

Policy: Procurement Policy

Main Contact: Treasurer

Last Revision: September 2022

[Policy Statement](#)

[Background](#)

[Definitions](#)

[Policy Requirements](#)

[Monitoring](#)

[Authority](#)

[Contact](#)

[Change History](#)

Policy Statement

The Town of Renfrew is committed to ensuring the most cost-effective methods are utilized to acquire goods and services for the Town.

Background

This policy ensures that the prices paid for goods and services make optimum use of Town resources, while supporting the fair and consistent treatment of all vendors who are involved in the procurement process. The policy also establishes delegated authority related to procurement matters.

Definitions

“Acquisition” shall mean the process used for obtaining goods and services.

“Agreement” or “Contract” shall mean any formal or deliberate written agreement for the purchase of goods, services, equipment, or construction that binds the Town and the parties involved, subject to the provisions of the agreement.

“Approval” shall mean authorization to proceed with purchase or disposal of goods and/or services.

“Award” shall mean authorization to proceed with the purchase of goods, services, or construction from a chosen supplier.

“Best Value” shall mean the optimal balance of performance and cost determined in accordance with a pre-defined evaluation plan.

“Bid” shall mean an offer or submission from a supplier in response to a bid solicitation.

“Bid Deposit” shall mean currency, certified cheque, bank draft, bond surety issued by a surety company or other form of negotiable instrument submitted by a bidder as evidence of their commitment to enter into a Formal Agreement to do the work outlined in the Bid Solicitation.

“Bid Irregularity” shall mean a deviation between the requirements (terms, conditions, specifications, special instructions) of a bid request and the information provided in a bid response.

“Bid Request” shall mean a written request for bids or a solicitation, which may be in the form of a Request for Quotation, Request for Tender, or Request for Proposal.

“Bid Solicitation” shall mean a formal request for Bids, including a Request for Quotation, Request for Tender, Request for Proposal, or Request for Pre-Qualification.

“Budget” shall mean the approved capital and operating Town budget approved by Town Council for the fiscal year.

“Chief Administrative Officer or CAO” shall mean the senior official of the Town of Renfrew responsible for exercising general control and management of the affairs of the Town for the purpose of ensuring the efficient and effective operation of the Town.

“Clerk” shall mean the Municipal Clerk for the Town of Renfrew or in their absence or through delegated authority the Deputy Clerk or designate.

“Confidential Information” shall mean all information of the Town that is confidential in nature, including all Confidential Information in the custody or control of the Town, regardless of whether it is identified as confidential or not, and whether recorded or not, and however fixed, stored, expressed, or embodied. For greater certainty, Confidential Information shall include:

- a. All new information derived at any time from any such information whether created by the Town or Vendor or any third party.
- b. All information considered by Council in camera/closed session.
- c. All information (including personal information) that the Town is obliged, or has the discretion, not to disclose under provincial or federal legislation or otherwise.

“Construction” shall mean construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, the supply of products and materials and the supply of equipment and machinery if they are included

in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering or architectural work, but does not include professional services related to the construction contract unless they are included in the procurement.

“Contingency” shall mean funds identified to cover events that may occur in the future, that is unexpected or arise due to a problem, emergency, or related expense that might arise and needs to be dealt with, and therefore must be prepared for.

“Cooperative Purchasing” shall mean coordination of Town purchases with other municipalities or non-profit organization in order to realize economies of scale.

“Corporate Credit Card” shall mean a credit card issued to users as a system of payment.

“Corporate Signing Officer” shall mean the Mayor, Reeve, CAO, Clerk, Deputy Clerk, Treasurer and Deputy Treasurer.

“Corporation” shall mean the Corporation of the Town of Renfrew.

“Council” shall mean the Council of the Corporation of the Town of Renfrew.

“Disposal” shall mean the removal of materials owned by the Town which are deemed surplus, by sale, trade-in, auction, alternative use, gift, or destruction.

“Eligible Bid” shall mean a bid that has been found to have met specific mandatory requirements (procedural and substantive), does not give rise to any conflict of interests, and has not been submitted by a vendor that has been removed from consideration for contracts in accordance with the Town’s Vendor Disqualification Policy.

“Emergency” shall mean an operational situation or condition, other than a declared emergency, which, in the opinion of the Chief Administrative Officer and Treasurer could affect the health and safety of the public impact the welfare of public or private property or Town infrastructure, or seriously impact service delivery and the restoration of essential services to a minimum acceptable level.

“Evaluation Committee” shall mean a committee of staff and/or consultants established to evaluate Proposal submissions according to the Evaluation Criteria and are comprised of staff from the originating department and, may include a member(s) from another department.

“Evaluation Criteria” shall mean the criteria used in the Request for Proposals to determine which Proposal best meets the Town’s needs, and which may include, but are not limited to: company background, project team and manager, related experience, availability for duration of the works, comprehension, understanding and approach,

planning and resources required, innovation, schedule of fees/pricing, quality of service, compatibility, product reliability, operating efficiency and other factors deemed appropriate.

“Expanded Works” shall mean approved construction projects in which an unexpected problem arises during construction which expands the scope of the project and is necessary in order to deliver the original approved work.

“Expression of Interest” (EOI) shall mean a situation where vendors are solicited by the Town to advise the Town of their ability or desire to undertake municipal requirements. Receipt of an Expression of Interest by the Town does not create any obligation between the potential vendor and the Town but may be precondition to qualifying for subsequent bid solicitations issued by the Town.

“Extension” shall mean an amendment to a contract which has the effect of increasing the value of the contract in funds, increasing the scope of work and/or extending the term of contract.

“Fair Market Value” shall mean the price that would be agreed to in an open and unrestricted market between knowledgeable and willing parties dealing at arm’s length, who are fully informed and not under any compulsion to transact.

“Follow-On Contract” shall mean a contract, which represents an extension to a contract, which was previously awarded to a supplier, contractor, or consultant.

“Goods and/or Services” shall mean all tangible and intangible property including, but not limited to, supplies, products, wares, merchandise, materials, equipment, property insurance, maintenance, professional and consulting services, and service contracts not otherwise provided for.

“Holdback” shall mean an amount withheld under the terms of a contract other than the “Statutory Holdback” to ensure the complete performance of the contract and to avoid overpayment in relation to progress of work.

“Municipality” or “Town” shall mean the Corporation of the Town of Renfrew.

“Non-Standard Result” shall mean a result in a procurement in which bids are submitted and any of the following has occurred or is likely to occur:

- a. No eligible bids are received.
- b. Less than two eligible bids are received.
- c. Another procurement process would have resulted in successful completion of the procurement in the determination of the Treasurer based on the bid results.

“Opening Team” shall mean a group charged with opening bids with representation from the following or their designate: Department Head, Treasurer, and Clerk. The CAO, Mayor and Members of Council may also participate.

“Payment Bond” shall mean a form of security purchased from an insurance company, which provides a guarantee that the contractor will pay the complete costs of labour, materials, and other services related to the project for which he is responsible under the Contract for construction.

“Performance Bond” shall mean the type of security furnished to the Town to guarantee completion of the work in accordance with the Contract and to the extent provided in the bond.

“Privilege Clause” shall mean the standard clause used in bid documents and advertising that reads in part “the lowest or any tender not necessarily accepted”.

“Professional and Consulting Services” includes architects, appraisers, auditors, engineers, designers, planners, surveyors, management and financial consultants, brokers, legal services, and any other professional and consultant having specialized services rendered on behalf of the Town.

“Progress Payment” shall mean a payment made under the terms of a contract after the performance of the part of the contract in respect of which payment is made but before the performance of the whole contract.

“Request for Pre-Qualification” (RFPQ) shall mean a request with specific qualifications criteria which will be used to identify and pre-select vendors; criteria must be clearly established and verified prior to bidding, and may include, but are not limited to, experience, financial strength, background, and qualifications.

“Purchase Order” shall mean a written offer to purchase goods and services or a written acceptance of an offer where such offer has been made on forms prescribed by the Town.

“Request for Proposal” (RFP) shall mean an offer to provide goods and/or services to the Town, where it is not practical to prepare precise specifications, or where ‘alternatives’ to detailed specifications will be considered, which may be subject to further negotiation. This process allows vendors to propose solutions to arrive at the end products and allows for evaluation criteria other than price.

“Request for Quotation” (RFQ) shall mean an offer to sell goods and services to the Town or an offer to purchase surplus goods from the Town.

“Request for Tenders” (RFT) shall mean an offer received by the Town from a supplier of goods and /or services, for an offer to purchase surplus goods from the Town, in response to a public advertisement requesting tenders sealed in an envelope.

“Security Deposit” shall mean a deposit of securities by a supplier that the Town may convert under defined conditions to complete the supplier’s contractual obligations.

“Single Source” shall mean there is more than one source in the open market but for reasons of function or service one vendor is recommended for consideration of the particular goods and/or services.

“Sole Source” shall mean that a good or service is unique to a particular vendor and cannot be obtained from another source.

“Standing Committee” shall mean a committee of Council comprised of members of Town Council.

“Standing Offer” shall mean an offer from a supplier that allows the Town to purchase frequently ordered goods, services, or construction from suppliers at prearranged prices, under set terms and conditions, when and if these are requested but no contract exists until the Town places an order against the Standing Order.

“Statutory Holdback” shall mean the amount retained by the Town in accordance with the requirements of the Construction Lien Act R.S.O. 1990, Chapter C.30 as amended.

“Treasurer” is the Treasurer for the Town of Renfrew or in their absence or through delegation of authority the Deputy Treasurer or designate.

“Two-Envelope Proposal” shall mean a submission in response to a Request for Proposal or Request for Tender where two separate envelopes are submitted, with technical and qualitative information shown in the first envelope and the bid price in the second. This approach is used to evaluate the technical and qualitative information of a given proposal without being influenced by prior knowledge of the corresponding pricing information.

“Unsolicited Proposal” shall mean an offer to supply a good or service which was not requested.

“Vendor” shall mean an individual or organization that may offer goods, services or construction to the Town including but not limited to contractors, consultants, suppliers, and service organizations.

“Verbal Quotation” shall mean 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 requisition form.”

Policy Requirements

The policies and practices contained herein shall apply to all employees of the Corporation of the Town of Renfrew and those Boards and Commissions that fall under the Municipal Act unless a separate policy is adopted by those Boards and Commissions.

1. Purpose

The Purpose of this Procurement Policy is to:

- a) Procure by purchase, rental or lease the required and optimum quality and quantity of goods and/or services, including professional and consulting services, in an efficient, timely and cost-effective manner.
- b) Provide a process for the most efficient and effective use of municipal funds.
- c) Encourage an open and competitive bidding process for the acquisition and disposals of goods and/or services, and the objective and equitable treatment of all vendors.
- d) To coordinate purchases on a municipal-wide basis or with municipal partners when appropriate to obtain volume discounts and best possible price.
- e) Ensure openness, accountability and transparency while protecting the financial best interests of the Town. The Town will ensure that its needs for goods, services and construction are met through a fair acquisition process that is based on the highest degree of competition, efficiency, and effectiveness.
- f) Provide clear direction and accountabilities for Council, staff and vendors involved in the process and to delegate the appropriate level of authority to enable Town departments to meet service requirements while preserving appropriate purchasing policies and practices.
- g) Consider environmental and ethical considerations in purchasing decisions where possible and to encourage the use of environmentally friendly goods and services.
- h) Consider the total procurement value rather than the lowest bid while preserving best value for municipal dollars. This includes, but is not limited to such factors as repairs, staff training, suitability, comparability, warranty, disposal, and lifecycle costs.
- i) Promote, and incorporate, wherever possible, the requirements of the *Ontarians with Disabilities Act, 2001* (ODA), the *Accessibility of Ontarians with Disabilities Act, 2005* (OADA), and specifically, *Ontario Regulation 191/11* made under the *Accessibility for Ontarians with Disabilities Act, 2005* in procurement activities of the Town, and in cases where it is deemed not practicable to incorporate accessibility criteria features in procurement activities, an explanation shall be provided upon request.

- j) Ensure the Town will not adopt or maintain any measures that would differentiate between vendors, or goods or services or construction, based on geographic location except as allowed by legislation.

2. Roles and Responsibilities

The Procurement Policy is administered by the Treasurer for the Town of Renfrew.

