



County of Peterborough

Policy Manual

Schedule "A" to By-law No. 2013-68

Department:	Corporate	Approved Management Team:	October 7, 2013
Policy #:	Corp 06	Revised:	
Subject:	Purchasing of Goods and Services	Approved Council:	October 16, 2013
Related By-Laws:	2013-68	Page:	1 of 39

Purpose: A policy that defines and governs the procurement of goods, services and construction projects for the Corporation of the County of Peterborough.

Scope: For council, all staff, bidders and potential vendors involved in the process.

Policy: Attached pages



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1. Definitions and Interpretations

For the purposes of this document the following shall have the indicated meanings unless the context otherwise requires:

1.1 Definitions

"Acquisition process" means the process of obtaining "goods and services", including rental or lease;

"Addendum" means additional information supplied by the "County" after the original "tender", "proposal" or "Quotation" call;

"Annual proposal procedures" means a standing arrangement between the "County" and selected "contractors" based upon an annual competitive proposal issued to selected "contractors" and, if required, used in providing equipment rentals and aggregate materials based on the County's needs;

"Approval" means authorization to proceed with the purchase of "goods and services";

"Bid" means an offer or submission from a "supplier" or "contractor" in response to a request for "tender", "proposal" or "quotation", which is subject to acceptance or rejection;

"Bid board" means the communication vehicle through which "bidder" information on "tenders" and "proposals" is relayed to "suppliers" and/or "contractors", as applicable;

"Bidder" means "supplier" or "contractor" from whom the "County" has requested a "tender", "proposal" or "quotation" which is subject to acceptance or rejections;

"Bid deposit" means security to guarantee that the successful "supplier" or "contractor" will enter into a formal "contract" with the "County";

"Blanket purchase order" is a type of Contract. It involves the purchase of a Commodity that will be required frequently or repetitively, and where either the exact quantity of the Commodity required is not precisely known, or the time period during which the Commodity is to be provided is not precisely determined, but in either case, maximums on both the total price of the Commodity and the time period which the Commodity is to be supplied are specified in the Contract;

"Budgetary appropriation" means the monetary amount allocated by the "County" necessary to provide annual "goods and services";



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"Chief Administrative Officer" means the "County's" Administrator;

"Clerk" means the appointed County's Clerk, or Deputy-Clerk;

"Commodity" means goods and/or services;

"Conflict of Interest" refers to a situation in which private interests or personal considerations may affect an employee's judgment in acting in the best interest of the County of Peterborough. It includes using an employee's position, confidential information or corporate time, material, or facilities for private gain or advancement or the expectation of private gain or advancement;

"Consulting and professional services" includes architects, engineers, designers, surveyors, planners, management and financial consultants, legal representatives, real estate appraisers, education and training consultants, Ontario land surveyors, and any other consulting and professional services rendered on behalf of the "County";

"Contract" means binding agreement between two or more parties;

"Contractor" means the person, firm or company to whom a "purchase order" or "contract" is issued;

"Co-operative purchasing" means the participation of two or more public agencies in a "tender", "proposal" or "quotation" call;

"Coordinator" means a Coordinator position as reflected within a "County Job Title";

"Council" means the "Council" of the Corporation of the County of Peterborough;

"County" means the Corporation of the County of Peterborough, its successors and assigns;

"Department head" means the head of any "County" Department;

"Designated official" means the Director, Procurement, Facilities & Communication, his authorized delegate or such official as may be appointed from time to time by the Chief Administrative Officer to act on behalf of the "County" in accordance with the provisions of this by-law;

"Director, Procurement, Facilities & Communication" means the Director, Procurement, Facilities & Communication for the County's Procurement Department;



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"Director of Public Works" means the Director of Public Works for the "County's" Public Works Department;

"Disposal process" means the process wherein fixed assets of the "County" are sold;

"Developer" means an independent businessperson that may develop a project in conjunction with the "County";

"Document fee" means a fee required for bid documents and related drawings. Bidders must have previously purchased the respective bid document, when a fee is applicable, and be on the corresponding "County's" "Plan Takers List";

"Emergency" means a situation where the immediate purchase of "goods and services" is essential to prevent serious delays, further damage, to minimize danger to life and property, or restore minimum service;

"Employee" means an employee of the County of Peterborough but does not include councillors.

"Executive Assistant" means an Executive Assistant position as reflected within a "County Job Title";

"Expression of Interest" means a request to potential suppliers of goods and services to register their interest in supplying them. An EOI usually consists of a document describing requirements or specifications and seeking information from potential suppliers that demonstrate their ability to meet those requirements.

"Formal quotation" means "quotations" obtained in writing;

"Forms" mean approved "County" documents containing terms and conditions issued by the "Purchasing" section of the Procurement Department and which encompasses the "blanket purchase order", the "purchase order", the "purchase order", the "proposal", the "purchase order", the "quotation", and the "tender";

"Gift" means any product or service that are of low intrinsic value;

"Goods and services" includes supplies, equipment, property, construction, maintenance and service contracts, consulting and professional services";

"Informal quotation" means "quotations" obtained by telephone, fax, in writing, or by any other method of communication;



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"Information to bidders" means the information given to prospective "bidders" in a request for "tender", "proposal", or "quotation";

"In-house bid" means a bid by internal staff;

"Integrity provision" means any provision in this Policy that may assure that the integrity of procurement procedures will be maintained and that the interests of the County, the public and the persons participating in the procurement process will be protected;

"Inventory control" means the management of goods by user departments to ensure that they are available when required while at the same time minimizing investment;

"Manager" means a Manager position as reflected within a "County Job Title";

"MRO goods and services" means those maintenance, repair and operation "goods and services" for which there is a routine or regular reoccurring usage, as provided in this By-law, the delay of which would hinder or impede "County" operations;

"Mechanic" means a Mechanic position as reflected within a "County Job Title";

"Performance security" means security to protect the "County" and guarantee the completion of the "contract" in the form of a performance bond and/or labour and materials payment bond and/or an irrevocable letter of credit or acceptable collateral which can be converted into cash or any other documents as deemed necessary;

"Personal purchases" means a purchase of "goods or services" requested by an elected official, an appointed official or by any other employee of the "County", the requirement for which is not for the "County" or any of its purposes but is for the benefit and use of the person requesting the purchase;

"Personal property" means any property not within the definition of "real property";

"Plan Takers List" means a list provided for information purposes only as a convenience to potential bidders for "County" procurement requests. Such information is provided "as is". The "County" makes no representation or warranty that the information is current, accurate or complete, and the "County" accepts no liability for any error or omission in the information;

"Pre-qualification" means a requirement that "bidders" satisfy the "County" that they have undertaken similar work or supplied similar "goods and services" on other "tenders", "proposals" or "quotations";



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"Prescribed format" means a format approved by the Director, Procurement, Facilities & Communication and/or the Chief Administrative Officer and may be in electronic form;

