

Lake of Bays Public Libraries Board	<b>Policy</b>	Operational - Administrative	
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## Procurement

### Purpose and objectives

1.01 The purpose of this policy is to ensure that the Township of Lake Bays Public Libraries Board's (Board) procurement processes comply with applicable statutes and to describe the means by which the Board will ensure openness, transparency and fairness in the procurement of goods and services.

### Definitions

2.01 In this policy, unless a contrary intention appears,

- a) "policy" is procurement policy
- b) "corporate wide procurement" means the acquisition of goods and/or services on a Lake of Bays Public Libraries wide basis.
- c) "emergency" includes:
  - i. an imminent or actual danger to the life, health or safety of an official or an employee while acting on the Lake of Bays Public Libraries Board' behalf;
  - ii. an imminent or actual danger of injury to or destruction of real or personal property belonging to the Lake of Bays Public Libraries Board;
  - iii. an unexpected interruption of a public service;
  - iv. an emergency as defined by the Emergency Plans Act, R.S.O. 1990, Chapter E.9 and/or the emergency plan formulated thereunder by the Township of Lake of Bays;
  - v. a spill of a pollutant as contemplated by Part X of the Environmental Protection Act, R.S.O. 1990, Chapter E.19 and,
  - vi. issuance of a non-compliance or directory order under a statute by a Provincial or Federal authority.
- d) "standing supplier arrangement" means a contract under which the Lake of Bays Public Libraries Board may purchase goods and/or services which will be required on an ongoing basis but where the exact types or quantities of goods and services required may not be precisely known or the time period during which the goods and services are to be delivered may not be precisely determined;
- e) "goods and/or services" includes services, supplies, materials, equipment and infrastructure of every kind the Lake of Bays Public Libraries Board may require to carry out the operations of the Lake of Bays Public Libraries Board;
- f) "irregularity" is when any of the following has occurred or is likely to occur;
  - i. all potential suppliers in a procurement procedure have submitted non-compliant tenders, quotations or proposals;
  - ii. the lowest compliant quotation, tender or proposal exceeds the estimated cost or budget allocation;
  - iii. for any reason the award of the contract to or the purchase from the lowest compliant potential supplier is procedurally inappropriate or not in the best interests of the Lake of Bays Public Libraries Board; or

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- iv. the specifications of a request for quotation, invitation to tender or request for proposal cannot be met by potential suppliers;
- g) “invitation to tender” means an invitation made either generally or to selected potential suppliers to submit a tender for the goods and/or services specified in the tender documentation;
- h) “professional service supplier” means a supplier of services requiring professional skills for a defined service requirement including,
  - i. architects, engineers, designers, management and financial consultants; and
  - ii. firms or individuals having specialized competence in environmental, planning or other disciplines;
- i) “purchase order” means the purchasing document used to internally track purchasing transactions within the Lake of Bays Public Libraries Board’ accounting system and order routine goods and/or services;
- j) “request for quotation” means a request made either generally or to selected potential suppliers for prices on specific goods and/or services whether made orally or in writing;
- k) “request for proposal” means a request made either generally or to selected potential suppliers for undefined goods or services including a request to propose solutions or methods to arrive at the desired result;
- l) “direct purchase” is where goods and/or services are acquired directly from a services supplier, retailer, wholesaler or by ordering through a catalogue or product guide;
- m) “response” includes:
  - i. a quotation issued by a supplier in response to a request for quotation;
  - ii. a tender submitted in response to an invitation to tender; and
  - iii. a proposal issued in response to a request for a proposal.
- n) “supplier” means any individual or organization providing goods and/or services to the Lake of Bays Public Libraries Board including but not limited to contractors, consultants, vendors
- o) “Board” means the Lake of Bays Public Libraries Board
- p) “Libraries” means the Lake of Bays Public Libraries

## General

- 2.02 Unless otherwise exempted by resolution of the Lake of Bays Public Libraries Board, the policies herein apply to all procurement by or in the name of the Lake of Bays Public Libraries Board.
- 2.03 The Board’s Treasurer shall review compliance with the procurement policy, and report to the Board on a yearly basis.
- 2.04 The spending and contract authorization limits set forth herein shall apply to all procurement by or on behalf of the Lake of Bays Public Libraries Board, except in the case of an emergency, in which case the provisions of section 2.41 shall

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apply.

