

## **COUNCIL POLICY**

<b>SUBJECT: Procurement Policy</b>		
<b>DATE:</b>	OCTOBER 20, 2025	<b>COUNCIL REFERENCE:</b> 99/CW

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## **Section 1: Purpose, Goals and Objectives**

### **1.1 Purpose**

The purpose of this policy is to:

- (a) express the District's goals and objectives in relation to its procurement operations;
- (b) establish authorities, roles and responsibilities for carrying out the District's procurement operations;
- (c) outline the methods of procurement that will be used by the District to acquire goods and services; and
- (d) authorize the adoption of detailed protocols and procedures to govern the District's procurement operations in accordance with this policy.

### **1.2 Goals and Objectives**

The District's goals and objectives in relation to its procurement operations are to:

- (a) comply with applicable laws, trade agreements, policies, protocols and procedures;
- (b) encourage open, fair and transparent processes that afford equal access to all qualified suppliers;
- (c) achieve best value for public money through consideration of the full range of procurement formats and the adoption of commercially reasonable business practices;
- (d) demonstrate sustainable practices in support of the corporate commitment within the District's OCP and other applicable policies of the District;
- (e) achieve an effective balance between accountability and efficiency; and
- (f) adhere to the highest standards of ethical conduct.

## **Section 2: Interpretation and Application**

### **2.1 Defined Terms**

Terms used in this policy are defined in the Glossary of Terms in Schedule A of this policy.

### **2.2 Application and Exclusions**

This policy applies to the procurement of all deliverables with the exception of the exclusions set out in Schedule B of this policy. Procurement includes the acquisition of deliverables by purchase, rental or lease.

### **2.3 Contract Splitting**

All dollar values specified or referred to in this policy and related protocols and procedures are exclusive of sales taxes.

Subdividing, splitting or otherwise structuring procurement requirements or contracts in order to reduce the value of the procurement or in any way circumvent the requirements or intent of this policy is not permitted.

## **2.4 Related Bylaws and Policies**

In addition to this policy, all procurement activities must adhere to all other related District bylaws and policies, including the Signing Authority Bylaw.

## **2.5 Procurement Protocols**

The CAO is authorized to approve and implement detailed protocols as necessary to support this policy. The Manager of Strategic Procurement is authorized to develop, maintain and update, as necessary, detailed protocols to recommend to the CAO for approval. The protocols are designed to ensure compliance with the District's obligations under trade agreements and the laws of public procurement. All procurements covered by this policy must be conducted in accordance with the applicable protocols.

## **2.6 Procurement Procedures and Templates**

The Manager of Strategic Procurement is authorized to develop, maintain, update, approve and implement, as necessary, procedures and templates to support this policy. The procedures and templates are designed to ensure compliance with the District's obligations under trade agreements and the laws of public procurement. All procurements covered by this policy should be conducted in accordance with the applicable procedures and templates.

## **2.7 Emergency Purchases**

Notwithstanding any other provisions of this policy, where an emergency exists and prior approval of the Manager of Strategic Procurement cannot be obtained, a Director, or their designate, may authorize any officer or employee to acquire required deliverables in an expedited manner.

For the purposes of this policy, an emergency exists when an unforeseeable situation or event occurs that is a threat to any of the following:

- (a) public health and/or safety;
- (b) the maintenance of essential services;
- (c) the welfare of persons or public property; or
- (d) the security of the District's interests.

Situations of urgency resulting from the failure to properly plan for a procurement do not constitute an emergency.

The Director that authorizes an emergency purchase must notify the Manager of Strategic Procurement as soon as reasonably possible.

Emergency purchases will be reported to Council in accordance with section 10.2 of this policy.

## **2.8 Cooperative Purchasing**

The District may participate in cooperative or joint purchasing initiatives with other entities where such initiatives are determined to be in the best interests of the District. If the District participates in such cooperative or joint purchasing initiatives, the District may adhere to the policies of the entity conducting the purchasing process, provided that such policies comply in spirit with this policy. If the District is leading a cooperative or joint purchasing initiative, this policy will be followed.

The District may participate as a member of buying groups which administers procurements for its members when determined by the Manager of Strategic Procurement to be in the best interests of the District. If the District is a member of a buying group, the District may procure deliverables through the buying group provided that the notice in respect of the procurement identifies the District as a participating or potential procuring entity and the procurement process is conducted in a manner consistent with the District's obligations under applicable trade agreements.

## **2.9 Prescribed Forms**

Wherever this policy or its associated protocols call for the use or completion of a prescribed form or plan template, strict adherence to the prescribed form is not required so long as the substantive information to be included in the form or template is communicated in written form.

## **2.10 Confidential Information**

Nothing in this policy or its associated protocols shall be construed as requiring the District to disclose confidential information, whether through public notices or otherwise, where such disclosure:

- (a) would impede law enforcement;
- (b) might prejudice fair competition between suppliers;
- (c) would prejudice the legitimate commercial interests of particular persons, including the protection of intellectual property; or
- (d) would otherwise be contrary to the public interest.

## **Section 3: Ethical Conduct and Conflicts of Interest**

### **3.1 District Conduct and Conflicts of Interest**

The District's procurement activities must be conducted with integrity and all individuals involved in the District's procurement activities must act in a manner that is consistent with the principles and objectives of this policy and in accordance with the District's code of ethics.

All participants in a procurement process, including any outside consultants or other service providers participating on behalf of the District, must declare any perceived, possible or actual conflicts of interest.

### **3.2 Communication with Bidders**

All communications with potential bidders during a competitive process must be through a single contact person designated in the solicitation document. Any officer, employee, member of Council or any other representative of the District who receives inquiries from potential bidders

must direct those bidders to the designated contact person and must not discuss the procurement with any potential bidder or supplier.

### **3.3 Supplier Conduct and Conflicts of Interest**

The District requires its suppliers to act with integrity and conduct business in an ethical manner.

All suppliers participating in a procurement process or providing deliverables to the District must declare any perceived, possible or actual conflicts of interest and must conduct themselves in accordance with the Supplier Code of Conduct in Schedule D of this policy.

The District may refuse to do business with any supplier that has engaged in illegal or unethical bidding practices, has an actual or potential conflict of interest or an unfair advantage or fails to adhere to ethical business practices.

## **Section 4: Roles and Responsibilities**

### **4.1 Role and Responsibilities of Council**

It is the role of Council to establish policy and approve expenditures through the District's budget approval process. Through this policy, Council assigns to the District's officers and employees the authority to incur expenditures in accordance with approved budgets through the procurement of deliverables in accordance with the rules and processes set out in this policy and applicable protocols and procedures. The Council may provide strategic direction and guidance on major projects prior to the commencement of the procurement process; however, Council will not generally be involved in the day-to-day procurement operations or individual procurement processes, except to the extent that the approval of Council is required under this policy or in the event that an exception to this policy is required.

### **4.2 Roles and Responsibilities of Officers and Employees**

Specific responsibilities pertaining to all stages of a procurement process, from the initial identification of requirements through to the management of contracts with suppliers, are detailed in this policy and applicable protocols and procedures. In addition to those specific responsibilities, the general roles and responsibilities assigned to the District's officers and employees are set out below.

#### **4.2.1 CAO**

It is the role of the CAO to oversee the District's Administration. In fulfilling this role, the CAO is responsible for implementing and overseeing this policy and related protocols and procedures.

When escalated to the CAO by the Manager of Strategic Procurement or a Director, the CAO will:

- address matters of non-compliance with this policy; and
- resolve disputes in respect of the interpretation or application of this policy and related protocols and procedures.

Notwithstanding any other provisions of this policy, the CAO has the authority to require that certain procurements receive Council approval, and may provide additional restrictions

concerning procurements, where the CAO considers such action to be necessary and in the best interests of the District.

#### **4.2.2 Director of Finance**

The Director of Finance is responsible for overseeing Purchasing Services and providing support and guidance to the Manager of Strategic Procurement, as required.

#### **4.2.3 Manager of Strategic Procurement**

It is the role of Purchasing Services to lead the District's centralized procurement operations and provide professional expertise in public procurement, sustainable purchasing and materials management. In fulfilling this role, the Manager of Strategic Procurement, or designate, is responsible for:

- (a) ensuring the consistent application of this policy and the provision of procurement services to the Departments in an efficient and diligent manner;
- (b) developing procurement strategies and continually analyzing business requirements and spending patterns to identify opportunities for more strategic sourcing;
- (c) researching, developing, maintaining, updating, communicating and recommending to the CAO for approval procurement protocols;
- (d) researching, developing, maintaining, updating, approving and communicating procurement procedures and templates;
- (e) identifying opportunities to participate in cooperative purchasing initiatives with other public bodies like the Greater Victoria Joint Purchasing Group;
- (f) addressing issues or concerns that arise in respect of any procurement process, active or otherwise, escalating issues and concerns to a Director or the CAO as appropriate, and seeking guidance, support and advice of Legal Services, as required; and
- (g) providing appropriate orientation, training and tools to District employees involved in procurement activities.

#### **4.2.4 Directors**

It is the role of the Departments to ensure that their requirements for deliverables are met in accordance with the goals and objectives of this policy. In fulfilling this role, Directors are responsible for:

- (a) ensuring that all employees within their Department comply with this policy and all applicable protocols and procedures;
- (b) supporting the role of Purchasing Services and encouraging sound procurement practices;
- (c) ensuring all expenditures are in accordance with the applicable District policy;

- (d) delegating spending authority limits to staff in compliance with this policy and all other applicable policies;
- (e) ensuring that contracts are appropriately managed and the performance of is monitored and documented in accordance with applicable protocols and procedures;
- (f) ensuring that Department employees involved in procurement activities receive appropriate training.

Directors will be held accountable for any decision to proceed with a procurement process or transaction that is not conducted in accordance with this policy and does not have the approval of Council, the CAO or the Manager of Strategic Procurement.

#### **4.2.5 Legal Services**

It is the role of Legal Services to provide legal advice and assistance on the District's procurement activities and its relationships with suppliers. In fulfilling this role, Legal Services is responsible for:

- (a) advising the Manager of Strategic Procurement as required on legal issues arising from procurement activities, and reviewing and approving specific solicitation documents and related documentation referred for legal review by the Manager of Strategic Procurement;
- (b) providing advice on the finalization of contracts and agreements, and reviewing and advising on proposed changes to the District's standard terms and conditions, legal agreements and solicitation document templates; and
- (c) providing legal advice and counsel to the District in the event of a contract dispute or legal challenge flowing from a procurement process.

#### **4.2.6 All District Employees**

Employees of all Departments are responsible for complying with this policy. Department employees involved in procurement activities must clearly understand their obligations and responsibilities under this policy and all applicable protocols and procedures and should consult with Purchasing Services in respect of any questions regarding the application or interpretation of this policy or any relevant procedures.

#### **4.3 Procurement Review Committee**

The District will establish a Procurement Review Committee for the purpose of making determinations in relation to Non-Standard Procurements and supplier suspensions in accordance with the applicable protocols, and for considering and providing input on other procurement matters that may be referred to it by the Manager of Strategic Procurement or the CAO.

The Procurement Review Committee will include the Manager of Strategic Procurement and at least two other senior-level officers or employees of the District. Legal Services will provide guidance and advice to the Procurement Review Committee, as required.

## **Section 5: Procurement Approval and Contracting Authorities**

### **5.1 Authority to Initiate a Procurement**

Unless specifically permitted under this policy or the procurement protocols, Departments are not permitted to procure deliverables or engage with potential suppliers regarding the procurement of deliverables without the involvement of Purchasing Services.

A procurement must be initiated in accordance with applicable protocols and procedures.

No procurement may be initiated unless approved funding in an amount sufficient to cover the estimated procurement value is available.

### **5.2 Procurement Approval Authority**

Procurement approval authorities are set out in the Authorization Schedule in Schedule C of this policy. Procurement approval authority includes the authority to approve the award of a contract. It does not include the authority to enter into the contract on behalf of the District (see “Contracting Authority” in Section 5.4 below).

The authority to approve a procurement is subject to the following conditions:

- (a) adequate funds are available in accordance with approved budgets and the applicable District policy;
- (b) the procurement process was conducted in accordance with this policy and all applicable protocols and procedures; and
- (c) in the case of a competitive process, the contract is awarded to the top-ranked bidder, as determined in accordance with the evaluation and selection process set out in the solicitation document.

Where procurement approval authority is assigned to multiple individuals, all of those individuals must be satisfied that the above conditions of procurement approval authority are met.

If any of the applicable conditions of procurement approval authority are not met the approval of the CAO must be obtained before proceeding with any procurement activity.

### **5.3 CAO Authority**

Notwithstanding the authorities assigned in the Authorization Schedule in Schedule C, the CAO is authorized to:

- (a) instruct against awarding a contract and otherwise restrict procurement activities where such restrictions are considered necessary to protect the interests of the District;
- (b) direct staff to obtain the approval of Council prior to awarding a contract; and
- (c) approve the award of a contract to the second-ranked bidder, as determined in accordance with the evaluation and selection process set out in the solicitation document, if the top-ranked bidder has failed to enter into a contract, provided the procurement requirements remain unchanged and adequate funds are available as per the applicable District policy.



## **5.4 Contracting Authority**

Once the award of the contract has been approved in accordance with the applicable procurement approval authority, a contract may be entered into through the execution of a written agreement and/or the issuance of a purchase order evidencing the contract.

The Manager of Strategic Procurement and their designate is assigned the authority to issue purchase orders on behalf of the District.

Agreements must be signed on behalf of the District in accordance with the District's Signing Authority Bylaw.

## **5.5 Authority to Approve Contract Amendments**

If an amendment to an existing contract results in a net increase to the value of the contract, the contract amendment must be approved in accordance with the Authorization Schedule in Schedule C. A contract amendment may only be approved if adequate funds are available as per the applicable District policy.

Contract extensions and amendments must not be used to expand a contract beyond what was contemplated under the terms of the contract and the original procurement process, or to circumvent the need to procure additional deliverables through a competitive process in accordance with this policy.

The expansion or extension of a contract to procure deliverables that were not contemplated in the original procurement is considered a Non-Standard Procurement and must be approved in accordance with the applicable protocol.

All amendments to an existing contract must be appropriately documented through a written change order or amending agreement. Amending agreements must be reviewed by Legal Services and executed in accordance with the District's Signing Authority Bylaw.

## **Section 6: Procurement Planning**

### **6.1 Procurement Planning**

Effective procurement planning is essential to ensuring an effective result and to limiting risk to the District. Departments must follow the applicable protocol.

### **6.2 Market Research**

Where the Department is uncertain about the deliverables required or where there is insufficient internal knowledge about the market, the Department must consult with Purchasing Services about conducting a Request for Information (RFI) process. An RFI process must be openly posted in order to gather market research from prospective bidders. It must not be used as a prequalification tool.

### **6.3 Supply Arrangements for Recurring Requirements**

Before initiating a procurement, Departments must consider the availability of existing supply arrangements.

When available, the deliverables must be purchased in accordance with the terms of the applicable Standing Offer or in accordance with the applicable Qualified Supplier Roster.

If the deliverables will be required on a frequent or regularly recurring basis, and there is no existing supply arrangement, the Department must consult with Purchasing Services about the possibility of establishing a Standing Offer or Qualified Supplier Roster.

Standing Offers may be established by Purchasing Services for standardized deliverables to be purchased by all Departments, where the requirements for deliverables are recurring and predictable over an extended period of time, the requirements are standard and clearly defined at the time of establishment of the Standing Offer, and it is possible to fix pricing for the deliverables for the duration of the Standing Offer.

Qualified Supplier Rosters may be established by Purchasing Services to pre-qualify suppliers that will be invited to compete for discrete work assignments, as and when required, involving the delivery of a particular type of deliverables.

## **6.4 Procurement Value**

It is important to accurately estimate the value of the procurement to determine the appropriate procurement method and ensure compliance with the requirements of this policy. When planning a procurement, Departments must refer to the applicable protocol for additional guidance on determining the procurement value.

## **Section 7: Procurement Methods**

### **7.1 Standard Procurement Methods**

Depending on the nature, value and circumstances of the procurement, the District may procure deliverables through the following standard procurement methods.

#### **7.1.1 Existing Supply Arrangement**

##### **(a) Ordering from Standing Offer**

If deliverables are available under an existing Standing Offer, they may be acquired in accordance with the order process or call-up procedure established under the Standing Offer based on the pre-established prices and terms and conditions of the Standing Offer.

##### **(b) Roster Competition**

If the deliverables are available under an existing Qualified Supplier Roster, they must be acquired through a Roster Competition or other selection method

Roster Competitions will be managed by Purchasing Services, with the cooperation and involvement of the Department, in accordance with applicable protocols and procedures.

#### **7.1.2 Low-Value Procurements (below \$35,000)**

Where the procurement value is below \$35,000 and the deliverables are not covered under an existing Standing Offer or Qualified Supplier Roster, Departments may purchase the deliverables with minimal involvement of Purchasing Services.

The Director may authorize specific individuals within the Department to make Low-Value Procurements and may assign specific spending authority limits. The Director is responsible

and accountable for ensuring that all Low-Value Procurements are made in accordance with the applicable protocol.

If a Department anticipates making multiple Low-Value Procurements of the same deliverables and the total value of those purchases may exceed \$35,000, the Department must contact Purchasing Services to discuss the possibility of setting up a Standing Offer or Qualified Supplier Roster.

Purchasing Services is available to assist Departments with Low-Value Procurements and Departments may request that Purchasing Services conduct an Invitational Solicitation for any Low-Value Procurement.

