

**BY-LAW NUMBER 45-13**

- of -

**THE CORPORATION OF THE COUNTY OF BRANT**

To approve a purchasing policy

**WHEREAS** subsection 270 (1) of the *Municipal Act, 2001, S.O. 2001, c. 25* provides that a municipality shall adopt a policy for the procurement of goods and services;

**AND WHEREAS** the fundamental objective of the procurement function is to provide operating departments with the goods and services they need in the right quantity, on a timely basis, as efficiently as possible, and at the lowest cost consistent with the required quality and to provide for an open and honest process in order to maintain the integrity of the process;

**AND WHEREAS** section 23.1 of the *Municipal Act, 2001, S.O. 2001, c. 25* authorizes a municipality to delegate its powers and duties subject to the restrictions as set out in the Act;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT HEREBY ENACTS** as follows:

**1.0 DEFINITIONS**

In this By-law:

- 1.1 “**Authority**” means the right to conduct the tasks outlined in this By-law.
- 1.2 “**Bid**” means an offer or submission received from a *vendor* in response to a *request* which offer or submission may be accepted or rejected, and *bidding* is the process of submitting a *bid* and *bidder* is the *vendor* that submits the *bid*.
- 1.3 “**Bid Opening Committee**” means a committee consisting of a minimum of two *County* employees and comprised of a representative from the operating *department* and conducted under the chairmanship of the *General Manager of Corporate Services*, to facilitate the public opening of *bids*.
- 1.4 “**Competent**” means a *bid* from a *vendor* whose reputation, past performance and business and financial capabilities are such that the *vendor* would be judged as capable of satisfying the *County’s* needs for a specific *purchase*.
- 1.5 “**Competitive**” means *vendors* are given an equal opportunity to compete for *County* business.
- 1.6 “**Compliant**” means a *bid* that does not vary from the mandatory requirements, specifications and terms and conditions set out in the *request*.
- 1.7 “**Consultant**” means a *vendor*, who by virtue of a particular expertise, is hired by the *County* to undertake a specific task or assignment that may include designing specifications and preparing plans or programs, architectural services, engineering or consulting services.

- 1.8 “**Contract**” means a legally binding agreement between two or more parties, usually written, for the exchange of *goods* and/or *services* for money or other consideration.
- 1.9 “**Contract Extension**” means an amendment to a *contract* which can include either an increase in funds, increase in the scope of work and or an extension in time and must meet specified criteria.
- 1.10 “**Council**” means the Municipal Council of the Corporation of the County of Brant.
- 1.11 “**County**” means The Corporation of the County of Brant.
- 1.12 “**Department**” means an operating department as set out in the *County organizational structure*.
- 1.13 “**Designate**” means a person authorized by the *General Manager* to act on his/her behalf, and authorized to procure *goods* and *services* up to a defined *purchase* amount and in accordance with this By-law.
- 1.14 “**Direct (Emergency) Purchase Process**” means a *procurement process* where the usual *competitive procurement process* is suspended due to the prevailing *emergency* circumstances as define in this By-law.
- 1.15 “**Direct Negotiation**” means a *procurement process* where the usual *competitive procurement process* is suspended and negotiations are entered into with one or more than one *vendor*.
- 1.16 “**Direct Purchase**” means a *procurement process* where a *purchase* is made from a selected *vendor*.
- 1.17 “**Dispose**” means the sale, exchange, transfer, destruction or gift of *goods* owned by the *County* which are deemed surplus to its needs, and “*disposal*” and “*disposed*” shall have similar meanings.
- 1.18 “**Emergency**” means a situation where the immediate *purchase* of *goods* and/or *services* or repair or replacement of equipment, or facilities is essential in order to maintain a required service or to prevent danger to residents or property within the *County*.
- 1.19 “**Expression of Interest**” means a situation where *vendors* approach the *County* or are solicited by the *County* and advise the *County* of their ability or desire to undertake *County* requirements.
- 1.20 “**Formal Request for Quotation**” means a *competitive procurement process* where *vendors* are requested to submit an offer in writing to provide some specified *services*, or to supply certain specified *goods*, for a specified price, in response to a publicly advertised *request*.
- 1.21 “**General Manager**” means the individual accountable for the operations of a *department* or their *designate(s)*.
- 1.22 “**General Manager of Corporate Services**” means the General Manager of the Corporate Services Department or their *designate(s)*.