"Procurement Process" is a method of purchasing a Commodity. There are several types of Procurement Processes referenced in this Policy. They are:

- Direct Purchase - where the Vendor of a Commodity is approached and the Commodity is purchased without a formal or competitive process;
- Informal Quotation – where the staff approach several potential Vendors seeking price quotations (fixed as to the total price or on a unit basis or both) for specific and defined Commodities, to be submitted in writing;
- Formal Quotation - where several potential Vendors are approached to provide price quotations (fixed as to the total price or on a unit basis or both) for specific and defined Commodities, to be submitted by way of sealed Quotations on or before a specified date and time;
- Tender – where potential Vendors submit Bids to supply a defined quantity and quality of Commodity, with all of the material terms, conditions and specifications pre-set (with the exception of the price), and a Contract is formed through selection of one of the Bids submitted without any further negotiation.
- Request for Proposals – where potential Vendors are invited to propose solutions or methods for particular projects (where creative solutions are sought by the County) for evaluation on criteria other than price, and negotiation for an eventual Contract occurs as a result of the submission of Proposals.

"Proposal" means a written offer received from a "supplier" or "contractor" in response to invitation to provide "goods and/or services" based on an approved format of the "County" containing terms and conditions; the acceptance of which may be subject to further negotiation;

"Public Agency" means any municipal, provincial, or federal subdivision thereof, including any local government or economic development department supported by tax dollars;

"Purchase order" means a written offer, in an approved form containing terms and conditions to purchase goods or a written acceptance of an offer from another party, by the "County";

"Purchasing" means the activities in this regard conducted by the "Purchasing" section of the Procurement Department which is responsible for the purchase of all "goods and services", as provided in this by-law;



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"Purchasing Clerk" means an individual working with the "Purchasing" section of the Procurement Department who is responsible for the purchase of "goods and services", as provided in this by-law;

"Quotation" means an offer, both formal and informal, from a "supplier" or "contractor" to buy from or sell "goods and services" to the "County";

"Real property" means property that for the purpose of this by-law includes lands, buildings, tenements and any interest, estate or right or easement affecting same;

"Request for Information" means a standard business process whose purpose is to collect written information about the capabilities of various suppliers. Normally it follows a format that can be used for comparative purposes.

"Selection committee" means a committee established to analyze and make recommendations on ""proposals"" and shall be comprised of:

- the "designated official"
- the initiating "Department Head", and
- any other individual who may have an interest or appropriate expertise.

"Single source justification" means the situation where the purchase of "goods and services" is requested from a specific "supplier" and/or "contractor" for specific reasons as provided for in this Policy;

"Standing orders" are contracts for goods and/or services used on a regular basis in the day-to-day operations of the County;

"Supplier" means the person, firm or company to whom a "purchase order" is issued;
"Supervisor", means a Supervisor position as reflected within a "County Job Title";

"Surplus Items" items which have been deemed by the Department Head as surplus to the departments needs and which have been offered to other County departments prior to being deemed as surplus.

"Tender" means a written offer, in a specified form, received from a "supplier" or "contractor" in response to a public invitation to provide "goods and/or services" based on an approved format of the "County" containing terms and conditions;

"Tendering opening committee", "proposal opening committee" and "quotation opening committee" means the group responsible for opening and recording results of publicly advertised "tenders" and "proposals", and shall be comprised of any two of:



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- the "designated official" or designate;
- the appropriate "Department Head" involved, or designate;
- or in the absence of b) another "Department Head" or designate as appointed by the "designated official"

"Total acquisition cost" means the full cost, including acquisition, operating and disposal as well as the consideration of quality, service and availability; all to determine the best acceptable "tender", "proposal" or "quotation";

"Treasurer" means the appointed County's "Treasurer", or Deputy Treasurer;

"Two envelope system" means a procurement process for proposals in which a bid is submitted in two envelopes. The technical and qualitative information is submitted in the first envelope and the price information is provided in the second envelope. The second envelope (price envelope) is opened only if the technical and qualitative information meet a predetermined minimum score requirement;

"Verbal quotation" means the requisitioning department will receive pricing via telephone or in person and will retain written documentation of the conversation and document the information on the purchase order;

"Warden" means the elected head of the "County's" Council;

1.2 Interpretations

Words imparting the singular number or the masculine gender only include more persons, parties or things of the same kind than one and females as well as males and the reverse.

Where an official of the "County" is authorized to do any act pursuant to this Policy, such act may be done by such official's authorized delegate.

The headings contained in this Policy are for reference only.

A word interpreted in the singular number has a corresponding meaning when used in the plural.

Where dollar value limits are identified for "goods and/or services", as referenced in Article 9.0 - Methods of Procurement - of this policy, the dollar value limits listed exclude taxes.



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2. Statutes

Specific references to laws in this policy are printed in italic font and are meant to refer to the current laws applicable within the Province of Ontario as at the time the Policy was adopted. For Provincial laws, the reference is to the relevant chapter of the R.S.O. 1990 edition, as amended from time to time, including successor legislation. For Federal laws, the reference is to the relevant chapter of the R.S.C. 1985 edition, as amended from time to time, including successor legislation. Provincial and Federal statutes enacted since 1990 and 1985 (respectively) which are not successor legislation are fully cited.

3. Severability

If a court or tribunal of competent jurisdiction declares any portion of this policy to be illegal or unenforceable, that portion of this policy will be considered to be severed from the balance of the policy, which will continue to operate in full force.

4. Principles and Goals

Purchasing Principles and Goals for the acquisition of all goods and services

- To procure by purchase, rental or lease the required quality and quantity of "goods and services" in an efficient manner and without favouritism.
- To ensure acquisition of "goods and services" through the application of the highest standards of business ethics.
- To encourage open competitive bidding on all acquisition and disposal of "goods and services", where practical.
- To consider "total acquisition costs" including quality, service and availability, rather than the lowest price submitted;
- To operate a "purchasing" section for the purchase of "goods and services" through the Procurement Department.
- To coordinate the acquisition of like "goods and services" required by more than one department to take advantage of purchasing power.
- To encourage the procurement of goods and services with due regard to the preservation of the natural environment and the promotion of waste reduction and recycling of waste materials.



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- When procuring good, services and facilities, the County of Peterborough will comply with the requirements of the Ontarians with Disabilities Act, 2001, the Accessibility for Ontarians with Disabilities Act, 2005 and its associated standards enacted through regulation, as well as related County policies.
- This Policy will be reviewed every 5 years or earlier, to evaluate its effectiveness.

5. General Conditions & Policy Objectives, Procedures & Instructions

5.1 Applicability & Exceptions:

All Commodities required by the County shall be purchased in accordance with this Policy, and all Commodities no longer required by the County shall be disposed of in accordance with this policy unless:

- The Council directs that any particular Purchase or Disposal of a Commodity shall be carried out in some other manner;
- An Exemption to this Policy applies (Section 8.0); or
- Any applicable law requires that the Purchase or Disposal of a Commodity be carried out in some other manner.