- 2.05 Unsolicited proposals received by the Lake of Bays Public Libraries Board shall be rejected but may be retained on file for future reference.
- 2.06 Any question involving the meaning or application of this policy is to be submitted to the Lake of Bays Public Libraries Board which will resolve the question.
- 2.07 Procurement of goods and/or services, including without limiting the generality of the foregoing, requests for quotations, purchase orders and procurement contracts shall not be arbitrarily structured to circumvent, avoid or alter the price or potential price relative to the limits set out herein and/or established under section 2.16.
- 2.08 In the case of multi-year supply and/or service contracts, for the purpose of determining whether or not the proposed procurement meets the pre-authorized expenditure limits herein the value of the procurement shall be deemed to be the total anticipated annual expenditures over the potential life of the contract, including any extensions or renewals.
- 2.09 In order to avoid conflicts of interest and maintain the integrity of the Direct Purchase, RFQ and RFP procurement processes, staff shall not participate in or attempt to influence any Direct Purchase, RFQ or RFP procurement process in which they have or may have a pecuniary interest.

For the purposes of this section, the pecuniary interest, direct or indirect of a partner, spouse, same sex partner or any child of the employee shall be deemed to be also the pecuniary interest of the employee.

## **Procurement Documentation**

- 2.10 In order to maintain consistency the Libraries shall use the Township of Lake of Bay's guidelines and standard forms of procurement documentation.
- 2.11 Procurement documentation shall avoid use of specific products or brand names.
- 2.12 Notwithstanding section 2.11, a specific product or brand name may be specified to ensure consistency or functionality with existing equipment or installations, to avoid unacceptable risk or for some other documented valid purpose.
- 2.13 Preparation of the specifications shall generally be the responsibility of the Lake of Bays Public Libraries. The use of standards in procurement documentation that have been certified, evaluated, qualified, registered or verified by independent nationally recognized organizations shall be preferred.

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- 2.14 Any and all substantive changes to the legal components of procurement documentation shall be reviewed and approved by the Township of Lake of Bays C.A.O./Treasurer prior to publication or release of the procurement documentation.

## General Procurement Procedures

### Delegation of spending authority

- 2.15 Within the Council approved Lake of Bays Public Libraries budget and the policies and procedures set out herein, the Lake of Bays Public Libraries Board has the authority to procure goods and/or services in the name of the Lake of Bays Public Libraries and/or initiate procurement processes as may be necessary to carry out the duties and operations of the Libraries.
- 2.16
- 1) In the case of consultant contracts, management contracts or similar service contracts, any and all authority of the service provider to make expenditures in the name of or which may be charged to the Lake of Bays Public Libraries shall be specifically detailed in the contract in question. In the absence of specific expenditure authority, the Board must authorize all expenditures on behalf of or in the name of the Lake of Bays Public Libraries Board.
  - 2) The Lake of Bays Public Library Board authorizes the Librarians of the Dwight and Lake of Bays Public Libraries to make expenditures to a limit of \$5,000.00 for goods and services approved in the Libraries budget.
  - 3) The Lake of Bays Public Library Board authorizes the Librarians of the Dwight and Lake of Bays Public Libraries to expend the approved library materials budget for each library and to enter into direct negotiations with vendors.

### Available methodologies and process requirements

- 2.17
- 1) For the purposes of this by-law, procurement is either: pre-authorized; or not pre-authorized.
  - 2) Procurement shall be and is hereby pre-authorized if it is either:
    - i. with in the expenditure limits authorized under section 2.16 and is performed in accordance with the policies and procedures set out herein;
    - ii. done in accordance with the terms of a contract that explicitly authorizes expenditures on behalf of or in the name of The Lake of Bays Public Libraries Board.
  - 3) All procurement not pre-authorized in accordance with section 2.17 (2) shall require Board approval.