- a) Department Heads have responsibility for procurement activities within their department and are accountable for achieving the specific objectives of the procurement project with the assistance of the Treasurer or designate.
- b) The Chief Administrative Officer and Department Heads have the authority to award contracts in the circumstances specified in this Policy provided that the delegated power is exercised within the limits prescribed in this Policy, and the requirements of this Policy are met.
- c) The Treasurer shall inform Council when/if non-compliance with this Policy has occurred.
- d) Department Heads have the authority not to award a contract and shall submit recommendations to Council for approval as required under this Policy.
- e) No employee shall not order goods and services that have not been provided for in the current budget estimates or which generally exceed budget, except when a good or service is considered an emergency or if approval was sought from Council.
- f) No employee or elected official shall purchase or offer to purchase, on behalf of the Town, any goods and services, except in accordance with this Policy.
- g) No requirement for goods and services may be divided into two or more parts to avoid the application of the provisions of this Policy.
- h) Any employee who intentionally and knowingly acquires or disposes of any goods and services for the Town in breach of Municipal policies, shall be subject to progressive disciplinary actions.
- i) Department Heads shall reject all purchase acquisitions for services where the service could result in the establishment of an employee-employer relationship.
- j) Department Heads shall not award a contract where it has been determined that the provisions in this Policy have not been adhered to.

3. Prescribed Council Approval

3.1 As part of the annual budget process, staff are to provide a detailed explanation for any capital item over \$20,000, including all costs, expected funding source, impact on the number of Full-Time Equivalents, and operational impact. A sample form is included as Appendix "D".

3.2 Despite any other provision of this Policy, the following contracts are subject to Council approval and report to Council:

- a) Any contract requiring approval from the Ontario Lands Tribunal.
- b) Any contract prescribed by Statute to be made by Council.
- c) Where the proposed cost exceeds 10% or is not in the Council-approved budget.
- d) When a Request for Tender is not awarded to the lowest compliant bid.
- e) When a Request for Proposal (RFP) is not being awarded in accordance with the evaluation methodology set out in the RFP.
- f) When there are Provincial and Federal government requirements for Council approval.
- g) Where the revenue amount proposed for acceptance is lower than the Council approved departmental estimates by 10% or more.
- h) Where a substantive objection emanating from the Bid Solicitation has been filed with the Department Head or Treasurer.
- i) Where a major irregularity precludes the award of a tender to the supplier submitting the lowest responsive bid.

4. Expenditure Authority and Procurement Methods

- a) Where the required product or service can be specified (and such goods and services are not stocked) a Purchase Order may be required to initiate the Procurement Method.
- b) Determining the Procurement method shall be based on the estimated value of the goods and services to be purchased, including delivery charges, less any rebates.
- c) The Department Head shall ensure that a legally binding agreement is executed by the Mayor and Clerk or designates for those expenditures awarded by Council.
- d) Only those members of staff indicated below have the authority to procure goods and/or services within the limits set out in the chart below:

Expenditure	Procurement Method	Authority Level
\$500 or less	Petty Cash	Authorized employees
Under \$5,000	Credit Card/Purchase Order	Authorized employees
\$5,000 to \$20,000	Request for Quotation – Informal Purchase Order	Authorized employee + Department Head
\$20,001 to \$50,000	Request for Quotation – Written	Department Heads + Treasurer or CAO

Expenditure	Procurement Method	Authority Level
\$50,001 to \$99,999	Request for Proposal Request for Tender Request for Standing Offers	Chief Administrative Officer + Treasurer
\$100,000 or more	Request for Proposal Request for Tender Request for Standing Offers	Council Approval

- e) For procurement authorized by staff between \$20,001 and \$99,999, a summary list will generally be provided to the appropriate Standing Committee with responsibility for financial services monthly or as practicable.
- f) Regular updates will generally be provided to the appropriate Standing Committee with functional oversight of the responsible department monthly or as practicable for any capital or other project with a value greater than \$100,000. A sample form is included as Appendix “D”.

5. Notification Requirements

a) Procurement Notices

The information shall include at least the following:

- A brief description of the procurement contemplated
- The place where a person may obtain information and bid documents
- The conditions for obtaining bid documents (if any)
- The place and method for bids to be sent
- The date and time limit for submitting bids
- The proposal processes
- The time, place, and method of the opening of the bids in the event of a public opening
- The planned award date any conditions of such award.

b) Publication of Award Information

For Requests for Tenders and Proposals, publication of award information is required within 60 days after the award with the following information:

- Description of the goods/services/construction procured
- Name and address of successful supplier
- Value of the successful tender or the highest and lowest offers considered in the award of the contract
- Type of procurement method used and justification if limited tendering was used.

c) Request for Quotation (RFQ)

Formal advertising is required for procurement with an estimated value greater \$20,000 and more.

d) Request for Tenders (RFT)

- Requires that an advertisement be placed in at least one local newspaper with circulation in all or a major portion of the county. Notice must also be placed on the Town of Renfrew website. Use of electronic bidding tools, such as Biddingo or Merx, is encouraged.
- If the required expertise is outside of the county, the Department Head may advertise in the other Daily Commercial Newspapers or trade publications.
- The Department Head may invite qualified firms.

e) Request for Proposals (RFP)

- Requires that an advertisement be placed in at least one local newspaper, with circulation in all or a major portion of the county. Notice must also be placed on the Town of Renfrew website. The Department Head may elect to use this process for projects valued at less than \$50,000. Use of electronic bidding tools, such as Biddingo or Merx, is encouraged.
- If the required expertise is outside of the county, the Department Head may advertise in the other Daily Commercial Newspapers or trade publications.
- The Department Head may invite qualified firms.

f) Request for Standing Offers (RFSO)

Requires that an advertisement be placed in at least one local newspaper with circulation in all or a major portion of the county. Notice must also be posted on the Town of Renfrew website. Use of electronic bidding tools, such as Biddingo or Merx, is encouraged.

6. Procurement Method

a) Purchase of \$500 or less

A Department Head shall have the authority to establish a Petty Cash fund in such an amount to meet the requirements of the Department for the acquisition of goods, services or construction having a value of \$500 or less.

Expenditures not exceeding \$500 including purchases of goods, services and construction may be made from Petty Cash in any one instance. Petty Cash should only be used when it is not feasible to use a Purchase Order.

All Petty Cash disbursements shall be evidenced by vouchers and shall be processed through each Department.

A Department Head may delegate their authority to a designate, provided the designate follows the requirements set out in this Policy.

b) Purchase Under \$5,000

Used when goods, services or construction are expected to cost more than \$500 but less than \$5,000. They are required on a one-time basis. Price comparison shall be sought, or two informal quotes shall be obtained through phone, supplier advertisements, supplier catalogues or other similar communication methods, where practical. Price is the primary factor and may be negotiated.

A Department Head may delegate their authority to a designate, provided the designate follows the requirements set out in this Policy.

c) Purchase Not Exceeding \$20,000

Payment for purchases of goods, services or construction not exceeding \$20,000 in value, incurred in the general administration of a department, may occur using a Purchase Order.

A Department Head must be able to demonstrate that fair market value was achieved and that a minimum of two verbal or written quotes were obtained.

d) Purchase Not Exceeding \$50,000 – Request for Quotation

Request for Quotation (RFQ) is typically awarded to the lowest priced bidder who satisfies all specifications/requirements included in the Request for Quotations.

It shall be a sealed bid process. A bid deposit shall be required unless the Department Head, in consultation with the Treasurer, has determined that it is not applicable or required. If a bid deposit is required, the bid deposit must be at least 10% of the bid price before taxes unless the Department Head, in consultation with the Treasurer, has deemed it to be in the Town's best interest to be some other value. Some form of Surety may be requested to be provided by the successful bidder.

Requirements estimated at \$50,000 or less, should be handled by the Request for Quotation procedure; however, there may be requirements where it will be more appropriate to solicit bids using a Request for Pre-Qualification, an Expression of Interest, a Request for Tender, a Request for Proposal, or a Request for Standing Offer.

Request for Quotation requires a reply by a specified date and time. Quotations received after such date will automatically be disqualified and returned to the bidder.

The Request for Quotation must be sent to at least three suppliers, where applicable/possible.

There will be a Public Opening to read out the names of the Bidders and the total price excluding applicable taxes. No other information will be released at that time. Where sub-totals are required, they may also be read out, at the option of the Town, but line by line pricing will not be made public.

Any requested bid deposits, security or bonds must be included with the submission. Bids are to be signed by a Corporate Officer, authorized to bind the Corporation.

If only one bid is received, the Department Head may exercise the right to cancel the call for quotations.

In advance of solicitation, the Department Head shall be responsible for the development of specifications, terms and conditions for the purchase of goods, services or construction.

Department Heads may award contracts emanating from a Request for Quotation not exceeding \$50,000 provided that:

- i) Sufficient funds are available and identified in appropriate accounts within Council-approved departmental estimates, including authorized revisions. Any overages do not exceed 10%; and
- ii) The award is to the lowest responsive bidder, provided the provisions of this Policy are followed; and
- iii) The concurrence of the Treasurer is received in writing.

Written documentation respecting the award of the contract is to be kept in the procurement file.

e) Request for Tender

Request for Tender is typically awarded to the lowest priced bidder who satisfies all specifications/requirements included in the Request for Tender.

It shall be a sealed bid process.

A bid deposit shall be required unless the Department Head, in consultation with the Treasurer, has determined that it is not applicable or required. If a bid deposit is required, the bid deposit must be at least 10% of the bid price before taxes unless the Department Head, in consultation with the Treasurer, has deemed it to be in the Town's best interest to be some other value. Some form of Surety may be requested to be provided by the successful bidder.

Requirements estimated at \$50,001 or more, should be handled by the Request for Tender procedure; however, there may be requirements where it will be more appropriate to solicit bids using a Request for Pre-Qualification and Expression of Interest.

Tenders require a reply by a specified date and time. Tenders received after such date will automatically be disqualified and returned to the bidder.

The Request for Tender must be sent to at least three suppliers, where applicable/possible.

There will be a Public Opening to read out the names of the Bidders and the total price excluding applicable taxes. No other information will be released at that

time. Where sub-totals are required, they may also be read out, at the option of the Town, but line by line pricing will not be made public.

Any requested bid deposits, security or bonds must be included with the submission.

An Evaluation Team shall be established to review all Tenders against pre-established criteria and reach consensus on the final rating results. The final rating results with supporting documents are to be kept in a procurement file.

A Request for Tender shall be used for purchases exceeding \$50,000, where all of the following criteria apply:

- i) two or more sources are considered capable of supplying the requirement
- ii) the requirement is adequately defined to permit the evaluation of tenders against clearly stated criteria
- iii) sufficient funds are available and identified in appropriate accounts within Council approved departmental budgets, including authorized revisions
- iv) it is intended to accept the lowest responsive tender.

The Chief Administrative Officer with the concurrence of the Treasurer may award contracts emanating from a Request for Tender that are greater than \$50,000 but less than \$100,000 provided that:

- i) Sufficient funds are available and identified in appropriate accounts within Council-approved departmental estimates, including authorized revisions. Any overages do not exceed 10%; and
- ii) The award is to the lowest responsive bidder, provided the provisions of this Policy are followed; and
- iii) The concurrence of the Treasurer is received in writing.

Awards \$100,000 or greater require endorsement from the appropriate Standing Committee and approval by Council.

f) Request for Proposal

In advance of solicitation, the Department Head and/or their designate, shall develop terms of reference and evaluation criteria to be applied to assessing the Proposals submitted.

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 multi-step procedure may be used that would include a pre-qualification stage, to ensure the workload is at a manageable level.

Request for Proposal is typically awarded to the bidder who satisfies all specifications /requirements included in the Request for Proposal and achieved the highest score.

It shall be a sealed bid process.

A bid deposit shall be required unless the Department Head, in consultation with the Treasurer, has determined that it is not applicable or required.

Requirements estimated at \$50,000 or more, should be handled by the Request for Proposal procedure; however, there may be requirements where it will be more appropriate to solicit bids using a Request for Pre-Qualification and Expression of Interest.

Proposals require a reply by a specified date and time. Proposals received after such date will automatically be disqualified and returned to the bidder.

They are not formally opened in public as only the names of the Proponents are recorded at the opening.

If only one proposal is received, the Department Head may exercise the right to cancel the call for proposals.

Negotiations with Proponents after submission and before award of the contract are acceptable.

The Request for Proposal process is designed to select the proposal that earns the highest score in accordance with the Evaluation Criteria.

An Evaluation Team shall be established to review all Proposals against pre-established criteria which are clearly identified in the Request of Proposal document. They will reach consensus on the final rating results. The final rating results with supporting documents are to be kept in a procurement file.

A two-envelope process may be implemented where the Department Head deems it appropriate.

The Chief Administrative Officer with the concurrence of the Treasurer may award contracts emanating from a Request for Proposal that are greater than \$50,000 but less than \$100,000 provided that:

- i) Sufficient funds are available and identified in appropriate accounts within Council-approved departmental estimates, including authorized revisions. Any overages do not exceed 10%; and
- ii) The award is to the lowest responsive bidder, provided the provisions of this Policy are followed; and
- iii) The concurrence of the Treasurer is received in writing.

Awards \$100,000 or greater require endorsement from the appropriate Standing Committee and approval by Council.

g) Request for Standing Offers

Standing Offers are to be used when one or more department repetitively orders the same goods or services and the actual demand is not known in advance. Or a need is anticipated for goods, services and/or construction for a specific purpose, but the actual demand is not known at the outset, and delivery is to be made when a requirement arises.

Each department shall establish and maintain Standing Offers that define source and price with specified suppliers for all frequently used goods and services.

To establish prices and select sources, the department shall employ the provisions contained in the Policy for the acquisition of goods, services and construction.

More than one supplier may be selected, where it is in the best interest of the Town and the bid solicitation allows for more than one.

In a Request for Standing Offer, the expected quantity of the specified goods and 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.

h) Negotiations

When conditions dictate, negotiations for goods or services may proceed when the following conditions apply:

- i. Goods or services are judged to be in short supply due to market conditions.
- ii. Where there is only one known source for the goods or services (sole source).
- iii. When two or more identical bids have been received, local preference may be applicable.
- iv. Where the lowest bid received that meets specifications is excessive in total cost or substantially exceeds estimated costs by 10% or more.
- v. When all bids received fail to meet the specifications or terms and conditions, and it is impractical to recall tenders or quotations.
- vi. When a single source is being recommended because it is more cost effective or beneficial to the Town.
- vii. A time-sensitive situation.
- viii. Expanded or coordinated works.

i) Sole Source Procurement

Purchases may be made from a sole source where:

- i. Goods and services are in short supply due to market conditions.
- ii. The compatibility of a purchase with existing equipment and/or facilities is a paramount consideration and that purchase must be made from a single source.
- iii. An item is purchased for testing or trial use.
- iv. A product is leased or rented by the Town with a credit purchase option, and such purchase would be beneficial to the Town.
- v. There is documented evidence that the extension or reinstatement of an existing contract would prove more cost effective or beneficial (to a maximum of 25% of the original contract).

- vi. Work is required at another location and a contractor has already been secured through a tender process, with established unit prices and it is a beneficial and cost effective to extend the unit prices for the work to be completed on a similar job.
- vii. Where carrying out of the work by a contractor other than the contractor who did the original work would nullify the warranty or guarantee held.
- viii. When no bids were received in a competitive process.
- ix. Where goods and consulting services regarding matters of confidential or privileged nature are to be purchased and the disclosure of those matters through an open competitive process could reasonably be expected to compromise confidentiality, cause economic disruption or otherwise be contrary to public interest.
- x. The consideration for a purchase is to be paid by a third party and that the third party agrees to or designated the contractor.
- xi. There is only one known source of supply of goods and services.

Sole Source Procurement purchases less than \$50,000 require approval by the Department Head with concurrence of the Treasurer or CAO

Sole Source Procurement purchases greater \$50,000 or greater require Council approval.

7. Pre-Qualification of Bidders and/or Expression of Interest

For any of the purchasing methods listed in this Policy, a pre-qualification process may be used where the Authorized person wishes to ensure that Suppliers have the necessary experience, qualifications, and resources to provide the goods, services or construction anticipated to be procured. The selection of Bidders to proceed to a procurement method by way of a pre-qualification shall not create any contractual obligation between the Town and a pre-qualified Supplier. When utilized, the Request for Pre-Qualification is a precursor to a Request of Quotations, a Request for Tenders or a Request for Proposals.

Department Heads may conduct a request for Expression of Interest to determine the availability of any goods and services, and for the purposes of keeping a list of available pre-qualified vendors.

When a Request for Pre-Qualification is issued, a pre-qualification bid document shall be provided to potential bidders setting out the criteria for pre-qualifications, which will include, at a minimum:

- a) experience of similar work
- b) references provided by the bidder for similar work
- c) verification of applicable licenses and certificates
- d) financial capability
- e) capacity to fulfill the contract requirements
- f) the facilities and/or equipment to perform the work, and
- g) insurance coverage.

Vendor submissions will be evaluated, ranked, and a list of prequalified vendors will be established.

The Town reserves the right to remove a Contractor from the pre-qualification list pursuant to the Vendor Disqualification process.

8. Minimum Standards & Requirement for Tenders

The following are the minimum procedures that apply to the acquisition of commodities (except consultant services) by Tender. These requirements will be enforced by Department Heads with oversight from the Treasurer or designate

a) Advertising

Unless vendors have been pre-qualified, and to attract as many competitive bidders as possible, all Request for Tenders, Request for Proposals and/or Request for Standing Orders will be advertised in at least one local newspaper with circulation through a major portion of the County and notice will be placed on the Town of Renfrew website. Use of electronic bidding tools, such as Biddingo or Merx, is encouraged.

Where possible, at least fifteen days' notice shall be given between the date of the advertisement / notice and the closing date of the Tender.

b) Release of Tender Documents

- i. Tender Document Statement: all Tender documents shall contain the following statement "The lowest or any Tender will not necessarily be accepted and the Town reserves the right to award any portion of this Tender" or words to that effect.
- ii. Bond Agreement: where a performance and/or maintenance bond and/or labour and material payment bond is required, the Tender document must contain an "Agreement to Bond" to be executed by the Bidder and returned with the Bid.
- iii. Bid Surety Requirements: Bid deposits are guarantees that a Bidder will enter into a Contract with the Town.
- iv. Bid Deposit Requirements: Where deemed necessary by the Department Head and Treasurer or where labour and material are involved, a bid deposit is required in the amount specified in the tender documents. Bid deposits must be cash, certified cheque, bank draft, money order, irrevocable letter of credit. Any tender received without the required bid deposit shall be disqualified.
- v. Performance and Maintenance Bonds: Performance bonds guarantee performance of the terms of the Contract. This bond protects the Town from financial loss should the Vendor fail to perform the Contract in

accordance with its terms and conditions. Maintenance bonds provide upkeep of a project for a specified period of time after the project is completed. This bond guarantees against defective workmanship or materials.

Where deemed necessary by the Department Head and Treasurer or where the Town could experience significant financial loss should a Vendor's failure to perform the Contract within the terms and conditions of the Contract, a performance bond is required.