5.2 Where Exceptions Apply:

Where the circumstance mentioned in 5.1 occur, the Purchase or Disposal of those Commodities shall be carried out in accordance with the resolution or the applicable law, as the case may be, and the provisions of this policy shall in all other regards continue to apply to the Purchase or Disposal with all necessary modifications.

5.3 Local Preference:

In accordance with the Discriminatory Business Practices Act, there will be no local preference for Purchases. Where two or more identical bids are received, a coin toss shall be used to break the tie. The coin toss shall be performed by the Warden or Chair Person at a Council or Committee meeting.

5.4 Co-operative Purchasing:

The Purchasing Section of the Procurement Department may participate and shall encourage participation with other governments or public agencies in co-operative ventures or contracts where the best interest of the County of Peterborough would be served.

5.5 Environmental Purchasing: The Purchasing Section of the Procurement Department shall encourage wherever possible, specifications which provide for expanded use of durable,



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reusable commodities, and commodities which contain the maximum post-consumer waste and/or recyclable content, without affecting the intended use of the Commodity. Specifications shall encourage the purchase of goods and services that maximize energy efficiency and minimize carbon emissions into the environment.

5.6 Directive to Staff: All employees of the County shall comply with the financial and policy controls meeting the audit requirements of the County to ensure that those responsible for requisitioning and purchasing commodities are held accountable for their actions and decisions. Any employee who intentionally and knowingly acquires or disposes of any goods and services for the County in contravention of any section of this Policy, or any applicable law or statute, shall be subject to disciplinary actions as applicable by this Policy or the law. The purchase, directly or indirectly, of any goods, services, or consulting services from any County employee or elected official is prohibited unless otherwise approved by Council.

5.7 Directive to Vendors/Contractors/Bidders:

Any Vendor, Contractor or Bidder is required to ensure compliance to and with any and all applicable laws and statutes. Failure to do so will result in the immediate cessation of business with the County and the appropriate authorities will be notified.

5.8 Code of Conduct/Ethics: In addition to conflict of interest as defined in Section 1.1 of this policy and the Municipal Conflict of Interest Act for elected officials the **County of Peterborough Code of Conduct CORP-01 Policy** shall apply to all employees and members of Council.

5.9 Commitment: No expenditure or commitment shall be incurred or made and no account shall be paid by the County for goods and services, except as authorized in accordance with this policy or approved by Council.

5.10 Vendor Removal from List: The Director, Procurement, Facilities & Communication in consultation with the Director of the requisitioning department may remove a vendor's name from the list of bidders for a period of up to two years on the basis of documented poor performance, non-performance, or conflict of interest. A written notice of the decision will be provided to the vendor by the Purchasing Clerk.

5.11 Material Safety Data Sheets: MSDS must be maintained on file by the user department for all relevant products whether acquired through tendering, quoting or the proposal process.

5.12 Privilege Clause: When using the privilege clause which reads in part "the lowest or any tender may not necessarily be accepted", the specific reasons must be stated why the bids may not be accepted.



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5.13 Fairness: Councillors and employees must not:

- Acquire any goods and services for personal use in representation of the County of Peterborough;
- Purchase or offer to purchase, on behalf of the County of Peterborough, any goods and services, except in accordance with this Policy;
- Knowingly cause, permit or omit anything to be done or communicated to anyone which is likely to cause any potential Vendor to have an unfair advantage or disadvantage in obtaining a Contract for the supply of a Commodity to the County, or any other municipality, Public Agency or public body involved in the purchase of Commodities either jointly or in cooperation with the County;
- Knowingly cause, permit or omit anything to be done which will jeopardize the legal validity or fairness of any Purchase of a Commodity under this policy, or which might subject the County to any claim, demand, action or proceeding as a result.

5.14 Use of Policy: No employee shall Purchase Goods or Commodity unless:

- The Commodity is legitimately required for the purposes of the County (or the Public Agency on whose behalf the Purchase is being undertaken); and
- The funds for the Purchase of the Commodity are available within the Budget or the Request to Purchase is expressly made subject to funding approval of the Council (or the Public Agency on whose behalf the Purchase is being undertaken).

5.15 Public Agencies: Where the authority to enter into a Contract for the Purchase of Commodities is a decision which is solely within the jurisdiction of a Public Agency, that Public Agency may request that the County provide the services of the Purchasing Section to allow the Public Agency to avail itself of this policy. In those circumstances, the terms and conditions of this policy apply.

5.16 Personal Purchases: The County will not make Purchases for the personal use of Councillors or employees, or members of staff of Public Agencies, except through programs which may, from time to time, be expressly and specifically approved by County Council.

5.17 Splitting Prohibited: No requirement for goods and services may be divided into two or more parts to avoid the provisions of this policy.

5.18 Award Outside of Policy: A Department Head shall not award a contract where the Director, Procurement, Facilities & Communication has determined that the provisions of this policy have not been adhered to and has so advised the department head in writing, without the approval of the CAO and/or Council as determined by the approval levels herein.

5.19 Employee-Employer Relationship: The County will reject all purchase orders for services where the services could result in the establishment of an employee-employer relationship.



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5.20 Gifts: Any employee who has the authority to develop, issue or approve a "quotation, "proposal" or "tender" shall only accept gifts that are of low intrinsic value from a supplier.

5.21 Access to Bids Information: Access to bid information shall be made available to the public, on request, except to the extent that such information is confidential information protected from disclosure under the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

5.22 Accessibility: The County of Peterborough is committed to the accessibility principles of preventing and removing barriers in accessing goods and services for people with disabilities and is bound by the Standards under the Accessibility for Ontarians with Disabilities Act, 2005 as may be amended from time to time.

Regulations enacted under the Act apply to every designated public sector organization and other third parties that provide goods and services to the members of the public.

The consultant/contractor, and all sub-contractors hired by the consultant/contractor in the completion of its work, will meet or exceed compliance with all applicable regulations under the Accessibility for Ontarians with Disabilities Act, 2005 as may be amended from time to time.

It is the consultant/contractor's responsibility to ensure they are fully aware of, and meet all requirements under the Act. A Declaration of Accessibility Compliance will be required by the successful bidder.

When procuring good, services and facilities, the County of Peterborough will comply with the requirements of the Ontarians with Disabilities Act, 2001, the Accessibility for Ontarians with Disabilities Act, 2005 and its associated standards enacted through regulation, as well as related County policies. Where applicable, procurement documents will specify the desired accessibility standards to be met and provide guidelines for the evaluation of proposals in respect of those standards. Where it is impractical for the County to incorporate accessibility criteria and features for procuring or acquiring specific goods, services or facilities, the Director, Procurement, Facilities and Communication will provide a written explanation, on request.