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- 2.18 Unless the proposed procurement is clearly pre-authorized in accordance with this by-law, the following procedures apply:
- i. staff shall be and are hereby authorized to initiate the applicable procurement process in accordance with the policy attached hereto being RFQ, Invitation to Tender or RFP.
  - ii. after the closing date the results of the process shall be reported to the Board and the Board must authorize the expenditure before proceeding..
- 2.19 Notwithstanding anything to the contrary, a Head of a Library may precede a procurement process with pre-qualification procedures such as Expressions of Interest, Request for Pre-qualification or similar techniques.
- 2.20 1) The Lake of Bays Public Libraries Board shall, at all times, meet its obligations under the Construction Lien Act and similar statutes.
- 2) Prior to release of any funds that may be holdback funds within the meaning of such statutes, the contract administrator shall determine whether or not the Lake of Bays Public Libraries Board has any obligations under such statutes with respect to such funds.
- 2.21 Subject to the provisions of this policy, goods and/or services may be acquired by one or more of the following methodologies:
- 1) Direct Purchase (DP);
  - 2) Request for Quotation (RFQ);
  - 3) Invitation to Tender; or
  - 4) Request for Proposal (RFP)
- 2.22 Direct Purchase may be used in the following circumstances:
- 1) for non-competitive purchases by staff within their assigned expenditure limits where,
    - i. the good or services are readily available at retail outlets or from service providers;
    - ii. are required on an item by item basis;
    - iii. the total price is less than \$5,000.00; or
  - 2) Notwithstanding anything to the contrary, no person shall authorize or enter into a procurement contract on behalf of the Lake of Bays Public Libraries Board in excess of the expenditure limitation assigned to them under section 2.16.
- 2.23 Request for Quotation procedures may be used where:
- 1)
    - i. the estimated price is not greater than \$100,000;
    - ii. the requirements can be fully defined; and

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- iii. best value for the Lake of Bays Public Libraries Board can be achieved by an award selection made on the basis of the lowest quotation that meets specifications; or
  - 2) Despite the provisions of section 2.23 (1), where it is in the interests of the Lake of Bays Public Libraries Board or the interests of ensuring that procurement is undertaken in an open, fair and transparent way, the procurement shall be done by way of Invitation to Tender.
  - 3) Under a total price of less than \$10,000 quotes may be obtained by phone, fax, e-mail, other similar communication method, vendor advertisements or vendor catalogues from a selected list of vendors
- 2.24 Invitation to Tender procedures may be used in the circumstances set out in sections 2.23 (1), but shall be used where:
- i. the estimated price is greater than \$100,000;
  - ii. the requirement can be fully defined; and
  - iii. best value for the Lake of Bays Public Libraries Board can be achieved by an award selection made on the basis of the lowest tender that meets specifications.
- 2.25 The Request for Proposal procedure may be used where:  
the requirement is best described in a general performance specification;  
innovative solutions are sought; and to achieve best value, the award selection must be based at least in part on subjective evaluations.

### **Non-competitive purchases**

- 2.26 The requirement for competitive bid solicitation for goods and/or services may be waived under the authority of the Board and replaced with direct negotiations with a particular potential supplier under the following circumstances:
- i. where competition is precluded due to the application of any Act or legislation or because of the existence of patent rights, copyrights, technical secrets or controls of raw material;
  - ii. where due to abnormal market conditions, the goods and/or services required are in short supply;
  - iii. where only one source of supply would be acceptable and cost effective;
  - iv. where there is an absence of competition for technical or other reasons and the goods, services or construction can only be supplied by a particular supplier and no alternative exists;
  - v. where the nature of the requirement is such that it would not be in the public interest to solicit competitive bids as in the case of security or confidentiality matters;
  - vi. where in the event of an “Emergency” as defined by this Policy, a

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- requirement exists;
- vii. where the requirement is for a utility for which there exists a monopoly.

