeted for the purchase
- Full explanation if the tender is not recommended to be awarded to the firm that tendered the lowest amount, or if the tender is not awarded.
- The comparison to the previous year, if appropriate

If applicable, bid security, bid bond or performance bond requirements shall be specified in the tender document. Deposit cheques shall be returned to the bidders on the tender form as soon as is practical and such bidders shall provide written acknowledgement of receipt.

Addendums

Queries and addendums shall be supplied to all bidders.

When it becomes necessary to revise, delete substitute or add to tender documents a copy of each addendum shall be forwarded to each bidder who obtained a tender package and that have returned a copy of the cover page from the tender package with their contact information. If cover sheet is not returned the township is not responsible for missed addendum(s).

Establishment of File

A file shall be created for all tenders that shall be maintained and include the following:

- I. Record of Tender Opening Form. (information recorded and signed)
- II. a copy of the "Tenders Received" form
- III. a photocopy of the bid security deposit
- IV. a copy of the liability insurance documentation and WSIB status
- V. a copy of the tender documents including any plans and Specifications
- VI. attendance, an analysis of the bids opened and a prepared motion for the Consideration of Council/Committee
- VII a copy of the letter notifying all bidders of the award and any other correspondence to the bidders.
- VIII. a true copy of the motion to award the tender
- IX. a copy of any inspection reports
- X. Tender files shall be destroyed in accordance with the Retention By-law

Request for Quote (RFQ)

Request for quote may be used for comparison pricing where the estimated value of goods and services to purchase is more than five thousand dollars (\$5,000.00) but less than ten thousand dollars (\$10,000.00). Every effort shall be made to obtain print documentation for at least three (3) quotations. Where more practical, verbal quotations properly documented shall be obtained.

Where the written quotations from at least three suppliers cannot be reasonably obtained, the Department Head or Manager must get the approval of the CAO.

A record shall be kept by the Department Head or Manager (or designate) of all discussions pertaining to the all quotations as per the retention By-law, notwithstanding any other Provincial legislation or Municipal By-Law.

A written report to Council with recommendations shall be presented at the next regular meeting of Council with regards to the Request for Quote outlining the following:

- The quotes received
- Full explanation where three quotations cannot be obtained
- Full explanation if the RFQ is not recommended to be awarded to the firm with not the lowest amount.

Council is under no obligation to accept the lowest or any quote. Council may, at its discretion, reject all quotes.

Request for Proposal (RFP)

Where the estimated value of the goods and services to be purchased is/will be greater than ten thousand (\$10,000.00) but where the expertise for developing proper specifications lies in the hands of the supplier, or where additional information is required and it is impractical to call tenders an RFP will be issued.

When this method of purchasing is used, a minimum of three (3) suppliers, where possible, shall be given a written outline of the objective, purpose and need of the goods and services required.

A written report to Council from the appropriate Department Head or Manager shall be presented at the next regular meeting of Council outlining the following:

- RFPs received
- Amount that was budgeted for the purchase
- Full explanation if the RFP is not recommended to be awarded to the firm that tendered the lowest amount, or if the RFP is not awarded.
- The comparison to the previous year, if appropriate

Written proposals shall be opened at a predetermined time and location, in the presence of the Clerk (or designate), the appropriate Department Head or Manager (or designate) requesting the proposal.

It is not the intent of the Township to initiate or form contractual relations by the submission of a Proposal by any Proponent in response to this type of Request.

Council is under no obligation to accept the lowest or any request for proposal. Council may, at its discretion, reject all requests for proposal(s).

Negotiated Purchases

Negotiation may be used for the procurement of Good(s) or Services(s) and or for any Contract when any of the following apply:

Emergency Situations

Goods and/or Service is in short supply

Extension of an existing contract would prove more cost effective or beneficial.

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When all bids received substantially exceeds the estimated cost and/or fail to comply with the specifications or tender terms and conditions and it is impractical to recall tender or RFP

Where there is only one source of supply for the good or service

Request for Pre-Qualifications

Request for Pre-Qualifications may be conducted for any Goods or Services and/or Construction for the purpose of establishing a select number of responsible pre-qualified Bidders that may bid on the subsequent Procurement process by the Township.

The Township is not required to proceed with any further procurement process following a request for Pre-Qualification.

Tie Bids

In the event of a tie score between two or more compliant bidders, and where multiple awards are not possible, bidders will be invited to submit new sealed bids in order to break the tie.

If this effort is unsuccessful, then the Township shall determine the successful bidder by a coin toss or by drawing of a name.

Emergency Method of Procurement

Notwithstanding the foregoing, the provisions of this policy may be disregarded for goods and services that may be required in the event of a declared emergency as defined in the Emergency Management and Civil Protection Act.