6. Requirement for Approved Funds

Net Departmental expenditures are authorized by Council each year as part of either the Capital or Operating Budget process. Pending Council's approval of proposed budgetary estimates, Department Heads are authorized to spend up to 50% of the previous year's approved Operating Budget. Department heads are not authorized to overrun net departmental operating budgets, except in accordance with this Policy.



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The exercise of authority to award a contract is subject to the identification and availability of sufficient funds in appropriate accounts within the Council approved Operating budget.

Where goods and services are routinely purchased or leased on a multi-year basis, the exercise of authority to award a contract is subject to:

- The identification and availability of sufficient funds in appropriate accounts for the current year within Council approved estimates, and
- The requirement for the goods or services will continue to exist in subsequent years and, in the opinion of the Treasurer, the required funding can reasonably be expected to be made available, and the Director, Procurement, Facilities & Communication/Treasurer may reject all purchase requests for which sufficient funds are not available and identified. If the Department Head advises the Director, Procurement, Facilities & Communication/Treasurer that the deficiency is minimal and alternative funding has been identified, the purchase request may proceed provided appropriate authorizations are met in accordance with this policy.

The Department Head will co-ordinate, with the Director, Procurement, Facilities & Communication/Treasurer all leasing requirements including term capitalization rate, lease vs. buy (or other) analysis, etc. The Director, Procurement, Facilities & Communication/Treasurer will ensure that all lease commitments comply with Municipal Act 2001 as amended and regulations made there under.

Where this policy prescribes financial limits on contracts that may be awarded under the authority of a Department Head, or provides for financial limits on contracts required to be reported to Council, for the purpose of determining whether a contract falls within these prescribed limits, the contract amount shall be the sum of:

- All costs to be paid to the supplier under the contract, excluding all taxes, and
- Less any rebates.

7. Authority and Responsibilities

7.1 General Responsibilities

All County staff with procurement authority shall follow the guidelines as set out in the purchasing policy.

Procurement shall be subject to all applicable County policies and by-laws, any specific provisions of the Municipal Act 2001, and all other relevant Federal and Provincial legislation.



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7.2 Procurement, Facilities & Communications Department - "Designated Official"

The "designated official" is hereby given the responsibility of operating a purchasing section on behalf of the "County" in accordance with the requirements of this Policy. The Department will have the following specific responsibilities:

- The acquisition and disposal of "goods and services" including the leasing or rental of such "goods and services";
- The co-ordination and checking of all "tenders", "proposals" and "formal quotations";
- The development and maintenance of systems and procedures dealing with the "acquisition process", "inventory control", and "disposal process" of items detailed in this Policy;
- Ensure that all members of staff that are able to procure goods and/or services on behalf of the County are provided with the Purchasing Policy;
- Ensure that all members of staff are provided with training and clarification of this policy;
- Ensure that any amendments/changes to this policy are clearly distributed and communicated to staff;
- Ensure that all members of staff are aware that compliance to this Policy will be monitored and non-compliance to this policy is subject to disciplinary action as deemed by the County and any applicable law or regulation;
- For awards of value \$30,000 or less, the purchasing section of the Procurement Department or designate shall execute all purchase orders provided that the issuing department has approved the purchase and the requirements of this policy are met;
- and
- For awards of value \$30,000 or more, the purchasing section of the Procurement Department shall initiate purchase orders for approval and the Warden and Clerk shall execute all related agreements, if required.

8. Department Heads

Department Heads shall have the following responsibilities relating to the purchasing policy:

- Ensure procurement is carried out in accordance with this Policy.
- Ensure sufficient approved budget exists for planned purchases before a procurement process commences.
- Prepare, in consultation with the Purchasing Section, specifications and scope of work to be included in Bid Solicitations.
- Ensure that all Bid Solicitation documents originating from their departments have been prepared in conjunction with, reviewed by, issued by and administered by the Director,



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Procurement, Facilities & Communication and the Purchasing Section as set out in this Policy.

- Award contracts in the circumstances specified in this policy provided that the delegated power is exercised within the limits prescribed in this policy.
- Prepare award reports, where required, in a format in accordance with approved County formats and satisfactory content to the Director, Procurement, Facilities & Communication.
- The CAO has the authority to instruct the Department Head not to award a contract and may direct staff to submit recommendations to Council for approval and may provide additional restrictions concerning procurement where such action is considered necessary and in the best interests of the County.
- The Municipal Clerk or Department Head is required to forward to the purchasing section of the Procurement Department, a copy of all legally executed agreements relating to the procurement of goods and services.
- No provision of this policy precludes a department head or the purchasing section of the Procurement Department from recommending an award to the CAO and/or County Council where:
 - In the opinion of the department head, it is in the best interest of the County to do so; or
 - It is a matter of procurement and in the opinion of the purchasing section of the Procurement Department, it is in the best interest of the County to do so.

9. Legal Proceeding or Claim by or Against the County

No tender, proposal or quotation will be accepted from any company which has a claim or has instituted a legal proceeding against the County or against whom the County has a claim or instituted legal proceeding with respect to any previous contract, without prior approval by Council.

10. Specifications

The department whose budget provides for the procurement of goods and services shall be responsible, in consultation with the Purchasing Clerk and any other County department, for the preparation and approval of all specifications and/or Terms of Reference (Scope of Work) to be used for the procurement of such goods and services.

Where practical, specifications or Terms of Reference should be considered that are detailed but not brand specific to leave room for potential vendors to provide alternatives in the event an equal or better-proven product or method is available.

A Request for Information may be sent to Vendors to establish purchasing requirements, however, Vendors or potential vendors should not be requested to expend time, money or



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effort on design or in developing specifications or otherwise help define a requirement beyond the normal level of service expected from vendors. When such services are required:

- The Purchasing Clerk shall be advised;
- The contracted vendor will be considered as a consultant and unable to make an offer for the supply of the goods and services;
- A fee shall be paid; and
- The detailed specification shall become the property of the County of Peterborough for use in obtaining competitive bids.

11. Standardization

It will be the policy of the County of Peterborough, wherever possible, to standardize the procurement of goods and services to allow for:

Reduced number of goods and services required;
Increased volume on common items or services;
Maximizing volume buying opportunities;
Providing economies of scale;
Reduced handling, training and storage costs;
Minimizing maintenance costs;
Co-operative purchasing activities;
Competitive bid results; and
Reduced overall cost.

12. Exceptions & Exemptions to Methods of Acquisition

12.1 Volatile Market Conditions

Notwithstanding the provisions of this policy, where market conditions are such that long term price protection cannot be obtained for goods and services, the Purchasing Section of the Procurement Department will obtain competitive prices for short term commitments until such time a reasonable price protection and firm market pricing is restored.