## **Standing supplier arrangements**

- 2.27 1) A standing supplier arrangement may be used where:
- i. the same goods and/or services will be required on a repetitive basis over a period of time and the actual demand is not known in advance, or
  - ii. a need is anticipated for a range of goods and services for a specific purpose such as office supplies or snowplowing services, but the actual demand is not known at the outset, and delivery is to be made when a requirement arises.
- 2) Selection of a standing supplier or suppliers shall be made in accordance with the provisions contained in this Policy.
- 3) More than one standing supplier may be selected where it is in the best interests of the Lake of Bays Public Libraries Board and the procurement documentation allows for more than one.
- 4) Existing standing supplier arrangements shall be utilized unless the proposed procurement is related to an emergency in accordance with section 2.42.
- 5) In the procurement documentation for a standing supplier arrangement, the expected quantity of the specified goods and/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

## **Eligible suppliers**

### **Exclusion of Suppliers in Litigation**

- 2.28 1) The Lake of Bays Public Libraries Board may, in its absolute discretion, reject a quotation, tender or proposal if the potential supplier, or any officer or director of the potential supplier is or has been engaged, either directly or indirectly through another corporation, in a legal action against the Lake of Bays Public Libraries Board, its elected or appointed officers and employees in relation to:
- i. any other contract or services; or
  - ii. any matter arising from The Lake of Bays Public Libraries Board' exercise of its powers, duties or functions.

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- 2) In determining whether or not to reject a quotation, tender or proposal under this clause, the Lake of Bays Public Libraries Board will consider whether the litigation is likely to affect the potential supplier's ability to work with the Lake of Bays Public Libraries Board, its consultants and representatives and whether the Lake of Bays Public Libraries Board' experience with the potential supplier indicates that the Lake of Bays Public Libraries Board is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the potential supplier.

#### Exclusion of Supplier Due to Poor Performance

- 2.29 1) Librarians or an approved agent purchasing on behalf of the Library shall document evidence and keep records where the performance of a supplier has been unsatisfactory in terms of failure to meet contract specifications, terms and conditions or for Health and Safety violations.
- 2) Council may prohibit an unsatisfactory supplier from participating in future contracts for a period of up to three years.

#### Direct purchase procedures

- 2.30 Goods and/or services may be acquired by direct purchase only if one or more of the following conditions apply:
  - 1) the required goods and/or services may be acquired by retail or from a supplier in accordance with the expenditure limits established pursuant to section 2.22 of this policy;
  - 2) the required goods and services are available from only one source by reason of the scarcity of supply in the market or the existence of exclusive rights held by any supplier or the need for compatibility with goods and services previously acquired and there are no reasonable alternatives or substitutes with the concurrence of the Board.
  - 3) the goods and services are required as a result of an emergency which would not reasonably permit the use of a method other than direct purchase; or
  - 4) the required goods and/or services can only be supplied by one particular supplier having special knowledge, skills, expertise or experience with the concurrence of the Board.

#### Request for quotation (RFQ) procedures

- 2.31 1) Procurement by Request for Quotation shall be initiated by the preparation of



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a Request for Quotation in writing containing the relevant specifications and terms and conditions for the purchase of goods and services.

- 2) Potential suppliers shall be contacted in accordance with section 2.44.
- 3) A summary of the quotations received shall be prepared and all quotations shall be reviewed for compliance with the request for quotation.
- 4) The Lake of Bays Public Libraries Board reserves the right to accept or reject any submission.

2.32 A competitive process shall be undertaken whereby a minimum of 3 quotations are obtained, and generally speaking the lowest compliant quotation is awarded the contract. Care must be taken as to how quotations are sought, bidders lists are maintained and how competition is encouraged. Although a minimum of 3 quotations are required, an open process will be more competitive, and is encouraged.

2.33 Procurement by Request for Quotation shall be undertaken only on the basis of clear definition of the product and/or service requirement. The decision on which quotation to choose will be based solely on the requirements as documented, the quotation made and the application of the evaluation criteria, if any, set forth in the Request for Quotation. The same decision should be arrived at each time given the same set of facts, which will facilitate the dispute resolution process.