Any purchase of goods or services incurred in the event of a declared emergency, having a value greater than 10,000 shall be approved by the CAO and/or the Mayor and reported to council at the next regular meeting.

Under certain non-emergency circumstances, it may be necessary to acquire goods or services prior to a meeting of Council. Notwithstanding the provisions of this policy, the following shall only apply when an event occurs that is determined to be:

- a threat to public health
- the maintenance of essential municipal services
- the welfare of persons or of public property or the security of the municipality's interests and the occurrence requires the immediate delivery of goods or services and time does not permit for competitive bids.

Prior to the purchase, the Chief Administrative Officer, and at least one Council member shall be notified of the purchase. The Department Head or Manager shall immediately report to the Chief Administrative Officer / Council outlining the circumstances leading to the emergency acquisition.

DISPOSAL OF SURPLUS GOODS

The Department Manager shall obtain the approval of Council for the disposal and/or sale of surplus assets.

Other departments should be offered the chance to reuse surplus assets before they are offered for sale.

Surplus goods may be offered to other municipalities for fair market value.

Surplus goods to be sold to the public shall be sold by sealed bid, with a reserve bid. If the reserve bid is not met, the manager is authorized to sell via other methods; paper media, online, electronic media (i.e. Kijiji).

CONFLICT OF INTEREST

All consultants (e.g.: architects, engineers, etc.) retained by the municipality shall disclose to the municipality prior to accepting an assignment, any potential conflict of interest. If such a conflict of interest does exist, the municipality as directed by the Department Head or Manager may, at its discretion, withhold the assignment from the consultant until the matter is resolved.

And furthermore, if during the conduct of a municipal assignment, a consultant is retained by another client giving rise to a potential conflict of interest, then the consultant shall so inform the municipality.

PURCHASE OF USED FLEET EQUIPMENT

The Chief Administrative Officer (or designate) is authorized to purchase used fleet equipment that is sold by other municipalities by private sale or public auction; sold through a vendor licensed to sell used equipment; by sealed bid; or by negotiation providing that:

1. Any purchase of used equipment with a price of over \$10,000.00 must have Council's pre-authorization with a maximum amount that can be spent for such equipment.
2. The equipment meets or exceeds the departmental equipment requirements.
3. It is documented why it is fiscally responsible to purchase a used piece of equipment rather than purchase new.
4. A report will be forwarded to Council detailing purchase information and expenses.

The Chief Administrative Officer/designate is exempt from the formal quotation/tender/proposal process when purchasing used fleet equipment by any of the methods detailed in this section.

PAYMENTS

Department Heads or Managers shall approve payment by signing all invoices representing charges to their respective departments, indicating the account distribution of the expenditure. Department Heads or Managers, before approving payments, shall ensure that the following have been checked and found correct:

Quantity and quality of goods received are as invoiced

Pricing is correct

Calculations are correct

PROCUREMENT CARD POLICY

Using Procurement Cards

1. Procurement Cards will be distributed to designated employees who are responsible for making purchases on behalf of the Township of Augusta
2. The Cards are designed to be used for purchases of goods or services not covered under some other form of purchasing agreement
3. There is a limit per transaction and monthly credit limit for each cardholder based on individual requirements
4. Procurement Cards will be used only with companies that are VISA merchants if their purchase falls within the monetary limits of the cardholder
5. The liability for charges on the Procurement Cards rests with the Department
6. The Township of Augusta is not liable for any unauthorized use of the Procurement Card which occurs after notification of loss, theft or cancellation has been received by VISA
7. The Township of Augusta will pay both taxes on all invoices but will continue to receive the GST rebates or input tax credits in the normal manner.

Application Procedure

1. The applicant requesting the card must submit a completed application in writing and must complete the "Employee Acknowledgment of Responsibilities" form which is attached as Schedule "G" to this By-Law
2. The VISA Procurement Card must be signed on the back upon receipt
3. The Procurement Card **MUST only be used** by the individual whose name is on the card or designate. For example, staff must and confirm approval and document purpose for use of general office VISA before using.

