



Procurement Policy

Policy No.: 8.24

Date Adopted:

Strategic Goals and Priorities:

- Fiscal Responsibility
- Asset Maintenance and Enhancement

Purpose

This Policy ensures that all goods and services will be acquired in an open, fair and transparent manner that:

- i) Is efficient, accountable and maximizes best value,
- ii) Advances the District's commitment to economic, environmental, and social responsibility by supporting the acquisition of sustainable goods and services while striving to maintain a positive impact on the economic and social well-being of the community and region,
- iii) Meets the requirements of the Community Charter, the Local Government Act, the applicable Trade Agreements, and British Columbian and Canadian Laws governing public sector procurement, contracts, and internal controls, and
- iv) Ensures budget monies are available prior to purchases or orders being placed, approvals are obtained for applicable variances, and internal controls align with District policies and processes to reduce the chance of loss.

Scope

The Policy outlines the authorization and competitive procurement process required for purchasing goods, services or construction for the District of Taylor. The goal of the procurement process is to attain best value, using a process that is competitive where appropriate, open and transparent.

Responsibilities

Council

- Provide direction through the understanding of the guiding principles of this policy.

Chief Administrative Officer (CAO)

- Provide oversight management of policy implementation and cyclical review.

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Senior Management Team

- Provide team direction in accordance with the policy, and ensure the policy remains current and relevant to best practices, and industry and government standards.
- Provide oversight management of implementation, compliancy with provincial government standards, alignment with District policies and bylaws, and budgetary allowances or variances as required.
- Provides oversight to ensure value add is achieved.

Staff

- Implementation and reporting of the guidelines and regulations as set out in the policy.

Policy

This Policy outlines Council's direction to obtain best value for the purchasing of goods, services or construction by providing an open and transparent process to meet the District of Taylor's requirements, and the New Westminster Partnership Trade Agreement (NWPTA).

Policy Guidelines

Procurement of goods, services or construction must be within the Council approved annual operating or capital budgets for the respective departments by authorised staff as outlined in the annual Financial Plan Bylaw.

Purchases required or desired outside of the approved financial plan, or to transfer funds from one project to another, must seek Council approval for the proposed variance.

Support local regional businesses when practicable, subject to conditions of this Policy.

Provides best value on total cost of performing the intended function over the lifetime of the goods, services or construction. This must include all cost associated to acquisition, training, maintenance, operating, quality, and environmental impacts.

In compliance with all District policy, bylaws, *Community Charter* and Provincial law and trade agreements.



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Multi-year service contract values, inclusive of options to renew, are determined by the total value of the term and follow the determined value in accordance with the authorities appropriate to approval limits.

All District departments will whenever practicable, co-operate in the purchase of goods and services by simplifying and standardizing like requirements, thus reducing types and kinds of products to maximize value. Co-operative purchases should where practicable, align with the following guidelines:

- Savings likely to be achieved through purchasing goods and services jointly with other departments, and
- Participate with other government agencies where possible in joint purchasing.

Identical bids received based on qualifications; the principles of a best value will be applied to determine the award.

Increases to an approved contract by a proponent must be reviewed by authorized staff that approved the award and can only be approved if the total amount of the award, including the increase is within the authorized staffs signing authority and within the approved project budget.

Subject to Part 4, Division 6 of the *Community Charter*, no employee or member of the Council will participate in or attempt to influence in any way a decision, recommendation or other action to be made or taken in respect to the evaluation, selection or approval of any competitive proposal or arrangement for the supply of goods, services or construction to which the employee or member of Council has a direct or indirect pecuniary interest.

Financial security may be required from a proponent in the form of a performance bond and/or a labour and materials bond if considered to be in the best interest of the District. Bonding is not required on every proposal but is advisable, where the value of the goods, services, and/or construction exceed \$100,000.

All proponents of services to be provided on District property require the contractor to provide and maintain insurance coverage acceptable to the Districts requirements, which is guided by the Municipal Insurance Association of BC's (MIABC) recommended minimum insurance requirement for contract. This includes, but is not limited to commercial general liability, auto, property/all risk and professional liability. The MIABC "Risk Tool Kit" may be utilized to determine level of risk on an individual basis as risk associated with each contract varies, and accordingly the District may

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require additional factors, such as being named as an additional insured, cross liability clauses, waiver of subrogation, notice of cancellation and proof of coverage

WorkSafe BC

- 1) All contracts for services or construction to be provided on District property require the contractor to provide proof of registration, where applicable, and remain in good standing with WorkSafeBC throughout the term of their contract.
- 2) Contractors may be required to provide clearance letters before, during and after performing work for the District.
- 3) In the event the Contract is not eligible for registration with WorkSafeBC, for reasons other than workplace safety performance, the District may assume responsibility as employer for the purposes of the Workers Compensation Act, and pay the applicable WorkSafeBC Premiums, at the Contractor's expense.

This Policy establishes the practices applying to the purchase of all types of goods, services or construction with the exception of the following:

- a. The borrowing and investing of money;
- b. The rental, lease, purchase and sale of property, land and accommodation;
- c. Memberships in professional and vocational associations and their publications and other professional and training activities;
- d. Health services and social services;
- e. Legal services;
- f. Financial services
- g. Procurements from a public body or non-profit organization;
- h. The hiring of contract employees;
- i. Goods and services purchased through provincial and federal corporate supply arrangements;
- j. Goods and services purchased from First Nations;
- k. Emergency Purchases up to a \$25,000 threshold; or
- l. All other exemptions as stated in the Applicable Trade Agreements

The following activities are prohibited:

- a. Purchase by the District of any goods and services for personal use by or on behalf of any member of Council, appointed officers or employees or their immediate families, unless authorized through another policy;

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- b. The division of a single purchase into multiple increments to circumvent policies or levels of authority; or
- c. Committing the District or entering a contract without the appropriate authority to do so.