2.34 The process will be fair, such that no action is undertaken by the Lake of Bays Public Libraries Board' staff to allow any given potential supplier an unfair advantage. This does not however, require action to ensure that existing conditions are changed to ensure that any conversion costs from an incumbent to another supplier are ignored in an evaluation, it is in the best interest of the Lake of Bays Public Libraries Board to ensure that such "leveling of the playing field" is not required.

2.35 Purchase Orders may be completed in addition to any other procurement documentation.

2.36 In order to assist in cross-training, enable potential suppliers to understand the process requirements and ensure that legal and insurance risks are controlled, standard formats should be followed for Requests for Quotation.

### **Request for proposal (RFP) procedures**

- 2.37 1) A Request for Information or Request for Expression of Interest may be issued in advance of Request for Proposals to assist in the development of a more definitive set of terms and conditions, scope of work/service and the selection

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of qualified potential suppliers.

- 2) Where the requirement is not straightforward or an excessive workload would be required to evaluate proposals, either due to their complexity, length, number or any combination thereof, a procedure may be used that would include a pre-qualification phase.
- 3) The Librarians or an approved agent purchasing on behalf of the Library involved in issuing the RFP shall prepare an evaluation summary of the procurement, as well as recommendation for award of a contract, if any, to the supplier meeting all mandatory requirements and providing best value as stipulated in the Request for Proposal.
- 4) Reporting shall not include summaries of proposals as this information will remain confidential. Any disclosure of information shall be made by the designated staff in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990.
- 5) The Lake of Bays Public Libraries Board reserves the right to accept or reject any proposals.
- 6) All proposals are subject to a formal contract being negotiated.

## **Tender procedures**

### General

- 2.38 1) Procurement by Invitation to Tender shall be initiated by the preparation of a tender document containing the relevant specifications and terms and conditions for the purchase of goods and/or services in The Lake of Bays Public Libraries Board's standard formats.
- 2) The issuing department shall be responsible for arranging for the public opening of tenders at the time and date specified in the tender document.
- 3) A summary of the tenders received shall be prepared and reviewed for compliance.
- 4) The Lake of Bays Public Libraries Board reserves the right to accept or reject any and all tenders.

### Guarantees of Contract Execution and Performance

- 2.39 1) The Board in consultation with the C A O/Clerk-Treasurer may require that

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tenders be accompanied by a Bid Deposit to guarantee the entry into a contract by the successful tenderer.

- 2) In addition to the bid security referred to in Subsection 2.39 (1), the successful tenderer may be required to provide,
  - i. a Performance Bond to guarantee the faithful performance of the contract,
  - ii. a Labour & Material Payment Bond to guarantee the payment for labour and materials to be supplied in connection with the contract and/or,
  - iii. an irrevocable letter of credit or such other performance security that may be determined to be suitable in accordance with section 2.39 (3).
- 3) The Board in consultation with the C.A.O/Clerk-Treasurer shall select the appropriate means to guarantee execution and performance of the contract. Means may include one or more of, but are not limited to, financial bonds or other forms of security deposits, provisions for liquidated damages, progress payments and holdbacks.
- 4) Prior to issuing a tender, the Board in consultation with C A O/Clerk-Treasurer shall determine the amount, if any, of bid deposit required.
- 5) Prior to commencement of work and where deemed appropriate, evidence of Insurance Coverage satisfactory to the Librarian, or to an approved agent purchasing on behalf of the Board, must be obtained, ensuring indemnification of the Lake of Bays Public Libraries Board and any municipality on whose property the work may be carried out.
- 6) Prior to payments to suppliers, Certificates of Clearance from the Workplace Safety and Insurance Board shall be obtained ensuring all premiums or levies have been paid to the Board to date.
- 7) In addition to all other holdbacks, a maintenance holdback may be specified by the Librarian, or an approved agent purchasing on behalf of the Board, in the tender documents.

#### Submission of Tenders

- 2.40
- 1) Tenders shall be accepted in paper form up to the time and date specified by the tender call.
  - 2) Tenders received later than the specified closing time shall not be accepted.
  - 3) A tender requiring a bid deposit shall be void if such security is not included with the tenderer's bid.
  - 4) All tenderers may be requested to supply a list of all subcontractors to be employed on a project. Any changes to the list of subcontractors or addition

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thereto must be approved by the contract administrator responsible for the project.