Cardholder's Responsibilities

1. Sign the back of the card as soon as it is obtained
2. Keep the Procurement Card in a secure location with controlled access when not in use. Make a note of the card number and the telephone number to report a lost or stolen card. (The Chief Administrative Officer will also have a list of the card numbers on file for the purpose of accounts payable)
3. Inform the Chief Administrative Officer of any changes in your address or telephone number
4. Return the Procurement Card under the following circumstances:
 - a) Upon request
 - b) Upon termination of employment
 - c) When the card is no longer required
5. The Card Company is to be notified immediately as soon as a card is noticed as lost or stolen. The cardholder must also inform the Chief Administrative Officer
6. The card is not to be used for obtaining cash advances
7. Procurement Cards are not to be left in a vehicle.
8. When travelling, procurement cards are to be carried in a secure location
9. All invoices are to be handed in on the prescribed form on a weekly basis to avoid interest charges

Accounts Payable Responsibilities

1. All invoices are to be processed in a timely manner to avoid interest charges
2. Maintain an up to date register of all cardholders
3. Monitor Procurement Card activities on an as required basis
4. Provide assistance, if required in the settlement of disputed items.

Chief Administrative Officer Responsibilities

1. The issuance of the Procurement Cards upon the proper authority
2. Obtain and verify reports as requested
3. Communicate internal procedures to all cardholders
4. Inform all cardholders of the policies for the use of Procurement Cards
5. Cancel and/or recall of Procurement Cards

AMENDMENTS

Appendices A, B and C to this policy may be amended from time to time upon the approval of the CAO in order to add or delete or modify matters listed.

SEVERABILITY

If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

Appendix "A"

**GOODS AND SERVICES "EXEMPT" FROM PROVISIONS OF THE
PROCUREMENT POLICIES**

1. Petty Cash Items

2. Training and Education

- a) Conferences
- b) Courses
- c) Conventions
- d) Memberships
- e) Seminars
- f) Periodicals
- g) Magazines
- h) Subscriptions
- i) Staff/Council training, Workshops, hosts and facilitators
- j) Staff/Council development k)

3. Employee/Council Expenses

- a) Advances for travel
- b) Meal allowances
- c) Travel & Hotel accommodation

4. Employer's General Expenses

- a) Payroll deduction remittances
- b) Licenses (vehicle, radios etc.)
- c) Debenture payments
- d) Grants to agencies
- e) Payments of damages
- f) Tax remittances
- g) Charges to/from other Government or Crown Corporations
- h) Employee income

5. Professional and Special Services

- a) Committee fees
- b) Honoraria
- c) Arbitrators
- d) Legal settlements
- e) Legal Fees

6. Utilities

- a) Postage
- b) Heat/Hydro
- c) Telephone

7. Misc

- a) OPP Costs
- b) Levies
- c) Vehicle Repairs
- d) Bank Charges
- e) Newspaper ads and public notices
- f) Agreements with area municipalities

APPENDIX B

TENDER OPENING FORM

Name of Tender Officer: _____

Name of Project			
Project Number			
Project Location			
Tender Period Closing Date		Tender Opening Date	

Tenders Received

Tender Number	Name of Tenderer	Tender Amount		Remarks
		\$	¢	

Persons Present at Tender opening

Name	Signature	Representing

Signature of Tender Officer: _____

APPENDIX C

BID IRREGULARITIES

BID IRREGULARITY

A bid irregularity is a deviation between the requirements (terms, conditions, specifications, special instructions) of a bid request and the information provided in a bid response.

For the purposes of this policy, bid irregularities are further classified as “major irregularities” or “minor irregularities”.

A “**major irregularity**” is a deviation from the bid request that affects the price, quality, quantity or delivery, and is material to the award. If the deviation is permitted, the bidder could gain an unfair advantage over competitors. Any bid, which contains a major irregularity, must be rejected.

A “**minor irregularity**” is a deviation from the bid request, which affects form, rather than substance. The effect on the price, quality, quantity or delivery is not material to the award. If the deviation is permitted or corrected, the bidder would not gain an unfair advantage over competitors.

The Departmental Manager may permit the bidder to correct a minor irregularity.

MATHEMATICAL ERRORS - RECTIFIED BY STAFF

The Chief Administrative Officer/designate will correct errors in mathematical extensions and/or taxes, and the unit prices will govern. The responsibility for correcting mathematical errors may be delegated to the requisitioning department.

ACTION TAKEN:

The Chief Administrative Officer/designate will be responsible for all action taken in dealing with bid irregularities, and act in accordance with the nature of the irregularity:

- major irregularity (automatic rejection)
- minor irregularity (bidder may rectify)
- mathematical error (additions or extensions) as above

In the event that the vendor withdraws his bid due to the identification of a major irregularity, the municipality may disqualify such vendor from participating in municipal quotations/tenders/requests for proposals for a period of up to one year.

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BID IRREGULARITIES - SUMMARY

ITEM	DESCRIPTION	MAJOR	MINOR	ACTION
1	late bids (by any amount of time)	X		automatic rejection
2	bids completed in pencil	X		automatic rejection
3	bid surety not submitted with the bid when the bid request (or any addenda) indicated that such surety is required	X		automatic rejection
4	EXECUTION OF AGREEMENT TO BOND a - Bond company corporate seal or equivalent proof of authority to bind company or signature missing b- surety company not licensed to do business in Ontario	X		automatic rejection
5	OTHER BID SECURITY: Cheque which has not been certified	X		automatic rejection
6	unsealed tender envelopes	X		automatic rejection
7	pricing or signature pages missing	X		automatic rejection
8	insufficient financial security (i.e.: no deposit or bid bond or insufficient deposit)	X or	X	where security is required & amount is not specified in request, automatic rejection unless insufficiency is de minimus (trivial or insignificant) where security is required and amount of security is specified in request, automatic rejection
9	bid received on documents other than those provided in request	X		not acceptable unless specified otherwise in the request
10	EXECUTION OF BID DOCUMENT proof of authority to bind is missing	X or	X	automatic rejection
11	part bids (all items not bid)	X or	X	acceptable unless complete bid has been specified in their request
12	bids containing minor clerical errors		X	2 working days to correct initial errors. Municipality reserves the right to waive initialing and accept bid
13	Un-initialed changes to the request documents which are minor (i.e.; the bidders address is amended by overwriting but not initialed)		X	2 working days to correct initial errors. Municipality reserves the right to waive initialing and accept bid
14	alternate items bid in whole or in part	X		available for further consideration unless specified otherwise in request
15	unit prices in the schedule of prices have been changed but not initialed		X	2 working days to correct initial errors. Municipality reserves the right to waive initialing and accept bid
16	other mathematical errors which are not consistent with the unit prices		X	2 working days to initial corrections. Unit prices will govern.
17	pages requiring completion of information by vendor are missing	X		automatic rejection
18	bid documents which suggest that the bidder has made a major mistake in calculations or bid			consultation with a Solicitor on a case-by-case basis and referenced within the staff report if applicable
18	Bid received from a Bidder who is in unresolved Litigation with the Township			
19	Bidder did not attend the mandatory site meeting			
20	Addendums not included			

NOTE: The above list of irregularities should not be considered all-inclusive. The appropriate Department Manager, will review minor irregularities not listed. The appropriate Department Manager may then accept the bid, or request that the bidder rectify the deviation.

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APPENDIX D

Travel Expense Claim Form

Name: _____ Department: _____

Event: _____ Dates of Travel: _____

Location: _____

		Account #
Registration Fee:	\$ _____	_____
Transportation:		
Kilometers: _____ x Rate/km _____	\$ _____	_____
Other (specify): _____	\$ _____	_____
Accommodation: _____ x _____ Days	\$ _____	_____
Meals:		
Breakfast Days _____ @\$17.50	\$ _____	
Lunch Days _____ @\$22.50	\$ _____	
Dinner Days _____ @\$35.00	\$ _____	
Incidentals Days _____ @\$15.00/day max	\$ _____	
Per Diem: Days _____ @\$150/full day _____	\$ _____	_____
	Total Expenses: \$ _____	

Traveler Signature: _____

Approver Signature: _____

Date: _____

Appendix "E"

Request for Payment

Township of Augusta
3560 County Road 26
RR#2 Prescott, ON., K0E 1T0
613-925-4231 Fax: 613-925-3499

Payment Requested for
Vendor Number: _____
Name: _____
Address: _____

Description of Payment

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
Total amount requested for payment	\$ _____

Signature of Person filling out form _____ Date _____

For Office Use Only

General Ledger Account(s): _____

Approved, Manager of Finance

APPENDIX F

AODA Third-Party/Contractors Compliance Statement Form

I/We, certify that we are in full compliance with the Accessible Customer Service Standard Regulation and the Integrated Accessibility Standards Regulation (Ontario Regulation 191/11) under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) and have provided the necessary training to all staff (employees, agents, volunteers, or others for whom we are responsible).

I/We are required to comply with all relevant/applicable and any future additions or modification to legislation as they become enacted to accessibility standards and regulations.

The necessary training will be delivered on an ongoing basis to all new staff (employees, agents, volunteers, or others for whom we are responsible) prior to providing goods or services to, or on behalf of, the Municipality of Augusta.

I/We shall ensure that training records are maintained, including dates when training is provided, the number of personnel who received training and individual training records.

I/We are to ensure that this information is available to the Municipality of Augusta, any time during the Term of the Contract.

I/We shall only assign those staff who have successfully completed training in accordance with Ontario Regulation 191/11, to provide services to, or on behalf of, the Municipality of Augusta.

Company Name

Address

Name

Title

Signature

Date