



**TOWN OF DUCK LAKE
BYLAW NO 2020-08**

A BYLAW OF THE TOWN OF DUCK LAKE, IN THE PROVINCE OF SASKATCHEWAN, TO
PROVIDE FOR A PROCUREMENT AND PURCHASING BYLAW.

The Council of the Town of Duck Lake in the Province of Saskatchewan enacts as follows:

1 PURPOSE

1.1 To establish the process for the procurement of goods, services and construction by the Town of Duck Lake (the "Town") in a manner that:

- (a) Promotes open and fair competition (where a competition is deemed by the Town to offer best value);
- (b) Facilitates the best value for money in accordance with, among other things, *The Best Value in Procurement Act, 2015* (the "Act");
- (c) Upholds high ethical standards expected from a municipality;
- (d) Maintains the integrity of the Town's Community Plan;
- (e) Complies with all applicable trade agreements, including the Agreement on Internal Trade (AIT), Canadian Free Trade Agreement (CFTA), and New West Partnership Trade Agreement (NWPTA), and all other legal obligations, including but not limited to, municipal, provincial and federal law as applicable and as amended.

1.2 This Bylaw addresses who has the authority to sign Agreements and approve payments.

2. PURCHASING PROCESS

2.1 Pre-Approval

All expenditures made by the Town must be pre-approved prior to the purchase in one of the following manners; they must be:

- (a) Budgeted; or
- (b) Approved by Council Resolution; or
- (c) Authorized as per article 3.1
- (d) Approved under a declaration of a Local State of Emergency.

2.2 Procurement

All goods and services shall be procured by the Town in a way that is consistent with this Bylaw and with its goals and objectives.

The Town acknowledges that following a competitive procurement process for good and services will result in the lowest price in most situations but it may not be appropriate, economical, or administratively reasonable for some procurement situations, and therefore, the following processes shall be followed:

- (a) For purchases below \$75,000, Local Providers shall be sourced whenever possible, provided that safety and security are not jeopardized, and provided that the costs of purchasing from Local Providers is not greater than seven percent (7%) above the costs of sourcing from providers outside of the Town of Duck Lake region.
- (b) For purchases below \$75,000, no single provider shall be unilaterally sourced when other Local Providers offer equivalent goods or services. Attempts shall be made to make purchases on a rotational basis to all Local Providers of equivalent goods or services provided that the cost of such

purchases is not greater than seven percent (7%) above the costs of sourcing from any single provider.

(c) Value up to \$5,000 – no competitive procurement process is required.

(d) Value of \$5,001 - \$25,000 – the Town shall obtain written quotations (quotes) from at least two (2) contractors or suppliers. Quotes may be received by email, fax, or phone.

(e) Value of \$25,001 - \$75,000 – the Town shall obtain quotes from at least three (3) contractors or suppliers; or, at the discretion of the CAO if deemed to be in the best interest of the municipality, the Town may utilize a competitive procurement process (i.e. Tender, RFP, REOI, or RFQ) to select the successful Proponent.

(f) Value of \$75,001 or greater – the Town shall utilize a competitive procurement process of its choosing in order to select a successful Proponent to provide the goods or services.

(g) Notwithstanding the foregoing Value thresholds, the Town shall be entitled at any time to utilize a competitive process regardless of the Value where it deems it necessary, appropriate or desirable in the circumstances.

(h) The Town may make its selection of a successful Proponent based on whatever criteria the Town deems appropriate, in its sole discretion, and in keeping with article 1.1.

3. AUTHORIZATIONS

3.1 Authorizing Purchases

Purchasing Authorities have the authority to authorize single purchases within the following value parameters:

(a) For Budgeted items:

- (i) Purchases up to \$5,000 must be authorized by a Manager *or* the CAO;
- (ii) Purchases up to \$10,000 must be authorized by a Manager *and* the CAO;
- (iii) Purchases of \$10,001 and above must be authorized by the CAO and the Mayor.

(b) A Council Resolution is required to approve non-budgeted purchases of \$10,000 and above.

3.2 Signing Authority

(a) All cheques for expenditures are to be co-signed by two of the following Signing Authorities:

- (i) The Mayor, or in his/her absence, the Deputy Mayor;
- (ii) The Chief Administrative Officer;
- (iii) The Assistant Administrator.

4. GENERAL

4.1 The values limits in this policy exclude applicable taxes.

4.2 No single purchase shall be divided in order to avoid any restrictions identified in this policy.

4.3 If, at the sole discretion of the Town, a Project is deemed to be a Community Project, then this Purchasing Policy shall not apply to such goods or services provided to the Community Project by an entity other than the Town. The Community Project shall be subject to any other

regulation put forward by the Town to regulate the development of such Community Projects.

This Procurement and Purchasing Policy shall continue to apply to any goods or services procured or provided by the Town to the Community Project. For the sake of clarity, if the Town will procure or provide any good or services for the Community Project, then any procurement procedures utilized by the Town shall not be used to:

- (a) avoid competition; or
- (b) discriminate between suppliers; or
- (c) protect the Town's current suppliers from competition.

5. Bylaw #2017-07 is hereby repealed.

THIS BYLAW shall come into force and take effect on the final passing thereof.

Read a FIRST time this 11th day of May, 2020
Read a SECOND time this 11th day of May, 2020
Read a THIRD time this 11th day of May, 2020

SEAL

Mayor Donna Piche

Administrator Michelle Zurakowski