## **Participation in the Township of Lake of Bays corporate wide procurement**

2.41 The Lake of Bays Public Libraries may participate in the Township's corporate wide or departmental basis in accordance with this section.

- 1) The C.A.O/Clerk-Treasurer shall from time to time, in conjunction with managers, and Librarians establish a list of goods and/or services to be acquired on a corporate wide basis.
- 2) The list of goods and/or services to be procured on a corporate wide basis shall include designation of the lead department responsible for the procurement of the items listed.
- 3) Goods and/or services not acquired on a corporate wide basis may be acquired on a departmental basis.
- 4) The provisions of this by-law shall be complied with regardless of whether the procurement is done on a corporate wide basis or departmental basis.

## **Emergency situations**

- 2.42 1) Where, in the opinion of the Board, an emergency has occurred, the Board in consultation with the C A O may undertake procurement in excess of the preauthorized expenditure limits herein up to a maximum of \$100,000.00; and
- 2) any expenditures made under such conditions together with a source of financing shall be reported to the next meeting of the Finance and Corporate Services Committee following the date of the expenditure.

## **In house bids**

2.43 During the procurement process, in house bids will not be considered.

## **Notice procedures**

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- 2.44
- 1) The following notice procedures shall apply to all procurement, except procurement by direct purchase.
  - 2) Where only selected potential suppliers will be eligible to participate in a procurement process, notice of the procurement process shall be given by way of notice in The Lake of Bays Public Libraries Board' standard form forwarded to the selected suppliers by fax, courier or such other method as may ensure notification and integrity of the process.
  - 3) Where a procurement process will be open to all who wish to participate, notice may be given by one or more of the following methods:
    - i. by publication of a notice in a trade journal or other publication likely to be read by the group of potential suppliers; and/or
    - ii. publication of an advertisement in accordance with the Lake of Bays Public Libraries Board' notice policies and procedures; and/or
    - iii. publication on the Lake of Bays Public Libraries Board' website.

## Evaluation of quotations, tenders and proposals

### No Acceptable Response Received

- 2.45
- 1) Where the responses received in a procurement process exceed budget, are not responsive to the requirement, or do not represent fair value, a revised solicitation may be issued in an effort to obtain an acceptable response unless section 2.45 (2) applies.
  - 2) The Board and the CAO jointly may waive the need for a revised bid solicitation and enter into negotiations with the lowest responsive bidder, or the highest responsive bidder for a revenue-driven bid selection emanating from a bid solicitation, under the following circumstances:
    - i. the total cost of the lowest responsive bid is in excess of the funds budgeted by Council for the project or the highest responsive bid revenue is less than that made, and
    - ii. the Board in consultation with the C A O agree that the changes required to achieve an acceptable bid will not change the general nature of the requirement described in the bid solicitation.
  - 3) Negotiations undertaken in section 2.45(2) shall be undertaken to ensure that all ethical public procurement practices are followed.
  - 4) The Lake of Bays Public Libraries Board has the right to cease negotiations and reject any offer at any time.

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- 5) If two equal responses are received, the Lake of Bays Public Libraries Board will offer an opportunity for suppliers to re-submit. Should a tie persist the equal bidders shall draw straws.

### **Only One Response Received**

- 2.46 In the event that only one response is received in a procurement process, the Board may:
- i. return the unopened bid to the bidder when, in the opinion of the Librarian, or an approved agent purchasing on behalf of the Board, using criteria based on the number of bids which might reasonably be expected on a given type of bid, additional bids could be secured, in which case the bidder shall be informed that the Lake of Bays Public Libraries Board may be recalling the tender at a later date; or
  - ii. cause the bid to be opened and evaluated in accordance with the Lake of Bays Public Libraries Board' usual procedures and ,following evaluation, if the bid is found not to be acceptable, the procedures set out in Subsection 2.45 (1) to (3) may be followed.