Types of Procurement Processes

Based on the variety of goods, services or construction utilized by the District, a variety of competitive processes may be used. The Department Director or Manager shall decide and approve the process or processes used for each procurement, based on best fit and in accordance with this policy.

All processes must recognize the potential for influence of Artificial Intelligence (Ai), thus requiring a request to clarify use of Ai in the development of each submission.

All processes may also permit the inclusion of Social & Sustainability considerations that support the initiative, some are but not limited to:

- Employing or engaging with disadvantaged and/or under-represented groups to seek social values outcomes,
- Working with diverse and socially inclusive suppliers,
- Apprenticeship or training opportunities, and
- Working with social enterprises.

Request for Proposal (RFP):

- Most often used for public competition processes above \$75,000 for goods, services or construction,
- Often used when:
 - A need is identified, but the method on how it will be achieved is unknown;
 - A desire for innovative / creative proposals to a proposed project;
- The selection of a vendor is based on both price and non-price factors.
- Contract is typically awarded to the highest-ranked proponent – best value.
- May or may not be a legally binding irrevocable bid process.
- May involve negotiation of the final contract and shortlisted proponents.

Invitation to Tender (ITT):

- Most often used for public competitive process for construction service projects, or equipment above \$75,000.

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- Often used when:
 - The scope of the work / specifications are very detailed and completely defined; and
 - The selection of the contractor/supplier is based on price only.
- Contract is typically awarded to the lowest-priced quote that meets the requirements.
- Typically, a legally binding irrevocable bid process, with no negotiation element.
- Construction Project ITTs are often based on a standard contract.

Request for Quotation (RFQ):

- Most often used for Limited Bidding quote process below \$75,000 for goods, services or construction,
- Often used when:
 - The scope of work / specifications are detailed and defined; and
 - The selection of the contractor / supplier is to be based on price only.
- Contract is typically awarded to the lowest-priced quote which meets the requirements.
- Typically, not a legally binding irrevocable bid process. Often does not involve negotiations.

Pre-Qualification Process (Pre-Qual):

- Sometimes also referred to as a Request for Qualifications (RFQual).
- Often used for a Public Competition element, to screen or pre-qualify bidders prior to a second stage Limited Bidding ITT or RFP.
- Often includes minimum requirements of criteria that must be met.
- Often used to pre-qualify contractors based on experience or ability, prior to a lowest-price wins ITT, to ensure quality of contractors.

Request for Information (RFI):

- Similar to a Pre-Qual, except an RFI is used to collect information and/or gauge interest in a project, rather than a pre-qualify.
- Another variant on this would be a Request for Expression of Interest (RFEI), where the primary purpose is to have contractors / supplies express interest in bidding a project. That may also involve collecting certain information.
- May or may not be used as part of a Public Competition Process, depending on the terms of the RFI.

Notice of Intent (NOI):



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- Sometimes used where the District wishes to proceed with a direct award, when the procurement value is at the thresholds that require Public Competition per the policy.
- May be used similarly to an RFI, to invite the public to participate should they feel qualified.

Direct Award:

- Sometimes also referred to as sole source or single source.
- Means a situation where an award of a contract to a contractor / supplier without any competitive process.
- Should only be used where allowed under this policy
- Negotiation and analysis should be applied where applicable.

Cooperative Purchasing Ventures:

- Savings are likely to be achieved through purchasing goods and services jointly with other government bodies and should be pursued when it is in the best interest of the District to do so. In such cases, the procedures set out with the Canoe Procurement Group of Canada will be followed and not the procedures set out in this policy.
- Where appropriate, staff will seek to minimise the cost of procurement by using this collaborative purchasing arrangement.
- Where cooperative procurement arrangements are in place that have undergone competitive bidding processes that meets or exceeds the type of purchasing processes listed above, no further bid process is required.

Spending Thresholds

Spending Thresholds	Pricing Support	Approval Required
Up to \$3,000	Single verbal quote provide staff time doesn't impact benefits	Manager
Between \$3,000 and \$5,000	Low value purchase – 3 verbal quotes	Department Supervisor or Manager
Between \$5,000 and \$24,999	Informal quotation – 3 written quotes	Department Manager or Director
Emergency Purchases – EOC Up to \$25,000		EOC Director

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<p>\$25,000 to \$49,999</p>	<p>Formal quotation process – RFQ, RFP, Pre-Qual, RFI, Cooperative Purchasing Ventures, Direct Award</p>	<p>Director or designate</p>
<p>\$50,000 to \$200,000</p>	<p>Competitive Solicitation – RFP, ITT, Pre-Qual, NOI, Cooperative Purchasing Ventures</p>	<p>Director or Designate with Council Reporting when within approved budgets. Council resolution if not within approved budgets.</p>
<p>Over \$200,000 or any value not in approved budget</p>	<p>Competitive Solicitation – RFP, ITT, Pre-Qual, NOI, Cooperative Purchasing Ventures</p>	<p>Council Resolution Approval</p>

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