- 1.23 “**Goods**” means all materials, equipment, fixtures, and structures to be delivered, installed or constructed.
- 1.24 “**Informal Quotation**” means a *procurement process* where requests for prices on specific *goods* and/or *services* are solicited from selected *vendors* and *bids* are submitted verbally, or in writing as specified in the request.
- 1.25 “**Irregular Result**” means any *competitive procurement process* where *bids* are submitted and any of the following has occurred:
- (a) no *bids* received;
  - (b) two or more identical *competent* and *compliant* low *bids* have been received;
  - (c) the lowest *competent* and *compliant bid* exceeds the estimated cost or budget allocation;
  - (d) all *bids* received are either not *competent* or not *compliant*;
  - (e) for any reason the award of the *contract* to or the *purchase* from the lowest *competent* and *compliant vendor* is considered inappropriate;
  - (f) the By-law and *procedures* have not been followed; or
  - (g) less than three (3) valid *bids* are received.
- 1.26 “**Officer**” means any elected official or a member of a Board or a Committee of the *County*.
- 1.27 “**Procedures**” means internal instructions or guidelines to departments as approved by the *General Manager of Corporate Services*.
- 1.28 “**Procurement Process**” means the process by which the required *goods* and/or *services* are obtained.
- 1.29 “**Project Team**” means the individuals assigned by the *vendor* to manage the project.
- 1.30 “**Purchase**” means the act of acquiring *goods* and/or *services* of any legal or equitable interest, right or title in *goods* and/or *services* or the making of any *contract* or offer for *goods* and *services* and includes the lease of *goods* and/or *services*; and “purchased”, “purchasing”, “procurement”, and “procure”, shall have similar meanings.
- 1.31 “**Relative**” means a spouse (including common law spouse), parent, child, brother, sister, brother-in-law, sister-in-law, grandparent, grandchild, nephew, niece, uncle or aunt of an employee or *officer* of the *County*.
- 1.32 “**Request**” means either an “*Informal Quotation*”, a “*Formal Request for Quotation*”, a “*Request for Proposal*”, or a “*Request for Tender*” as the context indicates.

- 1.33 “**Request for Proposal**” means a process where a need is identified, but how it will be achieved is unknown at the outset. This process allows *vendors* to propose solutions or methods to arrive at the end product at a specified price and allows for evaluation on criteria other than price.
- 1.34 “**Request for Tender**” means a request for *vendors* to submit an offer in writing to execute some specified *services*, or to supply certain specified *goods*, at a certain price, in response to a publicly advertised *request*.
- 1.35 “**Senior Management Team**” means the Chief Administrative Officer and the *General Managers*.
- 1.36 “**Services**” means any professional, consulting, construction, or maintenance services, including the delivery, installation, repair, restoration, demolition or removal of personal property and real property.
- 1.37 “**Single Source**” means there is more than one source in the open market but only for reasons of function or service one *vendor* is recommended for consideration of the particular *goods* and/or *services*.
- 1.38 “**Sole Source**” means there is only one source of supply of the particular *goods* and/or *services*.
- 1.39 “**Vendor**” means an individual, firm, supplier, vendor, contractor, architect, *consultant*, or *bidder*.

## 2.0 PURCHASING OBJECTIVES

It is the objective of this By-law to promote *procurement processes* and decisions which are consistent with the strategic objectives of the *County*, and which give consideration to the preservation of the natural environment; waste reduction and recycling; co-operative purchasing where beneficial; and the support of local and Canadian business and industry when possible, provided that the objectives of this By-law and the requirements of any applicable international or inter-provincial trade agreements are not compromised.

The principles which the *County* advocates include:

- 2.1 To promote the most cost effective and efficient use of *County* funds by attaining optimum quality, quantity, price, delivery and performance;
- 2.2 To exercise professional purchasing practices which obtain the most *competitive bids* from the most *competent* and *compliant vendors*;
- 2.3 To delegate the appropriate level of *authority* to enable the *County* to meet service requirements;
- 2.4 To ensure that employees who are responsible for the purchasing of *goods* and/or *services* are accountable for their actions and decisions;

- 2.5 To have regard to accessibility for persons with disabilities;
- 2.6 To maintain an open and honest process that is fair and impartial

### 3.0 AUTHORITY OF THE GENERAL MANAGER OF CORPORATE SERVICES

The *General Manager of Corporate Services* in consultation with the *General Managers*:

- 3.1 shall authorize the issuance of *requests*, and related *bid* documents and *contracts* in accordance with this By-law;
- 3.2 is responsible for the administration of this By-law, including the development of any procedural requirements or standardized forms;
- 3.3 is responsible for assigning the appropriate level of delegated *authority*;
- 3.4 may remove a *vendor* from consideration for *County purchases* on the basis of poor performance evaluation.

### 4.0 PERFORMANCE EVALUATION

- 4.1 A performance evaluation shall be completed at the substantial completion of a *contract* or more frequently if determined to be more appropriate in all *purchases* where:
  - 4.1.1 the cost of the *goods* or *services* received exceeds \$250,000;
  - 4.1.2 in any other instance when the *General Manager* determines that a performance evaluation would be appropriate.
- 4.2 The performance evaluation form and criteria adopted from time to time and attached as Schedule C, shall be provided to the *vendor* upon acceptance of the *bid* by the County and shall be used to evaluate the *vendor* and the *project team* if applicable. The same evaluation criteria shall apply to all performance evaluations undertaken by the *County* but may be amended from time to time by the *Senior Management Team* for the *County*.
- 4.3 The *vendor* shall be provided with the written results of the performance evaluation.
- 4.4 The performance evaluation shall determine whether the *vendor* and/or *project team* will be allowed:
  - 4.4.1 to *bid* on future *requests* issued by the *County*, or
  - 4.4.2 be placed on a probationary list for three (3) years during which time they may *bid* on future *requests* issued by the *County*, or
  - 4.4.3 be prohibited from *bidding* on any future *requests* issued by the *County* for a period of three (3) years after which an application for reinstatement can be made.

- 4.5 In arriving at its decision the *County* shall be entitled to rely upon the performance evaluation criteria provided in advance of the *purchase*, and the results of prior performance evaluations relating to other *purchases* from the same *vendor* and/or *project team*.
- 4.6 No *bid* shall be accepted from any *vendor* and/or *project team* during the term of a prohibition.

## 5.0 APPLICATION OF BY-LAW

- 5.1 All *goods* and/or *services* required for the purposes of the *County*, save and except only those *goods* and/or *services*, listed in Schedule B to this by-law, shall be *purchased* and *disposed* of in accordance with the provisions of this By-law unless:
- 5.1.1 *County Council* by resolution directs that any particular *purchase* or *disposal* of *goods* and/or *services* shall be carried out in some other manner or;
- 5.1.2 any applicable law of the Province of Ontario or the Dominion of Canada requires that the *purchase* or *disposal* of *goods* and/or equipment be carried out in some other manner;
- 5.2 Where the circumstances mentioned in subsection 5.1.1 or 5.1.2 occur, the *purchase* or *disposal* of those *goods* and/or *services* shall be carried out in accordance with the resolution or the applicable law, as the case may be and the provisions of this By-law shall in all other regards continue to apply to such *purchase* or *disposal* with all necessary modifications.
- 5.3 The *General Manager of Corporate Services*, in consultation with the *General Managers*, is hereby authorized to prescribe *procedures* consistent with this By-law and the objectives set out in Item 2.0 regarding:
- 5.3.1 the form, content and use of forms, whether electronic or printed, purchase orders, bonds, letters of credit and other forms of guarantees or surety, *request for quotations*, *tenders* or *proposals* and other *contract* documents;
- 5.3.2 the *procurement process* or *disposal* method which will more effectively achieve the objectives of the By-law, where alternative methods are permitted and the process to be followed in the issuing, receipt and evaluation of *bids*;
- 5.3.3 any other aspects of the process or procedure not specifically provided for under this By-law.

## 6.0 GENERAL AUTHORITY

- 6.1 The *purchase of goods and/or services* shall not be *authorized* unless:
- 6.1.1 the required *goods and/or services* have been acquired in accordance with this By-law and any prescribed procedure;
  - 6.1.2 a *procurement process* permitted under this By-law has been used as detailed in Schedule A to this by-law;
  - 6.1.3 any change to the form and content of any prescribed documents forming any part of the *purchase contract* including but not limited to *request for quotation, tender or proposal* documents, form of agreement, special provisions, terms and conditions, insurance, surety bonds, have been reviewed by *General Manager of Corporate Services*; and
  - 6.1.4 the *purchase* has been approved by the appropriate level of *authority* as detailed in Schedule A to this by-law.
- 6.2 If a *bid* has been approved by *Council* and awarded to the successful *bidder* and the successful *bidder* fails to enter into a *contract*, the *General Manager* of the operating *Department* shall be granted the *authority* to award the *contract* to the *vendor* who has submitted the *bid* which was ranked second, based upon the applicable evaluation criteria, without going back to *Council* for approval, provided the *bid* is within budget. The *General Manager* of the operating *department* shall prepare a report to *Council* for information purposes.

## 7.0 PROCUREMENT PROCESSES

Unless otherwise provided in this By-law, all *goods and/or services* having a price within each of the dollar ranges set out in Column 1 of Schedule "A", to this By-law, shall be *purchased* using a *procurement process* listed in Column 2 and shall be authorized by the *officer, employee, or County Council* as listed in Column 3. Where an *irregular result* occurs, the purchase shall only be authorized by the Approval Authority listed in Column 3

### 7.1 DIRECT PURCHASE

The *Direct Purchase* is a *procurement process* carried out by the *General Manager* of the operating *department*.

### 7.2 INFORMAL QUOTATION

The *Informal Quotation* process is *procurement process* where the *General Manager* of the operating *department* is required to solicit at least three (3) written or verbal quotes and to evaluate all *competent and compliant bids* based on price. Verbal quotes must be recorded.

### 7.3 FORMAL REQUEST FOR QUOTATION

The *Formal Request for Quotation* process is a *competitive procurement process*, commenced by the issuance of a *Formal Request for Quotation*, by the *General Manager* of the operating *department*. The *Request for Quotations* shall be issued in writing and either distributed to no fewer than three (3) applicable suppliers or posted on the *County* website. Other advertising venues may be utilized at the discretion of the *General Manager* of the operating *department*.

The *Formal Request for Quotation* process requires that written *bids* be received on or before the specified closing date and time, and that all *competent* and *compliant bids* be evaluated based on the evaluation criteria contained in the *Formal Request for Quotations* document.

### 7.4 TENDER PROCESS

The *Tender* process is a *competitive procurement process*, commenced by the issuance of a *request for tender*, by the *General Manager* of the operating *department*. The *Request for Tender* shall be advertised in accordance with the *County* advertising policy and shall be posted on the *County* website at least fifteen (15) days prior to the specified closing date and time. Other advertising venues may be utilized at the discretion of the *General Manager* of the operating *department*.

A *Request for Tender* requires that all *bids* be sealed and received on or before the specified closing date and time, and all *bids* be opened in public by the *Bid Opening Committee*. All *competent* and *compliant bids* will be evaluated by the operating *department* in accordance with the evaluation criteria listed below, as set out in the *request for tender* documents.

#### Evaluation Criteria

7.4.1 If *vendors* have been pre-qualified the *bid* will be evaluated in accordance with the following evaluation criteria:

Price	100%
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7.4.2 If *vendors* have not been pre-qualified the *bid* will be evaluated in accordance with the following evaluation criteria:

Price	70%
Other Criteria as listed in <i>Request for Tender</i>	30%

#### Approvals

7.4.3 If the *bid* is evaluated based on criteria other than that listed in 7.4.1. and 7.4.2., the *General Manager* of the operating *department* shall prepare a report to the applicable Standing Committee of *Council*, for approval of the award.

## 7.5 REQUEST FOR PROPOSAL PROCESS

The *Request for Proposal* process is a *competitive procurement process* that involves the solicitation of *bids* when the requirements for *goods and/or services* cannot be definitely specified. It may or may not include pre-qualification or an *expression of interest*. This process has the most flexibility and will generally be governed by the terms of the *Request for Proposal* as developed by the *County*.

The *Request for Proposal* shall be advertised in accordance with the *County* advertising policy and shall be posted on the *County* website at least fifteen (15) days prior to the specified closing date and time.

A *Request for Proposal* requires that all *bids* be sealed and received on or before the specified closing date and time and that all bids be opened in public by the *Bid Opening Committee*.

All *competent and compliant bids* will be evaluated based on the evaluation criteria contained in the *Request for Proposal* document.

## 7.6 DIRECT (EMERGENCY) PURCHASE PROCESS

The *Direct (Emergency) Purchase Process* is a *procurement process* that may be used when the *purchase* of any *goods and/or services* is deemed an *emergency*, and when the *General Manager* of the operating *department* authorizes the *procurement process* outlined in this By-law be suspended. This process is undertaken at the sole discretion of the *General Manager* of the operating *department* who will provide written justification to the *General Manager of Corporate Services*, indicating why the prescribed *procurement process* was not followed. The *General Manager of Corporate Services* shall prepare an information report to the *Corporate Development Committee* detailing any *Direct (Emergency) Purchase in excess of \$100,000*.

## 7.7 DIRECT NEGOTIATED PROCESS

The *Direct Negotiated Process* is a *procurement process*, which permits the *General Manager* of the operating *department*, in consultation with the *General Manager of Corporate Services* to enter into negotiations with one or more *vendors* for the supply of *goods and/or services* when any of the following conditions apply:

- 7.7.1 No *bids* are received on a *Formal Request for Quotation, Request for Tender or Request for Proposal* call;
- 7.7.2 The extension or reinstatement of an existing *contract* would prove more cost effective or beneficial;
- 7.7.3 *Bids* have been solicited using one of the *procurement processes* with all *bids* received being not *compliant* or not *competent*;
- 7.7.4 *Goods and /or services* are available from a *single source* or *sole source*;

7.7.5. *Goods* are required for resale and the determining criteria is marketability and profitability as determined by the operating *department* when costs are recovered through sales;

7.7.6. An unsolicited proposal is received by the *County* and it is determined that it is in the best interests of the *County* to *single source*.

## 7.8 COOPERATIVE PURCHASING

Cooperative purchasing is a *procurement process* where the *County* participates with other governments, agencies or public authorities in co-operative ventures or *contracts* where the best interest of the *County* would be served, provided the objectives of this By-law are met.

## 7.9 CONTRACT EXTENSIONS

*Contract Extension* is a *procurement process* where a specified renewal price is stated in a *bid*. The *General Manager* of the applicable *department* is authorized to execute any *contract extensions* with the successful *bidder* in accordance with a specified renewal price as stated in the *bid*.

## 7.10 FORMAL AGREEMENTS

Where in accordance with this By-law, *Council* approval to *purchase* is not required, the *General Manager* of the operating *department* is authorized to execute any *contracts* that are required.

## 7.11 TIE BIDS RECEIVED

In the case of tied *bids*, the successful *bidder* will be selected by public coin toss, upon the giving of reasonable notice to the tied *bidders* of the date and time of the coin toss and in the presence of the *General Manager of Corporate Services*.

## 7.12 DESIGN AND DEVELOPMENT SERVICE

A *vendor* that has provided design services or specifications for a *request* shall not be permitted to *bid* on the *request* unless authorized by *Council*.

## 7.13 RESTRICTED CONTACT PERIOD THROUGHOUT THE BIDDING PERIOD

Every *Formal Request for Quotation*, *Request for Proposal* and *Request for Tender* shall name an official *County* contact and may name an alternate contact and that person or their *alternate* if applicable are the **only** person(s) who are authorized to communicate with *vendors* during the *procurement process*, which commences at the issuance of the *request* and is concluded upon acceptance of the *bid*. All inquiries from *vendors* are required to be submitted in writing and all responses to those inquiries from the *County* shall be in writing and shall be provided to all *vendors* that have requested a *bid* document.

## 8.0 DISPOSAL OF SURPLUS GOODS AND/OR EQUIPMENT

The *General Manager of Corporate Services* is authorized to *dispose* of surplus, obsolete or non repairable *goods* and equipment declared surplus by authorizing its distribution for use by other *County departments* or if no longer useful for *County* purposes, by arranging for their *disposal* at the highest return using one of the following methods:

- 8.1 scrap, dismantle or destroy, classify as waste and *dispose*;
- 8.2 donate or sell for a nominal fee to a non-profit or charitable organization;
- 8.3 trade-in;
- 8.4 sell by *request for quotation, proposal, or tender*;
- 8.5 public auction;

## 9.0 BY- LAW ADMINISTRATION AND COMPLIANCE

- 9.1 The *General Manager of Corporate Services* shall prepare and maintain the appropriate purchasing administrative *procedures* to implement this By-law.
- 9.2 All employees of the *County* shall act in a manner consistent with the objectives of the By-law.
- 9.3 No *purchase* of *goods* and/or *services* or *disposal* of surplus *goods*, or equipment shall be made where the quantity or delivery is divided or in any other manner arranged so that the price of the *goods* and *services* to be acquired or *disposed* of is artificially reduced to circumvent the prescribed *procurement process*.
- 9.4 Prior to approval of the current budget, a *department* may incur normal operating expenditures.

Approval of a capital budget for a project by *Council* shall constitute authorization for any *purchase* to perform the authorized capital project, within the approved project cost provided any *purchase* is conducted in accordance with this By-law. Where the *purchase* cost exceeds the approved budget by 10% or more, the *General Manager* must obtained *Council* approval for the *purchase*.

- 9.5 No *officer* or employee or any *relative* of that *officer* or employee shall be permitted to *purchase* any surplus *goods* to be *disposed* of except by successfully *bidding* on the same at a public auction or by sealed *bid* but in no case if the duties of that *officer* or employee include making decisions regarding the *disposal* of such *goods* or activities relating to the conduct of the *disposal* process.
- 9.6 *Officers* and employees shall not knowingly cause or permit anything to be done or communicated to anyone which is likely to cause any potential *vendor* to have an unfair advantage or disadvantage in obtaining a *contract* for the supply of *goods* and/or *services* to the *County*, or any other municipality, local board or public body involved in the *purchase* of *goods* and *services* either jointly or in cooperation with the *County*.

9.7 No *officer* or employee shall knowingly cause or permit anything to be done which will jeopardize the legal validity or fairness of any *purchase of goods* and/or *services* under this By-law which is likely to subject the *County* to any claim, demand, action or proceeding as a result of such act or omission.

9.8 No *officer* or employee shall open any *bid* or *purchase* any *goods* and/or *services* from an elected official, *officer* or employee of the *County* without the prior approval of *Council*.

**10.0 LEGAL CLAIMS**

A *bid* will not be accepted from any *vendor* who is involved a legal proceeding with the *County* with respect to any previous *procurement process, purchase or contract for goods and services*, without the prior approval of *Council*.

**11.0 REPEAL OF FORMER PURCHASING BY-LAW**

By-law Number 271-04 and any resolutions with respect to purchasing approved prior to the enactment of this by-law are hereby repealed.

**12.0 SHORT TITLE**

This by-law shall be known as "The Purchasing By-law".

**READ** a first and second time, this 19<sup>th</sup> day of March, 2013.

**READ** a third time and finally passed in Council, this 19th day of March, 2013.

**THE CORPORATION OF THE COUNTY OF BRANT**

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Mayor

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Clerk

**SCHEDULE "A" – BY-LAW NUMBER 45-13**

<b>DOLLAR RANGES</b>	<b>PROCUREMENT PROCESSES</b>	<b>APPROVAL AUTHORITY</b>
Any dollar value	<i>Direct (Emergency) Purchase</i>	<i>General Manager of Operating Department</i>  <i>Subject to reporting requirements in section 8.6</i>
0-10,000	<i>Direct Purchase</i> <i>Request for Proposals</i> <i>Direct Negotiation</i> <i>Contract Extensions</i> <i>Irregular Result</i> <i>Cooperative Purchasing</i>	<i>General Manager of Operating Department</i>
10,000.01-50,000.00	<i>Informal Quotation</i> <i>Request for Proposals</i> <i>Direct Negotiation</i> <i>Contract Extensions</i> <i>Irregular Result</i> <i>Cooperative Purchasing</i>	<i>General Manager of Operating Department</i>
50,000.01-100,000	<i>Formal Request for Quotations</i> <i>Request for Proposals</i> <i>Direct Negotiation</i> <i>Contract Extensions</i> <i>Irregular result</i> <i>Cooperative Purchasing</i>	<i>General Manager of Operating Department and General Manager of Corporate Services</i>  <i>If Operating Department is Corporate Services- General Manager of Corporate Services and Treasurer</i>

**SCHEDULE "A" – BY-LAW NUMBER 45-13**

100,000.01 or more	<i>Request for Tender</i> <i>Request for Proposals</i> <i>Direct Negotiation</i> <i>Contract Extensions</i> <i>Irregular Result</i> <i>Cooperative Purchasing</i>	<i>Council</i>
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## **SCHEDULE "B" TO BY-LAW NUMBER 45-13**

The following items are not subject to the *County's* Purchasing By-law

### 1.0 Training and Education

### 2.0 Refundable Employee Expenses

- (a) Meal Allowances
- (b) Travel Expenses
- (c) Public Relations
- (d) Hotel Accommodation
- (e) Mileage

### 3.0 General Expenses

- (a) Licenses (vehicles, elevators, radios, etc.)
- (b) Charges to or from other government bodies or Crown Corporations except for construction and/or maintenance projects
- (c) Real Estate including land, buildings, leasehold interests, easements, encroachments and licenses
- (d) Periodicals, magazines or subscriptions
- (e) Consulting Services (up to \$100,000) where a previously retained firm has provided similar services or has an intimate knowledge of the project and it would be beneficial to have that same firm provide new or extended services
- (f) Other Professional and Special Services:
  - i. Accounting and Auditing Services
  - ii. Legal Services
  - iii. Banking Services
  - iv. Public Debenture Sales
  - v. Group Benefits
  - vi. Realty Services Regarding the Lease, Acquisition, Demolition, Sale of Land, and Appraisal of Land
  - vii. Peer-review consultants where the consultant is paid by a third party and not by the County
- (g) Witness Fees
- (h) Charges to or from government legislated controlled agencies (i.e. – Technical
  - a. Standards & Safety Association, Electrical Safety Authority, Liquor Control Board
- (i) Original works of art
- (j) Entertainers (i.e. – for Theatre, Special Events)

### 4.0 Utilities