Where deemed necessary by the Department Head and Treasurer or where the Town could experience significant financial loss or other harm as a result of defective workmanship or materials, a maintenance bond is required.

Performance and/or maintenance bonds must be in the amount of one hundred (100%) percent of the total Contract price.

- vi. Labour and Material Payment Bonds: Labour and material payment bonds are guarantees that the Vendor will make payment for obligations under the Contract for subcontractors, labourers, and materials suppliers associated with the project.

Where deemed necessary by the Department Head and Treasurer or where the Town could experience significant financial loss should a Vendor fail to pay its obligations under the Contract for subcontractors, labourers, and materials suppliers associated with the Contract, a labour and material payment bond shall be required.

Labour and Material Payment Bonds shall be in the amount of fifty (50%) percent of the Total Award Price.

- vii. Insurance: Where deemed necessary by the Department Head and Treasurer or where the Town could experience significant financial loss, the Tender shall require that an insurance certificate be provided. The insurance coverage must be a minimum of two million (\$2,000,000) dollars in liability, bodily injury and property.

The policy will require that the Town be added as an additional named insured (for the project in question) and that the Town be notified in advance in the event the insurance policy is cancelled or changed in any manner.

- viii. Occupational Health & Safety: All Tender document forms and Contracts shall require that the Occupational Health & Safety Act must be complied with.

- ix. Workplace Safety and Insurance Board (WSIB) Certificate: All Tender document forms and Contracts involving a labour component shall require a WSIB Certificate of Clearance from the Vendor.

c) Receipt and Opening of Bid Documents

- i. Finance Lead: The receipt and opening of bid documents will occur under the direction of the Treasurer.
- ii. Timed and Dated: When Tenders are received, they shall be time and date stamped.
- iii. Number of Bids and Bidder Name Not to be Divulged: The number of Bids received and the names of Bidders is confidential and shall not be divulged prior to the Tender opening.
- iv. Use of Town-Supplied Envelopes: Bids received in other than the supplied Tender envelopes shall not be accepted. When this occurs, the Treasurer or designate will make every reasonable effort to notify the Bidder, by telephone if necessary, that its Tender cannot be accepted, and that it must use the Town – supplied envelope. The unaccepted Tender shall be returned immediately, unopened, or can be picked up by the Bidder or its representative.
- v. Tender Received After Closing Time and Date: Tenders received after the closing time shall be noted and returned unopened to the Bidder, as soon as possible. If a late tender is received without a return address on the envelope it shall be opened, the address obtained, and then returned. The covering letter will advise why the envelope could not be returned unopened.
- vi. Alternative Bids: Unsolicited alternative Bids shall not be considered.
- vii. Two Bids for Same Contract in Same Envelope: If two bids for the same Contract are received in the same envelope (i.e. Vendor's copy included), the signed copy, or if both are properly executed and prices differ, the lower price copy, shall be considered the intended Bid, which shall be processed in the normal manner.
- viii. Two Bids Same Contract – Different Envelopes: If two bids for the same contract are received in different envelopes the envelope with the latest date and time received shall be considered the intended Bid.
- ix. Receipt of Bid: Bid envelopes shall be dated, timed and initialed by the person receiving the Bid and placed in a secure location until Tender opening.
- x. Bid Opening: Bids shall be opened in public and in the presence of the Opening Team to be coordinated by the Treasurer or designate. The names of those individuals in attendance, the time and date of the opening, the names of the firms submitting a Bid, the completeness of each Bid received, the total Bid price of each Bid shall be recorded at the opening and kept on file. Tender openings shall generally be held at Town Hall with participation via electronic means possible.

d) Return of Deposit Cheques

- i. Return of Bid Deposit Cheques: Immediately following the Tender opening, all Bid deposit cheques (other than those of the two lowest Bidders) shall be returned by the Treasurer or designate to the applicable Bidders by courier, registered mail, or pick-up by the Bidder. In the case of a pick-up, the person picking up the Bid deposit shall execute a receipt. Upon receipt of the executed Contract (and all other required documents, such as bonds etc), in a format acceptable to the Town, the deposit cheques of the Vendor and the second and third low Bidders shall be returned by courier, registered mail or pick-up by the Bidders by the Treasurer or designate.
- ii. Deposit Cheque Not to be Cashed Unless: The Bid deposit cheques that are retained shall not be cashed unless the deposit is forfeited.

e) Action when Successful Bidder Does Not Finalize Contract

If a Contract has been awarded and the successful Bidder fails to sign the Contract or provide any required documents (i.e. bonds) within the specified time, the Department with concurrence of the CAO may grant additional time to fulfill the necessary requirements or may recommend that either:

- i. the Contract be awarded to the next higher Bidder; or
- ii. the Contract be cancelled.

In either case, the deposit of the originally awarded Bidder is forfeited to the Town.

9. Emergency Purchases

Notwithstanding the provisions of this Policy, the following shall only apply in case of an Emergency, when an event occurs that is determined/declared by the Head of Council to be an Emergency. The following situations could be deemed to be an Emergency:

- a threat to public health;
- the maintenance of essential municipal services;
- the welfare of person or of public property; or
- the security and/or economic advantage of the Town's interests and the occurrence require the immediate delivery of goods or services and time does not permit for competitive bids.

An emergency does not apply as a result of failing to plan and forecast their requirements in a timely fashion.

Once an emergency is declared, the Town of Renfrew Emergency Plan comes into effect and the emergency is managed by the Municipal Control Group (MCG).

Despite any other provision of this Procurement Policy, in cases of emergency, the purchase of goods, services or construction is authorized, without issuing a call for bids.

The Department Head shall endeavor to obtain the lowest cost for any goods, services or construction required, using as fair and transparent a process as is feasible having regard to the particular emergency.

Subsequent to the resolution of the emergency, the Municipal Control Group (MCG) will submit to Council a written report explaining the requirements for the purchases and the total financial impact of the emergency.

10. Cooperative Purchasing

The Town may participate with other levels of government, municipalities, boards, agencies, commission, or public sector entities where such plans are determined to be in the best interests of the Town.

The purchasing procedures and policies of the Government agency or public authority initiating the procurement process will be followed.

11. Standardization

- a) Standardization is a management decision-making process that examines a specific common need or requirement and then selects a product or service that best fills that need to become the standard.
- b) Whenever possible, when more than one application exists for any equipment, product or service, a standard will be established.
- c) In such cases where the standardization will result in a single source purchase, those policies shall apply.