12.2 Sole Source Procurement

Purchase by negotiation may be adopted, if in the judgment of the Director, Procurement, Facilities & Communication/Treasurer and in consultation with the requisitioning Department Head any of the following conditions apply:

- Goods and services are in short supply due to market conditions. The sources of supply are restricted to the extent that there is not effective price competition, or consideration of substitutes is precluded due to any of the following:



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- Components or replacement parts for which there is no substitute.
- There is only one Vendor who can provide the commodity by the specified date required.
- Specific standards are adopted by Council.

Goods and/or Services required at a location where a contractor has already been secured through a tender process, with established unit prices by another party and it is considered to be beneficial and cost effective to extend the unit prices for the work to be completed for the County;

RFP process has closed, it may be necessary for discussion to clarify and/or make significant revision(s) to the initially defined requirements of the call for quotations/proposals;

When only one bid/proposal is received through the procurement process and it is impractical to recall the requirements of the call for quotations/proposals;

There is documented evidence that the extension or reinstatement of an existing contract would prove most cost effective or beneficial.

12.3 Single Source

When there is more than one source in the open market, but for reasons of standardization, function or service, one Vendor is recommended for consideration of the particular commodity, such as:

- Compatibility with an existing product, facility or service is required; and
- The Vendor for function or service has skills related to and existing knowledge of the nature of the service.

The Department Head requesting a Sole or Single Source for goods and services with a value under \$30,000 must submit a cost-effective or beneficial justification report to the "Chief Administrative Officer" for approval.

If a department elects a Sole or Single Source for goods and services with a value of over \$30,000 the Department Head must submit a cost-effective or beneficial justification report to Council for approval.

12.4 Emergency Procurement

Notwithstanding the provisions of this policy, the following shall only apply in case of an emergency, when an event occurs that is determined by a Department Head or the CAO to be:

- A threat to public health;



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- In the best interest of the welfare of persons or of public property; or
- The security of the County's interests and the occurrence requires the immediate delivery of goods or services and time does not permit for competitive bids.

The above criteria are to be applied on the basis of:

Procurement under \$30,000:

Wherever feasible, the Purchasing Section of the Procurement Department, upon the recommendation of the Departmental Head shall secure by the most open market procedure at the lowest obtainable price, any goods and services required. A purchase order shall be issued.

Procurement over \$30,000:

The Departmental Head shall obtain the prior approval of the CAO. An information report shall be submitted to Council explaining the actions taken and the reason(s) therefore. A purchase order shall be issued.

13. Co-Operative or Joint Ventures

The County may participate with other Government agencies or public authorities in co-operative procurement/acquisition ventures or utilize a 'piggy back clause' within public sector contracts and consortiums whenever it is approved by the Director, Procurement, Facilities & Communication/Treasurer and CAO and is determined to be in the best interest of the County to do so and is within the approval levels set out herein.

14. Unsolicited Proposals

Unsolicited proposals received by the County shall be reviewed by the Departmental Head and Director, Procurement, Facilities & Communication/Treasurer. Any procurement activity resulting from the receipt of an Unsolicited Proposal shall comply with the provisions of this policy. A contract resulting from an unsolicited proposal shall be awarded on a non-competitive basis only if the procurement requirements fall within the Exemptions & Exceptions methods of acquisition.

In-House Bids

Council may direct that an in house bid be considered. The terms and conditions for such a bid will require approval by council prior to the issue of an in-house bid request. Any terms and conditions approved by council will be conveyed to any other bidders.



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15. Developer Financed Capital

Where a developer has requested in writing the use of a particular Vendor for services being performed on a project, for which the developer is funding the entire cost, no Procurement Process shall be required, providing the Vendor is acceptable to the County. Other requirements of this policy will apply including the establishment of a contract or purchase order with the developer's contractor.

16. Sponsorships & Donations

Where money from bequestors, sponsorships or donations is received by the County with a written request to use the money to fund all of the cost of the Purchase of specified Commodities from specified Vendors, no Procurement Process will be required, providing the Vendor is acceptable to the County. Other requirements of this policy shall apply, including the execution of a Contract with the Vendor.

17. Insurance Claims

Where an insurance claim has been made and a payment amount has been settled with the County, the Purchasing Section shall obtain pricing for replacement goods in accordance with the approval levels set out in this policy and shall report for approval to the CAO.

In the event that the Purchasing Section of the Procurement Department is not in agreement with the Departmental Head on the use of any of the above Exceptions or Exemptions the matter shall be referred to the CAO for approval.

18. Methods of Procurement

Notwithstanding any other provisions of this Policy, the acquisition of the items listed in the **List of Items Exempt from the Policy** do not fall under the guidelines of the Purchasing Policy and shall be subject to applicable Policies and Procedures established from time to time.

The Purchasing Section where a requirement for "goods and services" is to have an estimated annual or project value greater than \$1000.00 the "purchasing" section of the Procurement Department shall obtain "quotations", "tenders" or "proposals", conduct negotiations, evaluate bids, administer procedures, and recommend an award in accordance with the provisions of this Policy.

All "purchase orders" and "blanket purchase orders" issued by the Purchasing section will be approved and signed by appropriate department personnel, in accordance with Appendix "X" – Forms and Authorizations before being issued to "suppliers" and/or "contractors".



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Procurement of Goods and/or Services where the required product or service can be specified, (and such goods and services are not covered by a Blanket Purchase Order) it shall be acquired by Purchase Order.

Where it is estimated that the value of the goods and services, inclusive of all delivery charges will cost:

18.1 Low Value Purchase **a. \$0 to \$500**

Direct acquisition is acceptable (if no standing orders are in place)

Corporate Credit Card – Based on the approval of the Department Head and the Director, Procurement, Facilities & Communication/Treasurer, certain County employees are provided with corporate credit cards to be used solely for the purchase of goods and/or services for the County. The employee's immediate supervisor shall review and sign each employee's corporate credit card expense form, and the Procurement Department shall review all transactions for compliance.

It is recognized that with some suppliers the preferred method for procurement is invoicing. Employees with appropriate approval (per chart) and budgetary constraints, may purchase directly from a supplier, provided that an appropriate packing slip, receipt or invoice showing the transactions date, detail item description, number of units supplied, and the price per unit, is provided by the supplier. The packing slip, receipt or invoice shall be provided to the appropriate designated authority (supervisor/manager/director) and shall be submitted to the Procurement Department Accounts Payable section, which shall indicate that the supplier may be paid.

b. \$500 To \$1,000

For applicable purchases with an estimated annual or project value greater than \$500.00 and not exceeding \$1,000.00 or less, two "quotations" are desirable. "Quotations" may be obtained by the user departments, by telephone, fax, in writing, or by any other means of communication. "Purchase orders" may be used by user department for purchases less than \$1,000.00.

18.2 Request for Quotation – Informal

"Informal quotation" refers to a non written offer in response to a bid invitation. Informal quotations may be used when competitive sourcing for low value procurement would be uneconomical or would not attract bids.



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In addition to the goals in Section 4.0, the specific goal for an informal quotation is to accept the lowest bid meeting the requirements.

Purchases Greater Than \$1000.00, But Not Exceeding \$5,000.00

For applicable purchases with an estimated annual or project value greater than \$1,000.00 and not exceeding \$5,000.00, a minimum of two "quotations" are required. "Quotations" may be obtained by telephone, fax, in writing or by any other means of communication.

The "Purchasing" section of the Procurement Department shall obtain "quotations" and such "quotations" are to be recorded. User departments may forward a list of recommended "suppliers" to the "Purchasing" section as a reference. No report to Council is necessary.

The approved purchase shall be confirmed with a Purchase Order.

Purchases Greater Than \$5,000, But Not Exceeding \$10,000

For applicable purchases with an estimated annual or project value greater than \$5,000.00 and not exceeding \$10,000.00 a minimum of three written quotations" are required where possible (fax quotations are acceptable).

These purchases do not require formal advertising nor receipt of sealed Bids.

The "Purchasing" section of the Procurement Department shall obtain "quotations" and such "quotations" are to be recorded. After consultation with the appropriate "Department Head", an award shall be determined from such "suppliers" or "contractors".

No report to Council is necessary.

The approved purchase shall be confirmed with a Purchase Order.

Filing

A record of all "quotations" obtained shall be kept by the Department with a copy of the Purchase Order on file with the Purchasing Department.

18.3 Request for Quotation - Formal

"Formal Quotations" refers to a written offer, in a specified form, in response to a selected "bid" invitation.



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In addition to the goals in Section 4.0, the specific goal for a formal quotation is to accept the lowest bid meeting the requirements specified in the competition.

Purchases Greater Than \$10,000, But Not Exceeding \$30,000

For applicable purchases with an estimated annual or project value greater than \$10,000.00 and not exceeding \$30,000.00, at least three written "formal quotations" are required where possible and will be obtained from "suppliers" or "contractors". All such "formal quotations" are to be obtained, opened and awarded in accordance with the County Procurement Procedures document.

The Purchasing Section, in consultation with the initiating Department Head, shall issue a Formal Quotation and such "quotations" shall be opened by the "designated official" with a "Department Head" present. Results shall be analyzed and recorded.

Quotation Selection and Award

Where the quotation meets or exceeds specifications and offers the lowest overall cost to the "County" and is acceptable, an award shall be made, in accordance with the "acquisition process", following consultation with the appropriate "Department Head".

In the event that the "quotation" that meets or exceeds specification, terms and conditions of the "quotation" and provides the lowest overall cost to the "County" is not recommended or is in excess of the approved budgetary appropriation, a joint report and recommendation by the "designated official" and the appropriate "Department Head" is to be submitted to the "Chief Administrative Officer" who will make a decision.

In the event that only a single "quote" is received which meets or exceeds specification and terms and conditions of the "quote" and providing the expenditure is not in excess of the approved "budgetary appropriation", the "designated official" together with the appropriate "Department Head" shall report to the "Chief Administrative Officer". The "Chief Administrative Officer", or in his absence, the "Warden", shall approve the awarding of the "quote".

The approved purchase shall be confirmed with a Purchase Order.

No report to Council is necessary.

There may be requirements estimated at \$30,000 or less where, at the discretion of the Director, Procurement, Facilities & Communication/Treasurer and the respective Department Head, it will be more appropriate to solicit bids using a Request for Tenders or a Request for Proposals.



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Filing

A record of all "quotations" obtained shall be kept and filed by the "Purchasing" section of the Procurement Department.

18.4 Tender Process

"Tender" refers to a written offer, in a specified form, in response to a public invitation.

In addition to the goals in Section 4.0, the specific goal for a tender is to accept the lowest bid meeting the requirements specified in the competition.

Tender Call (Greater Than \$30,000)

For applicable purchases with an estimated annual or project value greater than \$30,000.00, sealed "Tenders" will be called. All such "tenders" are to be called, opened and awarded in accordance with the procedures detailed in the County Procurement Procedures document.

The "designated official" shall evaluate all "tenders" opened, consult with the appropriate "Department Head" and report the "tender" results, including a recommendation as to which, if any, "tender" should be accepted. The report shall include:

- A list of the "bidders" and their "Total" prices quoted;
- An indication as to which "tenders" do not comply with specifications, terms or conditions;
- Any minor variances in the "tender";
- An indication of "bids" which are improper and therefore rejected. The bid submissions are reviewed to determine whether a bid irregularity exists. Action is taken according to the nature of irregularity, Appendix "C".

Where the recommendation is for the "tender" meeting or exceeding specifications, terms and conditions of the "tender" and providing the lowest overall cost to the "County", the designated official" together with the appropriate "Department Head", shall report to the "Chief Administrative Officer". If in agreement with the recommendation, the Chief Administrative Officer, or in his absence, the "Warden", shall approve the awarding of the "contract" providing the expenditure is not in excess of the approved "budgetary appropriation". The "Chief Administrative Officer" will report to the first meeting each month to "Council" on the "contracts" awarded in the previous month.

In the event that the "tender" that meets or exceeds specification, terms and conditions of the "tender" " and provides the lowest overall cost to the "County" is not recommended or is in excess of the approved budgetary appropriation, a joint report and recommendation by the



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"designated official" and the appropriate "Department Head" is to be submitted to the "Chief Administrative Officer" and then to "Council" who will make a decision.

In the event that only a single "tender" is received which meets or exceeds specification and terms and conditions of the "tender" and providing the expenditure is not in excess of the approved "budgetary appropriation", the "designated official" together with the appropriate "Department Head" shall report to the "Chief Administrative Officer". The "Chief Administrative Officer", or in his absence, the "Warden", shall approve the awarding of the "contract".

In the event that only a single "tender" is received which meets or exceeds specifications and terms and conditions of the "tender", but which is not recommended or the amount tendered is in excess of the approved "budgetary appropriation", a joint report and recommendation by the "designated official" and the appropriate "Department Head" is to be submitted to the "Chief Administrative Officer" and then to "Council" who will make a decision..

Construction projects worth more than \$30,000.00, but less than \$150,000.00 may be awarded in the manner described for "Goods and Services" under section 18.4.

Construction projects worth \$150,000.00 or more are to be evaluated and reported on by the "designated official" and the appropriate Department Head to the "Chief Administrative Officer". A report setting out the results of the "tenders" and a recommendation as to which, if any, "tender" shall be accepted, is to be submitted to "Council" who will make a decision.

Filing

A record of all "tenders" obtained shall be kept and filed by the "Purchasing" section of the Procurement Department.

Upon Council's approval, the Purchasing Section shall ensure that a legally binding agreement is executed by the Warden and Clerk, or a purchase order or blanket order is issued.

