

THE REGIONAL MUNICIPALITY OF HALTON POLICE SERVICES BOARD

BY-LAW NO. 2016-001

A BY-LAW TO REGULATE PROCUREMENT OF GOODS AND SERVICES BY THE HALTON REGIONAL POLICE SERVICE AND TO REPEAL BY-LAW 2006-03.

WHEREAS a Police Services Board may, by law, make rules for the effective management of the police service under the *Police Services Act, R.S.O. 1990, Chapter P.15*, (hereinafter referred to as “the Act”), Part III, Section 31 (6), as amended; and

WHEREAS the Halton Regional Police Service (hereinafter referred to as the “Police Service”) shall be provided with the equipment and facilities that The Regional Municipality of Halton Police Services Board (hereinafter referred to as the “Board”) considers adequate; and

WHEREAS the Police Service recognizes its responsibility for the effective utilization of all its resources and has the need to establish sound policies for the purpose of procuring Goods and Services and reporting thereon in a manner that is congruent with and fulfils its mandate pursuant to the Act; and

NOW THEREFORE THE REGIONAL MUNICIPALITY OF HALTON POLICE SERVICES BOARD HEREBY ENACTS AS FOLLOWS:

1. PURPOSES, GOALS, AND OBJECTIVES OF THIS BY-LAW

- 1.1 The purposes, goals, and objectives of this By-law and of each of the methods of procurement authorized herein are:
- a) to encourage competitive bidding;
 - b) to ensure objectivity and integrity in the procurement process;
 - c) to ensure fair process for Bidders;
 - d) to maximize savings for taxpayers;
 - e) to offer a variety of procurement methods, and to use the most appropriate method according to the value of the required Goods or Services;
 - f) to the extent possible, to ensure openness, accountability and transparency while protecting the best interests of the Board and Police Service;
 - g) to obtain the best value for the Board and Police Service when procuring and disposing of Goods and Services;
 - h) to avoid conflicts between the interests of the Board and those of its members and employees, and between those of Police Service employees;
 - i) to encourage the procurement of Goods and Services with due regard to the preservation of the natural environment. To this end, Suppliers may be

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selected to supply goods made by methods resulting in the least damage to the environment and supply goods incorporating recycled materials where practicable;

- j) to promote, and incorporate wherever possible in procurement activities of the Police Service, the requirements of the *Ontarians with Disabilities Act, 2001*, S.O. 2001, c. 32, as amended;
- k) to adhere to the Code of Ethics of the National Institute of Government Purchasing and the Purchasing Management Association of Canada; and
- l) to maintain timely and relevant policies and procedures.

2. **DEFINITIONS**

2.1. In this By-Law:

- a) **“Award”** means the selection by the Board of one or more successful bids for the provision of Goods or Services from a chosen Supplier;
- b) **“Bid”** means an offer or submission or competitive sealed bid from a Bidder in response to a Bid Solicitation, which is subject to acceptance or rejection;
- c) **“Bid Irregularity”** means a deviation from the requirements of a Request for Quotations or Request for Tenders as set out in The Regional Municipality of Halton’s Purchasing By-law “Schedule “B”, *Chart of Bid Irregularities, as amended* (Schedule “D” to this By-law);
- d) **“Bid Protest”** means a substantive written objection provided to the Director or the Purchasing Coordinator by a Bidder giving specific reasons for the objection;
- e) **“Bid Solicitation”** means a formal request for competitive sealed bids or secure electronic bids that may be in the form of a Request for Quotations, Request for Tenders, or Request for Proposals;
- f) **“Bidder”** means one who submits a bid in response to a Bid Solicitation;
- g) **“Board”** means The Regional Municipality of Halton Police Services Board;
- h) **“Capital Project”** means an identified project or specific initiative which will have a benefit beyond one year and exceeds \$100,000 in value, or more than one year but does not exceed \$100,000 which is approved by the Board and represents a long-term asset or benefit to the Service.
- i) **“Chief”** means Chief of Police, or their designate;
- j) **“Competitive Process”** means a method of procuring Goods or Services where multiple Bids are solicited in the marketplace, or, in the case of a Pre-qualification Process, where multiple respondents are solicited in the marketplace;

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- k) **“Conflict of Interest”** means a situation where a personal or business interest of a Board member or member of the Police Service is in conflict with the interests of the Police Service, and includes, but is not limited to;
- i. the giving or receiving of a direct or indirect personal gain or benefit, or a direct or indirect advantage or privilege, by any business that provides Goods or Services to the Police Service or a Family Member of such business that provides Goods or Services;
 - ii. a direct or indirect interest in any business that provides Goods or Services to the Police Service;
- l) **“Consulting Services”** means professional services or advice provided to the Police Service or the Board by an expert(s) with specialized knowledge or skills, but does not include, tradesmen, employment agencies or technicians or services expressly excluded under Schedule “A” to this By-law ;
- m) **“Contract”** means a binding agreement by way of Purchase Order or other form of written commitment that has been approved as to form and content by Legal Counsel, which contains the agreed upon set of requirements, terms and conditions of the acquisition of Goods or Services, including Consulting Services;
- n) **“Contract Expansion”** means the purchase of Goods or Services that are an addition to an existing Contract with the same Supplier, where the addition is outside of the original scope of the existing Contract but within the term of the existing Contract.;
- o) **“Contract Extension”** means the exercising of optional extensions provided within the existing Contract awarded through a competitive or non-competitive process for Goods or Services or Consulting Services which may include either time or time plus funding but does not impact or change the scope of the existing Contract.
- p) **“Deputy Chief”** means a Deputy Chief appointed by the Board, or their designates;
- q) **“Designated Official”** means an employee of the Police Service appointed by the Chief to act on behalf of the Police Service in entering into Contracts with third parties in accordance with the requirements of this By-law;
- r) **“Designated Service Representative”** means an employee appointed by the Director of Corporate Services, who has the authority to acquire general good and services on behalf of one or more departments;
- s) **“Director”** means the Director of Corporate Services, or their designate;
- t) **“Duty Inspector”** means a sworn officer, generally the rank of Inspector (or Acting Inspector) or higher, who is assigned the responsibility to act as an Inspector to cover the entire Halton Region during non-standard business hours;