12. Town Not Employer

The Town of Renfrew is not the employer to any successful vendor nor to such vendor's personnel or staff for any work, services, or supply of any products or materials that may be awarded as a result of a procurement process. It is understood that the successful proposebt will act as an independent contractor.

13. Corporate and Procurement Cards

- a) The Treasurer shall appoint employees who will be authorized to use a procurement card to purchase goods and/or services following sound business practices.
- b) The procurement card will be issued once the employee has read, signed and submitted the Procurement Card Agreement Form to the Treasurer, which shall set out in writing their responsibilities and restrictions regarding the use of the procurement card.

- c) All procurement cards issued will have a predetermined single transaction limit, a monthly credit limit and blocked commodities as determined and authorized by the Treasurer. All procurement cards will be blocked from obtaining cash advances.
- d) The program will be administered and audited by the Treasurer, who will maintain a master file of all procurement cards and limits.
- e) The cardholder is responsible to retain all receipts and reconcile with the monthly statements. The cardholder is also responsible to report any and all discrepancies on the statement.
- f) Lost or stolen cards are to be reported immediately.
- g) The cardholder is responsible to ensure that all procurement policies are followed.
- h) Upon termination as employee, the cardholder must return the card immediately to the attention of their immediate supervisor with all outstanding receipts and the account is to be reconciled before the employee departs.
- i) The procurement card can only be used for computer hardware/software when pre-authorized by the Treasurer.
- j) The procurement card shall not be used for any of the following:
 - i. When a contract or tender is in effect for the product (unless authorized by the Treasurer)
 - ii. For personal purchases of any kind
 - iii. For long-term lease or rental agreements
 - iv. When the cost of the goods or services would be significantly increased as a result of using the card and an alternative method is available
 - v. For any purchase of goods or services that may be prohibited under any other policy.

14. Language

The Town's procurement processes shall be conducted in the English language and only where required by legislation or by agreement with the Federal Government in the French language.

15. Conflict of Interest

- a) Employees shall not have a pecuniary interest, either directly or indirectly, in any contract with the Town or with any person acting for the Town in any contract for the supply of goods and/or services for which the Town pays or is liable to pay.
- b) Employees are required to declare any pecuniary interest, either direct or indirect, and the general nature in writing to the CAO.
- c) Members of Council are required to declare any pecuniary interest, either direct or indirect, and its general nature, which may result in a conflict of interest pursuant to the Council Code of Conduct.

- d) Any contract with the Town, or with any person acting for the Town, and any contract for the supply of goods, materials or services to a contractor for work for which the Town pays or is liable to pay which a member of Council or any employee of the Town has an undeclared pecuniary interest may be voided by the Treasurer or CAO.
- e) All Town employees and others participating in the evaluation of proposals will be required to avoid any conflict of interest perceived or declared and recuse themselves when necessary.

16. Adherence to the Statement of Ethics for Public Purchasers

The Town adopts the Ontario Public Buyers Association's Code of Ethics which states that all employees who are authorized to purchase goods and services on behalf of the Town will adhere to the following:

- Open and honest dealings with everyone who is Involved in the purchasing process
- Fair and impartial award recommendations for all contracts and tenders
- Irreproachable standard of personal integrity on the part of all those designated as purchasing representatives for the Town
- Cooperation with other public agencies in order to obtain the best possible value for every municipal dollar.

17. Legislative Compliance

The Town shall ensure compliance with legislation pertaining to health and safety, accessibility, and freedom of information and privacy, as outlined in Appendix "C".

18. Complaint and Dispute Resolution

- a) Complaints and disputes arising from or related to the application of this policy or its content shall be referred to the Treasurer.
- b) The final stage of complaint and dispute resolution shall be heard by the CAO.
- c) The Town will provide vendors from other provinces/territories with the same rights and privileges to challenge contract decisions that are available to Ontario vendors.
- d) The complaint and dispute resolution process shall not cause delay in awarding of a contract by the Town.

Monitoring

The Treasurer shall be responsible for receiving complaints and/or concerns related to this policy.

Authority

This policy is established pursuant to the *Municipal Act, 2001* which requires in Section 270(1)(3) the establishment and maintenance of policies pertaining to the procurement of goods and services.

Contact

Erin Broome, Treasurer
127 Raglan Street South
Renfrew, Ontario K7V 1P8
Telephone: 613-432-4848, x102
Email: ebroome@renfrew.ca

Change History

Policy Name	Effective Date	Significant Changes	By-law No.
Procurement Policy	January 1, 2023	Revised Policy	88-2022

Appendix “A” – Exemptions

The following goods and services are hereby declared to be “exempt” from this policy as recurring and non-competitive expenditures

1. Petty Cash Items

2. Training and Education

- a) Conferences
- b) Conventions
- c) Courses
- d) Seminars
- e) Workshops
- f) Memberships
- g) Subscriptions
- h) Staff/Council training and development

3. Employee/Council Expenses

- a) Travel expenses
- b) Meal allowances
- c) Advances
- d) Miscellaneous non-travel

4. Employer’s General Expenses

- a) Payroll deductions remittances
- b) Group benefits remittances
- c) Licences (vehicles, etc.)
- d) Debenture payments
- e) Grants and levies to other agencies
- f) Insurance premiums
- g) Insurance claims / damages claims
- h) Tax remittances
- i) Charges from other levels of government (ex. TSSA, EA etc.)
- j) Advertising
- k) Veterinary expenses

5. Professional and Special Services:

- a) Arbitrators, Mediators, Conciliators or judicial and like bodies
- b) Witness fees
- c) Legal settlements and specialized legal services
- d) Realty services regarding acquisition, disposal, or appraisal of land
- e) Surveying
- f) Bailiff or Collection Agencies

6. Utilities

- a) Electricity

- b) Water and Wastewater charges
- c) Natural gas
- d) Communications that do not include long-distance services, cellular phones or any other communications where a market or more than one supplier exists)

7. Other

- a) Entertainers for special events etc.
- b) Maintenance fees for software and computer hardware for information systems previously acquired
- c) Goods for the purpose of resale
- d) Media advertising including trade shows

Appendix “B” - Bid Irregularities

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 Department Head, Treasurer and Clerk must reject any bid which contains a 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 Department Head with concurrence of the Treasurer and Clerk may permit the bidder to correct a minor irregularity.