#### **7.1.3 Invitational Solicitation (\$35,000 - \$75,000)**

An Invitational Solicitation, in which bids are solicited from more than one (1) supplier, is the standard method of procurement when the procurement value is between \$35,000 and \$75,000.

Invitational Solicitations will be managed by Purchasing Services, with the cooperation and involvement of the Department, in accordance with the applicable protocol.

Open Competition may be conducted in lieu of an Invitational Solicitation, if determined by the Department, in consultation with Purchasing Services, to be the preferred approach.

#### **7.1.4 Open Competition (\$75,000 and above)**

An Open Competition, in which bids are solicited from all interested suppliers through a publicly posted solicitation document, is the standard method of procurement when the procurement value equals or exceeds \$75,000.

Open Competitions may include two-stage procurement processes in which a prequalification process is conducted by soliciting and evaluating submissions from all interested suppliers in order to establish a short-list of prequalified suppliers that will be eligible to submit a bid in response to a second-stage solicitation document. A two-stage procurement process may be used whenever determined appropriate by the Manager of Strategic Procurement, in consultation with the Department.

Open Competitions must also be used to establish Standing Offers and Qualified Supplier Rosters.

Open Competitions will be managed by Purchasing Services, with the cooperation and involvement of the Department, in accordance with the applicable protocol.

### **7.2 Non-Standard Procurement**

Non-Standard Procurement means the acquisition of deliverables with a value of \$35,000 or more through a method other than the standard method for the type and value of the deliverables, as set out above under Section 7.1.

Non-standard procurement methods include:

- (a) conducting a Non-Competitive Procurement when an Invitational Solicitation or an Open Competition would normally be required; and

- (b) conducting an Invitational Solicitation when an Open Competition would normally be required.

The use of a Non-Standard Procurement process is only permitted under the specific circumstances set out in the applicable protocol and must be approved in accordance with the applicable protocol and the Authorization Schedule in Schedule C.

## **Section 8: Supplier Relations and Contract Management**

### **8.1 Debriefings**

Where the District has conducted an Open Competition, unsuccessful suppliers may request a debriefing. Debriefings must be conducted in accordance with the applicable protocol.

### **8.2 Procurement Complaints**

Where a supplier wishes to make a formal complaint about a particular procurement process, the supplier shall send a written letter outlining the supplier's complaint to the Manager of Strategic Procurement, which letter shall include:

- (a) a clear statement as to which procurement the supplier wishes to complain about;
- (b) a clear explanation of the supplier's concerns with the procurement, including specifics as to why it disagrees with the procurement process or its outcome; and
- (c) the supplier's contact details, including name, telephone number and email address.

Where the supplier is a bidder that wishes to complain about a competitive process, the supplier must request and attend a debriefing in accordance with the applicable protocol prior to submitting a complaint.

### **8.3 Contract Management**

All contracts for deliverables must be managed by the Department in accordance with the applicable protocol. Master Framework Agreements will be managed by Purchasing Services in accordance with the applicable protocol.

### **8.4 Supplier Performance**

The performance of a supplier under contract must be monitored and tracked in accordance with the applicable protocol.

### **8.5 Supplier Suspension**

Suppliers can be suspended from participating in future procurement processes in accordance with the applicable protocol.

## **Section 9: Procurement Recordkeeping**

### **9.1 Supplier Information**

The District must ensure that supplier information submitted in confidence in connection with a procurement process or contract is adequately protected. Purchasing Services and the Departments must ensure that all bids and contracts are kept in a secure location and only

accessible by those individuals directly involved with the procurement or management of the contract.

## **9.2 Procurement Records**

The maintenance, release and management of all procurement records must be in accordance with the District's policies and procedures on document management and access to information.

Purchasing Services is responsible for ensuring that all documentation relating to a procurement is properly filed and maintained in a procurement project file. Documentation and reports regarding procurement processes and contract awards and data necessary to trace the process conducted electronically must be maintained for a minimum period of at least three (3) years from the contract award date or such longer period as may be required under the applicable District policy.

## **Section 10: Compliance Monitoring and Reporting**

### **10.1 Compliance Monitoring**

Non-compliance with this policy may expose the District to the risk of supplier complaints, reputational damage, bid disputes and legal challenges.

Directors are required to observe and address non-compliance with this policy within their Departments. Where instances of non-compliance are identified, the Director is expected to notify the Manager of Strategic Procurement and obtain advice with respect to mitigating potential risks to the District arising from the non-compliance.

The Manager of Strategic Procurement is responsible for monitoring compliance across the organization. Based on the results of compliance monitoring, reports outlining instances of non-compliance may be issued by the Manager of Strategic Procurement to the relevant Director. The Director must address the identified compliance concerns and provide confirmation to the Manager of Strategic Procurement that appropriate actions have been taken. Ongoing concerns with respect to compliance will be escalated to the CAO.

### **10.2 Reporting**

The Director of Finance will prepare and submit to Council a regular report summarizing the District's procurement activities, including:

- (a) Contracts awarded in the amount of \$200,000 and over.
- (b) Emergency purchases exceeding \$75,000.

## Schedule A – Glossary of Terms

**"best value"** means the best value to the District determined by reference to relevant financial and non-financial factors which may include any of the following:

- (a) quality of the goods and services;
- (b) delivery, deliverables and performance commitments;
- (c) supplier experience, performance history and demonstrated ability to successfully perform the contract, including service and support capacity;
- (d) risk and compliance management, including safety practices and history;
- (e) environmental sustainability;
- (f) economic sustainability;
- (g) social sustainability;
- (h) encouragement of diverse suppliers;
- (i) public policy objectives identified as elements in the proposal and evaluation process;
- (j) total cost of ownership, which may consider factors such as purchase or contract total cost;
- (k) costs of delay or performance failures;
- (l) administration and contract management costs;
- (m) extensions, change orders, total cost change and cost escalation;
- (n) cost of additional features, enhancements, upgrades, etc.;
- (o) limitations associated with proprietary or patent rights or constraints;
- (p) legal or technical costs;
- (q) shipping and packaging;
- (r) transition and training costs;
- (s) licensing costs;
- (t) regular and ongoing maintenance;
- (u) lifecycle costing;
- (v) warranty, parts and repair;
- (w) disposal and remediation costs.

**“bid”** means a submission in response to a solicitation document, and includes proposals, quotations, or responses.

**“bidder”** means a supplier that submits a bid and includes proponents and respondents.

**“CAO”** means the appointed Chief Administrative Officer for the District and, in the absence of the Chief Administrative Officer, includes the Acting Chief Administrative Officer.

**“competitive process”** means the solicitation of bids from multiple suppliers.

**“contract”** means a commitment by the District for the procurement of deliverables from a supplier, which may be evidenced by an agreement executed by the supplier and the District, or a purchase order issued by the District to the supplier.

**“Contract Administrator”** means an employee assigned to the management of a contract.

**“Council”** means the Municipal Council of the District of Saanich.

**“District”** means the Corporation of the District of Saanich.

**“deliverables”** means any goods, services or construction, or combination thereof.

**“Department”** means the District department that is requisitioning the deliverables.

**“Department Lead”** means the Department employee assigned primary responsibility for a procurement.

**“Director”** means the Director, Senior Manager or other officer or employee who is responsible for a specific Department, and in their absence includes a person acting in their place.

**“Invitational Solicitation”** means a competitive process in which an invitation to submit bids is issued to more than one (1) supplier.

**“Legal Services”** means the District’s legal counsel.

**“Low-Value Procurement”** means any procurement of deliverables with a value below \$35,000.

**“Manager of Strategic Procurement”** means the individual employee who is assigned the responsibilities set out in section 4.2.3 of this policy.

**“Master Framework Agreement”** means a master agreement entered into between the District and the pre-qualified suppliers that have been included on a Qualified Supplier Roster.

**“Mayor”** means the Mayor of the District and, in the absence of the Mayor, includes the Acting Mayor.

**“Municipal Clerk”** means the Municipal Clerk of the District and, in the absence of the Municipal Clerk, includes the Deputy Municipal Clerk.

**“Non-Competitive Procurement”** means acquiring deliverables directly from a particular supplier without conducting a competitive process.

**“Non-Standard Procurement”** means the acquisition of deliverables through a process or method other than the standard method required for the type and value of the deliverables. Non-standard procurement methods include:

- (a) conducting a Non-Competitive Procurement when an Invitational Solicitation or an Open Competition would normally be required; and
- (b) conducting an Invitational Solicitation when an Open Competition would normally be required.

**“OCP”** means the District’s Official Community Plan Bylaw, 2023, No. 10000, as amended or replaced from time to time.

**“Open Competition”** means the solicitation of bids through a publicly posted solicitation document.

**“Open Framework Competition”** means a form of Open Competition used to establish a Qualified Supplier Roster and provide for an ongoing application process during the term of the Qualified Supplier Roster, as further described in the applicable protocol.