18.5 Request for Proposal

This method of acquisition shall only be used for the solicitation of proposals when the requirements for goods and/or services cannot be definitely specified, the requirements of the County are best described in a general performance specification, and innovative solutions are sought. Depending on its' terms, the process may involve negotiations subsequent to the submission of proposals on any or all of the specifications, contract terms, and prices.

The Purchasing Section shall maintain a list of suggested evaluation criteria for assistance in formulating an evaluation scoring scheme using a standard Request for Proposal that includes factors such as price, qualification and experience, strategy, approach, methodology, scheduling, and past performance, facilities, and equipment. The Department Head shall



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identify appropriate criteria and weighting from the list but are not limited to the standard criteria. The Criteria and weighting shall be included in the RFP document.

An Evaluation Team shall be established for all Requests for Proposals in excess of \$10,000.00 and will consist of not less than three (3) members of County staff, but shall always consist of one representative of the Procurement Department at a minimum.

Conflict of Interest

No member of an Evaluation Team shall participate in the evaluation of an RFP if that member or any member of his or her immediate family:

- has direct or indirect financial interest in the award of the contract to any proponents
- is currently employed by, or is a consultant to or under contract to a proponent
- is negotiating or has an arrangement concerning the future employment or contracting with any proponent: or
- has an ownership interest in, or is an officer or director of, any proponent.

Proposals are formally opened in public and only the name of the bidders submitting responses to the Request for Proposal will be read. Details of the proposals or any financial information will not be publicly disclosed at the opening. If only one proposal is received, the Purchasing Section, in consultation with the Department Head, has the option of not opening the bid and closing the call for proposal.

Where the required goods or service cannot be specified and it is estimated that the value of the goods and services (including all taxes) cost:

\$10,000.00 or less

A written proposal must be acquired by the initiating Department.

No report to Council is required.

A purchase order must be issued.

The initiating Department must execute a contract.

\$10,000.00 to \$150,000.00

Written proposals shall be processed through the Purchasing Section and shall be advertised. Proposals will be evaluated on the basis of quantitative and qualitative criteria by the Evaluation Team.

No report to Council is required.

A purchase order must be issued.

The initiating Department must execute a contract.



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Over \$150,000.00

Written proposals shall be processed through the Purchasing Section and shall be advertised. Proposals will be evaluated on the basis of quantitative and qualitative criteria by the Evaluation Team. All such "formal proposals" are to be obtained, evaluated and awarded in accordance with the procedures detailed in the County Procurement Procedures document.

A joint report to Council is required from the Purchasing Section and the Issuing Department for Council consideration and approval. Upon Council's approval, a contract must be executed by the Warden and Clerk.

18.6 Expressions of Interest

A Department Head or the Purchasing Section may conduct a Request for Expression of Interest for the purposes of determining the availability of suppliers of any Good, Service or Construction and for the purposes of keeping a list of available suppliers (which shall be deemed to be the "goal" of the Request for Expression of Interest form of procurement). The submission of an Expression of Interest does not create any contractual obligation between the Corporation and the interested supplier. The submission of an Expression of Interest may be made a specific pre-condition of any other procurement procedure utilized by the Corporation. Expression of Interests (verbal and/or written) should be documented for recording, auditing and filing, and to be used for reference purposes.

18.7 Change Orders

When a change to the scope of a project is required; a Change Order Information/Approval form must be completed by the Issuing Department and forwarded to the Purchasing Department. Council and CAO approval is required prior to issuing of Change Orders that will result in the exceeding of the budgetary appropriation for a project.

18.8 Blanket Purchase Orders

Blanket Purchase Orders shall be utilized throughout the County for common purchases across all departments. The following is a list of common items that may be purchased on an annual blanket purchase order:

- Photocopier paper, office supplies, envelopes, printed matter
- Custodial supplies, cleaning detergents and garbage bags
- Safety items – gloves, harnesses, earplugs etc.
- Paper products – toilet paper, paper towels, etc.
- Printers and cartridges
- Cellular phones
- Office Furniture
- Computer (hardware/software)
- Photocopiers
- Coffee/beverages
- Water for coolers



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- Mat/rug rentals
- Uniforms/coveralls
- Consumables

The Purchasing department will gather annual volumes, specifications, delivery dates in order to establish the County's annual requirements throughout all departments in order to take advantage of volume discounting opportunities, standardization and enhanced terms and conditions.

18.9 Negotiation

Purchases by Negotiation

Purchases may be acquired through negotiation when any of the following conditions occur:

- Where there is only one source of supply for the "goods and services" to be purchased;
- Where no bids are received in a competitive process;
- When the required item is covered by an exclusive right such as a patent, copyright or exclusive license;
- Where the lowest "bid" received meeting specifications and "forms" terms and conditions is excessive and/or substantially exceeds the estimated "budget appropriation" cost and in the judgement of the "designated official" and the appropriate "Department Head" it is impractical to recall "formal quotations", "tenders" or "proposals";
- Where all "bids" received fail to meet specifications and/or "forms" terms and conditions but prices are within the estimated "budget appropriation" cost and in the judgement of the "designated official" and the appropriate "Department Head" it is impractical to recall "formal quotations", "tenders" or "proposals";

Where the extension of an existing "Blanket Purchase order" or contract would, in the judgment of the "designated official" and the appropriate "Department Head" provide more cost-effective or beneficial, providing such extension is approved by Council;

Negotiation Approvals

In accordance with 18.9, where such negotiations will result in the purchase of "goods and services" less than \$30,000, the "designated official" and the appropriate "Department Head" shall submit a report and recommendation to " the Chief Administrative Officer, or in his absence, the "Warden", shall approve the awarding.

In accordance with 18.9, where such negotiations will result in the purchase of "goods and services" in the excess of \$30,000, the "designated official" and the appropriate Department



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Head shall submit a report and recommendation to the appropriate "Council" for approval. Once approved, the "contract" is awarded.

Filing

A record of and notes from, all purchase negotiations shall be kept and filed by the "Purchasing" section of the Procurement Department.

19. Disposal of Surplus Items and Real Property

Any "real property" or "surplus items" belonging to the "county" and declared surplus shall be disposed of in accordance with the County Policy FI-4 – Disposal of County Assets.

20. Contracts/Agreements

Where a contract and or an agreement are required in addition to the Tender, Proposal or Formal Quotation documents; the contract and or agreement shall be submitted to the Director of Procurement, Facilities & Communication for review.

Contracts and or agreements that exceed \$10,000, other than the standard "Canadian Construction Document (CCDC)", and the "Agreement for Professional Consulting Services" must be submitted to the Director of Procurement, Facilities & Communication and may be submitted to legal counsel for review.

21. Complaints

Any complaint on the process and procedures outlined in this Policy shall be in writing and shall be submitted to the Chief Administrative Officer for review and response.

A complaint on the process and procedures related to the award of a tender, proposal or quotation must be submitted within seven (7) working days of the date of the award.



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Appendix A – List of Items Exempt from the Policy

The following items are excluded from the requirements of this Policy and therefore no quotations, tenders, proposals or purchase orders are required:

Petty Cash Items

Training and Education

- a. Conferences, Courses, Conventions and Seminars.
- b. Magazines, Books, Periodicals
- c. Memberships
- d. Staff training/development/workshops

Refundable Employee Expenses

- a. Advances
- b. Meal Allowances
- c. Miscellaneous - Non-Travel
- d. Travel and Entertainment

Employer's General Expenses

Payroll Deduction Remittances

Medicals

Licenses (Vehicle, Firearms, etc.)

Debenture Payments

Liability and Property and other forms of Insurance Premiums, Payments, and Adjusting Fees

Grants to Agencies

Employee Benefit Payments and Premiums

Petty Cash Replenishment

Building Lease Payments

Tax Remittances

Charges to and from Area Municipalities

Sinking Fund Payments

Real Estate Costs

Courier and freight

Charges to/from other Government or Crown corporations

General IT manufacturer's licensing and warranty agreements



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Professional and Special Services

Committee Fees

Payment to Social Agencies for Purchased Services

Temporary Help

Banking and Underwriting Services where covered by agreements

External Auditor Fees

Workplace Safety & Insurance Board payments

Legal Services

Electrical services

Heating services

Architectural services

Building maintenance services

Postage

Water and sewer charges

Hydro

Gas

Telephone/Cable/Internet Services

Railway Crossings

The acquisition of real property.

Advertisement



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Appendix B - Forms and Authorizations

Blanket Purchase Orders

"Blanket purchase orders" do not purchase goods; rather they set up a standing arrangement between the "County" and a selected "supplier".

"Blanket purchase orders" are issued to cover repetitive purchases from a selected "supplier".

"Blanket purchase orders" will only be renewed after obtaining the appropriate approvals required by this Policy.

"Blanket purchase orders" will be issued by the "Purchasing" section of the Procurement, Facilities & Communication Department when circumstances warrant them.

When a "blanket purchase order" has been issued, the Purchasing section will notify all departments of the "supplier" selected and the Blanket Purchase order number. All departments will then utilize that "supplier" until they are notified of a change in "supplier".

The "supplier" will be issued a "Purchase Order" by "Purchasing" which will note that the purchase is against a "blanket purchase order" and will quote the number of the "blanket purchase order".

Purchase order

A Purchase order, in a prescribed format, as determined by the Procurement, Facilities & Communication Department shall be utilized by the User Department.

Forms

"Forms", including, "purchase orders" and "blanket purchase orders" may only be approved and signed by a representative of the "County".

The representatives of the "County" authorized to approve "forms", as designated by the Chief Administrative Officer, for the purposes of this Policy are as follows:



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Authorizations

\$ Value and Type of Form	Mechanics	Coordinator	Executive Assistants	Supervisors	Department Managers	Purchasing Clerk	Department Heads	Chief Administrative Officer	Council
Less Than \$500									
Direct Acquisition	X	X	X	X	X	X	X	X	
Less Than \$1000									
\$1000 Purchase order		X	X	X	X	X	X	X	
Purchase order		X	X	X	X	X	X	X	
\$1000 to \$10,000									
Purchase Order					X	X	X	X	
Purchase order					X	X	X	X	
Blanket Purchase order					X	X	X	X	
\$10,000 to \$30,000									
Purchase Order						X	X	X	
Purchase order						X	X	X	
Blanket Purchase order						X	X	X	
\$30,000 to \$150,000									
Purchase Order								X	
Tenders & Proposals Contracts								X	
Blanket Purchase order								X	
Over \$150,000									
Purchase Order								X	X
Tenders & Proposal Contracts								X	X
Blanket Purchase order								X	X



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Appendix C - Bid Irregularity

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. The Purchasing clerk must reject any bid, which contains a major irregularity. The bidder will be notified of the rejection due to the major irregularity.

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 Purchasing Clerk may permit the bidder to correct a minor irregularity.

Mathematical Errors – Rectified by Staff

The Purchasing Clerk will correct errors in mathematical extensions and/or taxes, and the unit prices will govern. If, based on the corrected total the required bid deposit is insufficient, the bidder shall be notified and will be given 24 hours to rectify the issue or the bid will be automatically rejected.

Action Taken:

The Purchasing Clerk, the Director and CAO will be responsible for all action taken in dealing with bid irregularities, and acts 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 County may disqualify such vendor from participating in County quotations/tenders/requests for proposals for a period of up to one year.



County of Peterborough

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Schedule "A" to By-law No. 2013-68

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.	Execution of Bid Bonds: a. corporate seal or equivalent proof of authority to bind company or signature of the Bidder or both missing b. corporate seal or equivalent proof of authority to bind company or signature of Bonding Company missing	X		automatic rejection
6.	Other Bid Security: Cheque which has not been certified	X		automatic rejection
7.	Bidders not attending mandatory site meeting	X		automatic rejection
8.	Unsealed tender envelopes	X		automatic rejection
9.	Proper response envelope or label not used		X	acceptable if officially received on time
10.	Pricing or signature pages missing or not properly signed and executed	X		automatic rejection
11.	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



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Schedule "A" to By-law No. 2013-68

Bid Irregularities – Summary

Item	Description	Major	Minor	Action
				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
12.	Bid received on documents other than those provided in request	X		not acceptable unless specified otherwise in the request
13.	Execution of Bid Document proof of authority to bind is missing	X		automatic rejection
14.	Bids containing minor clerical errors		X	1 working day to correct initial errors. County reserves the right to waive initialling and accept bid
15.	Un-initialled changes to the request documents which are minor (i.e.; the bidder's address is amended by overwriting but not initialled)		X	1 working day to correct initial errors. County reserves the right to waive initialling and accept bid
16.	Alternate items bid in whole or in part		X	available for further



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Bid Irregularities – Summary

Item	Description	Major	Minor	Action
				consideration unless specified otherwise in request
17.	Unit prices in the schedule of prices have been changed but not initialled		X	1 working day to correct initial errors. County reserves the right to waive initialling and accept bid
18.	Other mathematical errors which are not consistent with the unit prices		X	1 working day to initial corrections. Unit prices will govern.
19.	Pages requiring completion of information by vendor are missing		X	1 working day to provide upon request
20.	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
21.	When a document fee is requested, respondents must have previously purchased the respective bid document and be on the corresponding plan takers list	X		automatic rejection
22.	Tendered item does not meet mandatory specifications	X		automatic rejection

Note: The above list of irregularities should not be considered all inclusive. The Purchasing Clerk, in consultation with the requisitioning department will review minor irregularities not listed. The Purchasing Clerk may then accept the bid, or request that the bidder rectify the deviation.