Mathematical Errors – Rectified by Staff

The Treasurer or designate will correct errors in mathematical extensions and/or taxes, and the unit prices will govern.

Action Taken

The Department Head Treasurer and Clerk will be responsible for all action taken in dealing with bid irregularities, and acts in accordance with the nature of the irregularity:

- a) Major irregularity (automatic rejection)
- b) Minor irregularity (accept or allow bidder to rectify)
- c) Mathematical error (additions or extensions) as above

In the event that the vendor withdraws their bid due to the identification of a major irregularity, the Town may disqualify such vendor from participating in municipal quotations / tenders / request for proposals for a period of up to one year.

Table 1 is for reference and guideline purposes and shall be interpreted by the Town of Renfrew in its sole discretion.

Note: *The following list of irregularities should not be considered all-inclusive. The Department Head, in consultation with the Treasurer and Clerk, will review minor irregularities not listed. The Department Head may then accept the bid, or request that the bidder rectify the deviation.*

Appendix “B” – Tender Bid Irregularities

Table 1

Item	Description	Major	Minor	Action
1.	Late bids (by any amount of time)	X		Automatic rejection, not read publicly, returned unopened to the bidder
2.	Unsealed envelopes	X		Automatic rejection, not read publicly, returned unopened to the bidder
3.	Proper response envelope or label not used		X	Acceptable if officially received on time
4.	Bids received from bidders not attending mandatory site meeting	X		Automatic rejection
5.	No bid deposit or other surety, cheque not certified, or not an original financial security (e.g. a photocopy or a facsimile)	X		Automatic rejection
6.	Insufficient financial security	X		Automatic rejection, where security is required and amount of security is specified in request. Where security is required and amount is not specified in request, automatic rejection unless insufficiency is trivial or insignificant.
7.	Signature and/or corporate seal of contractor, or of bonding company, or both are missing from bid bond.	X		A bid bond must be executed (signed) by both the Principal (contractor) and Surety (bonding company) to be valid. If either signature is missing, then Automatic rejection. If one or both corporate seals are missing, the bond is still considered to be valid, no additional action required.

Item	Description	Major	Minor	Action
8.	Bids not executed in non-erasable medium. (Electronic signatures are acceptable.)	X		Automatic rejection
9.	Bid document missing signature of authorized representative, whether corporate seal affixed or not.	X		Automatic rejection
10.	Bid documents in which all addenda issued have not been acknowledged.	X, or	X	Automatic rejection, unless in the opinion of the Department Head, the addenda does not significantly impact the bid, in which case the bidder will be given 2 working days to formally acknowledge the addenda, with no change permitted to the original financial bid.
11.	Bond company corporate seal or equivalent proof of authority to bind company or signature missing.	X		Automatic rejection
12.	Surety company not licensed to do business in Ontario	X		Automatic rejection
13.	Pricing or signature pages missing	X		Automatic rejection
14.	Pages requiring completion of information by vendor are missing	X		Automatic rejection

Item	Description	Major	Minor	Action
15.	Part bids – all items not bid	X, or	X	Automatic rejection, unless in the opinion of the Department Head, the nature of the missing information does not impact the Town's ability to conduct a fair competitive evaluation. Unacceptable unless partial bid has been specified in the request.
16.	Bids qualified or restricted by a written or attached statement	X, or	X	Automatic rejection, unless, in the opinion of the Department Head, the qualification or restriction is trivial or not significant.
17.	Bid received on documents other than those provided in request	X		Automatic rejection, unless specified otherwise in the request.
18.	Bids containing clerical or mathematical errors:			
a)	Un-initialed changes to the bid documents which are minor (i.e. the bidder's address is amended by overwriting but not initialed)		X	2 working days to correct initial errors. Town reserves the right to waive initialing and accept bid.
b)	Unit prices in the schedule of prices have been changed but not initialed and the contract totals are consistent with the price amended		X	2 working days to correct initial errors. Town reserves the right to waive initialing and accept bid.
c)	Unit prices in the schedule of prices have been changed but not initialed and the contract totals are not consistent with the price as amended	X		Automatic rejection

d)	Other mathematical errors which are not consistent with the unit prices		X	2 working days to initial corrections. Unit prices will govern.
e)	Bid documents which suggest that the bidder has made a major mistake in the calculations or bid	X, or	X	If required, consultation with the solicitor on a case-by-case basis and referenced within the staff report if applicable.
19.	Alternate items bid in whole or in part		X	Available for further consideration, unless specified otherwise in the request.

Appendix “C” – Legislative Compliance

Statement of Occupational Health and Safety Requirements for Vendors

The Town of Renfrew is committed to ensuring that a high standard of health and safety is provided and maintained for all employees, visitors, guests, contractors, agents, and others on our premises.

Accordingly, all contractors shall:

1. Demonstrate establishment and maintenance of a health and safety program with objectives and standards consistent with applicable legislation, and with the Town’s health and safety requirements. For companies with more than five employees, a copy of the firm’s health and safety policy is required.
2. Submit their Workplace Safety and Insurance Board (WSIB) number and CAD-7 rating.
3. Include health and safety provisions in their management systems to reach and maintain a consistently high level of health and safety.
4. Ensure that workers in their employ are aware of hazardous substances that may be in use at their place of work and the Town workplace and wear appropriate personal protective equipment as may be required.
5. Provide a copy of the applicable WSIB Certificate of Clearance before starting a project, and upon completion.
6. Ensure that all sub-contractors also provide above information to the contractor who is responsible to provide this to the Town.
7. Upon a request at any time from the commencement of the completion of the contract, submit proof of fulfillment of the above noted responsibilities.

Statement Regarding Accessibility

The *Accessibility of Ontarians with Disabilities Act, 2005 (AODA)* is a law that sets out the establish of specific standards of accessibility through regulation. It is the successful bidder’s responsibility to ensure that it is fully aware of and meets all requirements under the AODA and associated guidelines.

Statement Regarding MFIPPA

Please note that the *Municipal Freedom of Information and Protection of Privacy Act* sets out certain rules regarding the disclosure to third parties of information held by municipalities or local boards. If a bidder wishes any or all of the documents that are submitted to the Town as part of a procurement process to be protected from disclosure under the above legislation, they should ensure that a statement, signed by a responsible officer, is attached to the Form of Proposal. This statement will not guarantee that there will never be disclosure, but it does provide the groundwork for handling an application for disclosure to a third party under this legislation.

Appendix “D” – Capital Budget and Reporting Form