

Category: Governance  
Policy Name: **Procurement Policy**  
Date Approved: April 25, 2016

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By this resolution The Lake of Bays Township Public Library Board adopts the Procurement Policy of the Township of Lake of Bays as adopted by Township Council in By-Law No. 2014-135 on October 14, 2014, subject to the following amendments. These amendments reflect the specific business of The Lake of Bays Township Public Library and its particular governance and organizational structure.

By this resolution The Lake of Bays Township Public Library Board (the Board) further adopts the following amendments to the Township Policy cited above:

For **“Township of Lake of Bays”** (“Township” or “municipality”) read the “Lake of Bays Township Public Library” (“Library”) except in the following specific clauses:

2.02 Definitions

- h) Emergency
- iv) an emergency as defined by the Emergency Management and Civil Protection Act, R.S.O., 1990, and/or the emergency plan formulated thereunder by the Township of Lake of Bays;

2.06 Exceptions to Methods of Procurement

- 3) Exclusion of Suppliers in Litigation
  - a) The Board may, in its absolute discretion, reject a 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 Township or Library, their elected or appointed officers and employees in relation to:
    - i) Any other contract or services; or
    - ii) Any matter arising from the Township’s or Library’s exercise of their powers, duties or functions.
  - b) In determining whether or not to reject a tender or proposal under this clause, the Board will consider whether the litigation is likely to affect the potential supplier’s ability to work with the Library, its consultants and representatives and whether the Township’s or Library’s experience with the potential supplier indicates that the Library is likely to incur increased

staff and legal costs in the administration of the contract if it is awarded to the potential supplier.

2.07 General Procurement Process

3) Advertising

Procurements shall be advertised in compliance with the Township's vision of Notice Policy and shall include:

- i)The bid number
- ii)A description of the goods and/or services sought
- iii)Date and time of closing; and
- iv)How to obtain a copy of the procurement documentation

Interested parties can request a specific copy of the procurement documentation and any related material. A record of the interested parties receiving a copy of the procurement documentation will be kept by the Corporate Services Department.

5) Submission Requirements

All bids shall be received at the Township Municipal Office by 4:00 p.m. of the closing date in the following form:

- d) The correct bid form, as supplied by the Township, must be used. It must be understood that although there is a "standard" bid form each RFP/Tender bid form is unique.

**For "Council"** read "Lake of Bays Township Public Library Board" ("Board").

**For "Mayor and Clerk"** read "Board Chair and Secretary (or one alternate Board member)".

**For "Department Manager"** (Manager) read "CEO or delegate" and for "Department"/"departmental" read "Branch" except in the following specific instances:

While the Library CEO retains ultimate accountability to the Board in all such situations she may delegate these responsibilities to the Branch Librarian on a case by case basis.

2.04 Delegation Of Spending Authority

b) Non-Budgeted Acquisitions

5) Department Managers shall report all bids for solicitation in the Quarterly Summary of Delegation of Powers Council Report. This report does not apply to the Library. All bids for solicitation will be the subject of a Board motion and will be minuted.

- 2.06 Exceptions to Methods of Procurement

- 1) Non-Competitive Purchases:

- The requirement for competitive bid solicitation for goods and/or services may be waived under authority of the Board and be replaced with direct negotiations with a particular potential supplier under the following circumstances (as listed in the Township policy):

**For “Treasurer” and “Treasury Department”** read “Library Treasurer”.

**For “Municipal Clerk”** only in S 2.08 OTHER; ss 2) Employee Code of Conduct regarding the Procurement Process read “Board Chair”

**For “CAO” and “Corporate Services Department”** read “Library CEO” (“CEO”) except in the following specific clauses:

- 2.03 ss 4), 6) and 9);

- 2.06 Exceptions to Methods of Procurement

- 1) Non-Competitive Purchases: The requirement for competitive bid solicitation for goods and/or services may be waived under authority of the Board and be replaced with direct negotiations with a particular potential supplier under the following circumstances (as listed in the Township policy):

- 2.06 Exceptions to Methods of Procurement

- 5) Procurement in Emergencies: Where, in the opinion of the CAO, an emergency has occurred a)The CAO may undertake procurement in excess of the preauthorized expenditure limits herein up to a maximum of \$250,000; and b) Any expenditures made under such conditions together with a source of financing shall be reported at the next meeting of Council following the date of expenditure by the CEO of the Library.

**Financial Thresholds:**

The Township Policy contains three different financial thresholds which define delegation of authority to staff in various situations. For the Library's purposes these are amended as follows:

**2.04** b) For goods and services over \$1,000 that are deemed to be necessary but are **not** in the budget, the Branch Librarian, upon the authorization of the CEO, shall obtain Board approval prior to procurement of goods and/or services.

**2.05** a) Direct Purchase for non-competitive purchases by staff within their assigned expenditure limits may be used in the following circumstances: iii) the total price is less than \$15,000

**2.05** c) Request for Tender

Invitation to Tender procedures, as set out in Section 2.07, may be used where:

i) The estimated price is greater \$15,000

**Section 2.03 Application:**

Ss 2) Does not apply to the acquisition of such Library fixtures as book shelving, computer desks, work tables, chairs etc. that are supplied as part of a larger contract such as that for the construction of the building in which the fixtures are lodged. This policy does apply to such fixtures if they are purchased independently of a larger construction project.

Ss 4) The Library CEO is responsible for:

- a) securing appropriate procurement advice on behalf of the Library
- b) administering this policy on behalf of the Library
- c) participating with the Township CAO in the development of co-operative purchasing plans that are in the best interest of the Library

**Section 2.07 GENERAL PROCUREMENT PROCESS**

8) One or No Acceptable Bids Received

No Acceptable Bids Received

- a) Where the bids 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 other clauses of Section 2.07(8) apply.

**Section 2.08 OTHER**

- 2) Employee Code of Conduct Regarding the Procurement Process: is adopted for use by Library staff in the context of procurement transactions only. The Library’s Professional Conduct Policy 3.2 continues to apply to library staff and volunteers also in procurement transactions as well as in all other professional conduct.

**SCHEDULE “A” - GOODS AND SERVICES EXEMPT FROM PROVISIONS OF THE POLICY** is amended with the addition of:

Item 8. Library Materials and Supplies where “library materials” includes all library resources such as books, magazines, DVD’s etc. which are borrowed by library patrons or used by them in-house. “Supplies” are common stationary supplies used by the library in its day-to-day business.

Approved: April 25<sup>th</sup> 2016

Reviewed: Aug 26, 2019

Signature of the Chairperson \_\_\_\_\_

Document Revision Record:

Revision Level	Date
Initial Approval	April 25, 2016
1st Review	Aug 26, 2019