### **Contract records**

- 2.47 1) The establishment of a procurement contract may be made by way of:
- i. acceptance by a supplier of the Lake of Bays Public Libraries Board' Purchase Order;
  - ii. acceptance by the Lake of Bays Public Libraries Board of a supplier's quotation or tender; or
  - iii. negotiation subsequent to a Request for Proposal.
- 2) A Purchase Order approach may to be used when the resulting procurement contract is straightforward and will contain the Lake of Bays Public Libraries Board' standard terms and conditions.
- 3) A formal contract approach is to be used when the resulting procurement contract is complex and will contain terms and conditions other than the Lake of Bays Public Libraries Board' standard terms and conditions.
- 4) Where a formal contract approach is used, a Purchase Order referencing the formal agreement shall be filed with the respective department.

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- 5) Where a formal approach is not used a Purchase Order describing the goods and/or services being ordered together with references to all other documentation containing terms or conditions related to the transaction shall be maintained by the Libraries.

## Custody of documents

- 2.48 The Lake of Bays Public Libraries shall be responsible for the safeguarding of original purchasing and contract documentation for the procurement of goods and services.

## Contract amendments and revisions

### General

- 2.49 No amendment or revision to a contract shall be made unless the amendment is in the best interest of the Lake of Bays Public Libraries Board.
- 2.50 No amendment that changes the price of a contract shall be agreed to without a corresponding change in requirement or scope of work.
- 2.51 Amendments to contracts are subject to the identification of sufficient funds within the Board's approved budget, including authorized budget amendments for the project or the services that are the subject of the proposed contract amendment.
- 2.52 Where expenditures for the proposed amendment combined with the price of the original contract exceeds the approved budget for the project, a report prepared by the Board shall be submitted to Council detailing the proposed amendment, and proposing the source of financing.

### Exercise of Contract Renewal Options

- 2.53 1) Where a contract contains an option for renewal, such option may be exercised by the Board provided that all of the following apply:
  - i. the supplier's performance in supplying the goods, services or construction is considered to have met the requirements of the contract,
  - ii. the Librarian or an approved agent purchasing on behalf of the Board is of the opinion that the exercise of the option is in the best interest of the Lake of Bays Public Libraries Board,
  - iii. funds are available in appropriate accounts within Council approved budget including authorized revisions to meet the proposed expenditure.
- 2) In the event that the provisions of section 2.53 (1) are not complied with,

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renewals or extensions shall require the authorization Council.

#### Change Orders

- 2.54 Amendments to a contract may only be done by way of change orders if:
- i. the contract contemplates a change made by way of change orders and provides detailed procedures to establish the nature of the change in the goods and/or services and the determination of the price adjustments applicable to any such change;
  - ii. proper documentation is prepared in accordance with the provisions of the contract

#### Co-operative purchasing

- 2.55 The Lake of Bays Public Libraries Board may participate with other libraries or public authorities in co-operative purchasing where it is in the best interests of the Lake of Bays Public Libraries Board to do so.
- 2.56 The decision to award a contract in co-operative purchasing arrangements will be made by the Board
- 2.57 The policies of the government or public authorities calling the co-operative tender are to be the accepted policy for that particular tender.

#### Disposal of surplus equipment

- 2.58 The Library shall notify the C.A.O/Clerk-Treasurer when items become obsolete or surplus to its requirements.
- 2.59 The Library will request contact the C.A.O/Clerk-Treasurer to determine the availability of items that might be of use to the Library.
- 2.60 Items that are not claimed for use by a department may be offered for sealed bids, public auction or other public sale, depending in the opinion of the C.A.O/Clerk-Treasurer on which method is most suitable for the equipment or material involved.
- 2.61 The revenue from the sale of obsolete material shall be credited to the Library

#### Administration



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- 3.01 All staff with responsibility for procuring goods shall follow this policy.
- 3.02 The administration of the Lake of Bays Public Libraries Board's budgets, revenues and expenditures shall be the responsibility of the Township Treasurer.
- 3.03 Confirmation of authorization for any expenditure shall be the responsibility of the Township Treasurer.
- 3.04 Confirmation of compliance with this Procurement Policy shall be the responsibility of the Lake of Bays Public Libraries Board: