



**Date 18 February 2012**

## **City Council Committee Report**

**To: Mayor Canfield & Members of Council**

**Fr: Karen Brown**

**Re: City Procurement By-law**

### **Recommendation:**

**That** Council hereby approves the amended City Procurement Policy, and

**That** the appropriate by-law be passed for this purpose.

### **Background:**

As part of the City's shift in corporate culture to a new, stronger health and safety focus, it has been recommended that the City update its procurement by-law to reflect wording to ensure the applicable health and safety legislation and related obligations is considered in making any purchases.

During the policy review, some additional minor changes were identified, and are also being recommended within the updated procurement policy. Changes have been tracked on the draft policy (attached) for ease of reference, and are summarized as follows:

#### **Health & Safety**

- Updated "Award to Lowest End Cost, Compliant Bidder" section to include factoring in "Adherence to applicable City Health & Safety policies as well as Provincial Health & Safety Legislation and related Regulations". See bottom of page 8 for this change.
- Updated "Contractor Performance" section. Under this section, the "Manager and the CAO may, in their sole discretion, prohibit a contractor whose performance has been unsatisfactory from submitting a bid in response to a request for tenders / proposals." This wording has been updated to note that "This prohibition shall also apply to any contractor failing to meet any City or otherwise legislated Health & Safety requirements." See top of page 14 for this change.

### **Request for Tenders / Proposals**

- Under advertising of tenders [section a)i)], the section requiring advertising in the local newspaper (and other means) has been removed and replaced with a requirement to be “publicly advertised”. This change has been recommended to ensure City staff was not restricted to the newspaper as the source of public advertising. See top of page 7 for this change.

### **Expenditures Before the Passing of the Budget**

- Clarification in wording has been provided to expand the restriction on capital items to include “items either capital in nature or budgeted as unusual spending through the capital budget process” as being required to receive separate Council approval if administration wishes to proceed on those items prior to the approval of the municipal capital budget. See the bottom of page 16 for this change.

### **Policy Review**

- The name of the Committee referenced as been amended to “Finance Committee” (previously Finance & Administration Committee) to reflect the new committee structure in place. See top of page 19 for this change.

### **Budget:**

n/a

### **Communication Plan/Notice By-law Requirements:**

The Managers would be advised of Council’s decision in this matter.