**“procurement”** means the acquisition of deliverables by purchase, rental or lease.

**“Procurement Review Committee” (“PRC”)** means the committee established by the District under the Procurement Policy for the purposes of considering and making determinations on procurement-related matters, including determinations in relation to Non-Standard Procurements and supplier suspensions in accordance with the applicable protocols.

**“Purchasing Services”** means the division of the Finance Department responsible for purchasing deliverables for the District.

**“procurement value”** means the maximum total value of the deliverables being procured, and must include all costs to the District, including, as applicable, acquisition, maintenance, replacement, disposal; and training, delivery, installation and extension options, less applicable rebates or discounts and exclusive of sales taxes.

**“purchase order”** means the District’s written document issued by a duly authorized employee of the District to a supplier formalizing all the terms and conditions of the purchase and supply of the deliverables identified on the face of the purchase order.

**“purchasing card” or “PCard”** means a credit card provided by the District to authorized officers and employees for use as a payment method to purchase directly from suppliers where permitted under the Procurement Policy and in accordance with any cardholder agreement and applicable procedures.

**“Qualified Supplier Roster”** means a list of suppliers that have participated in and successfully met the requirements of a Request for Supplier Qualifications (RFSQ) and have therefore been pre-qualified to perform discrete work assignments involving the delivery of a particular type of deliverable.

**“Roster Competition”** means an expedited, invitational competition between suppliers that have been included on a Qualified Supplier Roster for the selection of a supplier to perform a discrete work assignment during the term of the roster.

**“Signing Authority Bylaw”** means the District’s Signing Authority Bylaw, 2011, No. 9092, as amended or replaced from time to time.



**“solicitation document”** means the document issued by the District to solicit bids from bidders.

**“Standing Offer”** means a written offer from a pre-approved supplier to supply deliverables to the District, upon request, through the use of an ordering process during a particular period of time, at a predetermined price or discount, generally within a pre-defined dollar limit, and for certainty includes cooperative or joint purchasing initiatives and buying groups.

**“supplier”** means a person carrying on the business of providing deliverables.

## Schedule B – Exclusions

This policy does not apply to the expenditures, acquisitions and processes listed below. However, the forms, process and guidance set out in this policy and associated protocols remain available for adaptation and use in excluded expenditures, acquisitions and processes as necessary or desirable.

<b>Excluded Expenditures and Acquisitions</b>
Costs directly related to court actions and damage claims
Subscriptions and publications
Association membership dues
Utility bills
Approved travel expenses
Procurements from government entities and public bodies
Fees for Land Title and Survey Authority searches and filings
Fees for exams, courses and conventions etc.
Real Property acquisition/disposition including associated costs
Insurance premiums
Concession Contracts
Health Services
Social Services
Legal Services
Treasury Services

## Schedule C – Authorization Schedule

### 1. Procurement Approval Authority

- (a) Procurement approval authority includes the authority to approve the award of a contract. It does not include the authority to enter into the contract on behalf of the District (see “Contracting Authority” in section 2 of this Schedule).
- (b) Procurement approval authority is subject to the conditions set out in section 5.2 of this policy.
- (c) Where procurement approval authority is assigned to multiple individuals, all of those individuals must be satisfied that the above conditions of procurement approval authority are met.
- (d) If any of the applicable conditions of procurement approval authority are not met the approval of the CAO must be obtained before proceeding with any procurement activity.

#### 1.1 Standard Procurement

Procurement approval authority in the below table applies only to procurements conducted through the Standard Procurement Method, as determined in accordance with section 7.1 of this policy.

Procurement Value	Procurement Approval Authority
Below \$35,000	Any staff authorized by their Manager or Director
\$35,000 to \$500,000	Senior Manager or Director
\$500,000 to \$5,000,000	Director
Above \$5,000,000	CAO

#### 1.2 Non-Standard Procurement

Procurement approval authority under this table applies only to Non-Standard Procurements that are permitted in accordance with the applicable protocol.

Procurement Value	Procurement Approval Authority
Below \$75,000	Senior Manager or Director
\$75,000 to \$2,000,000	Director and Manager of Strategic Procurement, or PRC upon referral by Manager of Strategic Procurement
Above \$2,000,000	CAO

## 2. Contracting Authority

Once the award of the contract has been approved in accordance with the applicable procurement approval authority, a contract may be entered into through the execution of a written agreement and/or the issuance of a purchase order evidencing the contract.

The Manager of Strategic Procurement and their designate is assigned the authority to issue purchase orders on behalf of the District.

Agreements must be signed on behalf of the District in accordance with the District's Signing Authority Bylaw.

## 3. Authority to Approve Contract Amendments

- (a) Authority to approve contract amendments is subject to the conditions set out in Section 5.5 of this policy.
- (b) If any of the applicable conditions of procurement approval authority are not met the approval of the CAO must be obtained before proceeding with any contract amendment.
- (c) In the tables below, "Cumulative Increase" means the cumulative total of value of all increases to the original contract value; if previous amendments were approved, the value of those prior amendments must be included in the calculation of Cumulative Increase.

### 3.1 Contract Amendments within Scope

Approval authority in the below table applies only to contract amendments for contingencies that are within the defined scope of the original contract.

Cumulative Increase	Contract Amendment Approval Authority
Below \$17,500	Any staff authorized by their Manager or Director
\$17,500 to \$250,000	Senior Manager or Director
\$250,000 to \$2,500,000	Director
Above \$2,500,000	CAO

### 3.2 Contract Amendments for Scope Changes

Approval authority in the below table applies to contract amendments that expand or change the scope that was contemplated under the terms of the contract and the original procurement process.

The expansion or extension of a contract to procure deliverables that were not contemplated in the original procurement is considered a Non-Standard Procurement and must be approved in accordance with the applicable protocol.

<b>Cumulative Increase</b>	<b>Contract Amendment Approval Authority</b>
Below \$75,000	Senior Manager or Director
\$75,000 to \$2,000,000	Director and Manager of Strategic Procurement, or PRC upon referral by Manager of Strategic Procurement
Above \$2,000,000	CAO

## Schedule D – Supplier Code of Conduct

The District requires its suppliers to act with integrity and conduct business in an ethical manner. The District may refuse to do business with any supplier that has engaged in illegal or unethical bidding practices, has an actual or potential conflict of interest or an unfair advantage, or fails to adhere to ethical business practices.

Suppliers are responsible for ensuring that any employees, representatives, agents or subcontractors acting on their behalf conduct themselves in accordance with this Code of Conduct. The District may require the immediate removal and replacement of any individual or entity acting on behalf of a supplier that conducts themselves in a manner inconsistent with this Code of Conduct. The District may refuse to do business with any supplier that is unwilling or unable to comply with such requirement.

### (a) Illegal or Unethical Bidding Practices

Illegal or unethical bidding practices include:

- bid-rigging, price-fixing, bribery or collusion or other behaviours or practices prohibited by federal or provincial statutes;
- offering gifts or favours to the District's officers, employees, appointed or elected officials or any other representative of the District;
- engaging in any prohibited communications during a procurement process;
- submitting inaccurate or misleading information in a procurement process; and
- engaging in any other activity that compromises the District's ability to run a fair procurement process.

The District will report any suspected cases of collusion, bid-rigging or other offenses under the *Competition Act* to the Competition Bureau or to other relevant authorities.

### (b) Conflicts of Interest

All suppliers participating in a procurement process must declare any perceived, possible or actual conflicts of interest.

The term "conflict of interest," when applied to suppliers, includes any situation or circumstance where:

- in the context of a procurement process, the supplier has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to:
  - (i) having, or having access to, confidential information of the District that is not available to other suppliers;
  - (ii) having been involved in the development of the procurement document, including having provided advice or assistance in the development of the procurement document;

- (iii) receiving advice or assistance in the preparation of its response from any individual or entity that was involved in the development of the procurement document;
  - (iv) communicating with any person with a view to influencing preferred treatment in the procurement process (including but not limited to the lobbying of decision makers involved in the procurement process); or
  - (v) engaging in conduct that compromises, or could be seen to compromise, the integrity of an open and competitive procurement process or render that process non-competitive or unfair; or
- in the context of performance under a potential contract, the supplier's other commitments, relationships or financial interests:
  - (i) could, or could be seen to, exercise an improper influence over the objective, unbiased and impartial exercise of its independent judgement; or
  - (ii) could, or could be seen to, compromise, impair or be incompatible with the effective performance of its contractual obligations; or
- the proponent or, if the proponent is a corporation or other incorporated body, any of the proponent's officers, directors or employees with authority to bind the proponent, is an employee or immediate relative of an employee of the District.

For the purposes of this policy, the term "immediate relative" means a spouse, parent, child, sibling or sibling-in-law of a District employee.

**(c) Ethical Business Practices**

In providing deliverables to the District, suppliers are expected to adhere to ethical business practices, including:

- performing all contracts in a professional and competent manner and in accordance with the terms and conditions of the contract and the duty of honest performance;
- complying with all applicable laws, including safety and labour codes (both domestic and international as may be applicable); and
- providing workplaces that are free from harassment and discrimination.