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- u) **“Evaluation Committee”** means the Managers and/or designated official(s), Purchasing Services representatives, and others selected to evaluate Proposals;
- v) **“Expression of Interest”** means a response from a potential Supplier to a Request for Expression of Interest issued to the market to determine the availability of potential Suppliers of Goods or Services or Consulting Services in the market that does not create any contractual obligation with a potential Supplier;
- w) **“Extraordinary Circumstance Purchase”** means the purchase of Goods or Services during an event which has been declared as an emergency, pursuant to in **Section 7.8**;
- x) **“Fair Market Value”** means the price that would be agreed to in an open and unrestricted market between knowledgeable and willing parties dealing at arm’s length;
- y) **“Family Member”** means a child (including adopted and stepchild), spouse or ex-spouse, parent including stepparent, grandparent (including step grandparent), legal guardian, son-in-law/daughter-in-law, brother/sister (including stepbrother/sister and brother/sister-in-law), mother-in-law/father-in-law, niece/nephew and aunt/uncle, of a member or employee of the Board or an employee of the Police Service;
- z) **“Goods and Services”** means supplies, equipment, materials, construction work, any non-professional or general services, or combination thereof , but excludes Consulting Services;
- aa) **“Grant”** means funding provided to the Police Service from a funding source in the form of a grant or subsidy which is not generally part of the Board’s approved annual budget. The expenditure of these funds is governed by the terms of this By-Law.
- bb) **“Highest Ranking Proposal”** means a Bid received in response to a Request for Proposals that provides the optimal balance of performance and Total Cost having regard to the Police Service’s goals in respect of the purchase of Goods or Services, as determined by both the Evaluation Committee and the evaluation criteria contained in the Request for Proposals document;
- cc) **“Informal Quotations”** – means a competitive Bid or price Quotation for Goods or Services that is conveyed by letter, fax, e-mail, or other means and does not require a sealed Bid, public opening, or public reading of Bids;
- dd) **“Legal Counsel”** means the Director of Legal Services to the Police Service or legal counsel to the Board;
- ee) **“Lowest Compliant Bid”** means the Bid that would provide the Police Service with the desired Goods or Services at the lowest Total Cost, meets all

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- specifications and contains no Bid irregularities or qualifications resulting in rejection;
- ff) **“Manager”** means employees designated by the Chief who are Unit/Bureau or District Commanders and who have budgetary authority over specific departments (cost centres) of the Police Service;
 - gg) **“Open Market Process”** means obtaining price Quotations from any available sources in writing;
 - hh) **“Personal Purchases”** means a purchase of Goods or Services requested by a member of the Board or by any employee of the Police Service or their Family Member(s), the requirement for which is not for the Police Service or any of its purposes, but is personal to the person requesting the purchase;
 - ii) **“Pre-qualification Process”** means the process of screening potential Bidders in which factors, including but limited to, experience, financial capability, reputation, security and management are considered in order to develop a list of qualified Bidders who may submit a Bid in a subsequent Competitive Process;
 - jj) **“Price”** means the sum of all costs for Goods or Services including Consulting Services, exclusive of all taxes but inclusive of all fees, charges and disbursements;
 - kk) **“Proposal”** means an offer in response to a Request for Proposals, acceptance of which may be subject to further negotiation;
 - ll) **“Proprietary”** means exclusive rights to a Goods or Services such as patent right, copyright, technical secret or restricted raw materials;
 - mm) **“Purchase Order”** means a written offer to purchase Goods or Services or a written acceptance of an offer received in accordance with this By-law;
 - nn) **“Purchase Requisition”** means a request for the acquisition of Goods or Services for which the budget has been approved, initiated by a Manager and sent to Purchasing Services to issue a Purchase Order;
 - oo) **“Purchasing Coordinator”** means the employee, or their designate, responsible for managing the daily operations of the Purchasing Services unit;
 - pp) **“Purchasing Services”** means the organizational unit within the Police Service responsible for managing the Police Service’s procurement policies as contained herein and related procedures;
 - qq) **“Purchasing Card”** means a credit card issued in the name of an authorized member of the Police Service as a method of procurement payment;
 - rr) **“Police Service”** means the Halton Regional Police Service;

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- ss) **“Quotation”** means a statement of price, terms of sale, and description of Goods or Services;
- tt) **“Region”** means The Regional Municipality of Halton;
- uu) **“Request for Expressions of Interest”** means a request issued to the market to determine the availability of potential Suppliers of any Goods or Services or Consulting Services in the market, that does not create any contractual obligation with a potential Supplier;
- vv) **“Request for Proposals”** means a Bid Solicitation seeking Proposals from potential Suppliers where the solutions to a problem are expected to be complex and/or where the Goods or Services required may vary between potential Suppliers and/or where Total Cost is not the primary evaluation criteria considered when making an Award;
- ww) **“Request for Quotations”** means a formal written request for Competitive Bids under specific terms and conditions when purchase value is between \$35,000 and \$100,000 and the Award is based on Total Cost. The process requires sealed Bid responses but does not require a public opening;
- xx) **“Request for Tenders –** means a formal written request for Competitive Bids under specific terms and conditions when purchase value exceeds \$100,000 and the Award is based on Total Cost. The process requires sealed Bid responses and may have a public opening;
- yy) **“Signing Authority”** means the authority delegated to employees to purchase Goods and Services in accordance with the requirements of this By-law up to the prescribed dollar thresholds as determined by the Director;
- zz) **“Single Source”** means a source of Goods and Services or Consulting Services recommended under the Single Source provisions of this By-law, the procurement of which is not subject to a Competitive Process, and where there is or may be more than one source in the open market;
- aaa) **“Sole Source”** means a source of Goods and Services or Consulting Services recommended under the Sole Source provisions of this By-law, the procurement of which is not subject to a competitive process and where there is only one known source that meets the requirements of the Police Service;
- bbb) **“Supplier”** means any individual or organization providing Goods or Services to the Police Service including but not limited to contractors, consultants, vendors, service organizations, etc.;
- ccc) **“Total Cost”** means the sum of all costs for Goods or Services including Consulting Services, exclusive of all taxes but inclusive of all fees, charges and disbursements;
- ddd) **“Two Envelope Method”** means a component of a procurement process in which bids are received in two separate envelopes and where the first envelope

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consists of technical and qualitative information which is opened and evaluated first, and the second envelope consist of Total Cost information which may be opened and evaluated only after the information in the first envelope has been evaluated in accordance with the requirements of the Request for Proposals document.

3. INTERPRETATION

3.1. In this By-Law:

- a) words imparting the singular number or the masculine gender only include more persons, parties, or things of the same kind than one, and females as well as males and the reverse.
- b) a word interpreted in the singular number has corresponding meaning when used in the plural.
- c) where a Designated Official of the Police Service is authorized to do any act pursuant to this By-law, such act may be done by such official's authorized delegate/designate.
- d) Schedule "A" – Purchase Exemptions attached hereto is hereby incorporated into this By-law.
- e) Schedule "B" – Expenditure Levels/Acquisition Methods/Authorization Levels attached hereto is hereby incorporated into this By-law.
- f) Schedule "C" – Supplier Operating Principles and Code of Conduct attached hereto is hereby incorporated into this By-law.
- g) Schedule "D" – The Regional Municipality of Halton's Purchasing By-law "Schedule "B", *Chart of Bid Irregularities*", attached hereto is hereby incorporated into this By-law.

4. BUDGET CHANGE APPROVAL PROCESS

- 4.1. The authority to procure Goods and Services or Consulting Services or award a Contract is subject to the identification and availability of these funds in appropriate accounts within the Board approved operating or capital budget.
- 4.2. Once established, if during the budget cycle, a more beneficial allocation of funds, the following authorizations must be received:
 - a) expenditures valued under \$35,000 may be approved by the Director;

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- b) expenditures valued between \$35,000 and \$100,000 may be approved by the Chief in consultation with the Director; and
 - c) expenditures valued over \$100,000 may be approved by the Board.
- 4.3. It is understood that any such request shall not cause Service expenses to be more than the total approved budget.
- 4.4. Circumstances and approvals shall be reported and controlled through the Director within specific procedural guidelines.
- 4.5. Goods and Services shall be expensed in the year in which they are actually received, in accordance with generally accepted accounting principles.

5. GENERAL PROCUREMENT POLICIES AND PROCEDURES

5.1. APPLICATION

The policies and procedures prescribed in this By-law, including all of the purposes, goals and objectives, shall be followed for the procurement of all Goods and Services or Consulting Services and for the awarding of any Contract by the Board subject to the exclusions set out herein.

5.2. RESPONSIBILITIES

- 5.2.1. The Chief shall be responsible for the consistent application of all provisions and procurement processes as identified in this By-law. The Chief, upon recommendation from a Deputy Chief or the Director, may appoint Designated Officials to act on behalf of the Police Service in entering into Contracts with third parties. The Chief may limit the purchasing authority of the Designated Officials as he/she deems appropriate.
- 5.2.2. The Director shall be responsible for the direction of Purchasing Services in accordance with the requirements of this By-law. Purchasing Services, through the Purchasing Coordinator, will have the following specific responsibilities:
- a) ensuring the procurement process for Goods and Services, including Consulting Services, is conducted in a manner that supports the principles, goals and objectives of this By-law;
 - b) ensuring compliance with the methods/authorization processes as required by this By-law and advising the Board or the Chief as appropriate when there is non-compliance;
 - c) coordinating, preparing, issuing, opening and evaluating all Bids;

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- d) developing co-operative purchasing plans with other units of government or their agencies or public authorities, where deemed beneficial to the Police Service;
- e) promoting the standardization of Goods and Services, where such standardization demonstrably supports the purposes, goals and objectives of this By-law; and
- f) liaising with Suppliers to communicate performance excellence and to resolve Supplier performance deficiencies.

5.2.3. Managers and Designated Service Representatives shall be responsible for the procurement of Goods and Services up to the value of their prescribed Signing Authority as identified in **Schedule "B"**. Managers and Designated Service Representatives will have the following specific responsibilities:

- a) preparing and approving all specifications and/or terms of reference, in consultation with Purchasing Services;
- b) managing Contracts to ensure expected results, products and/or services are received by the Police Service, in accordance with Contract terms and conditions;
- c) monitoring all Contract expenditures and ensuring that all financial limitations have been complied with and that all accounts are processed within the times set out in the Contract;
- d) monitoring the performance of Suppliers and reporting deficiencies and/or excellence of service to Purchasing Services;
- e) recommending standardization of Goods and Services, where such standardization demonstrably supports the purposes, goals and objectives of this By-law; and
- f) ensuring that all Goods and Services procured have in fact been received and recording such receipts in the method prescribed by Purchasing Services.

6. **AUTHORITIES**

- 6.1. *Schedule "B"* of this By-law will provide the expenditure levels, acquisition methods and authorization level where budget allocation/sufficient funding are already in place.
- 6.2. Notwithstanding any other provision of this By-law, the following Awards are subject to Board approval:

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- a) where any of the provisions of this By-law are being waived;
- b) where the Total Cost of the Lowest Compliant Bid (Quotation or Tender) or Highest Ranking Proposal is higher than the Board approved project budget estimate and the necessary adjustments cannot be made;
- c) where a Bid Protest emanating from a Bid Solicitation has been filed with the Director or with Purchasing Services and has not been resolved by staff; and/or,
- d) where authority to Award has not been expressly delegated herein.

7. BID PROCESSING

The process of notifying the market of procurement opportunities, and the issuing, receiving, opening and evaluating of competitive sealed Bids shall comply with the Region's Policy for Bid Administration.

8. METHODS OF PROCUREMENT

The following are hereby authorized as the acceptable methods for all procurement activities undertaken by or on behalf of the Police Service. These methods may be utilized individually or in combination with one another, as may be appropriate in the circumstances.

8.1. PRE-QUALIFICATION OF ACCEPTABLE BIDDERS

- 8.1.1. Purchasing Services may conduct a Request for Pre-qualification Process for any Goods or Services in order to establish a list of pre-qualified bidders who are eligible to participate in bid solicitations for Goods or Services over a predetermined period of time or for a specific project(s), when he or she determines that it is beneficial to do so.
- 8.1.2. When the Request for Pre-Qualification Process is used, a pre-qualification document shall be provided to the potential Bidders setting out the criteria for pre-qualification, which may include, but is not limited to:
 - a) experience on similar work (firm and staff assigned);
 - b) references obtained from other customers for similar work;
 - c) verification of applicable licences and certificates;
 - d) health and safety policies and staff training; or,

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e) financial capability.

8.2. REQUEST FOR EXPRESSIONS OF INTEREST

Purchasing Services may issue a Request for Expressions of Interest for the purposes of determining the availability of Suppliers of any Goods or Services and for the purposes of keeping a list of potential Suppliers and may be used as a specific pre-condition of any procurement procedure utilized by the Police Service. The submission of an Expression of Interest does not create any contractual obligation.

8.3. LOW VALUE PURCHASES (LESS THAN \$5,000)

8.3.1. A Manager or Designated Service Representative may procure Goods and Services with a Total Cost of up to \$500 without further approval and must provide an original, bona fide receipt.

8.3.2. A Manager or Designated Service Representative may procure Goods and Services with a Total Cost of up to \$5,000 by obtaining Informal Quotes from two or more Suppliers. The Manager must retain the Informal Quotes and must be able to demonstrate that the purchase was made at fair market value and awarded to the lowest quote received

8.3.3. Where a Manager or Designated Service Representative is making a procurement under 8.3.2, the Manager must be able to demonstrate that he or she considered whether the total needs and the annual needs for the Goods and Services do not exceed the Total Cost of \$5,000.

8.3.4. Where a Manager or Designated Service Representative is making a procurement under 8.3.2, the Manager must ensure that sufficient funds are available in the approved operating or capital project budget for the Goods or Services and are within the appropriate account.

8.3.5. A Manager or Designated Service Representative may procure Goods and Services, excluding Consulting Services, through the following means:

- a) a Purchasing Card when such an acquisition does not contravene any procurement methods indicated herein and is used in strict accordance with the Purchasing Card Program Policy as determined by the Director; or,
- b) a Completed and approved Purchase Requisition provided to Purchasing Services with all supporting documentation for the issuance of a Purchase Order. It is intended that the Lowest Compliant Bid shall be accepted without negotiations.

8.4. REQUEST FOR QUOTATIONS – INFORMAL (MORE THAN \$5,000 LESS THAN \$35,000)

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- 8.4.1. For procurement of Goods or Services, excluding Consulting Services, with an expected Total Cost of between \$5,000 and \$35,000, a minimum of three (3) written Quotations shall be solicited by the Manager / Designated Service Representative from any available source. Written Quotations may be received by letter, facsimile or email. The written Quotations shall be analysed and the Manager / Designated Service Representative must be able to demonstrate that the Quotation selected represents Fair Market Value for the Goods or Services. It is intended that the Lowest Compliant Bid shall be accepted without negotiations.
- 8.4.2. The Manager / Designated Service Representative shall forward copies of the written Quotations and the approved Purchase Requisition with the supporting documents to Purchasing Services for issuance of a Purchase Order. Purchasing Services will ensure that no additional or special requirements (i.e. Insurance, Material Safety Data Sheet, WSIB Certificate, Security Clearances, etc.) are needed and the Open Market Process was completed prior to processing the Purchase Order. It is intended that the Lowest Compliant Bid shall be accepted without negotiations.
- 8.5. REQUEST FOR QUOTATIONS – FORMAL (MORE THAN \$35,000 LESS THAN \$100,000)
 - 8.5.1. For procurement of Goods and Services or Consulting Services with an expected Total Cost of between \$35,000 and \$100,000, a formal Request for Quotation shall be applied by Purchasing Services. All Quotations shall be in the form of a competitive sealed bid or a competitive secure electronic bid. It is intended that the Lowest Compliant Bid shall be accepted without negotiations.
 - 8.5.2. Where time is of the essence and/or previous Suppliers have performed satisfactorily, Purchasing Services may conduct the Bid Solicitation through a list of invited Bidders provided by the Manager / Designated Service Representative. At least three (3) written Quotations shall be solicited, analysed and the results tabulated. It is intended that the Lowest Compliant Bid shall be accepted without negotiations.
 - 8.5.3. Where no list of invited Bidders exists, Purchasing Services shall conduct the Bid Solicitation using electronic advertising. Written Quotations shall be solicited, analyzed and the results tabulated. It is intended that the Lowest Compliant Bid shall be accepted without negotiations.
 - 8.5.4. Any Bid irregularities shall be dealt with in accordance with the Region's Purchasing By-law Schedule "B", Chart of Bid Irregularities.
 - 8.5.5. Any Award shall be made in accordance with Section 14 "Reporting Procedures", Section 15 "Forms of Commitment" and Section 16 "Authority to Execute Contracts".
- 8.6. REQUEST FOR TENDERS (EXCEEDING \$100,000)

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- 8.6.1. For procurement of Goods and Services or Consulting Services with an expected Total Cost greater than \$100,000, a formal Request for Tenders shall be applied by Purchasing Services. All tenders shall be in the form of a competitive sealed bid or a competitive secure electronic bid. It is intended that the Lowest Compliant Bid shall be accepted without negotiations.
- 8.6.2. A Request for Tenders shall be applied through Purchasing Services provided that all of the following conditions apply:
- a. two or more sources are considered capable of supplying the Goods and Services or Consulting Services; ***and***
 - b. the Goods and Services or Consulting Services are adequately defined for which a clear single solution exists; ***and***
 - c. the market conditions are such that tenders can be submitted on a competitive pricing basis; ***and***
 - d. it is intended that the Lowest Compliant Bid shall be accepted without negotiations.
- 8.6.3. The Manager / Designated Service Representative shall provide to Purchasing Services the relevant information such as specifications, provisions, plans, supplemental general conditions, etc. as required for the purposes of formulating a Request for Tenders bid document.
- 8.6.4. Purchasing Services shall develop the Request for Tenders document and provide it to the Region's Purchasing Services Department in preparation for a public Bid Solicitation in accordance with the Region's Purchasing By-law and Policy for Bid Administration.
- 8.6.5. Any bid irregularities shall be dealt with in accordance with the Region's Purchasing By-law Schedule "B", Chart of Bid Irregularities.
- 8.6.6. All tenders received shall be analysed, evaluated and results shall be tabulated by Police Service's Purchasing Services Unit. It is intended that the Lowest Compliant Bid shall be accepted without negotiation.
- 8.6.7. Any Award shall be made in accordance with Section 14 "Reporting Procedures", Section 15 "Forms of Commitment" and Section 16 "Authority to Execute Contracts".

8.7. REQUEST FOR PROPOSALS

- 8.7.1. A Request for Proposals shall be applied through Purchasing Services where it is determined that this is a more appropriate procurement method for the acquisition of Goods and Services or Consulting Services when any of the following conditions apply:
- a) solutions to a problem are expected to be complex; and / or

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- b) Total Cost is not the primary evaluation criteria; and / or
 - c) the precise Goods or Services required to meet the objective of the Request for Proposals will vary or are not fully known.
- 8.7.2. The Manager / Designated Service Representative shall provide to Purchasing Services the relevant information such as specifications, provisions, plans, special provisions, and any other information as deemed necessary by Purchasing Services for the purposes of formulating a Request for Proposals document.
- 8.7.3. When the Total Cost for a Request for Proposals is expected to be greater than \$35,000 and not exceeding \$100,000, Purchasing Services shall conduct the Bid Solicitation through a list of invited potential proponents provided by the Manager / Designated Service Representative. Where no list exists, Purchasing Services shall research the market for possible invitees.
- 8.7.4. When the Total Cost for a Request for Proposals is expected to be greater than \$100,000, Purchasing Services shall develop a Request for Proposal document and provide it to Region's Purchasing Services Department in preparation for a public Bid Solicitation in accordance with the Region's Purchasing By-law and Policy for Bid Administration.
- 8.7.5. The Two Envelope Method shall be used for the submission and evaluation of all Proposals.
- 8.7.6. All Proposals received shall be analysed and evaluated using pre-determined criteria by the Evaluation Committee, which shall include a minimum weighting of 30% for Total Cost unless the Director approves a lesser weighting. The Evaluation Committee shall include appropriate members of the Police Service including a member of Purchasing Services as a facilitator to ensure the Police Service's policies and procedures are complied with.
- 8.7.7. The Director may authorize, in advance, a negotiated Request for Proposal, which would include negotiations with one or more Bidders as a component of the procurement process, with the terms of negotiation established in the Bid document.
- 8.7.8. It is intended that the Highest Ranking Proposal shall be accepted.
- 8.7.9. Any bid irregularities shall be dealt with in accordance with the Region's Purchasing By-law Schedule "B", Chart of Bid Irregularities in consultation with the Police Service's Purchasing Services Unit.
- 8.7.10. Any Award shall be made in accordance with Section 14 "Reporting Procedures", Section 15 "Forms of Commitment" and Section 16 "Authority to Execute Contracts".

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8.8. EXTRAORDINARY CIRCUMSTANCE PURCHASES

- 8.8.1. An extraordinary circumstance purchase results from an event or circumstance that is determined by the Chief, Deputy Chief, Duty Inspector, Director or Manager to be:
- a) a threat to public health
 - b) disrupt the provision of essential services of the Police Service;
 - c) present immediate risk to the welfare of persons, public property or the environment;
 - d) be an emergency as declared under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c.E9, as amended or successor legislation;
 - e) be a risk or possible risk to a member of the Police Service; and/or,
 - f) be a risk or possible risk to the integrity of investigational procedures.
- 8.8.2. Where a Manager, Director or Duty Inspector is of the opinion that an extraordinary circumstance exists, the Manager, Director or Duty Inspector may authorize the purchase of such Goods or Services, and may include negotiations, as are considered necessary to remedy the situation without the requirement for a Bid Solicitation and may purchase any required Goods or Services provided that the Total Cost is not expected to exceed \$35,000.
- 8.8.3. Where a Manager or Duty Inspector is of the opinion that an extraordinary circumstance exists, the Chief, a Deputy Chief or the Director may authorize the purchase of such Goods or Services, and may include negotiations, as are considered necessary to remedy the situation without the requirement for a Bid Solicitation and may purchase any required Goods or Services provided that the Total Cost is expected to be greater than \$35,000 and not exceeding \$100,000.
- 8.8.4. Where a Manager, Duty Inspector, Director or a Deputy Chief is of the opinion that an extraordinary circumstance exists, the Chief may authorize the purchase of such Goods or Services, and may include negotiations, as are considered necessary to remedy the situation without the requirement for a Bid Solicitation and may purchase any required Goods or Services if the Total Cost exceeds \$100,000. The Chief shall provide an Information report to the Board outlining the circumstances of the purchase as soon as practical.
- 8.8.5. The relevant details surrounding any extraordinary circumstance purchase shall be reported to the Purchasing Coordinator immediately or as soon as it is practical to do so.

8.9. SINGLE SOURCE / SOLE SOURCE PURCHASE

- 8.9.1. A Single Source or Sole Source purchase may be used for the procurement of Goods or Services or Consulting Services, and may include negotiations, without an Open

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Market Process or Bid Solicitation provided that any of the following conditions apply:

- a) where there is only one known source of supply that meets the needs of the Police Service;
- b) where the compatibility of a purchase with existing equipment, facilities or service is a paramount consideration;
- c) where a Good is purchased for testing or trial use;
- d) where it is most cost effective or beneficial to the Police Service;
- e) for matters involving security, police matters, or confidential issues, in which case a purchase may be made in a manner that protects the confidentiality of the Supplier or the Police Service;
- f) the Goods or Services are in short supply due to market conditions;
- g) where competition is precluded due to the existence of proprietary circumstances such as patent rights, copyright, technical secret or control of raw materials;
- h) a Contract Extension where;
 - i) the term of the existing Contract will soon expire or has expired; **and**
 - ii) circumstances have caused a delay in issuing a new Bid Solicitation; **and**
 - iii) the terms of the original Contract do not allow for Contract Extensions to be negotiated.
- i) there is Board authorization to do so.

8.9.2. Once the Single Source or Sole Source declaration has been determined for the purchase of Goods or Services, Purchasing Services, in consultation with the Manager/Designated Service Representative will conduct negotiations with the Supplier to obtain best possible terms, conditions and pricing.

8.9.3. Any Award shall be made in accordance with Section 14 "Reporting Procedures", Section 15 "Forms of Commitment" and Section 16 "Authority to Execute Contracts".

9. NEGOTIATION

9.1. Notwithstanding that negotiations may be a component of another procurement process, the Chief in consultation with the Director and Purchasing Coordinator may authorize negotiations for Goods or Services in instances not addressed in this By-Law.

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- 9.2. Any Award shall be made in accordance with Section 14 “Reporting Procedures”, Section 15 “Forms of Commitment” and Section 16 “Authority to Execute Contracts”.

10. CONTRACT EXTENSION / EXPANSION

10.1. CONTRACT EXTENSION

10.1.1. When the Award of a Contract is based on a Single / Sole Source negotiation or a Competitive Process within the provisions herein, and the original Contract allows for term extensions to be negotiated, the original signing authority may approve the term extension and additional funding to the Contract (including a provision for price escalation after considering market conditions such as Consumers Price Index, labour settlements, or regulatory pronouncements) if it is in the best interests of the Police Service to do so. If the original signing authority is the Board, the Board may delegate the approval for extension to the Chief within the terms of the original Contract.

10.1.2. Any Award shall be made in accordance with Section 14 “Reporting Procedures”, Section 15 “Forms of Commitment” and Section 16 “Authority to Execute Contracts”.

10.2. CONTRACT EXPANSION

10.2.1. When the Award of a Contract is based on Single / Sole Source negotiation or a Competitive Process and a change in the scope of work has been identified which requires an increase in the Contract value, the Director or Deputy Chief may authorize a Contract Expansion up to and not exceeding \$35,000 should it be in the best interests of the Police Service to do so.

10.2.2. When the Award of a Contract is based on Single / Sole Source negotiation or a Competitive Process and a change in the scope of work has been identified which requires an increase in the Contract value, the Chief or their designate may authorize a Contract Expansion up to and not exceeding \$100,000 should it be in the best interests of the Police Service to do so.

10.2.3. When an Award of a Contract is based on a Single / Sole Source negotiation or a Competitive Process and a change in the scope of work has been identified which requires an increase in the Contract value, the Board may authorize a Contract Expansion, exceeding \$100,000 should it be in the best interests of the Police Service to do so.

10.2.4. Any Award shall be made in accordance with Section 14 “Reporting Procedures”, Section 15 “Forms of Commitment” and Section 16 “Authority to Execute Contracts”.

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11 CO-OPERATIVE PURCHASING / GOVERNMENT CONTRACTS

- 11.1 The Police Service shall encourage and participate in co-operative purchasing with other units of government or their agencies or public authorities should it be in the best interests of the Police Service to do so.
- 11.2 Notwithstanding all efforts to procure goods and services through other processes set out in this By-law, Purchasing Services may recommend the execution of a Contract with a Supplier for the acquisition of Goods and Services on the same or similar terms and conditions as set out in a pre-existing, current contract entered into by the Supplier with another government agency or public authority for the same or similar Goods and Services, so long as:
- a) the pre-existing current contract allows for participation;
 - b) the pre-existing current contract was awarded based on an open market process;
 - c) the pre-existing current contract contemplates the Supplier offering the same or similar Goods and Services to the Board on the same, similar, or better terms and conditions; and
 - d) it is in the best interests of the Service to do so.

12 UNSOLICITED PROPOSALS

- 12.1 Unsolicited Proposals received by the Police Service may be either rejected or reviewed at the discretion of the Chief in consultation with the Director.
- 12.2 Any procurement activity resulting from the receipt of an unsolicited proposal shall comply with, at a minimum, the Single Source provisions of this By-law. A Contract for continuous services resulting from an unsolicited Proposal shall be awarded on a non-competitive basis for a period of no longer than one (1) year, and a competitive sealed bid process may be applied after that period.

13 PURCHASE EXEMPTIONS

- 13.1 The procurement and reporting methods described in this By-law do not apply to the items listed in Schedule "A", "Purchase Exemptions".

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14 REPORTING PROCEDURES

- 14.1 Authorization levels for each acquisition method are listed in Schedule “B”.
- 14.2 For purchases from the approved capital budget to be made or started during the fiscal year, a detailed description of the Capital Project, estimated costs, anticipated financing and its relationship to the Corporate Business Plan shall be submitted to the Board prior to any procurement activity being undertaken.
- 14.3 Notwithstanding Section 5.2 “Responsibilities” through and including Section 12 “Unsolicited Proposals” and Schedule “B” “Expenditure Levels/Acquisition Method/Authorization Levels”, prior to the Award of any Contract for Goods and Services or for Consulting Services, a specific report shall be submitted to the Board for authorization through the Chief, in any of the following instances:
- a) where the provisions of this By-Law are being waived;
 - b) where a Competitive Process has been applied, the Total Cost exceeds \$35,000 and either:
 - i) the Lowest Compliant Bid is not being recommended, or
 - ii) the Highest Ranking Proposal is not being recommended;
 - c) where the Single Source, Sole Source or Negotiation provisions have been applied and the Total Cost exceeds \$100,000;
 - d) when the Total Cost of a Single Source Consulting Services Contract exceeds \$300,000;
 - e) for operating budget expenditures, prior to Contract Award when the Total Cost of the proposed Goods and Services or Consulting Services would cause the major cost element to exceed the approved operating budget by the lesser of 10% or \$50,000;
 - f) for capital projects, prior to Contract Award when the Total Cost of the proposed Contract exceeds the amount provided in the capital budget for that project by the lesser of 10% of the approved capital budget or \$100,000, or when additional debenture financing is required;
 - g) where a Bid Protest emanating from a Bid Solicitation has been filed with the Chief or the Purchasing Coordinator and has not been resolved by Staff; and / or
 - h) where authority to Award has not been expressly delegated elsewhere in this By-Law.

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- 14.4 Notwithstanding Section 5.2 “Responsibilities” through and including Section 12 “Unsolicited Proposals” and Schedule “B” “Expenditure Levels/Acquisition Method/Authorization Levels”, subsequent to the Award of any Contract for Goods and Services or Consulting Services where the Contract results from an Extraordinary Circumstance and the Total Cost exceeds \$100,000, a report shall be submitted to the Board by the Chief explaining the actions taken and the reasons therefore within 60 days of the extraordinary circumstance.
- 14.5 The Director shall submit a report to the Board semi-annually listing all purchases of Goods and Services including Consulting Services Contracts, not otherwise approved by the Board, in excess of \$100,000 for the information of the Board.

15. FORMS OF COMMITMENT

- 15.1. Expenditures for Goods and Services, not including Consulting Services, of \$5,000 or less may be transacted by use of a Police Service issued Purchasing Card in accordance with Purchasing Card policy and this By-law, or by way of a Purchase Order issued by Purchasing Services in accordance with this By-law.
- 15.2. Expenditures for Goods and Services including Consulting Services in excess of \$5,000 shall be committed by way of a Purchase Order issued by Purchasing Services in accordance with this By-law.
- 15.3. When the nature of the Goods or Services warrants, in the opinion of the Purchasing Coordinator and / or the Director, and where the Supplier requires a different form of commitment other than a Purchase Order, a Contract in a form satisfactory to Legal Counsel shall be the form of commitment. The original executed Contract shall be retained by Legal Counsel and a copy shall be forwarded to Purchasing Services.

16. AUTHORITY TO EXECUTE CONTRACTS

- 16.1. Subject to statutory requirements and where all the requirements of this By-law have been met, the Chief or designate is authorized to execute Contracts and any ancillary documents that have been prepared in form and content satisfactory to Legal Counsel, when all of the following conditions have been met:
 - a) sufficient funds are available within the approved operating budget or, sufficient funds are available within the approved capital budget;
 - b) the procurement process and reporting procedures were carried out in accordance with this By-law;

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- c) there is no future financial or performance obligation at the termination of the Contract;
 - d) the term is for a specific period or until completion of a defined project; and
 - e) the value of the Contract does not exceed the Chief's designated approval authority as specified in Section 14 of this By-law.
- 16.2. For the Award of a Contract requiring the Board's authorization, subject to statutory requirements and where all other the requirements of this By-law have been met, the Chief or designate is authorized to execute Contracts and any ancillary documents that have been prepared in a form and content satisfactory to Legal Counsel.

17. SUPPLIER PERFORMANCE

- 17.1. All Suppliers/contractors/consultants conducting business with the Police Service shall be required to adhere to the "Supplier Operating Principles and Code of Conduct", set out in Schedule "C" of this By-law.
- 17.2. The Director shall be responsible for assessing the overall performance of Contracts and ensuring proper documentation exists to support an objective assessment of performance.
- 17.3. Purchasing Services shall receive copies of documentation of a Supplier that has performed unsatisfactorily with respect to Contract specifications, terms and conditions, or for health and safety, environmental or other violations.
- 17.4. The Chief may, upon recommendation from the Director, prohibit an unsatisfactory Supplier from being awarded a Contract, and/or submitting Bids in response to subsequent Bid Solicitations for a period of time determined by the Chief, in consultation with the Director.

18. DISPOSAL

- 18.1. The Chief, through a recommendation from the Director, may authorize the sale, exchange, or otherwise dispose of goods declared as obsolete or surplus to the needs of the Police Service by Managers and where it is cost effective and in the best interest of the Police Service to do so.
- 18.2. Items or groups of items for disposal may:
- a) be offered to other public agencies or non-profit agencies; or
 - b) be sold by external advertisement, formal request, auction or public sale; or

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- c) be advertised internally to employees for sale and sealed bids will be received with award to the highest bidder.
- 18.3. Where it is deemed appropriate by the Director and/or the initiating Manager, a reserve Total Cost may be established.
- 18.4. In the event that all efforts to dispose of goods as set out above in Section 18.2 through Section 18.3 are unsuccessful, the item or items may be scrapped giving due regard to the general provisions of the Ontario Waste Electrical and Electronic Equipment Program and other applicable statutory hazardous waste disposal requirements where applicable.

19. PROHIBITIONS

- 19.1. No purchase or Contract for a specific Good and Service or a specific Consulting Service, shall be divided to avoid the requirements of this By-law.
- 19.2. No Personal Purchases shall be made by the Police Service for Board members or Police Service employees or their Family Members.
- 19.3. An employee who has the responsibility of declaring goods surplus shall not bid on or personally obtain any goods he has declared as surplus.
- 19.4. Every Board or Police Service member or member of a Police Service employees' Family Member is expressly prohibited from accepting, directly or indirectly, from any person, company, firm or corporation to which any Purchase Order or Contract is, or might be awarded, any rebate, gift or money, except:
- a) gifts of a very small intrinsic value;
 - b) gifts given for the use and benefit of the Police Service; or
 - c) moderate hospitality during the normal course of business that would not significantly exceed what the Police Service, through the employee's expense account, would likely provide in return and would not be perceived by others as influencing the making of a business decision.
- 19.5. Any offers of gifts or hospitality which contravene or may be seen to contravene Section 19.4 shall be reported forthwith to the Deputy Chief (Professional Standards Directive PFS-006).
- 19.6. Any Board member shall declare to the Board a Conflict of Interest and refrain from participating or discussing a procurement process/Award where a conflict has been found or deemed to exist.

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- 19.7. Any Police Service member shall declare to the Director or the Purchasing Coordinator a Conflict of Interest and thereafter refrain from participating or discussing a procurement process/Award.
- 19.8. Solicitation of donations or Total Cost considerations from existing Police Service contractors, for any reason, must be approved through the Chief.

20. AUDIT POLICY

- 20.1. Pursuant to the *Municipal Act*, S.O. 2001, c.25, as amended, (“the Municipal Act”), Section 296, the Regional Council shall appoint an auditor who shall audit the accounts and transactions of the Regional Corporation and of every Local Board thereof, including the Police Services Board.
- 20.2. In order to discharge the responsibilities of the audit, the Board recognizes that the auditors shall perform such duties as are prescribed in accordance with the Municipal Act, and that the audit is concerned with the following areas:
 - a) Service Revenues;
 - b) Operating Expenditures;
 - c) Capital Expenditures; and
 - d) Payroll System
- 20.3. All members of the Service involved with these accounting procedures will provide such assistance as necessary to allow the auditor to perform the following steps:
 - a) identify the accounting system and controls;
 - b) conduct a preliminary evaluation of the system;
 - c) determine through testing, the extent of the system;
 - d) determine if the controls in place are effective; and
 - e) perform a final evaluation of the system of internal control.

21. GREEN PROCUREMENT POLICY

- 21.1. The Manager or Designated Service Representative shall consider the objectives of the Region’s Green Procurement Policy when preparing and approving all

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specifications and / or terms of reference that will be used to purchase Goods and Services.

22. REPEAL OF BY-LAW NO. 2006-03

- 22.1. By-law No. 2006-03, as amended, is hereby repealed and it is required that this By-law be reviewed in five (5) years or earlier, to evaluate its effectiveness.

23. DATE BY-LAW EFFECTIVE

- 23.1. This By-law comes into force on the first day of January 2017.

READ and PASSED this 4th day of August, 2016.

CHAIR, THE REGIONAL
MUNICIPALITY OF HALTON POLICE
SERVICES BOARD

EXECUTIVE DIRECTOR TO THE
BOARD

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BY-LAW NO. 2016-001 – SCHEDULE “A”

PURCHASE EXEMPTIONS

The procurement and reporting methods described in this By-law do not apply to the following items based on the current economic and competitive business market:

1. Petty Cash Items (maximum \$100 per transaction)
2. Training and Education
 - a) conferences, conventions, courses and seminars
 - b) magazines, books, periodicals
 - c) memberships
 - d) external venues for training sessions
3. Refundable Employee’s Expenses
 - a) advances
 - b) meal allowances
 - c) travel and entertainment
 - d) miscellaneous – non-travel
4. Employer’s General Expenses
 - a) payroll deductions remittances
 - b) medicals and assessments
 - c) licenses (vehicles, firearms, radio/microwave, elevator, etc.)
 - d) debenture payments
 - e) insurance premiums, claim settlements and adjuster services
 - f) grants to agencies
 - g) damage claims
 - h) petty cash replenishment
 - i) tax remittances
 - j) charges to and from other government bodies provided in the normal course of business (e.g. TSSA, ESA)
 - k) sinking fund payments
 - l) payments for employment
 - m) postage
 - n) external venues for special events
5. Professional and Special Services
 - a) committee fees
 - b) medicals, assessments and laboratory services
 - c) fees for expert or professional legal services
 - d) fees for expert witnesses retained in the course of a legal proceeding
 - e) arbitrators
 - f) medical and dental fees

- g) funeral and burial expenses
 - h) appraiser fees
 - i) witness fees
 - j) honorariums
 - k) advertising
 - l) investigative searches (property, credit)
6. Utilities (monthly charges) where a competitive market does not exist
- a) water and sewer
 - b) hydro
 - c) gas
 - d) telephone (basic land-line services)
 - e) utility relocations
7. Real Property
- a) lease of real property
 - b) tower site leases and licences

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BY-LAW NO. 2016-001 – SCHEDULE “B”

EXPENDITURE LEVELS/ACQUISITION METHOD/AUTHORIZATION LEVELS

THRESHOLDS	AUTHORIZATION
<i>(EXPEDITURE EXCLUDING TAXES, INCLUDING SHIPPING, IMPORT COSTS, ETC.)</i>	
METHODS OF PROCUREMENT <i>Goods and Services (excluding Consulting Services)</i>	
Up to \$5,000 Low Value Purchase – <i>Section 8.3</i>	Manager/Designated Service Representative
\$5,000 - \$35,000 – INFORMAL Request for Quotations (RFQ) – <i>Section 8.4</i>	Manager/Designated Service Representative <i>In consultation with Purchasing Coordinator</i>
\$35,000 - \$100,000 – FORMAL Request for Quotations (RFQ) – <i>Section 8.5</i> Request for Proposals (RFP) – <i>Section 8.7</i>	Purchasing Coordinator
Over \$100,000 – FORMAL Request for Tender (RFT) – <i>Section 8.6</i> Request for Proposal (RFP) – <i>Section 8.7</i>	Chief
Other than: • Lowest Compliant Bid recommended or • Highest Ranking Proposal recommended when Total Cost does not exceed \$35,000	Chief
Other than: • Lowest Compliant Bid recommended or • Highest Ranking Proposal recommended when Total Cost exceeds \$35,000	Board
SINGLE/SOLE SOURCE – ACQUISITION BY NEGOTIATION	
Greater than \$500 not exceed \$35,000	Purchasing Coordinator
Greater than \$35,000 not exceed \$100,000	Chief
Greater than \$100,000	Board

SINGLE SOURCE CONSULTING SERVICES	
Up to \$100,000	Director
Greater than \$100,000 not exceed \$300,000	Chief
Greater than \$300,000	Board
CONTRACT EXTENSIONS (Section 10.1)	
When an Award of a Contract provides for term extensions to be negotiated and the value of the term extension does not exceed \$35,000	Director
When an Award of Contract provides for term extensions to be negotiated and the value of the term extension is greater than \$35,000 not exceeding \$100,000	Chief
When an Award of Contract provides for term extensions to be negotiated and the value of the term extension exceeds \$100,000	Board
CONTRACT EXPANSIONS (Section 10.2)	
When an existing Contract requires an increase in the value of the Contract due to a required change in the scope of work and the increase does not exceed \$35,000	Director or Deputy Chief
When an existing Contract requires an increase in the value of the Contract due to a required change in the scope of work and the increase is greater than \$35,000 but does not exceed \$100,000	Chief
When an existing Contract requires an increase in the value of the Contract due to a required change in the scope of work and the increase exceeds \$100,000	Board
EXTRAORDINARY CIRCUMSTANCE PURCHASES Section 8.8	
Up to \$35,000	Manager, Director or Duty Inspector
Greater than \$35,000 not exceed \$100,000	Chief, Deputy Chief or Director
Greater than \$100,000	Chief (Information Report to Board)

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BY-LAW NO. 2016-001 - SCHEDULE "C"

SUPPLIER OPERATING PRINCIPLES AND CODE OF CONDUCT

The Regional Municipality of Halton Police Services Board requires that all suppliers/contractors/consultants conducting business with the Police Service adhere to the following principles at a minimum:

1. Follow commonly accepted business or industry practices;
2. Obey all applicable municipal, provincial and federal laws;
3. Adhere to the terms of the Contract signed by the Police Service designated Signing Authority unless amendments are negotiated;
4. Conduct business with integrity and in accordance with their obligations under specific agreements;
5. Keep detailed and accurate records of all Contracts and goods and/or services provided to the Police Service;
6. Refrain from divulging confidential or personal information;
7. Avoid any appearance of conflict;
8. Refrain from conduct contrary to the values of the Police Service as included in the Service's current Corporate Business Plan;
9. Treat workers with respect and dignity and ensure that workers are not subjected to any form of physical, sexual, psychological or verbal harassment or abuse;
10. Refrain from engaging in price collusion with other Bidders or Suppliers;
11. Explain clearly the Total Costs of any bid to the Police Service;
12. Refrain from contacting anyone but the designated person between the issuance and closing dates of a competitive bid process;
13. Refrain from providing gifts or hospitality which may be perceived by others as influencing business decisions and contrary to the spirit of this By-law.

The Police Service will include reference to the "Supplier Operating Principles and Code of Conduct" in all competitive bid processes, and with all issued Purchase Orders and Contracts through Purchasing Services.

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BY-LAW NO. 2016-XXX – SCHEDULE “D”

**THE REGIONAL MUNICIPALITY OF HALTON’S
CHART OF BID IRREGULARITIES (EFFECTIVE DECEMBER 1, 2015)**

IRREGULARITY	RESPONSE
Late Bids	Automatic rejection
Signature missing from signature page	Automatic rejection
Failure to return the documents as specified in the Bid Solicitation	Automatic rejection
Bids received on forms other than those specified in the Bid Solicitation	Automatic rejection, unless specifically permitted in the Bid Solicitation
Qualified Bids (Bids qualified or restricted by an attached statement) unless the qualification is minor and does not have a material impact on the Bid	Automatic rejection, unless the qualification is minor and does not have a material impact on the Bid
Part Bids (all items not Bid) unless specifically permitted in the Bid Solicitation	Automatic rejection, unless specifically permitted in the Bid Solicitation
Bid Deposits (when required by Bid Solicitation): (a) Signature missing from Bid deposit (b) Bid deposit incomplete or not in the form specified in the Bid Solicitation (c) Issuing Institution not approved by the Region Insufficient or no Bid deposit submitted	Bidder will be notified of irregularity. Failure to submit Bid deposit that meets the requirement of the Bid Solicitation within two working days* will result in automatic rejection
Bids containing minor errors or omissions, where such errors or omissions do not affect price or have a material impact on the Bid.	The Region may either: a) Notify Bidder of the irregularity. Failure of Bidder to correct/complete and initial correction/completion within two working days* will result in automatic rejection; or b) Accept the Bid with the minor error or omission

<p>Un-initialled changes to the submission that are minor and do not affect price or have a material impact on the Bid (e.g. the Bidder's address is amended by over-writing but not initialled)</p>	<p>The Region may either:</p> <ul style="list-style-type: none"> a) Notify Bidder of irregularity. Failure of Bidder to initial changes within two working days* will result in automatic rejection; or b) Accept the Bid without changes initialled
<p>Unit prices in the Schedule of Prices have been changed but not initialled</p>	<p>Bidder will be notified of irregularity. Failure to initial changes within two working days* will result in automatic rejection</p>
<p>Bids not completed in ink</p>	<p>Bidder will be notified of irregularity. Failure to supply Bid in ink with original signature within two working days* will result in automatic rejection</p>
<p>Signatures not completed in ink or reproduced by mechanical or electronic means</p>	<p>Bidder will be notified of irregularity. Failure to supply Bid in ink with original signature within two working days* will result in automatic rejection</p>
<p>Mathematical calculations that are not consistent with the unit prices or total prices that is not consistent with unit prices.</p>	<p>Unit prices shall govern and the Bid will be corrected accordingly</p> <p>The Region may either:</p> <ul style="list-style-type: none"> a) Notify Bidder of irregularity. Failure of Bidder to initial correction within two working days* will result in automatic rejection; or b) Accept the Bid without correction initialled
<p>Error in calculation of taxes</p>	<p>Pre-tax total price shall govern and the Bid will be corrected accordingly</p> <p>The Region may either:</p> <ul style="list-style-type: none"> a) Notify Bidder of irregularity. Failure of Bidder to initial changes within two working days* will result in automatic rejection; or b) Accept the Bid without corrections initialled
<p>Bid Documents which suggest the Bidder has made a major mistake in calculations of Bid.</p>	<p>Consultation with the Commissioner of Legislative & Planning Services and Corporate Counsel on a case-by-case basis and report to Committee and Council</p>

* Where "working days" specified, this is from the hour the Bidder is notified by Regional staff of irregularity.